

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 4, 2006 – 5:30 p.m.
Courthouse – Third Floor

1. Call to Order.

(PLEASE TURN YOUR CELL PHONE OFF)

2. Invocation – Reverend Moses Atwood, Macedonia Baptist Church.
3. Pledge of Allegiance to the Flag.
4. Are there any items to be added to the agenda?

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

5. Proclamations.

Recommendation: That the Board take the following action concerning the adoption/ratification of the following seven Proclamations:

- A. Adopt the Proclamation commending and congratulating Patricia A. Watts, Job Development Specialist, Human Assistance Division, Community Services Department, on her retirement after 17 years of faithful and dedicated service;
- B. Adopt the Proclamation commending and congratulating East Hill Baptist Church in celebration of its Centennial Anniversary, on May 7, 2006;
- C. Adopt the Proclamation proclaiming the week of May 15-19, 2006, as “Small Business Week” in Escambia County;

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5. Continued...

- D. Adopt the Proclamation proclaiming the week of May 21-27, 2006, as “Public Works Week” in Escambia County;
- E. Adopt the Proclamation proclaiming the week of May 7-13, 2006, as “Multiple Chemical Sensitivity Awareness Week” in Escambia County;
- F. Ratify the Proclamation extending appreciation to Rich Mischell for his personal contributions to the citizens of Escambia County by working tirelessly to bring the best entertainment to the Pensacola Civic Center; and
- G. Ratify the Proclamation proclaiming Thursday, April 20, 2006, as “Kenny Chesney Day” in Escambia County.

6. Employee of the Month Proclamations.

Recommendation: That the Board adopt the two Proclamations commending and congratulating the following employees for being selected as Employees of the Month for May 2006:

- A. Ms. Mary M. Harris, Office Assistant II, Community Services Division, Community Corrections Department, Community Services and Public Safety Agency; and
- B. Ms. Johnny L. Cox, Office Assistant III, Traffic Operations Division, Engineering Department, Public Works and Land Management Agency.

7. Written Communication – None.

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

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

9. **5:31 p.m. Public Hearing for consideration of adopting an Ordinance creating the Millview Estates Area Street Lighting MSBU.**

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

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

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

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, adopt, and authorize the Chairman to sign, the Ordinance creating the Woodlands Area Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and make the following findings of fact:

- A. Lots in the District are specially benefited since street lighting not only increases the market value of an individual lot in the District, but also increases safety in the District surrounding individual lots and the ability of lot owners to use their individual lots after dark;

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AGENDA – BOARD OF COUNTY COMMISSIONERS

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10. Continued...

- B. The benefit from improved street lighting varies according to the relative size of the affected lots; residential lots benefit from improved street lighting uniformly because of the small variation in size throughout the District;
- C. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
- D. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment for street lighting.

11. **5:33 p.m. Public Hearing for consideration of adopting a Nuisance and Unsafe Building Abatement Ordinance.**

Recommendation: That the Board, at the 5:33 p.m. Public Hearing, adopt a Nuisance and Unsafe Building Abatement Ordinance, as follows:

An Ordinance of Escambia County, Florida, relating to abatement of certain nuisance conditions and unsafe buildings in Escambia County; amending Chapter 30, Article VI, Sections 30-200 through 30-206, providing for legislative findings and intent; providing for definitions; defining nuisance conditions; defining unsafe buildings; providing for methods of abatement; providing procedures for condemnation following a natural disaster or other declared local emergency; providing for enforcement; providing for severability; providing for inclusion in the Code; and providing for an effective date.

12. **5:34 p.m. Public Hearing for consideration of adopting the Southwest Escambia (*Infrastructure*) Improvement District Ordinance a/k/a the Perdido Key Tax Increment Financing Ordinance.**

Recommendation: That the Board, at the 5:34 p.m. Public Hearing, take the following action concerning an Ordinance establishing the Southwest Escambia (*Infrastructure*) Improvement Trust Fund (*also known as the Perdido Key Tax Increment Financing Ordinance*):

- A. Conduct the Public Hearing on Thursday, May 4, 2006, at 5:34 p.m., to consider adopting an Ordinance relating to the Southwest Escambia (*Infrastructure*) Improvement Trust Fund; and
- B. Consider adopting a Resolution authorizing the County to issue renewal bonds, not exceeding \$135,000,000, for the financing, from time to time, of the cost of certain transportation and infrastructure improvement projects in the Southwest Escambia (*Infrastructure*) Improvement District.

13. **5:35 p.m. Public Hearing for consideration of adopting an Ordinance repealing Ordinance Number 2005-60.**

Recommendation: That the Board, at the 5:35 p.m. Public Hearing, consider repealing Ordinance Number 2005-60, which eliminated the dwelling unit cap on Perdido Key and removed the MU-4 (*Mixed Use 4*) dwelling unit cap.

14. Reports:

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

15. Items added to the agenda.

16. Announcements.

17. Adjournment.

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

REPORT OF CLERK OF THE CIRCUIT COURT & COMPTROLLER
May 4, 2006

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

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

- A. Payroll Expenditures as of Payday April 21, 2006, in the amount of \$1,864,128.66; and
- B. The following two Disbursement of Funds:
 - (1) April 13, 2006, to April 19, 2006, in the amount of \$10,607,780.75; and
 - (2) April 20, 2006, to April 26, 2006, in the amount of \$2,562,653.15.

2. Recommendation Concerning Write Off of Accounts Receivable

Recommendation: That the Board take the following action concerning write off of returned checks and accounts receivable:

- A. Adopt the Resolution authorizing the write off of \$556.00 in returned checks and other accounts receivable in various funds of the County that have been determined to be uncollectible bad debts; and
- B. Adopt the Resolution authorizing the write off of \$1,458,956.76 in receivables that have been recorded in the Emergency Medical Services (EMS) Fund of the County and have been determined to be uncollectible bad debts.

3. Recommendation Concerning the Annual Audit Report

Recommendation: That the Board accept, for filing with the Board's Minutes, the Annual Audit Report for the Fiscal Year ended September 30, 2005, as prepared by the Finance Department, Office of the Clerk of the Circuit Court & Comptroller, and audited by O'Sullivan Creel, LLP, Certified Public Accountants & Consultants.

I. CONSENT AGENDA – Continued

4. Recommendation Concerning Acceptance of Documents

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

- A. The *Escambia Community Clinics, Inc. Annual Report* for 2005, received in the Clerk of the Board's Office on April 20, 2006; and
- B. The Order of Prohibition (Fire Safety) issued on April 13, 2006, and rescinded on April 27, 2006, as executed by John S. Dosh, Division Chief, Emergency Management.

5. 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 April 20, 2006;
- B. Approve the Board's Minutes of the Attorney-Client Session held on April 20, 2006;
- C. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held April 20, 2006; and
- D. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held on April 13, 2006.

GROWTH MANAGEMENT REPORT

May 4, 2006

I. PUBLIC HEARINGS

1. Review of Rezoning Cases heard by the Rezoning Hearing Examiner on March 27, 2006.

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-2006-06, Z-2006-23, Z-2006-24, Z-2006-26, and Z-2006-30 or remand the cases back to the RHE; and
- B. Authorize the Chairman to sign the Orders of the Escambia County Board of County Commissioners for the rezoning cases that were reviewed.

Case No.:	Z-2006-06
Location:	3181 Stefani Road
Property Reference No.:	38-1N-31-4204-000-000
Property Size:	9.44 (+/-) acres
From:	VR-1, Villages Rural Residential Districts (1du/4 acres)
To:	V-3 Villages Multifamily Residential (5 du/acre)
FLU Category:	MU-6, Mixed Use 6, Area 2
Commissioner District:	5
Requested by:	Wiley C. "Buddy" Page, Agent for L.D.J. Development, Inc., Owners
RHE Recommendation:	Denial
Staff Recommendation:	Denial
Speakers:	Wiley "Buddy" Page, Agent Karen Thompson, Presentation Lamar Christenberry Rebecca Christenberry Steven Stek Diane Stefani Bob Malinsky Brian Lowe Gary Lowe

Case No.:	Z-2006-23
Location:	390 Nowak Road

Property Reference No.: 16-1N-31-2301-000-001, 16-1N-31-2301-000-002 & 16-1N-31-2301-000-003
Property Size: 21.84 (+/-) acres
From: VAG-2, Villages Agriculture Districts (1du/5 acres); and (a portion of 16-1N-31-2301-000-01) VR-2, Villages Rural Residential District, Gross Density (1 du/0.75 acre)
To: V-2, Villages Single-Family Residential District, Gross Density (2du/acre)
FLU Category: MU-6, Mixed Use 6
Commissioner District: 5
Requested by: W.R. Ward, Agent for Rick Evans, Owner
RHE Recommendation: Approval
Staff Recommendation: Approval
Speakers: W. R. Ward, Agent
Tim Lampkin, Presentation

Case No.: **Z-2006-24**
Location: 13562 Perdido Key Drive
Property Reference No.: 26-3S-32-4300-000-007
Property Size: 0.16 (+/-) acres
From: R-2PK, Residential District (Perdido Key), Medium Density, (4.5du/acre)
To: C-1PK, (Perdido Key) Commercial District, (3du/acre)
FLU Category: MU-4, Mixed Use 4
Commissioner District: 2
Requested by: Michael Pas, Agent for Howard C. Sandusky
RHE Recommendation: Approval
Staff Recommendation: Approval
Speakers: Michael Pas, Agent
Tim Lampkin, Presentation

Case No.: **Z-2006-26**
Location: 9500 Blk. of Gulf Beach Hwy.
(At Sorrento Road)
Property Reference No.: 05-3S-31-4000-000-001
Property Size: 2.61 (+/-) acres
From: R-6, Neighborhood Commercial and Residential District (cumulative), (25 du/acre), High Density AIPD-1 (Airfield Influence Planning District); APZ-1 (Accident Planning Zone)
To: AMU-1, AIPD-1, (Airfield Influence Planning District), APZ-1, (Accident Planning Zone), (1 du/2.5 acres)

FLU Category: C- Commercial
Commissioner District: 1
Requested by: Bobby L. Warner, Owner
RHE Recommendation: Approval
Staff Recommendation: Approval
Speakers: Don Stephens, Owner
Tim Lampkin, Presentation

Case No.: **Z-2006-30**
Location: 1400 East Johnson Ave
Property Reference No.: 20-1S-30-1101-070-010
Property Size: 7.68 (+/-) acres
From: R-5, Urban Residential/Limited Office District
(cumulative), High Density (20 du/acre)
To: R-6, Neighborhood Commercial and
Residential District (cumulative), High Density
(25 du/acre)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 5
Requested by: Sally Bussell Fox, Esq., Agent as of 3/17 for
Edwin L. Hansen, Agent for John L. Macklin &
Doris H. Macklin
RHE Recommendation: Approval
Staff Recommendation: Approval
Speakers: Sally Bussell Fox, Agent
Tim Lampkin, Presentation
Edwin Hansen
Randy Wilkerson
Rebecca H. Cholevik

2. **5:45 p.m. – Thursday, May 4, 2006 Public Hearing** – Amendment to the Official Zoning Map.

RECOMMENDATION: That the Board adopt an ordinance to amend the Official Zoning Map to include the rezoning cases that were heard by the Rezoning Hearing Examiner on March 24, 2006, and approved during the previous agenda item and to provide for severability, inclusion in the code, and an effective date.

II. ACTION ITEM:

1. **Thursday, May 4, 2006** – Approval of Evaluation and Appraisal Issue List

RECOMMENDATION: That the Board approve and authorize staff to forward to the Florida Department of Community Affairs (DCA) the attached list of issues to be addressed during the Evaluation and Appraisal of the Escambia County Comprehensive Plan, and request that DCA issue an official Letter of

Understanding that these items will be the subject of Escambia County's 2007 Evaluation and Appraisal Report (EAR).

III. CONSENT AGENDA:

1. Scheduling of Public Hearings

- A. 5:45 p.m. – Thursday, June 1, 2006** – A public hearing to amend the Official Zoning Map to include the following Rezoning Cases heard by the Rezoning Hearing Examiner (RHE) on April 24, 2006 and approved by the Board during the previous agenda item:

Case No.: **Z-2003-28**
Location: 9610 Chemstrand Road (Remanded from the BCC on September 22, 2005)
Property Reference No.: 07-1S-30-2102-001-003
Property Size: 0.75 (+/-) acres
From: R-2, Single-Family District (cumulative), Low- Medium Density (7 du/acre)
To: R-6, Neighborhood Commercial and Residential District (cumulative), High Density (25 du/acre)
FLU Category: C, Commercial
Commissioner District: 5
Requested by: Billy E. and Helen F. Grantham, Owners Brazwell, LLC.

Case No.: **Z-2006-25**
Location: 5340 Pale Moon Drive
Property Reference No.: 10-3S-32-1001-000-000 & 10-3S-32-1002-000-000
Property Size: 4.79 (+/-) acres
From: SDD, Special Development District (3 du/acre) and R-1, Single-Family District, Low Density (4 du/acre)
To: R-4, One-Family and Two-Family District (Cumulative), Medium Density (18 du/acre)
FLU Category: MU-3 Mixed Use 3
Commissioner District: 1
Requested by: Wiley C. "Buddy" Page, Agent for Pale Moon Estates, LLC, Owners

Case No.: **Z-2006- 27**
Location: 1351 Hwy 97 South
Property Reference No.: 22-1N-31-1303-000-000
Property Size: 18.93 (+/-) acres
From: VAG-2, Villages Agriculture Districts

To: (1 du per five acres)
V2-A, Villages Single-Family Residential
District (3 du/acre)
FLU Category: MU-6, Mixed Use 6, Area 4
Commissioner District: 5
Requested by: Wiley C. "Buddy" Page, Agent for Jarrett
and Marcia Jackson, Owners

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

Case No.: **Z-2006- 31**
Location: 8201 Lawton Street
Property Reference No.: 17-1S-30-2101-000-050
Property Size: 1.03 (+/-) acres
From: R-5, Urban Residential/Limited Office
District, (cumulative) High Density (20
du/acre)
To: C-1, Retail Commercial District
(cumulative) (25 du/acre)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 4
Requested by: Wiley C. "Buddy" Page, Agent for
Stonebraker Group, LLC, Owners

Case No.: **Z-2006- 32**
Location: 13572 Perdido Key Drive
Property Reference No.: 26-3S-32-4300-000-002
Property Size: 0.17 (+/-) acres

From: R-2PK, Residential District (Perdido Key), Medium Density, (4.5 du/acre)
To: C-1PK, (Perdido Key) Commercial District, (3 du/acre)
FLU Category: MU-4, Mixed Use 4
Commissioner District: 2
Requested by: Wiley C. "Buddy" Page, Agent for Robert K. & Mary P. Thompson

Case No.: **Z-2006- 33**
Location: 5989 North Blue Angel Pkwy.
Property Reference No.: 02-2S-31-3000-008-004
Property Size: 2.62 (+/-) acres
From: R-R, Rural Residential District (cumulative), Low Density (2 du/acre) and R-6, Neighborhood Commercial and Residential District (cumulative), High Density (25 du/acre) AIPD-2 Airfield Influence Planning District Overlay
To: AMU-2, Airfield Mixed Use 2 District, (cumulative to AMU-1 only) (3 du/acre)
FLU Category: C, Commercial
Commissioner District: 1
Requested by: Robert A. Emmanuel, P.A., and Agent for Skipper Investments, Inc., Owners

Case No.: **Z-2006-34**
Location: 450 East Corday Street (off Rawson Lane)
Property Reference No.: 48-1S-30-3119-000-001 & 48-1S-30-3112-000-000
Property Size: 1.29 (+/-) acres
From: R-6, Neighborhood Commercial and Residential District (cumulative), High Density (25 du/acre)
To: C-1, Retail Commercial District (cumulative) (25 du/acre)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 3
Requested by: Jerri Smith, Agent for Southern Comfort Travel Inc., Owners

Case No.: **Z-2006- 35**
Location: 5900 Frank Reeder Road
Property Reference No.: 34-1N-31-1301-000-000
Property Size: 21.70 (+/-) acres
From: VAG-2, Villages Agriculture Districts (1

To: du/acre; min. lot size is 5 acres unless clustered, if clustered min. lot size is 1 acre) with an AIPD-1, Overlay V-2A, Villages Single-Family Residential District (3 du/acre) with an AIPD-1, Overlay District

FLU Category: AG, Agricultural and AA-17, Activity Area 17

Commissioner District: 5

Requested by: Jesse W. Rigby, Esq., Agent for Oliver S. Jr. and Gwen F. Webb, Owners

- B. 5:46 p.m. – Thursday, June 1, 2006** – A public hearing to review and adopt an ordinance of Escambia County, Florida, amending part II of the Escambia County Comprehensive Plan, as amended; amending Chapter 7, “The Future Land Use Element”, as authorized by Section 7.06; providing for a Small Scale Amendment (SSA 2006-03), to the Year 2020 Future Land Use Map, as amended, and as requested by Wiley C. “Buddy” Page, Agent for Howard Sandusky, Owner, changing the Future Land Use of 0.25 +/- acre located at 5731 Bauer Road, from Residential (R) to Commercial (C).
- C. 5:47 p.m. – Thursday, June 1, 2006** - A transmittal public hearing (the second of two required public hearings) to review a draft ordinance of Escambia County, Florida, amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended, per the following; and to approve the transmittal of the ordinances to the Department of Community Affairs (DCA) as the second amendment package for the Year 2006 (Comprehensive Plan Amendment 200602):
- 1. CPA 2006-02A:** Comprehensive Plan Amendment 2006-02A, Wildwood Estates Future Land Use Amendment

**COUNTY ADMINISTRATOR'S REPORT
MAY 4, 2006**

I. Technical/Public Service Consent Agenda

1. Recommendation Concerning Betmark Place Final Plat – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning recording of the Final Plat of Betmark Place (a 38-lot, single-family, residential subdivision), located in the Ensley community, lying east of U.S. Highway 29 and north of Ten Mile Road, owned and developed by Leonard Jernigan Contractors, 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 4.02.07.E, of the Escambia County Land Development Code:

- A. Approve the Final Plat for recording;**
- B. Approve the street name “Millbrook Drive”;**
- C. Accept all public road paving, drainage improvements and all public easements as depicted upon the Final Plat for permanent County maintenance; and**
- D. Authorize the Chairman or Vice Chairman to execute a Two-Year Warranty Agreement for Streets and Drainage Improvements Without Surety/Financial Security.**

2. Recommendation Concerning Traffic Restriction – Speed Limitation on Little Creek Lane – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning traffic restriction - speed limitation on Little Creek Lane:

- A. Adopt the Resolution for the reduction in speed from 30 miles per hour to 25 miles per hour on Little Creek Lane from Lillian Highway to Little Creek Drive; and**
- B. Authorize the Chairman to sign the Resolution.**

[Funds are budgeted in Fund 175, Transportation Trust Fund, Cost Center 211501 and Account Code 53401 for sign installations]

3. Recommendation Concerning Traffic Restriction – Parking Prohibition on Shoal Creek Drive – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning traffic restriction/parking prohibition on Shoal Creek Drive, based on sight distance requirements:

- A. Adopt the Resolution for parking prohibition on Shoal Creek Drive, all times of day, seven days per week, beginning at the edge of travel on Davis Highway, continuing westerly 97 feet on the north side and 103 feet on the south side; and
- B. Authorize the Chairman to sign the Resolution.

[Funds are budgeted in Fund 175, Transportation Trust Fund, Cost Center 211501 and Account Code 53401 for sign installations]

4. Recommendation Concerning Street Name Approval – Pino Drive – Robert Jacobson, Information Resources Director

RECOMMENDATION: That the Board approve the street name “Pino Drive” for a private road that runs southeast off the 500 block of Lost Key Drive, 590 feet south of River Road . Fifty-seven percent of the property owners signed the petition. This private road is in Commission District 2.

5. Recommendation Concerning Computer Equipment Usage Policy Revision – Robert Jacobson, Information Resources Director

RECOMMENDATION: That the Board adopt a revised Computer Equipment Usage Policy, Section II, B17, of the Escambia County Board of County Commissioners Policy Manual effective May 4, 2006, which provides clarification on the acquisition and installation of computer equipment and supports the implementation of the Health Insurance Portability and Accountability Act (HIPAA) Security Rule.

6. Recommendation Concerning Conservation Easement – WCI Communities, Inc. – Keith Wilkins, NESD Director

RECOMMENDATION: That the Board amend the action taken at the April 6, 2006, Board meeting concerning the acceptance of the Conservation Easement between WCI Communities, Inc., (property owner & Grantor) and Escambia County, Florida, (Grantee) to correct the acreage from .241 acres to 2.936 +/- acres due to a scrivener's error.

7. Recommendation Concerning Emergency Hurricane Supplemental Urban and Community Forestry Grant – Keith Wilkins, NESD Director

RECOMMENDATION: That the Board take the following action regarding a Resolution in support of an Emergency Hurricane Supplemental Urban and Community Forestry Grant from the Florida Department of Agriculture and Consumer Services (FDACS):

- A. Adopt the Resolution supporting entering into a Memorandum of Agreement for the Urban and Community Forestry Grant; and
- B. Authorize the Chairman to sign the Resolution.

8. Recommendation Concerning Disposition 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 22 requests as provided by various County Departments for the reasons stated on each.

9. Recommendation Concerning Letter in Opposition of House Bill 1473 and Senate Bill 888 – George Touart, County Administrator

RECOMMENDATION: That the Board ratify the Chairman's signature on letters dated April 19, 2006, to Senator Tom Lee, President of the Florida Senate, and the Honorable Allan G. Bense, Speaker of the Florida House of Representatives, opposing House Bill 1473 and Senate Bill 888 as they relate to siting decisions of local power plants based on the actions of the Committee of the Whole Workshop held April 13, 2006.

10. Recommendation Concerning Interlocal Agreement – Navarre Beach Tourist Development Taxes – George Touart, County Administrator

RECOMMENDATION: That the Board approve the Interlocal Agreement between Escambia County and Santa Rosa County for the collection of Navarre Beach Tourist Development Taxes, effective June 1, 2006.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Poll Worker Training and Recruitment Funds – David H. Stafford, Supervisor of Elections

RECOMMENDATION: That the Board take the following action concerning Poll Worker Training and Recruitment Funds from the Department of State:

- A. Certify that the County will match state grant funds with \$8,292.64 from the Supervisor of Elections' budget; and
- B. Authorize the Chairman to sign the Certificate Regarding Matching Funds.

2. Recommendation Concerning Hurricane Housing Recovery Program Agreement – Randy Wilkerson, NEFI Executive Director / Keith Wilkins, NESD Director

RECOMMENDATION: That the Board take the following action regarding the 2006/2007 Hurricane Housing Recovery Program (HHRP) Agreement with Catholic Charities of Northwest Florida, Inc.:

- A. Approve the 2006/2007 HHRP Homeward Bound Program Agreement with Catholic Charities of Northwest Florida, Inc., to provide \$120,000 in HHRP funds for comprehensive case management services, targeting families residing in FEMA-provided temporary housing, to assist with their transition to permanent housing [Fund 120/HHRP - Cost Center 220426]; and
- B. Authorize the Chairman or Vice Chairman to execute the Agreement, and the Chairman or County Administrator, as appropriate, to execute all related documents as required to implement the project.

3. Recommendation Concerning Supplemental Budget Amendment #209 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #209, General Fund (001), in the amount of \$1,750,000 to recognize additional fuel charges from other departments and to appropriate these funds for the purchase of fuel.

4. Recommendation Concerning Supplemental Budget Amendment #213 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #213, Other Grants & Projects (110), in the amount of \$500,000 to recognize the proceeds of a grant from the Northwest Florida Water Management District and to appropriate these funds for the Blue Pit Wetland Enhancement and Water Quality Improvement Project.

5. Recommendation Concerning Supplemental Budget Amendment #214 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #214, Other Grants & Projects (110), in the amount of \$500,000 to recognize the proceeds of a grant from the Northwest Florida Water Management District and to appropriate these funds for the East Ten Mile Creek Stream Restoration Project.

6. Recommendation Concerning Supplemental Budget Amendment #215 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #215, Other Grants & Projects Fund (110), in the amount of (\$514,617) to recognize a decrease in the budget due to the close-out of the JLUS Grant, Flood Mitigation 2003, Parasail Training, and a reduction in the Estimated Fund Balance for Fund (110). These Grants were closed on September 30, 2005.

7. Recommendation Concerning Supplemental Budget Amendment #216 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #216, Transportation Trust Fund (175), in the amount of \$15,000 to recognize escrow payments that were received to guarantee successful completion of certain improvements and to appropriate these funds for the completion of items in the Perdido Bay Country Club Estates.

8. Recommendation Concerning the Fiscal Year 2006 Mosquito and Arthropod Budget – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning the Fiscal Year 2006 Mosquito and Arthropod Control State Budget:

- A. Approve Amendment #1 to the Arthropod Control Budget with the State of Florida, Department of Agriculture and Consumer Services, Division of Agricultural Environmental Service;
- B. Adopt the Resolution approving Supplemental Budget Amendment #220 and allocate the additional funding of \$824 into the Mosquito and Arthropod Control Fund (106) and Cost Center 220703; and
- C. Authorize the Board to execute the Amendments and any other related documents as required.

9. **Recommendation Concerning Budget Amendment #223 – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board approve Budget Amendment #223, General Fund (001), in the amount of \$60,000, moving funds from the Supervisor of Elections' reserves to purchase additional touch-screen voting machines and the associated equipment.

10. **Recommendation Concerning Supplemental Budget Amendment #224 – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #224, Other Grants and Projects (110), in the amount of (\$104,286) to reduce the DCA/Civil Defense Grant, the Personal Protective Equipment Grant and the Pre-Disaster Mitigation Grant to reflect the actual amount of the Grant awards to be received in FY 05/06.

11. **Recommendation Concerning Budget Amendment #227 – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board approve Budget Amendment #227, Disaster Relief Fund (112), in the amount of \$10,609 to provide funds for a limited term Office Assistant II position in the Parks Department.

12. **Recommendation Concerning Florida Forever Funding Agreement for Blue Pit Wetland and Water Quality Improvement Project – Richard Duane, P.E., County Engineer**

RECOMMENDATION: That the Board take the following action concerning a Florida Forever Funding Agreement between the Northwest Florida Water Management District (NFWFMD) and Escambia County for Blue Pit Wetland Enhancement And Water Quality Improvement Project. This grant award is in the amount of \$500,000:

- A. **Ratify** the Chairman's signature executing the NFWFMD Florida Forever Competitive Grant Program FY 2005-2006 Application Form;
- B. **Approve** the Florida Forever Funding Agreement Between The NFWFMD And Escambia County For Blue Pit Wetland Enhancement And Water Quality Improvement Project, effective May 4, 2006, through May 4, 2008; and
- C. **Authorize** the Chairman to sign the Florida Forever Funding Agreement and any subsequent grant-related documents.

13. **Recommendation Concerning Tonawanda Drive at Mobile Highway (U.S. Highway 90) Intersection Improvement Project – Richard Duane, P.E., County Engineer**

RECOMMENDATION: That the Board take the following action concerning the acquisition of property for rights-of-way and easements for the Tonawanda Drive at Mobile Highway (U.S. Highway 90) Intersection Improvement Project:

- A. Authorize Staff to negotiate and resolve any matters related to, or associated with the acquisition of rights-of-way and easements concerning traffic improvements at the intersection of Tonawanda Drive and Mobile Highway (U.S. Highway 90), gather information and conduct inspections as needed, to allow the Board's acceptance of the real property;
- B. Authorize payment of documentary stamps because the property is being acquired for governmental use, which is for improvement of the intersection at Tonawanda Drive and Mobile Highway (U.S. Highway 90), and the County benefits from the acquisition of the property because these improvements will improve safety and enhance traffic flow in this area;
- C. Authorize the payment of incidental expenditures associated with the acquisition of this property, which includes title searches, legal document preparation fees and recording of documents; and
- D. Authorize the Chairman or Vice Chairman to accept the deed or easements as the day of delivery of the deed or easements to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time.

[Funding Source: Fund 351 – LOST II, Account Number 210105 /56101 and 56301]

14. **Recommendation Concerning Florida Forever Funding Agreement for East Ten Mile Creek Stream Restoration Project – Richard Duane, P.E., County Engineer**

RECOMMENDATION: That the Board take the following action concerning the Florida Forever Funding Agreement between the Northwest Florida Water Management District (NFWFMD) and Escambia County for East Ten Mile Creek Stream Restoration Project. This Grant award is in the amount of \$500,000:

- A. **Ratify** the Chairman's signature executing the NFWFMD Florida Forever Competitive Grant Program FY 2005-2006 Application Form;
- B. Approve the Florida Forever Funding Agreement Between The NFWFMD And Escambia County For East Ten Mile Creek Stream Restoration Project, effective May 4, 2006, through May 4, 2008; and
- C. Authorize the Chairman to sign the Florida Forever Funding Agreement and any subsequent grant-related documents.

15. Recommendation Concerning Contract for Design of Ogden/Hartung Roads – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board award a Contract to Fabre Engineering & Surveying for PD 05-06.003, Design of Ogden/Hartung Roads, in the amount of \$173,972 per the terms and conditions of the solicitation. [Fund 351, Local Option Sales Tax II, Cost Center 210105, Project No. 05EN1451]

16. Recommendation Concerning Contracts for Construction Management/Agent Services – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board award Purchase Order Contracts to Benchmark Construction, Inc., per the terms and conditions of PD 04-05.79, Construction Management/Agent Services for Construction Phase Services for:

- A. Lewis Powell Park in the amount of \$365,704; and
- B. Bellview Park in the amount of \$1,107,957.70.

[Funding sources: Fund 112, Category “G” Ivan, Parks & Recreation Facilities, Cost Center 330467 / Fund 001, General Fund, Parks Development, Cost Center 350201]

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

RECOMMENDATION: That the Board award a Contract to J. M. Wood Auction Co., Inc., for “Auction Services for Surplus Road Department Trucks”, PD 05-06.065, for a guaranteed gross sales amount of \$2,877,290.46, with the auction company receiving a 7% commission on all gross sales.

18. Recommendation Concerning iVotronic DRE Touch Screen Voting Devices and Related Equipment – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board take the following action concerning the purchase of additional iVotronic DRE touch screen voting devices and related equipment from Elections Systems and Software, Inc:

- A. Find that only a “single source” is available to the County from which to purchase voting equipment that is compatible with the County’s current equipment and meets standards set forth in Section 101.56062, Florida Statutes; and
- B. Authorize the purchase of additional iVotronic DRE touch screen voting devices and related equipment from Elections Systems and Software, in an amount not-to-exceed \$60,000. [Funds are available in Cost Center 550101, Object Code 56401.]

19. **Recommendation Concerning Workers' Compensation Insurance for Escambia County Fire & Rescue – Claudia Simmons, Purchasing Department Chief**

RECOMMENDATION: That the Board approve an increase in the workers' compensation insurance premium for PD 02-03.83, Workers' Compensation Insurance for Escambia County Fire & Rescue, to Whitman & Whitman, Inc., in the amount of \$30,000, effective through September 30, 2006. [Cost Center 330202, Fire Suppression]

20. **Recommendation Concerning Radio Tower and Microwave Equipment for Warrington and Big Lagoon Microwave Sites – Claudia Simmons, Purchasing Department Chief**

RECOMMENDATION: That the Board award a Lump Sum Contract, PD 05-06.062, Radio Tower & Microwave Equipment for Warrington and Big Lagoon Microwave Sites, to Communications Engineering Services/Team One Communications, Inc., in the amount of \$452,649. [Fund 351, LOST II, Public Safety Improvement, Cost Center 330314]

21. **Recommendation Concerning Playground Equipment for Lexington Terrace – Claudia Simmons, Purchasing Department Chief**

RECOMMENDATION: That the Board approve purchase of playground equipment for Lexington Terrace from Landscape Structures, PD 05-06.080, in the amount of \$164,592.60 as a "piggyback" contract off the USA Communities Contract, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44. [The funds are available in Cost Center 220422, Object Code 56301 and Cost Center 350213, Object Code 56301]

COUNTY ADMINISTRATOR'S REPORT

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22. Recommendation Concerning Change Order – Fuel Purchase – Pat Overton, Road Department Director

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

Department:	Escambia County Road Department	
Type:	Addition	
Amount:	\$1,750,000	
Vendor:	Southern Energy Company, Inc.	
Project Name:	Fuel Purchase	
Contract:	PD 04-05.83	
PO Number:	260475	
CO Number	1	
Original Award Amount:		\$2,400,000
Cumulative Amount of Change Order through CO Number 1:		<u>1,750,000</u>
New Purchase Order Total:		\$4,150,000

[General Fund, Cost Center 360512, Object Code 55201]

23. Recommendation Concerning Change Order – Architectural and Engineering Fees for Hurricane Repairs Various Buildings – John Hartman, Facilities Management Director

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

Department:	Facilities Management	
Type:	Addition	
Amount:	\$88,905.00	
Vendor:	Hatch Mott MacDonald	
Project Name:	A&E Fees for Hurricane Repairs – Various Buildings	
PO#:	260529 (251317)	
CO#:	1	
Original Award Amount:		\$ 313,600.00
Cumulative Amount of Contract Change Orders through # 1		<u>\$ 88,905.00</u>
New Contract Total:		\$ 402,505.00

[Fund 112, "Disaster Recovery", Cost Center 330465, "Category E Hurricane Ivan Building & Equipment", FEMA-1551-DR]

24. Recommendation Concerning Change Order – Judicial Center Hurricane Ivan Repairs/CR Buildout – John Hartman, Facilities Management Director

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

Department:	Facilities Management	
Type:	Addition	
Amount:	\$498,333.75	
Vendor:	Whitesell-Green, Inc.	
Project Name:	Judicial Center Hurricane Ivan Repairs/CR Build Out	
PO#:	260531-3 (251814-3)	
CO#:	7	
Original Award Amount:		\$ 3,180,039.35
Cumulative Amount of Contract Change Orders through #7		<u>\$ 2,933,651.08</u>
New Contract Total:		\$ 6,113,690.43

The time for completion shall be increased by 0 calendar days due to this Change Order. The contract time remains at 446 calendar days.

[Fund 112, Hurricane Repairs, Cost Center 330465]

25. Recommendation Concerning Escambia County Housing Finance Authority Single Family Mortgage Revenue Bond Program (Multi-County Program) – Gordon R. Jernigan, Escambia County Housing Finance Authority Executive Director

RECOMMENDATION: That the Board adopt the Resolution which approves a plan of finance for low-interest loans to first-time homebuyers, and authorizes the Escambia County Housing Finance Authority (the "Authority") to issue Single-Family Mortgage Revenue Bonds from time to time, including temporary bond anticipation notes in connection therewith, in an aggregate principal amount not to exceed \$400,000,000.

COUNTY ATTORNEY'S REPORT
May 4, 2006

I. Discussion Agenda:

1. *Escambia County Volunteer Firemen's Association, Inc. v. Arch Insurance Company*

RECOMMENDATION: That the County Attorney's Office be given approval to bring suit against Arch Insurance Company, which is the insurer of the Pensacola Beach Fire Station, if no agreement can be reached on the sums to be paid County to demolish and rebuild the fire station.

II. Information Agenda:

1. *Atlantis at Perdido Assoc., Inc. and Spanish Key Condominium Owners' Assoc., Inc. v. Escambia County and Bobby L. Warner.*

RECOMMENDATION: That the Board accept the attached Memorandum Decision issued by Judge Geeker in the above-referenced case.