

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 – November 2, 2006– 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 Michael Collins, Charity Chapel.
3. Pledge of Allegiance to the Flag.
4. Are there any items to be added to the agenda?

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

5. Proclamations – None.

AGENDA – BOARD OF COUNTY COMMISSIONERS

November 2, 2006

Page 2

6. Employee of the Month Proclamations/Years of Service/Retirement Proclamations.

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

(1) Ms. Janette Y. Bailey, Custodial Worker I, Custodial Service Division, Facilities Management Department, Community Services and Public Safety Agency; and

(2) Ms. Deanne H. Milne, Office Assistant II, Permitting Division, Building Inspections Department, Public Works and Land Management Agency;

B. Recommendation: That the Board recognize, with a pin and certificate, Gwendolyn Williams, Division Supervisor, Misdemeanor Probation Division, Community Corrections, for 30 years of dedicated service to the County; and

C. Recommendation: That the Board adopt the Proclamation commending and congratulating Ms. Barbara Thornton, Office Assistant III, Supervisor of Elections' Office, on her retirement after 16 years of faithful and dedicated service.

7. Written Communication.

Recommendation: That the Board adopt and execute the Resolution authorizing the issuance and sale of the Bonds (*to be issued to finance the acquisition, construction, and equipping of certain additional pollution control facilities at International Paper's Pensacola Mill, including, without limitation, modifications to the bark boiler system, waste water treatment system, and landfill system*) upon the terms established therein regarding the proposed issuance of not exceeding \$5,000,000, Escambia County, Florida, Environmental Improvement Revenue Bonds (International Paper Company Project) (the "Bonds").

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 a Petition to Vacate a lane in Block B, Perdido Heights Subdivision, as petitioned by Bobby Gene Reynolds, Sr., and Sally Lynn Reynolds.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, take the following action concerning the Petition to Vacate a lane (548 feet by 16 feet = 8,768 square feet, or approximately 0.20 acre) in Block B, Perdido Heights Subdivision, as petitioned by Bobby Gene Reynolds, Sr., and Sally Lynn Reynolds:

- A. Approve the Petition to Vacate, subject to a utility easement being retained over the said lane being vacated, with the understanding the County will not be responsible for ownership nor maintenance of said easement;
- 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.

10. **5:32 p.m. Public Hearing for consideration of a Petition to Vacate a portion of Ryan Avenue and a portion of Gulf Boulevard in Figland Park Subdivision, as petitioned by 29 Investments, LLC, and Robert A. Kent, as Managing Member.**

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, take the following action concerning the Petition to Vacate a portion of Ryan Avenue (40 feet by approximately 180 feet = 7,200 square feet, or 0.17 acre) and a portion of Gulf Boulevard (40 feet by approximately 390 feet = 15,600 square feet, or 0.36 acre) in Figland Park Subdivision, as petitioned by 29 Investments, LLC, and Robert A. Kent, as Managing Member:

- A. Approve the Petition to Vacate, subject to a utility easement being retained over the said right-of-way vacated, with the understanding the County will not be responsible for ownership nor maintenance of said easement;
- 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. **5:33 p.m. Public Hearing for consideration of a Petition to Vacate any interest the County has to an apparent 20-foot-wide alleyway in Block 39, Englewood Heights Subdivision, as petitioned by Englewood Missionary Baptist Church, Inc.**

Recommendation: That the Board reschedule the 5:33 p.m. Public Hearing on November 2, 2006, for December 7, 2006, at 5:33 p.m., to consider the Petition to Vacate any interest the County has to an apparent 20-foot-wide alleyway (approximately 165 feet by 20 feet = 3,300 square feet, or 0.07 acre) in Block 39, Englewood Heights Subdivision, at the request of the Petitioner, Englewood Missionary Baptist Church, Inc., due to the fact that the Petitioner did not have the "Notice of Public Hearing" published, as required by Florida Statute, Chapter 336.

12. **5:34 p.m. Public Hearing for consideration of a Petition to Vacate a portion of Anderson Street in Pinecrest Subdivision, as petitioned by Christine T. Marks.**

Recommendation: That the Board, at the 5:34 p.m. Public Hearing, take the following action concerning the Petition to Vacate a portion of Anderson Street (180 feet by 55 feet = 9,900 square feet, or 0.22 acre) in Pinecrest Subdivision, as petitioned by Christine T. Marks:

- 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.

13. **5:35 p.m. Public Hearing for consideration of adopting an Ordinance to establish and provide for the collection of an enhanced neighborhood protection zone benefit units assessment.**

Recommendation: That the Board, at the 5:35 p.m. Public Hearing, adopt an Ordinance (*amending Chapter 30, Article V, Section 30-124, and creating Chapter 71, Article I, Sections 71-1 through 71-3, of the Escambia County Code of Ordinances*) to establish and provide for the collection of an enhanced neighborhood protection zone benefit units assessment.

14. Committee of the Whole Recommendation.

Recommendation: The Committee of the Whole (C/W) recommends the Board schedule a Public Hearing for November 16, 2006, at 5:32 p.m., to consider the adoption of a Proportionate Fair Share Ordinance.

15. Reports:

Clerk of the Circuit Court & Comptroller;
Growth Management;
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
November 2, 2006

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

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

- A. Payroll Expenditures as of Payday October 20, 2006, in the amount of \$2,010,976.87; and
- B. The following three Disbursement of Funds:
 - (1) October 5, 2006, to October 11, 2006, in the amount of \$722,648.67;
 - (2) October 12, 2006, to October 18, 2006, in the amount of \$10,579,861.33; and
 - (3) October 19, 2006, to October 25, 2006, in the amount of \$1,235,646.40.

2. Recommendation Concerning Investment Report

Recommendation: That the Board accept, for filing with the Board's Minutes, the Investment Report for the month ended September 30, 2006, as prepared by the Clerk's Finance Department.

3. Recommendation Concerning the Transfer and Removal of Fixed Assets

Recommendation: That the Board take the following action concerning the transfer and removal of assets:

- A. Approve the transfer of machinery and equipment from the Board's Fixed Assets Inventory Records to the Escambia County Sheriff's Office, as of September 30, 2006, in the amount of \$2,518,326.40; and
- B. Approve the disposition of various land and building improvements, per the listing provided with the backup, as of September 30, 2006, in the amount of \$475,290.08.

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 of the Circuit Court & Comptroller's Office:

- A. A recorded copy of the *Stormwater Utility Easement (Cypress Point Emergency Watershed Protection Project)* between The Cypress Point East and West Homeowners Association, Inc., and Escambia County, relative to the Board's action of October 6, 2005, concerning the United States Department of Agriculture, Natural Resources Conservation Service, *Project Agreement No.: 69-4205-5-1752*; and
- B. The Minutes of the Santa Rosa Island Authority's Regular Board Meetings held August 9, 2006, and September 20, 2006, and Special Board Meetings held September 6, 2006, September 20, 2006, and October 4, 2006.

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 County Investment Advisory Committee held October 13, 2006;
- B. Approve the Minutes of the Public Forum Work Session and Regular Board Meeting held October 16, 2006; and
- C. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held October 16, 2006.

GROWTH MANAGEMENT REPORT

November 2, 2006

I. PUBLIC HEARINGS

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-2006-69, Z-2006-70, Z-2006-73, Z-2006-74, Z-2005-59 and Z-2005-71 heard at the September 25, 2006 RHE and Case Z-2005-03 heard by the RHE on January 31, 2005; 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-2005-03
Location:	5104 North "W" Street
Property Reference No.:	46-1S-30-2001-009-050
Property Size:	0.34 (+/-) acres
From:	R-6, Neighborhood Commercial and Residential District (cumulative), High Density (25 du/acre)
To:	C-2, General Commercial and Light Manufacturing District (cumulative), High Density (25 du/acre)
FLU Category:	MU-1, Mixed Use 1
Commissioner District:	3
RHE Recommendation:	Approval
Staff Recommendation:	Approval
BCC Action:	Denial
Circuit Court Action:	Remanded to BCC for new hearing
Requested by:	Dennis C. Paedae, Jr. and Suzanne R. Paedae, Owners
Speakers:	Stephanie Lowry, Presentation Dennis Paedae, Jr, Owner

Case No.:	Z-2006-69
Location:	6848 Pine Forest Road
Property Reference No.:	25-1S-31-4202-000-000
Property Size:	4.17 (+/-) acres
From:	R-5, Urban Residential/Limited Office District (cumulative), High Density (20du/acre) & C-1, Retail Commercial District (cumulative) (25du/acre)

To: C-2, General Commercial and Light Manufacturing District, (cumulative) (25du/acre)
FLU Category: MU-2, Mixed Use 2
Commissioner District: 1
RHE Recommendation: **Approval**
Staff Recommendation: **Approval**
Requested by: W.R. Ward, Agent for Lonnie King, Owner
Speakers: Tim Lampkin, Presentation
Lonnie King, Owner
W. R. Ward, Agent
James W. Pitman
Theodore (Ted) Dellinger

Case No.: **Z-2006-70**
Location: 6853 Pine Forest Road
Property Reference No.: 25-1S-31-3100-002-001
Property Size: 4.07 (+/-) acres
From: C-1, Retail Commercial District (cumulative) (25du/acre)

To: C-2, General Commercial and Light Manufacturing District, (cumulative) (25du/acre)
FLU Category: C, Commercial
Commissioner District: 1
RHE Recommendation: **Approval**
Staff Recommendation: **Approval**
Requested by: W.R. Ward, Agent for J.R. Enterprises of Pensacola, Inc., Owner
Speakers: Tim Lampkin, Presentation
W. R. Ward, Agent
Lonnie King

Case No.: **Z-2006-72 (Withdrawn by Agent)**
Location: 5900 Block West Nine Mile Road
Property Reference No.: 07-1S-31-1101-000-000
Property Size: 31.68 (+/-) acres
From: R-1, Single-Family District (4du/acre) & ID-CP, Industrial Commerce Park District (no residential uses allowed) (with an AIPD-2 Overlay), (3du/acre)

To: C-1, Retail Commercial District (cumulative) (AIPD-2 Overlay), (25du/acre)
FLU Category: C, Commercial
Commissioner District: 1
Requested by: Johnny Hastings, Agent for Plantation Heights Development, Inc., Owner

Case No.: **Z-2006-73**
Location: 441 Van Pelt Lane
Property Reference No.: 45-1S-30-3000-000-001
Property Size: 0.36 (+/-) acres
From: R-5, Urban Residential/Limited Office District, (cumulative), (20du/acre)
To: C-2, General Commercial and Light Manufacturing District, (cumulative) (25du/acre)
FLU Category: C, Commercial
Commissioner District: 3
RHE Recommendation: **Denial**
Staff Recommendation: **Denial**
Requested by: Wiley C. "Buddy" Page, Agent for Eric B. & Sharon J. Nisewonger
Speakers: Tim Lampkin, Presentation

Case No.: **Z-2006-74**
Location: 6700 Block Highway 98 West
Property Reference No.: 21-2S-31-1315-000-000
Property Size: 0.48 (+/-) acres
From: R-4, Multiple-Family District, (cumulative), Medium High Density (18du/acre), with an (AIPD-2 Overlay)
To: AMU-2, with an AIPD-2 Overlay, (Airfield Influence Planning District) (3du/acre)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 1
RHE Recommendation: **Approval**
Staff Recommendation: **Approval**
Requested by: Stephanie Judy, Agent for Dr. Franklin E. May, Owner
Speakers: Tim Lampkin, Presentation
Stephanie Judy, Agent

Case No.: **Z-2005-59** (Continued from RHE November 29, 2005)
Location: 2222 Frank Street
Property Reference No.: 18-1S-30-5201-008-012
Property Size: 0.35 (+/-) acre
From: R-2, Single-Family District (cumulative), Low-Medium Density (7du/acre)
To: R-3, One-Family and Two-Family District, (cumulative) Medium Density (10du/acre)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 4

RHE Recommendation:
Staff Recommendation:

Requested by:
Speakers:

Approval
Approval

Ahmad Safakhoo, Owner
Tim Lampkin, Presentation
Ahmad Safakhoo, Owner

Case No.:

Z-2005-71 (Continued from RHE December 19, 2005)

Location:

700, 706, 710 and 714 Giese Circle & 9075 W. Highway 98

Property Reference No.:

23-2S-31-1101-000-204, 1101-000-205, 1101-000-208, 1101-000-209, 1101-000-212

Property Size:

8.57 (+/-) acres

From:

C-1, Retail Commercial District (cumulative) (25du/acre)

To:

C-2, General Commercial and Light Manufacturing District, (cumulative) (25du/acre)

FLU Category:

C, Commercial

Commissioner District:

1

RHE Recommendation:
Staff Recommendation:

Approval
Approval

Requested by:

Wiley C. "Buddy" Page, Agent for Robertson Brazwell, LLC.

Speakers:

Tim Lampkin, Presentation
Constance L. Workman

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

RECOMMENDATION: That the Board adopt an ordinance to amend the Official Zoning Map to include cases Z-2006-69, Z-2006-70, Z-2006-73, Z-2006-74, Z-2005-59, and Z-2005-71 that were heard by the Rezoning Hearing Examiner on September 25, 2006 and rezoning case Z-2005-03 heard by the Rezoning Hearing Examiner on January 31, 2005 and approved during the previous agenda item and to provide for severability, inclusion in the code, and an effective date.

3. 5:46 p.m. – Thursday, November 2, 2006, Public Hearing – LDC Article 2, Administration

RECOMMENDATION: That the Board review and adopt an ordinance amending Part III of The Escambia County Code of Ordinances (1999), the Escambia County Land Development Code (LDC), as amended, amending Article 2, Administration, amending Administrative Variances Provisions, Providing for severability, inclusion in the Code; and an effective date.

II. CONSENT AGENDA:

1. Scheduling of Public Hearings

- A. 5:45 p.m. – Thursday, December 7, 2006** – A public hearing to amend the Official Zoning Map to include the following Rezoning Cases heard by the Rezoning Hearing Examiner (RHE) on October 23, 2006:

Case No.: **Z-2006-75**
Location: 1701 Barth Road
Property Reference No.: 22-3N-31-1201-000-000
Property Size: 1.78 (+/-) acres
From: VR-1, Villages Rural Residential Districts, gross density, (1du/4 acres)
To: VR-2, Villages Rural Residential District, Gross Density (1du/0.75 acre)
FLU Category: AA-13, Activity Area, Molino
Commissioner District: 5
Requested by: Herbert F. Hicks, Owner

Case No.: **Z-2006-76**
Location: 835-845 West Michigan Avenue
Property Reference No.: 46-1S-30-1100-002-009 thru 007-009
Property Size: 1.21 (+/-) acres
From: R-6, Neighborhood Commercial and Residential District (cumulative) High Density (25du/acre)
To: C-1, Retail Commercial District (cumulative) (25du/acre)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 3
Requested by: J. Dan Gilmore, Agent for Michael H. Stephens, American Heritage Construction, LLC, Owner

Case No.: **Z-2006-77**
Location: 1000 Block of Blue Angel Parkway
Property Reference No.: 18-2S-31-1400-000-004
Property Size: 2.85 (+/-) acres
From: R-3, One-Family and Two-Family District, (cumulative) Medium Density, (10du/ acre) and SDD, Special Development District, (non-cumulative) low density, (3du/acre)
To: R-6, Neighborhood Commercial and Residential District (cumulative), High Density, (18du/acre)

FLU Category: LDR, Low Density Residential
Commissioner District: 1
Requested by: Eugene Ward, Agent for Bryant & Nancy
Riesenberg, Owners

Case No.: Z-2006-78
Location: 9601 Sunshine Hill Road
Property Reference No.: 19-3N-31-4000-000-000 (Western 20 (+/-)
acres)
Property Size: 20.00 (+/-) acres
From: VAG-1, Villages Agriculture Districts (5du/100
acres on 1-acre parcels)
To: VR-2, Villages Rural Residential
District, Gross Density, (1du/0.75
acre)
FLU Category: AG, Agriculture
Commissioner District: 5
Requested by: Chris Ritchie, Agent for Bradley A. & Gerald L.
Vinke, Owners

Case No.: Z-2006-79
Location: 5516 Molino Road
Property Reference No.: 02-2N-32-3302-000-000 (Parcel A)
Property Size: 37.20 (+/-) acres
From: VAG-1, Villages Agriculture Districts (5du/100
acres on 1-acre parcels)
To: VAG-2, Villages Agriculture Districts (1du/5
acres)
FLU Category: AG, Agriculture
Commissioner District: 5
Requested by: Sam & Philomena Marshall, Owners

Case No.: Z-2006-80
Location: 1965 Cope Lane
Property Reference No.: 24-1S-31-4237-000-000
Property Size: 0.48 (+/-) acres
From: R-1, Single-Family District, Low Density,
(4du/acre)
To: C-2, General Commercial and Light
Manufacturing District, (cumulative)
(25du/acre)
FLU Category: C, Commercial
Commissioner District: 1
Requested by: Jesse W. Rigby, Agent for Gene & Carolyn
Cole, Owners

Case No.: Z-2006-81
Location: 7000 Block of Mobile Highway
Property Reference No.: 23-1S-31-1401-000-000
Property Size: 39.32 (+/-) acres
From: R-R, Rural Residential District (cumulative),
Low Density, (2 du/acre)
To: R-5, Urban Residential/Limited Office District,
(cumulative), (20du/acre)
FLU Category: UR, Urban Residential
Commissioner District: 1
Requested by: Jesse W. Rigby, Agent for Crystal Creek
Development Corporation II, Owner

Case No.: Z-2006-82
Location: 1486 South Fairfield Drive
Property Reference No.: 35-2S-31-1000-010-059
Property Size: 1.34 (+/-) acres
From: Portion zoned R-5, Urban Residential/Limited
Office District, (cumulative), (20du/acre)
To: AMU-1, with an AIPD-2 Overlay,
(Airfield Influence Planning District) (3du/acre)
FLU Category: MU-1, Mixed Use 1
Commissioner District: 2
Requested by: Francis Edward Miller, Agent for Walter K.
Gothard, WKG Trust, Owner

- B. 5:46 p.m. – Thursday, December 7, 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 2006-08), to the Year 2020 Future Land Use Map, as amended, and as requested by Wiley C. “Buddy” Page, Agent for Brenda L. Beumer, changing the Future Land Use of 0.41 (+/-) acres located at 5619 Bauer Road, from Residential (R) to Commercial (C).
- C. 5:47 p.m. – Thursday, December 7, 2006 –** A public hearing to review and adopt the recommendation of the Vested Rights Committee regarding a Vested Rights Determination for case VRD-2006-01.
- D. 5:48 p.m. – Thursday, December 7, 2006 –** A public hearing to review and adopt an ordinance of Escambia County, Florida, amending Part III of the Escambia County Code of Ordinances (1999), the Land Development Code of Escambia County, Florida, Article 4, “Subdivisions and Site Plans,” amending Section 4.02.07 adding a provision to allow surety to be posted for incidentals as part of the final plat approval process.

- E. 5:49 p.m. – Thursday, December 7, 2006** — A public hearing to review and adopt an ordinance of Escambia County, Florida, amending Part III of the Escambia County Code of Ordinances (1999), the Land Development Code of Escambia County, Florida, Article 3, “Definitions,” adding Family Conveyance; Article 4, “Subdivisions and Site Plans,” amending Section 4.01.03 the Family Conveyance provisions; and Article 6, “Zoning Districts,” amending Sections 6.05.01 and 6.05.22 to delete the Family Conveyance language.
- F. 5:50 p.m. – Thursday, December 7, 2006** - A public hearing to review and adopt an ordinance of Escambia County, Florida, amending Part III of the Escambia County Code of Ordinances (1999), the Land Development Code of Escambia County, Florida, Article 3, “Definitions,” amending and adding new language; Article 4, “Subdivision Regulations,” Sections 4.01.03, 4.01.05, and 4.02.01 addressing Large parcel exemptions, single-lot split, unplatted subdivisions, and minor subdivisions, also providing review requirements.
- G. 5:51 p.m. – Thursday, December 7, 2006** – A public hearing to repeal an ordinance amending Part II of The Escambia County Code Ordinances (1999), the Escambia County Comprehensive Plan, as amended, amending Chapters 8, Transportation Element and Chapter 14, Capital Improvement Element, Providing for severability, inclusion in the Code, and an effective date.

**COUNTY ADMINISTRATOR'S REPORT
NOVEMBER 2, 2006**

I. Technical and Public Service Consent Agenda

- 1. Recommendation Concerning Escambia County Health Department Contract – John Lanza, MD, Health Department Director / Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board take the following action concerning the Contract between the Escambia County Health Department and the Escambia County Board of County Commissioners:

- A. Adopt, as allowed by Florida Statutes, Chapter 154, the Resolution entitled “Resolution Authorizing a Contract Between the Escambia County Board of County Commissioners and the State of Florida, Department of Health, Escambia County Health Department” for operation of the Escambia County Health Department Contract year of October 1, 2006, through September 30, 2007; and**
- B. Authorize the Chairman to sign the Contract.**
- 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 28 requests as provided by various County Departments for the reasons stated on each and 1 request for reinstatement of equipment.

- 3. Recommendation Concerning Appointment to Workforce Escarosa, Inc., Board of Directors – Marilyn Wesley, Community Services Director**

RECOMMENDATION: That the Board appoint Mr. Lloyd Callis, a member of the Board of Directors of the Pensacola Chapter of Navy League, to serve as the Community-Based Organization (CBO) Veteran’s representative on the Workforce Escarosa, Inc., Board, in a mandated position focusing on veterans, for a three-year term, beginning November 3, 2006, through November 2, 2009.

COUNTY ADMINISTRATOR'S REPORT

NOVEMBER 2, 2006

PAGE 2 of 19

4. Recommendation Concerning Addendum II to Grant Contract – Jones Swamp Wetlands Preserve Grant – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action concerning a six-month time extension, Addendum II to the Grant Contract with Florida Communities Trust, for the purchase and preservation of property in the Jones Swamp Wetland Preserve:

- A. Approve the six-month time extension, Addendum II To Grant Contract with Florida Communities Trust, FF5 Award Number 05-041-FF5, Jones Swamp Wetland Preserve; and
- B. Authorize the Chairman to sign the six-month time extension, Addendum II to the existing Florida Communities Trust Grant Contract.

5. Recommendation Concerning Scheduling of a Public Hearing to Vacate The Dedications and Restrictions on Tract "S" – Heritage Oaks Commerce Park – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board schedule a public hearing for December 7, 2006, at 5:32 p.m., to consider the Petition to Vacate the dedications and restrictions as described in Exhibit "A", on Tract "S", Heritage Oaks Commerce Park, as petitioned by Navy Federal Credit Union.

6. Recommendation Concerning Reappointments / Appointment to the Northwest Florida Big Bend Health Council – George Touart, County Administrator

RECOMMENDATION: That the Board take the following action concerning reappointments / appointment to the Northwest Florida Big Bend Health Council, as requested by R. Michael Hill, Executive Director:

- A. Amend the Board's action of November 4, 2004, to correct the effective date of the appointees listed below to October 1, 2004, through September 30, 2006:
 - 1. Barbara Botop (Provider);
 - 2. Dr. John J. Lanza (Provider);
 - 3. Vivian Krudel (Purchaser);
 - 4. Dr. Marshall W. McLeod (Consumer);
 - 5. Lynda Barrett (Purchaser); and
 - 6. Dr. Carl A. Wright (Consumer); and

COUNTY ADMINISTRATOR'S REPORT

NOVEMBER 2, 2006

PAGE 3 of 19

- B. Waive the Board's policy Section I, Part B 1. (D), Appointment Policy and Procedures; and reappoint the following five members to another two-year term, effective October 1, 2006, through September 30, 2008:**
- 1. Dr. John Lanza (Provider);**
 - 2. Dr. Marshall W. McLeod (Consumer);**
 - 3. Vivian Krumel (Purchaser);**
 - 4. Lynda Barrett (Purchaser); and**
 - 5. Dr. Carl A. Wright (Consumer); and**
- C. Appoint Denise Adams (Provider) for a two-year term, effective October 1, 2006, through September 30, 2008, replacing Barbara Botoy, who resigned due to health reasons.**

II. Budget/Finance Consent Agenda

1. Recommendation Concerning 2006/2007 SHIP Agreements with Community Enterprise Investments, Inc. / AMR at Pensacola, Inc. / City of Pensacola – Randy Wilkerson, NEFI Executive Director / Keith Wilkins, NESD Director

RECOMMENDATION: That the Board take the following action regarding the 2006/2007 State Housing Initiatives Partnership (SHIP) Agreements with Community Enterprise Investments, Inc. (CEII), AMR at Pensacola, Inc., (AMR) and the City of Pensacola:

- A. Approve Agreements with CEII and AMR (two local, non-profit, affordable housing development organizations) and the City of Pensacola, committing a total of \$800,000 in approved SHIP Program funds to provide short-term construction financing for development of affordable, single-family homes and direct home purchase assistance for SHIP-eligible, low and moderate income homebuyers. (Fund 120/SHIP: 2005 SHIP Program-Cost Center 220428, 2006 SHIP-Cost Center 220427 & 2007 SHIP Program Cost Center 220412); and
- B. Authorize the Chairman or Vice Chairman to execute the Agreements and all related documents required to implement the project.
2. Recommendation Concerning Escambia County Area Transit, Americans with Disabilities Transportation – Dawn Groters, ECAT General Manager / Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning the Contract to provide transportation for Americans with Disabilities in Escambia County:

- A. Approve the “Agreement to Provide Transportation” effective 10/1/06 – 9/30/07, in the estimated amount of \$1,150,000 (payable in monthly installments) between Escambia County and Pensacola Bay Transportation Company, to provide transportation services for disabled persons as required by the Americans with Disabilities Act; and
- B. Authorize the Chairman or the Vice Chairman to execute the Agreement.
3. Recommendation Concerning Supplemental Budget Amendment #7 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #7, Code Enforcement Fund (103) and Community Development Block Grant (CDBG) Fund (129), to recognize funds in the amount of \$25,000 and appropriate these funds for Code Enforcement initiatives in the Town of Century.

4. Recommendation Concerning Supplemental Budget Amendment #15 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #15, Local Option Sales Tax Fund (350), to recognize interest funds in the amount of \$48,000 and appropriate these funds for two walk-thru metal detectors and two x-ray units for the Bruno Building.

5. Recommendation Concerning Supplemental Budget Amendment #26 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #26, Local Option Sales Tax Fund (351), in the amount of \$3,125,000 to recognize and appropriate funds from the Florida Department of Transportation for the Transportation Regional Incentive Program Agreements for four transportation corridors.

6. Recommendation Concerning Supplemental Budget Amendment #27 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #27, Other Grants & Projects (Fund 110) and the General Fund (001), in the amount of \$121,536, to recognize Grant proceeds from the State of Florida and appropriate these funds for the Non-Custodial Mentoring Program in Escambia County.

7. Recommendation Concerning Supplemental Budget Amendment #29 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #29, Other Grants and Projects Fund (110), in the amount of \$38,333, to recognize and appropriate revenue from the Escambia County Sheriff's Office Substance Abuse Treatment for State Prisoners Grant, from August 1, 2006, through July 31, 2007.

8. Recommendation Concerning Supplemental Budget Amendment #30 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #30, Other Grants and Projects Fund (110), in the amount of \$40,691, to recognize and appropriate revenue from the Escambia County Sheriff's Office Edward Byrne Memorial Justice Grant, from October 1, 2006, through September 30, 2007.

9. Recommendation Concerning Supplemental Budget Amendment #487 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #487, Misdemeanor Probation Fund (114) and the Debt Service Fund (203), in the amount of \$7,330, to recognize the increase in interest rates and to appropriate these funds for the payment of the Work Release debt service.

10. Recommendation Concerning Supplemental Budget Amendment #488 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #488, Other Grants & Projects Fund (110), to recognize additional funds in the amount of \$79,908, left over from the 2004 Block Grant and appropriate these funds for the use of law enforcement purposes in the Escambia County Sheriff's Department.

11. Recommendation Concerning Supplemental Budget Amendment #492 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #492, Other Grants & Projects (Fund 110), in the amount of \$50,000, to recognize Grant proceeds from the State of Florida and appropriate these funds for the Residential Substance Abuse Treatment Grant (RSAT II), to provide substance abuse treatment for County prisoners incarcerated by the Escambia County Sheriff's Department.

12. Recommendation Concerning Supplemental Budget Amendment #493 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #493, Mass Transit Fund (104), to recognize additional funds from Fiscal Year 2005/2006 in the amount of \$12,700, and appropriate these funds for the use of non-urbanized transportation purposes in Escambia County.

13. Recommendation Concerning 2006/2007 Miscellaneous Appropriations Agreement for the Pensacola Bay Area Chamber of Commerce – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning approval of the Fiscal Year 2006/2007 Miscellaneous Appropriation Agreement for the Pensacola Bay Area Chamber of Commerce:

- A. Approve the Miscellaneous Appropriations Agreement for \$88,664.11, to be paid from the General Fund 001, Cost Center 110201, Account Number 58202;
 - B. Authorize the Chairman to sign the Agreement and all other necessary documents; and
 - C. Authorize the execution of the necessary Purchase Order.
14. Recommendation Concerning 2006/2007 Miscellaneous Appropriations Agreement for the Escambia Community Clinics, Inc. – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning approval of the Fiscal Year 2006/2007 Miscellaneous Appropriations Agreement for Escambia Community Clinics, Inc.:

- A. Approve the Miscellaneous Appropriations Agreement for \$375,000, to be paid from the General Fund 001, Cost Center 110201, Account Number 58226;
- B. Authorize the Chairman to sign the Agreement and all other necessary documents; and
- C. Authorize the execution of the necessary Purchase Order.

15. Recommendation Concerning 2006/2007 Miscellaneous Appropriations Agreement for the Winterfest of Pensacola, Inc. – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning approval of the Fiscal Year 2006/2007 Miscellaneous Appropriations Agreement for Winterfest of Pensacola, Inc.;

- A. Approve the Miscellaneous Appropriations Agreement for \$20,000 to be paid from the General Fund 001, Cost Center 110201, Account Number 58233;
- B. Authorize the Chairman to sign the Agreements and all other necessary documents; and
- C. Authorize the execution of the necessary Purchase Order.

16. Recommendation Concerning 2006/2007 Miscellaneous Appropriations Agreement for the Pensacola Area Flight Watch, Inc. – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning approval of the Fiscal Year 2006/2007 Miscellaneous Appropriations Agreement for Pensacola Area Flight Watch, Inc.:

- A. Approve the Miscellaneous Appropriations Agreement for \$50,000 to be paid from Cost Center 350229, Account Number 58201;
- B. Authorize the Chairman to sign the Agreements and all other necessary documents; and
- C. Authorize the execution of the necessary Purchase Order.

17. **Recommendation Concerning Arts Festival Parking Agreement – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board approve the following action regarding the Arts Festival Parking Agreement for November 3, 4, and 5, 2006, between the Escambia County Board of County Commissioners (County) and Winterfest of Pensacola, Inc., (Winterfest) with the following stipulations for the parking lot:

- A. Winterfest agrees to act as an agent for the County on November 3, 4, and 5, 2006, to oversee and manage the County parking lot, located at the corner of 9th Avenue and Chase Street, Pensacola, Florida;
- B. A parking fee of \$5 per vehicle will be collected on behalf of the County by Winterfest;
- C. As compensation for the services provided by Winterfest on behalf of the County, the County agrees to pay Winterfest 66 2/3% of the amount collected by Winterfest and tendered to the County and 33 1/3% to the Pensacola High School Band Boosters. Winterfest accepts responsibility for assuring that the County's portion of the amount is donated to the Pensacola High School Band Boosters; and
- D. Authorize the Chairman or Vice Chairman to execute the document.

18. Recommendation Concerning Surplus and Sale of Real Property Located in the 400 Block of Lloyd Street – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action regarding the surplus and sale of real property located in the 400 Block of Lloyd Street:

- A. Rescind the Board's action of May 17, 2005, as follows, because the successful bidder has failed to close on the property, in spite of repeated attempts to contact him:
 - 1. Declaring surplus its real property Account Number 133103000, Reference Number 000S009020022039, acquired by Tax Deed in 2003. (A legal notice was posted in the Pensacola News Journal for two weeks stating that the County would be accepting bids);
 - 2. Authorizing the sale of this property to the highest offer received above the minimum bid of \$2,670, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
 - 3. Authorizing the Chairman to sign all documents related to the sale; and
- B. Declare as surplus the real property owned by Escambia County located in the 400 Block of Lloyd Street previously acquired through a Tax Deed. (Tax Parcel Reference Number 000S009020022039.)
- C. Authorize the sale of this property to the highest offer received above the minimum bid of \$3,560, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
- D. Authorize the Chairman to sign all documents related to the sale.

19. Recommendation Concerning Purchase Order for Management Fees – The Pensacola Civic Center – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board approve a Purchase Order in the amount of \$157,976.25 to SMG for the management fee for the Pensacola Civic Center for Fiscal Year 2006/2007, to be paid from Cost Center 360401.

20. Recommendation Concerning Surplus and Sale of Real Property Located off of Rudder Lane – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property located off of Rudder Lane:

- A. Declare surplus its real property Account Number 094568000, Reference Number 24-2S-31-4101-000-000 acquired by foreclosure. 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 \$3,000, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
- C. Authorize the Chairman to sign all documents related to the sale.

21. Recommendation Concerning Third Amendment to Agreement with the Disabled American Veterans, Department of Florida, Inc. – Marilyn Wesley, Community Services Director

RECOMMENDATION: That the Board take the following action concerning the Third Amendment to the Agreement with Disabled American Veterans, Department of Florida, Inc., (D.V.A.):

- A. Approve the Third Amendment to the Agreement with the Disabled American Veterans, Department of Florida, Inc., (D.A.V.), to provide counseling and assistance services to veterans and dependents, and extend Contract provisions effective October 1, 2006, through September 30, 2007, in the amount of \$15,000, budgeted in Cost Center 320202, Account Code 58301; and
- B. Authorize the Chairman to execute the Amendment.

22. Recommendation Concerning United Way Human Services Appropriations Committee Fund Recommendations – Marilyn Wesley, Community Services Director

RECOMMENDATION: That the Board accept the funding recommendations from the United Way Human Services Appropriations Committee for Fiscal Year 2006/2007, in the amount of \$148,000, in the adopted Fiscal Year 2006/2007 Budget, Public Social Services, General Fund 001, Cost Center 320202, Account Code 58301.

23. Recommendation Concerning Purchase Order for Workers Compensation Insurance for Escambia County Volunteer Firefighters – Kenneth W. Perkins, Fire Chief

RECOMMENDATION: That the Board approve the issuance of a Purchase Order to Preferred Governmental Insurance Trust in the amount of \$110,000, for Workers Compensation Insurance for Escambia County Volunteer Firefighters. [Fund: 143, Cost Center, 330202]

24. Recommendation Concerning Interlocal Agreement – Courthouse Complex – John Hartman, Facilities Management Director

RECOMMENDATION: That the Board approve and authorize the Chairman to sign an Interlocal Agreement with the Community Redevelopment Agency of the City of Pensacola, Florida, for the Cooperative Funding of Escambia County's Historic Old Courthouse Block Street Landscape Improvement in the amount of \$145,000.

25. Recommendation Concerning Marcus Pointe Boulevard – Phase 1, Construction – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board take the following action concerning Marcus Pointe Boulevard – Phase I:

- A. Approve transferring funds, in the amount of \$550,000 from: Transportation, Fund 351, "Local Option Sales Tax Extension", Account 210105/56301, Project Number 05EN2358, to: Marcus Point, Fund 351, "Local Option Sales Tax", Account 210105/56301, Project Number 05EN0601; and
- B. Award a Contract for PD 05-06.130, Marcus Pointe Boulevard, Phase I, to Panhandle Grading & Paving, Inc., in the amount of \$499,738.70.

26. Recommendation Concerning Li-Fair Estates Drainage Restoration – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board take the following action concerning Li-Fair Estates Drainage Restoration:

- A. Approve transferring funds, in the amount of \$500,000 from: Transportation, Fund 351, "Local Option Sales Tax Extension", Account 210105/56301, Project Number 05EN2358 and \$500,000 from Drainage, Fund 351, "Local Option Sales Tax Extension", Account 210105/56301, Project Number 05EN1128 to: Li-Fair Drainage, Fund 351, "Local Option Sales Tax Extension," Account 210105/56301, Project Number 05EN0581; and
- B. Award a Contract for PD 05-06.124, Li-Fair Estates Drainage Restoration, to Roads, Inc., of NWF, in the amount of \$974,510 for Base Bid Common Items and Additive Alternate Item 24.

27. **Recommendation Concerning Construction Administration Services (Civil Engineering) – Claudia Simmons, Purchasing Department Chief**

RECOMMENDATION: That the Board take the following action concerning PD 05-06.010, Construction Administration Services (Civil Engineering):

- A. Award a Task Order-based on continuing Contract to Sain Associates, Inc., and Dyer, Riddle, Mills & Precourt, Inc., per PD 05-06.010, Construction Administration Services (Civil Engineering) on a “Maximum Ceiling” basis fee schedule as follows:
1. Maximum Overhead – 168%;
 2. Maximum Profit – 12%;
 3. Maximum FCCM – 1.50%;
 4. Maximum Multiplier – 301.66% (providing no single item above is exceeded); and
 5. Existing Hourly Rates for each firm (based on an audited or auditable financial package); and
- B. Authorize the department(s) in conjunction with the Office of Purchasing to negotiate Task Orders according to F.S. 287.055, “Consultants’ Competitive Negotiation Act” (A&E Services), on a project-by-project basis.

28. **Recommendation Concerning Contracts for General Consultant Services – Claudia Simmons, Purchasing Department Chief**

RECOMMENDATION: That the Board award a fee-schedule-based Contract for General Consultant Services to Thompson Engineering, Inc., in the amount of \$300,000 for the following projects:

- A. PD 05-06.075, PD&E Studies for State Road 292 (Perdido Key Drive), from the Alabama State Line to the south end of the Theo Baars Bridge;
- B. PD 05-06.076, PD&E Studies for State Road 292 (Sorrento Road) from the south end of the Theo Baars Bridge to State Road 173 (Blue Angel Parkway);
- C. PD 05-06.077, PD&E Studies for State Road 173 (Blue Angel Parkway), from State Road 292 (Sorrento Road) to U.S. Highway 98 (Lillian Highway), PD 05-06.078; and
- D. PD 05-06.078, PD&E Studies for Pinestead Road – Longleaf Drive Corridor from Pine Forest Road to U.S. Highway 29.

[Funding: 351 Lost II and various Grants]

29. Recommendation Concerning Resources for Underwriting Services – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board take the following action concerning adding underwriting services to Contract PD 05-06.068 for proposed refinancing of Series 2002 Capital Improvement Revenue Bonds:

- A. Approve the selection of the following for a period of 12 months to provide underwriting services for refunding of Series 2002 Bonds upon the determination of sufficient savings to initiate the refinancing:
 - 1. RBC Capital Markets – 60% (Senior Managing Underwriter); and
 - 2. Citigroup Global Markets – 40% (Co-Managing Underwriter); and
- B. Set the threshold savings amount required to initiate the refunding of all of the callable Series 2002 Capital Improvement Revenue Bonds at 3%; and
- C. Authorize the Office of Management and Budget, Financial Advisor and the above-authorized underwriters to proceed with the development of the refunding issue and to return to the Board of County Commissioners, at such time as the savings can be realized, with a Recommendation for authorization to market the Series 2002 Capital Improvement Revenue Bonds with the approved, selected underwriting providers at the levels above upon approval.

30. Recommendation Concerning Purchase Order – Incentive Fees for SMG – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board authorize a Purchase Order in the amount of \$147,500 to SMG for incentive fees, in accordance with the Contract dated December 9, 2004, with funds available in Fund 409 (Civic Center Fund), Cost Center 360401.

31. Recommendation Concerning Purchase of Rotary Cutters for the Road Department – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board award a Contract for the “Purchase of Rotary Cutters”, PD 05-06.138, to Smith Tractor, for two John Deere CX15 cutters that are 20 feet wide at \$12,998 each and four John Deere CX15 cutters that are 10 feet wide at \$10,499 each, in the total amount of \$67,992, for the Road Department, with funds available from Fund 175 (Transportation Trust Fund), Cost Center 260102.

32. Recommendation Concerning Purchase of Five Vehicles for Environmental Code Enforcement Department – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board authorize the County to piggyback off of the Florida Sheriff's Association Contract #06-14-0821 (Specification #16), in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; Exemptions; and Section 46-64 Board Approval, and award a Purchase Order for five Ford Explorer, 4X2's, to Orville-Beckford Ford Mercury in the total amount of \$117,165, for the Environmental Code Enforcement Department, with funds available in Fund 103 (Code Enforcement Fund), Cost Center 280101.

33. Recommendation Concerning Security Services for Various County Buildings – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board award a Contract for PD 05-06.136, Security Services for Various County Buildings, in accordance with the terms and conditions of the solicitation for a period of 12 months with renewal options for four additional twelve-month periods up to a maximum of 60 months, effective November 1, 2006, contingent upon annual funding appropriations to Securitas Security Services USA, Inc., at the following hourly rates:

	Wage Rate	Bill Rate
A. Security Officer	\$ 7.50	\$10.70;
B. Site Supervisor	\$ 9.00	\$12.77;
C. Corrections Officer	\$ 9.00	\$12.79; and
D. Corrections Supervisor	\$10.50	\$14.86.

[Funds generated from various Cost Centers]

34. Recommendation Concerning Fiscal Year 2006/2007 Purchase Orders in Excess of \$50,000 – Claudia Simmons, Purchasing Department Chief

RECOMMENDATION: That the Board approve the issuance of blanket and or individual Purchase Orders based upon previously-awarded Contracts, Contractual Agreements, or annual requirements as follows for the Engineering Department:

Contractor	Amount	Contract No.
A. Panhandle Grading and Paving	\$3,000,000	PD 04-05.11
1. Vendor Number 160114		
2. Resurfacing Program		
3. Fund 351, Cost Center 210105		
4. Fund 333, Cost Center 210204		
5. Fund 350, Cost Center 210103		
6. Fund 175, Cost Center 210304		

COUNTY ADMINISTRATOR'S REPORT

NOVEMBER 2, 2006

PAGE 16 of 19

- B. Roads, Inc. \$3,000,000 PD 04-05.11**
 - 1. Vendor Number 182328
 - 2. Resurfacing Program
 - 3. Fund 351, Cost Center 210105
 - 4. Fund 333, Cost Center 210204
 - 5. Fund 350, Cost Center 210103
 - 6. Fund 175, Cost Center 210304

- C. Advance Construction \$3,000,000 PD 04-05.11**
 - 1. Vendor Number 011006
 - 2. Resurfacing Program
 - 3. Fund 351, Cost Center 210105
 - 4. Fund 333, Cost Center 210204
 - 5. Fund 350, Cost Center 210103
 - 6. Fund 175, Cost Center 210304

- D. APAC, Inc. \$750,000 PD 04-05.11**
 - 1. Vendor Number 031647
 - 2. Resurfacing Program
 - 3. Fund 351, Cost Center 210105
 - 4. Fund 333, Cost Center 210204
 - 5. Fund 350, Cost Center 210103
 - 6. Fund 175, Cost Center 210304

- E. Panhandle Grading and Paving \$3,000,000 PD 04-05.10**
 - 1. Vendor Number 160114
 - 2. General Drainage and Paving
 - 3. Fund 351, Cost Center 210105
 - 4. Fund 333, Cost Center 210204
 - 5. Fund 350, Cost Center 210103
 - 6. Fund 175, Cost Center 210304
 - 7. Fund 182-199, Cost Center 210701-210718
 - 8. Fund 110, Cost Center 240210

- F. Roads, Inc. \$3,000,000 PD 04-05.10**
 - 1. Vendor Number 182328
 - 2. General Drainage and Paving
 - 3. Fund 351, Cost Center 210105
 - 4. Fund 333, Cost Center 210204
 - 5. Fund 350, Cost Center 210103
 - 6. Fund 175, Cost Center 210304
 - 7. Fund 182-199, Cost Center 210701-210718
 - 8. Fund 110, Cost Center 240210

COUNTY ADMINISTRATOR'S REPORT

NOVEMBER 2, 2006

PAGE 17 of 19

- G. Advance Construction** **\$3,000,000** PD 04-05.10

 - 1. Vendor Number 011006
 - 2. General Drainage and Paving
 - 3. Fund 351, Cost Center 210105
 - 4. Fund 333, Cost Center 210204
 - 5. Fund 350, Cost Center 210103
 - 6. Fund 175, Cost Center 210304
 - 7. Fund 182-199, Cost Center 210701-210718
 - 8. Fund 110, Cost Center 240210

- H. APAC, Inc.** **\$750,000** PD 04-05.11

 - 1. Vendor Number 031647
 - 2. General Drainage and Paving
 - 3. Fund 351, Cost Center 210105
 - 4. Fund 333, Cost Center 210204
 - 5. Fund 350, Cost Center 210103
 - 6. Fund 175, Cost Center 210304
 - 7. Fund 182-199, Cost Center 210701-210718
 - 8. Fund 110, Cost Center 240210

- I. Woerner Turf** **\$250,000** PD 03-04.18

 - 1. Vendor Number 233840
 - 2. Dirt Road Paving Projects
 - 3. Fund 351, Cost Center 210105
 - 4. Fund 333, Cost Center 210204
 - 5. Fund 350, Cost Center 210103
 - 6. Fund 175, Cost Center 210304

- J. Escarosa Land Research** **\$100,000** PD 04-05.9

 - 1. Vendor Number 051907
 - 2. Title Searches for Capital Improvement Projects
 - 3. Fund 351, Cost Center 210105
 - 4. Fund 333, Cost Center 210204
 - 5. Fund 350, Cost Center 210103
 - 6. Fund 175, Cost Center 210304
 - 7. Fund 182-199, Cost Center 210701-210718

- K. Gulf Coast Traffic Engineers** **\$600,000** PD 02-03.7

 - 1. Vendor Number 072898
 - 2. Signs for Transportation Projects
 - 3. Fund 351, Cost Center 210105
 - 4. Fund 333, Cost Center 210204
 - 5. Fund 350, Cost Center 210103
 - 6. Fund 175, Cost Center 210304
 - 7. Fund 182-199, Cost Center 210701-210718

COUNTY ADMINISTRATOR'S REPORT

NOVEMBER 2, 2006

PAGE 18 of 19

- L. Gulf Coast Traffic Engineers \$600,000 PD 02-03.81
 - 1. Vendor Number 072898
 - 2. Fabrication, Installation of Traffic Control Signs for Transportation Projects
 - 3. Fund 351, Cost Center 210105
 - 4. Fund 333, Cost Center 210204
 - 5. Fund 350, Cost Center 210103
 - 6. Fund 175, Cost Center 210304
 - 7. Fund 182-199, Cost Center 210701-210718

- M. CSX Transportation \$100,000
 - 1. Vendor Number 030050
 - 2. Sign Maintenance for Railroad Crossings
 - 3. Fund 175, Account 211501

- N. Ingram Signalization \$600,000 PD 03-04.89
 - 1. Vendor Number 070606
 - 2. Sign Maintenance
 - 3. Fund 175, Cost Center 211501
 - 4. Fund 351, Cost Center 210105
 - 5. Fund 333, Cost Center 210204
 - 6. Fund 350, Cost Center 210103
 - 7. Fund 175, Cost Center 210304
 - 8. Fund 182-199, Cost Center 210701-210718

- O. Gulf Coast Traffic Engineers \$600,000 PD 04-05.055
 - 1. Vendor Number 072898
 - 2. Pavement Markings
 - 3. Fund 351, Cost Center 210105
 - 4. Fund 333, Cost Center 210204
 - 5. Fund 350, Cost Center 210103
 - 6. Fund 175, Cost Center 210304
 - 7. Fund 182-199, Cost Center 210701-210718

- 35. Recommendation Concerning Interlocal Agreement – \$2 Court Technology Filing Fee – Santa Rosa County – Wayne Peacock, Court Administrator / Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board approve an Interlocal Agreement between Escambia County and Santa Rosa County whereby Escambia County acts as the fiscal agent for Santa Rosa County's \$2 court technology filing fee, providing purchasing approval and oversight of the collected funds. The Santa Rosa County Board of County Commissioners has already approved this Interlocal Agreement.

36. Recommendation Concerning Interlocal Agreement – \$2 Court Technology Filing Fee – Okaloosa County – Wayne Peacock, Court Administrator / Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board approve an Interlocal Agreement between Escambia County and Okaloosa County whereby Escambia County acts as the fiscal agent for Okaloosa County's \$2 court technology filing fee, providing purchasing approval and oversight of the collected funds. The Okaloosa County Board of County Commissioners has already approved this Interlocal Agreement.

37. Recommendation Concerning 2006/2007 Miscellaneous Appropriations Agreement – Perdido Key Area Chamber of Commerce, Inc. – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board take the following action concerning approval of the FY 06/07 Miscellaneous Appropriations Agreement for Perdido Key Area Chamber of Commerce, Inc.:

- A. Approve the Miscellaneous Appropriations Agreement for \$113,000, to be paid from the 3rd Cent Tourist Development Tax Fund 108, Cost Center 360101;
 - B. Authorize the Chairman to sign the Agreement and all other necessary documents; and
 - C. Authorize the execution of the necessary purchase order.
38. Recommendation Concerning Purchase Order to R. D. Ward Construction – Kenneth W. Perkins, Fire Chief

RECOMMENDATION: That the Board approve the issuance of a Purchase Order to R.D Ward Construction Co., Inc., in the amount of \$170,447.10 per PD 03-4.83 for the new addition to Ferry Pass fire station, a continuation of prior year Purchase Order 260588. [Fund: 143: Cost Center: 330202]

COUNTY ATTORNEY'S REPORT
November 2, 2006

I. Discussion Agenda:

1. **Attorney-Client Session: *The Honorable Ernie Lee Magaha, Plaintiff/CounterDefendant v. D.M. "Mike" Whitehead, James W. "Bill" Dickson, Marie Young, Tom Banjanin, Kevin White, each as Members of the Board of County Commissioners of Escambia County, Florida (and not Individually), and Escambia County, Florida, Defendants/CounterClaimant; Case No. 2006-773-CA***

RECOMMENDATION:

- A. That the Board schedule a private meeting with its attorneys to discuss pending litigation, in accordance with Section 286.011 (8), Florida Statutes, for December 7, 2006 at 2:00 p.m.
- B. That the Board approve the public notice printed below to be published in the *Pensacola News Journal* along with the weekly notice of meetings.

PUBLIC NOTICE

IT IS THE INTENTION of the Board of County Commissioners of Escambia County, Florida, to hold a private meeting with its attorney to discuss pending litigation in accordance with § 286.011 (8), Fla. Stat., in the matter of *The Honorable Ernie Lee Magaha, Plaintiff/CounterDefendant v. D.M. "Mike" Whitehead, James W. "Bill" Dickson, Marie Young, Tom Banjanin, Kevin White, each as Members of the Board or County Commissioners of Escambia County, Florida (and not Individually), and Escambia County, Florida, Defendants/CounterClaimants; Case No. 2006-773-CA*. Such attorney-client session will be held during the meeting of the Board of County Commissioners scheduled to commence at 2:00 p.m., C.S.T. on Thursday, December 7, 2006, in the Board Meeting Room, First Floor, Escambia County Government Complex, 221 Palafox Place. Commissioners D. M. "Mike" Whitehead, Gene Valentino, Marie Young, the commissioner elected for District 4, and Kevin White, County Administrator George Touart, Attorneys representing Escambia County, H. Hamilton Rice, Kevin Hennessy, Charles V. Pepler, County Attorney Janet Lander and a certified court reporter will attend the attorney-client session.

2. **Approval of ECUA's Request to Exercise its Power of Eminent Domain**

RECOMMENDATION:

That the Board adopt a resolution approving the request of the Emerald Coast Utilities Authority (ECUA) to exercise its power of eminent domain in connection with the development of its new wastewater treatment facility and transmission system.

3. **Retention of Attorney Services for Excess Workers' Compensation and Presumption Law Claims**

RECOMMENDATION:

That the Board authorize the County Attorney's Office to secure the services of George A. Helm, III and John Sung, PA's with Public Entity Legal Solutions for legal services on the County's excess workers' compensation and presumption law claims at an hourly rate of \$120.00 per hour for attorney services and \$75.00 per hour for paralegal services. Paralegals will be under the direct supervision of the attorney. (Resumes are attached.) Travel expenses will be limited to no more than one (1) hour of attorney time per day and actual transportation cost will be pro-rated with other clients when possible.