

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 – November 3, 2005 – 5:30 p.m.  
Courthouse – Third Floor

1. Call to Order.
2. Invocation – Reverend Buford Lipscom, Pastor, Liberty 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/Special Recognition.
  - A. Recommendation: That the Board take the following action concerning adoption of the following four Proclamations:
    - (1) Ratify the Proclamation dated October 17, 2005, proclaiming Wednesday, October 19, 2005, as “Disability Mentoring Day” in Escambia County;
    - (2) Adopt the Proclamation commending and congratulating Stanley C. Butler, Animal Control Supervisor, Animal Regulation and Control Division, Public Safety Department, on his retirement after 17 years of dedicated service;
    - (3) Adopt the Proclamation encouraging the observation of the ninth day of November 2005 as the First Judicial Circuit’s Guardian Ad Litem Awareness Day, and encouraging support for the Guardian ad Litem Program and its volunteers; and
    - (4) Adopt the Proclamation proclaiming November 16, 2005, to “Geographic Information Systems Day” in Escambia County; and
  - B. Recommendation: That the Board present Certificates recognizing and commending the Escambia County Neighborhood Services Task Force Members for their service to the County and addressing the issues of blight in our County.

6. Employee of the Month Proclamations/Special Recognition.

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 2005:

(1) Ms. Natalie Jackson, Office Assistant III, Maintenance Division, Facilities Management Department, Community Services and Public Safety Agency; and

(2) Mr. Joshua McElhaney, Conservation Technician II, Soil and Water Division, Neighborhood and Environmental Services Department, Public Works and Land Management Agency.

B. Recommendation: That the Board recognize the following employees for their dedication and years of service to the County with pins and certificates:

(1) Mr. William E. Land, Sr., Roads and Bridges Division, Road Department, 25 years; and

(2) Mr. David K. Lewis, Maintenance Division, Facilities Management, 25 years.

7. Written Communication:

A. October 19, 2005, e-mail communication from Robert Price concerning Pensacola Historical Society's lack of County support, through the Outside Agency Grant Program, for Fiscal Year 2005-2006; and

B. October 25, 2005, e-mail communication from Orlando Bethel and Glynis Bethel, who allege that their Constitutional rights, under the First Amendment, Fourth Amendment and the Florida Constitution, were violated by Ronald Busbee, Escambia County Sheriff's Deputy, on September 29, 2005.

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 portion of a Drainage Easement on Lot 4, Block K, Estates at Emerald Shores 1st Addition Subdivision, as petitioned by C.H.B. of Northwest Florida, Inc.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, take the following action regarding the Petition to Vacate a portion of a Drainage Easement measuring approximately 2.5 feet by 36 feet (90 square feet), or approximately 0.002 acres, on Lot 4, Block K, Estates at Emerald Shores 1st Addition Subdivision, as petitioned by C.H.B. of Northwest Florida, Inc.:

- 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.
10. **5:32 p.m. Public Hearing for consideration of adopting an Enterprise Zone Resolution for Re-designation.**

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, take the following action concerning Urban Enterprise Zone Re-designation:

- A. Approve the Application Package for Enterprise Zone Re-Designation;
- B. Adopt a Resolution nominating a geographic area within Escambia County for re-designation as an Enterprise Zone, pursuant to Section 290.0065(4)(a)2., Florida Statutes, finding that the nominated area meets the requirements of Section 290.0055, Florida Statutes; and
- C. Authorize the Chairman to sign the Application Package Certification and Resolution for Urban Enterprise Zone Re-designation and any other related documents necessary to implement the Enterprise Zone Program in Escambia County.

11. **5:33 p.m. Public Hearing for consideration of adopting the Basic Life Support Ordinance.**

Recommendation: That the Board, at the 5:33 p.m. Public Hearing, adopt the Basic Life Support Ordinance in Chapter 38, Article 3, Division 4 (*of the Escambia County Code of Ordinances*), as written, and authorize the Chairman to execute the document.

12. **5:34 p.m. Public Hearing for consideration of adopting an Ordinance creating the Patriot Place Street Lighting MSBU.**

Recommendation: That the Board, at the 5:34 p.m. Public Hearing, adopt and authorize the Chairman to sign the Ordinance creating the Patriot Place 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.

13. Committee of the Whole Recommendation(s).
  - A. Recommendation: The Committee of the Whole (C/W), relative to discussion concerning the (*proposed*) Bayou Grande Park (Item 9 of the October 24, 2005, C/W Agenda), recommends the Board authorize staff to pursue a site location, in the 75-acre range, for the relocation of the activities from Baars Field and development of a youth athletic facility to include soccer, softball and, potentially, football fields, contact the District School Board and ask if the School Board would be interested in participating in the acquisition of the site, and continue with plans to develop the proposed Bayou Grande Park as an ecological park with nature walks, picnic tables and pavilions, a dog park and boat ramps; and
  - B. Recommendation: The Committee of the Whole recommends the Board consider acceptance, approval and implementation of the Neighborhood Services Task Force recommendations depicted in the *Neighborhood Services Task Force – Findings & Recommendations* (Item 11 of the October 24, 2005, C/W Agenda).
14. Reports:
  - Clerk of the Circuit Court;
  - Growth Management;
  - County Administrator; and
  - County Attorney.
15. Items added to the agenda.
16. Announcements.
17. Adjournment.

CLERK OF THE CIRCUIT COURT'S REPORT  
November 3, 2005

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 October 21, 2005, in the amount of \$1,774,318.11; and
- B. The following two Disbursement of Funds:
  - (1) October 13, 2005, to October 19, 2005, in the amount of \$8,407,145.76; and
  - (2) October 20, 2005, to October 26, 2005, in the amount of \$1,158,008.55.

2. Recommendation Concerning Transfer and Removal of Assets

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

- A. Approve the transfer of existing assets (*totaling \$627,878.36*) from the Civil Service Board to the Escambia County Board of County Commissioners, effective October 1, 2005; and
- B. 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, 2005, in the amount of \$3,352,121.27.

3. Recommendation Concerning Write-Off of Accounts Receivable

Recommendation: That the Board adopt the Resolution authorizing the write-off of \$142.88 in returned checks and other accounts receivable in various funds of the County that have been determined to be uncollectible bad debts.

4. Recommendation Concerning CIAC Minutes

Recommendation: That the Board accept, for filing with the Board's Minutes, the Minutes of the County Investment Advisory Committee (CIAC) Quarterly Meeting held August 19, 2005, as prepared by the Clerk to the Board's Office.

I. CONSENT AGENDA – Continued

5. Recommendation Concerning Residual Equity

Recommendation: That the Board accept, for filing with the Board's Minutes, copies of checks from the following two Constitutional Officers for the residual equity which represents excess revenues for the Fiscal Year ending September 30, 2005:

- A. Check Number 037836, dated October 20, 2005, in the amount of \$302,235.48, as presented by the Honorable Chris Jones, Property Appraiser; and
- B. Check Number 0019596, dated October 27, 2005, in the amount of \$536,434.08, as presented by the Honorable Ernie Lee Magaha, Clerk of the Circuit Court.

6. Recommendation Concerning Acceptance of Document

Recommendation: That the Board accept, for filing with the Board's Minutes, the fully executed *General Release and Hold Harmless Agreement*, relative to the Board's action of April 1, 2004, approving the settlement of the claim made by Randolph Robbert, Judith Robbert and Suzanne Robbert, Case Number 00-1462-CA-01, as provided to the Clerk to the Board's Office on October 27, 2005.

7. Recommendation Concerning Minutes/Reports

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

- A. Approve the Minutes of the Attorney-Client Sessions held at 4:00 p.m. October 20, 2005;
- B. Approve the Minutes of the Public Forum Work Session and Regular Board Meeting held October 20, 2005;
- C. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held October 20, 2005; and
- D. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Meeting held October 24, 2005.

## GROWTH MANAGEMENT REPORT

November 3, 2005

### I. PUBLIC HEARINGS

1. Review of Rezoning Cases heard by the Rezoning Hearing Examiner on September 29, 2005.

**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-2005-20, Z-2005-35 thru Z-2005-39 and Z-2005-44, 45, 49 and case Z-2005-27 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.

- 1) **Case No.:** **Z-2005-20**  
**Location:** 1705 and 1707 Woodchuck Avenue  
**Property Reference No.:** 09-1S-29-3001-002-002 and  
09-1S-29-3001-017-002  
**Property Size:** 0.88 (+/-) acre  
**From:** R-2, Single-Family District (cumulative),  
Low-Medium Density  
**To:** R-4, Multiple-Family District  
(cumulative), Medium High Density  
**FLU Category:** MU-1, Mixed Use 1  
**Commissioner District:** 4  
**Requested by:** Wiley C. "Buddy" Page, Agent for  
Pamela R. Herpel and Jerry T. Smith,  
Owners  
**RHE Recommendation:** **Denial of R-4, but approval of R-3,  
One-Family and Two-Family District,  
(cumulative)**  
**Staff Recommendation:** **Denial of R-4, but approval of R-3,  
One-Family and Two-Family District,  
(cumulative)**  
**Speakers:** **Buddy Page, Agent  
Pamela Herpel, Owner  
Jerry T. Smith, Owner  
Paul R. Nobles  
Vikki R. Garrett  
Richard L. Gainey**

**Martin Harwood  
Bill McCay  
Cliff Meyers**

- 2) Case No.: Z-2005-35**  
Location: 2599 North Highway 29  
Property Reference No.: 33-2N-31-2000-000-000  
Property Size: 97.0 (+/-) acres (changed at the R.H.E. meeting of September 29, 2005)  
From: VAG-1, Villages Agriculture Districts  
To: V-2, Villages Single-Family Residential District (2du/per acre)  
FLU Category: RR, Rural Residential  
Commissioner District: 5  
Requested by: Wiley C. "Buddy" Page, Agent for Classic Homes, Inc.
- RHE Recommendation: Approval**  
**Staff Recommendation: Approval**  
**Speakers: Buddy Page, Agent  
Fred R. Thompson  
Rick Faciane  
Gregory D. Smith  
D.O. Moak**
- 3) Case No.: Z-2005-36**  
Location: 5 Cherokee Trail  
Property Reference No.: 14-2S-30-8001-060-003  
Property Size: 0.37 (+/-) acre  
From: R-2, Single-Family District (cumulative), Low-Medium Density  
To: C-2, General Commercial and Light Manufacturing District (cumulative)  
FLU Category: C, Commercial  
Commissioner District: 2  
Requested by: North American Properties Southeast, Inc. Agent for W.M. and Myra J. Hutchins
- RHE Recommendation: Approval**  
**Staff Recommendation: Approval**  
**Speakers: Jesse, W. Rigby, Agent  
Edward Allen  
Michael Wolf  
William M. Hutchins  
Mindelyn Heath**

- 4) Case No.: Z-2005-37**  
Location: 4525 Mobile Highway  
Property Reference No.: 15-2S-30-5311-000-010  
Property Size: 5.4 (+/-) acres  
From: R-6, Neighborhood Commercial and Residential District (cumulative), High Density  
To: C-2, General Commercial and Light Manufacturing District (cumulative)  
FLU Category: C, Commercial  
Commissioner District: 2  
Requested by: North American Properties Southeast, Inc. Agent for South Building Corp.
- RHE Recommendation: Approval**  
**Staff Recommendation: Approval**  
**Speakers: Jesse, W. Rigby, Agent**  
**Edward Allen**  
**Michael Wolf**  
**William M. Hutchins**  
**Mindelyn Heath**
- 5) Case No.: Z-2005-38**  
Location: 4518 and 4524 Fairfield Drive  
Property Reference Nos.: 15-2S-30-5307-000-001 and 15-2S-30-5307-000-000  
Property Size: 2.76 (+/-) acres  
From: R-6, Neighborhood Commercial and Residential District (cumulative), High Density  
To: C-2, General Commercial and Light Manufacturing District (cumulative)  
FLU Category: C, Commercial  
Commissioner District: 2  
Requested by: North American Properties Southeast, Inc., Agent for "Southern District of the Lutheran Church"
- RHE Recommendation: Approval**  
**Staff Recommendation: Approval**  
**Speakers: Jesse, W. Rigby, Agent**  
**Edward Allen**  
**Michael Wolf**  
**William M. Hutchins**  
**Mindelyn Heath**
- 6) Case No.: Z-2005-39**  
Location: 4610 Fairfield Drive

Property Reference No.: 15-2S-30-5200-000-003  
(the northern portion)  
Property Size: 5.2 (+/-) acres  
From: R-6, Neighborhood Commercial and Residential District (cumulative), High Density  
To: C-2, General Commercial and Light Manufacturing District (cumulative)  
FLU Category: C, Commercial  
Commissioner District: 2  
Requested by: North American Properties Southeast, Inc. Agent for Lutheran Ministries of Florida, Inc.

**RHE Recommendation: Approval, with respect to the Property described in attachment B**  
**Staff Recommendation: Approval, with respect to the Property described in attachment B**  
**Speakers: Jesse, W. Rigby, Agent**  
**Edward Allen**  
**Michael Wolf**  
**William M. Hutchins**  
**Mindelyn Heath**

**7) Case No.: Z-2005-44**  
Location: 5920 Crabtree Church Road  
Property Reference No.: 34-3N-32-1303-000-000  
Property Size: 34.61 (+/-) acres  
From: VAG-1, Villages Agriculture Districts (5du/100 acres on one-acre parcels)  
To: VR-1, Villages Rural Residential Districts (1du/4 acres)  
FLU Category: AG, Agriculture  
Commissioner District: 5  
Requested by: Darlene Hart, Agent for Martin J. Lorenz as Personal Representative of the Estate of Kay A. Manten, Deceased

**RHE Recommendation: Denial**  
**Staff Recommendation: Denial**  
**Speakers: None**

**8) Case No.: Z-2005-45**  
Location: 3092 East Kingsfield Rd.  
Property Reference No.: 18-1N-30-1001-000-000  
Property Size: 38 (+/-) acres  
From: VAG-1, Villages Agriculture Districts (5du/100 acres on one-acre parcels)

To: V-2, Villages Single-Family Residential District (2 units per acre)  
FLU Category: MU-6, Area 1  
Commissioner District: 5  
Requested by: R. Todd Harris, Agent for Andrew C. Epstein, Owner  
**RHE Recommendation: Approval**  
**Staff Recommendation: Approval**  
**Speakers: Todd Harris, Agent**  
**Liza Epstein**  
**William Quелlette**

**9) Case No.: Z-2005-48**  
Location: 370 Nowak Road  
Property Reference No.: 16-1N-31-2301-000-000  
Property Size: 36.3 (+/-) acres  
From: VAG-2, Villages Agriculture Districts (1du/per 5 acres)  
To: V-2, Villages Single-Family Residential Districts (2 du/per acre)  
FLU Category: MU-6, Mixed Use, Area 3  
Commissioner District: 5  
Requested by: W. R. Ward, Agent for Jack Needham, representative of Ricky L. and Connie S. Evans, owners  
**RHE Recommendation: Approval**  
**Staff Recommendation: Approval**  
**Speakers: W.R. Ward, Agent**  
**Robert Stafford**  
**Brenda Wilson**  
**Janice Stafford**  
**Keith Moore**  
**Allen Price**  
**Joseph H. Neese**  
**Jerri Barnes**  
**Kenneth Bedwell**

**10) Case No.: Z-2005-27 (Remanded on September 1, 2005 By the Board of County Commissioners)**  
Location: 2700 Block of South Century Blvd.  
Property Reference No.: 27-4N-31-1000-000-000 (Eastern Portion)  
Property Size: 184 (+/-) acres  
From: VR-1, Villages Rural Residential District, (1du/4 acres)  
To: VR-2, Villages Rural Residential

FLU Category: District, (1du/0.75 acre)  
RR, Rural Residential and AG,  
Agriculture  
Commissioner District: 5  
Requested by: Wiley C. "Buddy" Page, Agent for  
Faddis & Liberis Development,  
Inc.  
**RHE Recommendation: Denial**  
**Staff Recommendation: Denial**  
**Speakers: Buddy Page, Agent**  
**Charles Bettis**  
**Randy Enfinger**  
**Chad Rigby**

2. **5:45 p.m. – Thursday, November 3, 2005**– 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 September 29, 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 3, 2005** – Small Scale Amendment 2005-05

**RECOMMENDATION:** That the Board review and deny an ordinance of Escambia County, Florida amending Part II of the Escambia County Code of Ordinances (1999) 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) 2005-05 to the Year 2020 Future Land Use Map, as amended, and as requested by Wiley C. "Buddy" Page, Agent for RCG Investment, LLC, Owners; changing the Future Land Use of 5.0 +/- acres on the 9100 block of Bowman Avenue, from Urban Residential (UR) to Mixed Use-1 (MU-1); providing for a title, a copy on file, severability, and an effective date.

4. **5:47 p.m. – Thursday, November 3, 2005** – Legislative (County-Sponsored) Rezoning for Ellyson Industrial Park

**RECOMMENDATION:** That the Board hold the first of two public hearings to consider the county sponsored legislative rezoning to amend the official zoning maps to clarify the zoning for the Ellyson Industrial Park as well as for parcels along Copter Road between Davis Highway and the main entrance.

**II. ACTON ITEM:**

1. **RECOMMENDATION:** That the Board takes the following actions as recommended by the County Attorney's Office and the Planning and Zoning Staff.
  - A. Clarify that the Board's action at the October 6, 2005, Regular Board Meeting was to approve rezoning parcels Section 34 Township 2S Range 30 West 1090-007-109 and 0170-001-003, with a combined property size of 2.03 (+/-) acres rather than the 1.75 (+/-) acres and 2.5(+/-) acres referenced in the staff's recommendation and back up materials, relative to Rezoning Case 2005-34, a request by Thomas J. Gilliam, Jr. Agent for Steven M. and Belinda G. Hernandez, Trustees to rezone two parcels of property at 4330 West Martha Street and 900 New Warrington Road from C-1, retail Commercial district, (cumulative) to C-2 General Commercial and light manufacturing district, (cumulative); and
  - B. Authorize the Chairman to execute, for filing with the Department of State, the "Corrected" Ordinance to replace Ordinance 2005-50 that was mailed to the Department of State on October 11, 2005 and the "Corrected Order of the Escambia County Board of County Commissioners."

**III. CONSENT AGENDA:**

**1. Scheduling of Public Hearings**

**RECOMMENDATION:** That the Board schedule the following public hearing(s):

- A. **5:45 p.m. – Thursday, December 8, 2005** – A public hearing to amend the Official Zoning Map to include the following Rezoning Cases heard by the Rezoning Hearing Examiner (RHE) on October 24, 2005 and approved by the Board during the previous agenda item:

<b>1)</b>	<b>Case No.:</b>	<b>Z-2005-50</b>
	Location:	933 New Warrington Road
	Property Reference No.:	34-2S-30-0150-000-001
	Property Size:	0.32 (+/-) acre
	From:	C-1, Retail Commercial District, (cumulative)
	To:	C-2, General Commercial and Light Manufacturing District, (cumulative)
	FLU Category:	C, Commercial
	Commissioner District:	2
	Requested by:	Kerry Anne Schultz, Agent for Giovanni and Risa Gelano

- 2) Case No.: Z-2005-51**  
Location: 4170 Barrancas Ave  
Property Reference No.: 50-2S-30-3560-001-001 (a portion of)  
Property Size: 0.24 (+/-) acre  
From: R-2, Single-Family District (cumulative),  
Low Medium Density  
To: C-1, Retail Commercial (cumulative)  
FLU Category: MU-1, Mixed Use 1  
Commissioner District: 2  
Requested by: Choctaw Engineering, Inc., Agent for  
Patwill Company, Inc. William Van Horn,  
President Inc.
- 3) Case No.: Z-2005-52**  
Location: 5205 Bankhead Drive  
Property Reference No.: 26-1S-31-3200-000-004  
Property Size: 5.58(+/-) acre  
From: R-1, Single-Family District, Low Density,  
AIPD-2  
To: R-R, Rural Residential District  
(cumulative), Low Density, AIPD-2  
FLU Category: LDR, Low Density Residential  
Commissioner District: 1  
Requested by: David S. Wolfe, Agent for Labelle S.  
Wolfe
- 4) Case No.: Z-2005-53**  
Location: 955 Upland Road  
Property Reference No.: 16-1N-31-3203-000-009  
Property Size: 41.28 (+/-) acre  
From: VAG-2, Villages Agriculture Districts  
(1du/5 acres)  
To: V-2, Villages Single-Family Residential  
(2du/acre)  
FLU Category: MU-6, Mixed Use 6  
Commissioner District: 5  
Requested by: W.R. Ward, Southern Land Concepts,  
Agent for Ricky L. and Connie P. Evans,  
Owners
- 5) Case No.: Z-2005-54**  
Location: 350 West Quintette Road  
Property Reference No.: 27-2N-31-1101-000-000, 27-2N-31-  
4401-000-000, 27-2N-31-4401-000-001,  
27-2N-31-3400-000-000  
Property Size: 524.0 (+/-) acres

From: VAG-1, Villages Agricultural District, ID-CP, Commerce Park District (cumulative)  
To: R-3, One-Family and Two-Family District, (cumulative) medium Density  
FLU Category: R, Residential and AA-15, Activity Area 15  
Commissioner District: 5  
Requested by: Wiley "Buddy" Page, Agent for Don Brantley, Owner

**6) Case No.: Z-2005-55**  
Location: 901 South Corry Field Road  
Property Reference No.: 50-2S-30-1000-003-001 (NW .91 (+/-) of parcel)  
Property Size: 0.91 (+/-) acre  
From: R-2, Single-Family District (cumulative), Low-Medium Density  
To: C-1, Retail Commercial District (cumulative)  
FLU Category: C, Commercial  
Commissioner District: 2  
Requested by: Wiley "Buddy" Page, Agent for John R. Williams

**7) Case No.: Z-2005-56**  
Location: 8500 Lillian Highway  
Property Reference No.: 12-2S-31-3111-000-000  
Property Size: 3.5 (+/-) acre  
From: SDD, Special Development District  
To: C-2, General Commercial and Light Manufacturing District (cumulative)  
FLU Category: MU-2, Mixed Use 2  
Commissioner District: 1  
Requested by: Wiley "Buddy" Page, Agent for George W. Shockey

**B. 5:46 p.m. – Thursday, December 08, 2005 –** An adoption public hearing, the second of two (2 of 2) public hearings to review and adopt Comprehensive Plan Amendment 2005-01, consisting of one amendment, 2005-01A, an ordinance of Escambia County, Florida, amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending Chapter 7 "The Future Land Use Element", the Year 2020 Escambia County Future Land Use Map, as amended, to change the Future Land Use of five contiguous parcels on the north side of the 500 block of Quintette Road between Highway 29

and Old Palafox Highway, lying within Section 27, Township 2 North, Range 31 West, Parcel Numbers 1101-000-000, 4401-000-000, 4401-000-001 and 3400-000-000 and Section 28, Township 2 North, Range 31 West, Parcel Number 1101-000-000, from Rural Residential (RR) and Activity Area-15 (AA-15) to Residential (R); and to forward the ordinance to the Department of Community Affairs (DCA) as the first Amendment Package for the Year 2005; providing for a title, a copy on file, severability, and an effective date.

- C. 5:47 p.m. – Thursday, December 08, 2005** – An adoption public hearing, the second of two (2 of 2) public hearings to review and adopt Comprehensive Plan Amendment (CPA) 2005-02, portion CPA 2005-02E of the originally transmitted Amendment, “Dwelling Unit Caps on Perdido Key”, an ordinance of Escambia County, Florida, amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; and to forward the ordinance to the Department of Community Affairs (DCA) as the remaining component of the second Amendment Package for the Year 2005; providing for severability, inclusion in the Code, and an effective date.
- D. 5:48 p.m. – Thursday, December 08, 2005** – A public hearing to review and adopt an ordinance, amending Part III of The Escambia County Code of Ordinances (1999), The Escambia County Land Development Code, as amended, amending Article 3, Definitions, and Article 10, Floodplain Management; providing for severability, inclusion in the Code, and an effective date.

**COUNTY ADMINISTRATOR'S REPORT  
NOVEMBER 3, 2005**

**I. Technical/Public Service Consent Agenda**

**1. Recommendation Concerning Scheduling of Public Hearing – Case No. 2005-1 – Buck Lee, Santa Rosa Island Authority General Manager**

**RECOMMENDATION:** That the Board authorize scheduling and advertising a public hearing at 5:36 p.m., on Thursday, November 17, 2005, to consider amending Part III of the Escambia County Code of Ordinances (1999), the Land Development Code of Escambia County, Florida, as amended, providing for amendment to the 1988 Pensacola Beach Land Utilization Plan, pursuant to Section 13.16.00 of the Escambia County Code of Ordinances for the following case:

<b>Case No.:</b>	<b>2005-1</b>
<b>Location:</b>	<b>20 Via de Luna</b>
<b>Property Reference No.:</b>	<b>28-2S-26-1125-000-000</b>
<b>Property Size:</b>	<b>4.31 (+/-) acre</b>
<b>From:</b>	<b>MDRC-PB (Medium Density Residential/Commercial-Pensacola Beach)</b>
<b>To:</b>	<b>CH-PB (Commercial Hotel-Pensacola Beach)</b>
<b>Commissioner District:</b>	<b>4</b>
<b>Requested by:</b>	<b>Sun Ray Village Owner's Association, Inc., d/b/a Clarion Suites</b>

**2. Recommendation Concerning Board of County Commissioners' 2006 Meeting Calendar – George Touart, County Administrator**

**RECOMMENDATION:** That the Board approve the Board of County Commissioners' 2006 Meeting Calendar.

**3. Recommendation Concerning Scheduling of Public Hearing – Vacate a Portion of County Road 95A – Richard Duane, P.E., County Engineer**

**RECOMMENDATION:** That the Board schedule a public hearing for December 8, 2005, at 5:32 p.m., to consider the Petition to Vacate a portion of County Road 95A, also known as North Palafox Street, (8-feet by 18-feet, 144 square feet or 0.003 acres), located north of the intersection of County Road 95A (North Palafox Street) and Brent Lane/Beverly Parkway, as petitioned by Pensacola Christian College, Inc.

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4. 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 15 requests as provided by various County departments for the reasons stated on each.

5. Recommendation Concerning Street Name Approval -- Shelter Cove Condominium – Robert Jacobson, Information Resources Director

**RECOMMENDATION:** That the Board approve the street names “Snook Lane, Bonfish Lane, Permit Drive, Red Fish Circle, Flounder Court, Black Drum Way, Jack Crevalle Way, and Shelter Cove Drive”, for private roads in Shelter Cove Condominium. These private roads run north off the 13900 block of Innerarity Point Road in Shelter Cove Condominium.

6. Recommendation Concerning Street Name Approval – Three Angels Apartments – Robert Jacobson, Information Resources Director

**RECOMMENDATION:** That the Board approve the street names “Lilah Lane, Charmaine Drive, and Ariel Court”, for private roads in Three Angels Apartments located off the 3500 block of Milford Road.

7. Recommendation Concerning Interlocal Agreement – Enterprise Resource Planning System – Robert Jacobson, Information Resources Director

**RECOMMENDATION:** That the Board take the following action concerning an Interlocal Agreement to manage the Enterprise Resource Planning (ERP) System:

- A. Approve the Interlocal Agreement between Escambia County, Clerk of the Court and the Sheriff's Office for managing the Enterprise Resource Planning System; and
- B. Authorize the Chairman to execute the Interlocal Agreement.

8. **Recommendation Concerning Scheduling of Public Hearing – Shoreline Protection Zone 1 – Keith Wilkins, NESD Director**

**RECOMMENDATION:** That the Board approve scheduling and advertising a public hearing at 5:37 p.m., on Thursday, November 17, 2005, to consider adoption of an Ordinance of Escambia County, Florida, to amend Article 2, of the Land Development Code (LDC) to expand the regulatory area of Shoreline Protection Zone 1 to the 1975 Coastal Construction Control Line and to restrict types of development allowed within that zone.

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

**RECOMMENDATION:** That the Board approve the following nominees to the Workforce Escarosa, Inc., Board of Directors for the terms specified:

- A. Appoint Mr. James Thompson, owner, A Artistic Video Company, private sector appointment, effective November 4, 2005, through November 3, 2008;
- B. Appoint Mr. John P. Royal, Human Resource Manager, Loomis Fargo and Company, private sector appointment, effective November 4, 2005, through November 3, 2008; and
- C. Appoint Ms. Annette D'Isa, Assistant Vice President Operations, Navy Federal Credit Union, private sector appointment, effective November 4, 2005, through November 3, 2008.

10. **Recommendation Concerning Scheduling of Public Hearing – Memorandum of Understanding/Perdido Key Beach Mouse – Keith Wilkins, NESD Director**

**RECOMMENDATION:** That the Board approve scheduling and advertising a public hearing at 5:38 p.m., on Thursday, November 17, 2005, to consider adoption of a Memorandum of Understanding between Escambia County, the United States Fish and Wildlife Service (FWS), and Florida Fish and Wildlife Conservation Commission (FWC) to establish a Perdido Key Beach Mouse (PKBM) Conservation Management Fund which shall be used for PKBM conservation purposes.

11. Recommendation Concerning Scheduling of Public Hearing – In-Lieu of Fee/  
Perdido Key Beach Mouse Conservation – Keith Wilkins, NESD Director

**RECOMMENDATION:** That the Board approve scheduling and advertising a public hearing at 5:39 p.m., on Thursday, November 17, 2005, to consider adoption of an Ordinance of Escambia County, Florida, to allow in-lieu fee to be utilized for impacts to the Perdido Key Beach Mouse and associated habitats.

II. **Budget/Finance Consent Agenda**

1. **Recommendation Concerning State Homeland Security SWAT Bomb Capabilities Grant – Derrick Whidden, Escambia County Sheriff's Office Grants Coordinator**

**RECOMMENDATION:** That the Board take the following action concerning the State Homeland Security Special Weapons and Tactics (SWAT) Bomb Capabilities Grant:

- A. **Ratify** and approve the submission of a grant application entitled, State Homeland Security SWAT/ Bomb Capabilities Grant, made in the name of Escambia County, Florida;
- B. Authorize the Sheriff of Escambia County, Florida, to act as the implementing agency and designee for the Chairman of the BCC for the grant program to include the following:
  - 1. Review and approve the Grant Application;
  - 2. Make the necessary Assurances and Certifications as to the expenditure of funds under the Program;
  - 3. Sign or validate online any other program requirements as may be required by the funding authority; and
- C. Authorize the Chairman to sign or validate online any other program requirements as may be required by the funding authority relating to the Chief Executive of the County.

2. **Recommendation Concerning State Homeland Security SWAT Night Vision Grant – Derrick Whidden, Escambia County Sheriff's Office Grants' Coordinator**

**RECOMMENDATION:** That the Board take the following action concerning the State Homeland Security SWAT Night Vision Grant:

- A. **Ratify** and approve the submission of a grant application entitled, State Homeland Security SWAT Night Vision Grant, made in the name of Escambia County, Florida;
- B. Authorize the Sheriff of Escambia County, Florida, to act as the implementing agency and designee for the Chairman of the BCC for the grant program to include the following:
  - 1. Review and approve the grant application;
  - 2. Make the necessary Assurances and Certifications as to the expenditure of funds under the Program;
  - 3. Sign or validate online any other program requirements as may be required by the funding authority; and
- C. Authorize the Chairman to sign or validate online any other program requirements as may be required by the funding authority relating to the Chief Executive of the County.

3. **Recommendation Concerning Supplemental Budget Amendment #22 – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #22, Other Grants and Projects Fund (110), and General Fund (001), in the amount of \$10,803 to recognize a grant from the Department of Community Affairs for an update to the County's Hazardous Materials Site-Specific Analyses.

4. **Recommendation Concerning Supplemental Budget Amendment #23 – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #23, General Fund (001) and Other Grants and Projects Fund (110), in the amount of \$19,896 to recognize a Grant from the State of Florida, Department of Community Affairs, to "harden" Bailey Middle School.

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5. 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 (110), in the amount of \$122,040 to recognize grant proceeds from Enterprise Florida and to appropriate these funds for the Emerald Lakes Density Reduction Project.

6. Recommendation Concerning Supplemental Budget Amendment #28 – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #28, Other Grants & Projects (110), in the amount of \$500,000 to recognize grant proceeds from the Florida Department of Environmental Protection (FDEP) and to appropriate these funds for the Perdido Bay Restoration Project.

7. Recommendation Concerning Supplemental Budget Amendment #31 – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #31, Other Grants & Projects Fund (110) and General Fund (001), in the amount of \$14,340 to recognize revenues from the State of Florida, Department of Community Affairs, and to appropriate these funds for use.

8. Recommendation Concerning Supplemental Budget Amendment #32 – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board approve Budget Amendment #32, Solid Waste Fund (401), in the amount of \$41,520 to provide funds for the replacement of an Office Assistant III position with a Recycling Coordinator position in Solid Waste Management.

9. Recommendation Concerning Supplemental Budget Amendment #33 – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board approve Budget Amendment #33, New Road Construction Fund (333) and Local Option Sales Fund (351), in the amount of \$681,732 to provide funds for the movement of Contract Personnel to limited term Classified/Unclassified County Personnel.

10. **Recommendation Concerning Supplemental Budget Amendment #35 – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board approve Budget Amendment #35, in the amount of \$10,200, Court Administration, Local Options (Cost Center 410501), Article V Fund (115). This revenue is being appropriated from Reserves into the Personnel Account for the new position of a clerical assistant for Court Administration.

11. **Recommendation Concerning Miscellaneous Appropriations Agreements for Outside Agencies (3rd Cent Tourist Development Tax) – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board take the following action concerning approval of the FY 05/06 Miscellaneous Appropriations Agreements for Outside Agencies:

A. Approve the following Miscellaneous Appropriations Agreements to be paid from the 3rd Cent Tourist Development Tax Fund 108, Cost Center 360101:

- |    |   |                 |
|----|---|-----------------|
| 1. | Pensacola Sports Association, Inc.  | \$216,360.00    |
| 2. | Pensacola Bay Area Chamber of Commerce, Inc.,<br>Visitor's Information Center (VIC) | \$1,170,108.00; |

B. Authorize the Chairman to sign the Agreements and all other necessary documents; and

C. Authorize the execution of the necessary purchase orders.

12. Recommendation Concerning Miscellaneous Appropriations Agreements for Outside Agencies (4th Cent Tourist Development Tax) – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board take the following action concerning approval of the FY 05/06 Miscellaneous Appropriations Agreements for Outside Agencies:

A. Approve the following Miscellaneous Appropriations Agreements to be paid from the 4th Cent Tourist Development Tax Fund 108, Cost Center 360105:

1.	West Florida Historic Preservation, Inc.	\$60,000.00
2.	Pensacola Bay Area Chamber of Commerce Visitor's Information Center (VIC)	\$550,000.00

B. Authorize the Chairman to sign the Agreements and all other necessary documents; and

C. Authorize the execution of the necessary purchase orders.

13. Recommendation Concerning Miscellaneous Appropriations Agreements Outside Agencies (Fund 001) – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board take the following action concerning approval of the FY 05/06 Miscellaneous Appropriations Agreements for Outside Agencies:

A. Approve the following Miscellaneous Appropriations Agreements to be paid from the General Fund 001, Cost Center 110201:

1.	Disabled Veterans Emergency Aid Mission and Bargain Center, Inc.	30,000.00
2.	Pensacola-Escambia Clean Community Commission, Inc.	10,000.00
3.	Pensacola-Escambia Clean Community Commission, Inc.	37,000.00
4.	Pensacola-Escambia Human Relations Commission	150,000.00
5.	Pensacola Bay Area Chamber of Commerce (Foundations for the Future)	432,000.00
6.	Junior Achievement of Northwest Florida, Inc.	15,000.00

B. Authorize the Chairman to sign the Agreements and all other necessary documents; and

C. Authorize the execution of the necessary purchase orders.

14. **Recommendation Concerning Surplus and Sale of Real Property Located in 9500 Block of Ivy Street – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board take the following action concerning the surplus and sale of real property located in the 9500 block of Ivy Street:

- A. Declare surplus its real property Account Number 112108000, reference number 326N300302000000, acquired by tax deed in 1997. A legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting bids;
- B. Authorize the sale of this property to the highest offer received by sealed bid above the minimum bid of \$1,500 without further action of the Board in accordance with section 46.134 of the County Code of Ordinances; and
- C. Authorize the Chairman to sign all documents related to the sale.

15. **Recommendation Concerning Lease of County-Owned Property Located at 292 Muscogee Road – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board take the following action concerning the lease of County-owned space at 292 Muscogee Road, Cantonment, Florida, by the State of Florida Division of Motor Vehicles:

- A. **Rescind** the action taken by the Board on April 21, 2005, to adopt a Resolution authorizing a lease with the State of Florida Division of Motor Vehicles to lease property located at 292 Muscogee Road, Cantonment, Florida, for the purpose of providing temporary office space for 12 months at a rate of \$1,056 per month, to be paid monthly in advance beginning May 1, 2005. Said lease may be renewed without further action by the Board, subject to increases in rent not-to-exceed four percent as approved by the County Administrator;
- B. Adopt a Resolution authorizing a revised lease with the State of Florida Division of Motor Vehicles to lease property located at 292 Muscogee Road, Cantonment, Florida, for the purpose of providing temporary office space for 12 months at a rate of \$1,056 per month to be paid monthly in advance beginning November 7, 2005. Said lease may be renewed without further action by the Board, subject to increases in rent not-to-exceed four percent as approved by the County Administrator, subject to legal sign-off; and
- C. Authorize the Chairman to execute all documents necessary to complete this transaction.

16. **Recommendation Concerning Surplus and Sale of Real Property Located on the 1800 Block of Desoto Street – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board take the following action concerning surplus and sale of real property located in the 1800 Block of Desoto Street:

- A. Declare surplus its real property located on the 1800 Block of Desoto Street (Tax Reference Number 00-0S-00-9060-011-114), offer this property to the adjacent property owners and authorize the sale of this property to the highest offer received above the minimum bid of \$1,840 without further action of the Board; and
- B. Authorize the Chairman to sign any and all documents necessary to close the sale of these parcels.

17. **Recommendation Concerning Ten Mile Road and North Palafox Street Intersection and Drainage Improvement Project – Richard Duane, P.E., County Engineer**

**RECOMMENDATION:** That the Board take the following action concerning the purchase of a 1306.80 square-foot (0.03 acre) parcel owned by the Emerald Coast Utilities Authority (ECUA), located at the northwest corner of the intersection of Ten Mile Road and North Palafox Street:

- A. Authorize Staff to purchase a 1306.80 square-foot (0.03 acre) parcel owned by ECUA, at a cost of \$10, to facilitate the Ten Mile Road and North Palafox Street Intersection and Drainage Improvement Project;
- B. Authorize the payment of documentary stamps because the property is being purchased for governmental use, which is for road rights-of-way and roadway, traffic and drainage improvements, and the County benefits from this purchase because it facilitates the construction and maintenance of roadway, traffic and drainage systems for use by the citizens of Escambia County;
- C. Authorize the payment of incidental expenditures associated with the acquisition of this property; and
- D. Authorize Staff to prepare and the Chairman or Vice Chairman to accept and execute the Quit Claim Deed as the day of delivery.

[Funding Source: Fund 351 "Local Option Sales Tax Extension", Account 210105/56101, Project No. 05EN0935]

18. Recommendation Concerning Jones Swamp Wetland Preserve Project – Richard Duane, P.E., County Engineer

**RECOMMENDATION:** That the Board take the following action regarding a \$40,963 Grant Award from Florida Communities Trust (FCT) for the Jones Swamp Wetland Preserve project:

- A. Approve the FCT Contract Number -CT-, to be assigned Florida Communities Trust, 05-041-FF5, Jones Swamp Wetland Preserve, CSFA # 52002 Grant Contract with Florida Communities Trust, effective November 3, 2005, through March 15, 2006; and
- B. Authorize the Chairman to sign the Grant Contract, and any subsequent grant-related documents.

19. Recommendation Concerning Change Order – Judicial Center Hurricane Ivan Repairs – 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:	\$798,587.00	
Vendor:	Whitesell -Green, Inc.	
Project Name:	Judicial Center Hurricane Ivan Repairs	
PO#:	251814-3	
CO#:	4	
Original Award Amount:		\$3,180,039.35
Cumulative Amount of Contract Change Orders through #4		<u>\$2,237,768.76</u>
New Contract Total:		\$5,417,808.11

The time for completion shall be increased by 60 calendar days due to this Change Order. The contract time is now 432 calendar days.

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

Subject to verification and approval by Escambia County's Insurance Provider

20. Recommendation Concerning Purchase of Decontamination Equipment and Vehicle for Transport Subgrant Agreement, Department of Community Affairs – Kenneth W. Perkins, Fire Chief

**RECOMMENDATION:** That the Board take the following action relative to the Subgrant Agreement between the State of Florida, Department of Community Affairs, and Escambia County to purchase decontamination equipment and vehicle for transport as part of the Fiscal Year 2004 State Homeland Security Grant Program:

- A. Accept the Subgrant for \$80,000 to purchase decontamination equipment and vehicle for transport; and
  - B. Authorize the County Administrator to sign the Subgrant Agreement.
21. Recommendation Concerning Information Report on Purchases Made in Excess of \$50,000 During Declaration of State of Local Emergency, Hurricane Ivan – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

**RECOMMENDATION:** That the Board accept, for filing with the Board's minutes, the Emergency Purchases Information Report, including Purchase Orders and Change Orders issued in excess of \$50,000 under the Declaration of State of Local Emergency resulting from Hurricane Ivan.

Contractor	Jack Moore & Company, Inc.
Contract #	PD 04-05.58
Purchase Order #	252199
Total	\$2,085,000.00

Description: Lake Stone, 4H and Various Escambia County Projects, Hurricane Ivan, FEMA-1551-DR

[Cost Center 330465, Category "E" Ivan – Building & Equipment, Object Code 56201]

Contractor	The Green-Simmons Company, Inc.
Contract #	PD 04-05.77
Purchase Order #	252302
Total	\$132,600.00

Description: Hurricane Ivan Repairs to #701 Extension Services Building and #173 Wind Mitigation Building, FEMA-1551-DR

[Cost Center 330465, Category "E" Ivan – Building & Equipment, Object Code 56201]

22. Recommendation Concerning Contract for Concrete - Road Department – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

**RECOMMENDATION:** That the Board amend its action of October 6, 2005, relating to the purchase of concrete for the Road Department, correcting a scrivener's error to reflect PD 04-05.49 rather than PD 01-02.45 for the contract number and correct the vendor name to "Rinker Materials" rather than "Riker Materials".

23. Recommendation Concerning Small Equipment, Parts and Supplies Pricing Agreement – Joe Pillitary, Jr., CPPO, CPPB, Purchasing Manager

**RECOMMENDATION:** That the Board approve a three-year contract for "Small Equipment, Parts and Supplies Pricing Agreement, PD 04-05.97", contingent upon post-award compliance, in accordance with the terms and conditions of the solicitation, with an approximate expenditure of \$50,000 per year and with funding available in various funds and cost centers, to the following four companies:

A-1 Small Engines;  
Gulf Coast Marine Supply;  
Lesco, Inc.; and  
Trim-A-Lawn, Inc.

III. For Discussion

1. Discussion Concerning a Letter Dated October 27, 2005, From Michael V. Frey, CecD, Vice President Economic Development, Pensacola Bay Area Chamber of Commerce, Seeking the Approval of the Board for an Exchange of Properties (Lot 5 for Lot 9) Within Phase I, Central Commerce Park as Requested by Joe G. Whitten, President, Concrete Systems of NWF, Inc.

**COUNTY ATTORNEY'S REPORT**  
**November 3, 2005**

**I. Information Agenda:**

1. Steve Del Gallo, et al. vs. Escambia County, et al. / Case No. 2003 CA 801

**RECOMMENDATION:** That the Board accept the attached information concerning the case of Steve Del Gallo, et al. vs. Escambia County, et al.:

Circuit Court Judge Michael G. Allen issued an order dated October 18, 2005, granting Escambia County's Motion for Summary Judgment in the case of Steve Del Gallo, et al. vs. Escambia County, et al. involving a claim for declaratory and injunctive relief to prevent the widening of Via de Luna on Santa Rosa Island. (Order attached.)