

## REPLACEMENT AGENDA

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 – February 16, 2006 – 5:30 p.m.  
Courthouse – Third Floor

1. Call to Order.

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

2. Invocation – Reverend Jack de Jarnette, Perdido Bay United Methodist 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 adopt the following two Proclamations:

- (1) The Proclamation commending and congratulating George H. Wilkinson, Human Resources Manager, Human Resources Department, on his retirement after 22 years of faithful and dedicated service; and
- (2) The Proclamation commending and congratulating Clarita A. Villegas, Human Resources Technician, Human Resources Department, on her retirement after 14 years of faithful and dedicated service; and

B. Recommendation: That the Board recognize, with pin and certificate, Arthur L. Coleman, Heavy Equipment Mechanic, Fleet Maintenance Division, Road Department, for his dedication and years of service to the County – 25 years.

6. Written Communication – None.
7. 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*.

8. **5:31 p.m. second Public Hearing for consideration of designating Wal-Mart Stores East L.P., located at 501 North Navy Boulevard, as a Brownfield Job Bonus Program eligible business.**

Recommendation: That the Board, at the 5:31 p.m. **second** Public Hearing, take the following action regarding designation of Wal-Mart Stores East, L.P., Store 3785, as an eligible business:

- A. Conduct the **second** of two Public Hearings;
- B. Adopt a Resolution designating Wal-Mart Stores East, L.P., Store 3785, located at 501 North Navy Boulevard, as an eligible business pursuant to Section 288.107(1)(e)2, Florida Statutes, and providing for the election by the Board of the local financial support exemption option of the Brownfield Job Bonus Program, pursuant to Section 288.106(1)(k), Florida Statutes, and providing for an effective date; and
- C. Authorize the Chairman to sign and execute the Resolution.

9. **5:32 p.m. Public Hearing for consideration of a Petition to Vacate a 10-foot-wide alleyway in Figland Park Subdivision, as petitioned by Ensley Gospel Tabernacle, Incorporated.**

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, take the following action concerning the Petition to Vacate an alleyway, measuring 10 feet by approximately 482 feet (4,820 square feet, or approximately 0.11 acres), in Block 74, Figland Park Subdivision, as petitioned by Ensley Gospel Tabernacle, Incorporated:

- 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. **5:33 p.m. first Public Hearing for consideration of adopting two separate Ordinances pertaining to the Barrancas Redevelopment Area.**

Recommendation: That the Board, at the 5:33 p.m. **first** Public Hearing, receive public input for the following two separate Ordinances pertaining to the Barrancas Redevelopment Area:

- A. Ordinance of Escambia County, Florida, amending Part III of the Escambia County Code of Ordinances (1999), the Escambia County Land Development Code, as amended, amending Article 6, Zoning Districts, Sections 6.00.02, 6.01.00, 6.05.05, 6.05.07, 6.05.09, 6.05.11, 6.05.13 and 6.05.14, to include Waterfront Mixed Use (WMU) Zoning District, providing for the establishment of the Waterfront Mixed Use Zoning District in Section 6.05.33, providing for the establishment of the RA-1(OL) Barrancas Redevelopment Area Overlay District and map in Section 6.07.04, establishing Permitted, Prohibited and Conditional uses, and other land use regulations and controls for the Barrancas Redevelopment Area Overlay and WMU Zoning Districts, and providing for severability, inclusion in the Code and an effective date;

(Continued on Page 4)

10. Continued...

- B. Ordinance of Escambia County, Florida, amending Part III of the Escambia County Code of Ordinances (1999), the Escambia County Land Development Code, as amended, providing for amendment to the Official Zoning Map for underlying districts in the Barrancas Redevelopment Overlay District, rezoning 237 parcels and one right-of-way in the Barrancas Redevelopment Area to new zoning classifications, providing for severability, inclusion in the Code and an effective date; and
- C. Authorize the scheduling and advertising of the **second** of two Public Hearings for Thursday, March 2, 2006, at 5:34 p.m., to adopt two separate Ordinances, referenced above, pertaining to the Barrancas Redevelopment Area.

11. **5:34 p.m. Public Hearing for receiving public input on the proposed use of Edward Byrne Memorial Justice Assistance Grant Program funds.**

Recommendation: That the Board, at the 5:34 p.m. Public Hearing, take the following action concerning the Edward Byrne Memorial Justice Assistance Grant (JAG) Program 2006:

- A. Approve the proposed use of Edward Byrne Memorial Justice Assistance Grant (JAG) Program funds made in the name of Escambia County, in the amount of \$98,082, as follows:
  - Escambia County Sheriff's Office Information Systems, to include hardware and software – \$49,041
  - Adult Drug Court Program Support, administered under the direction of Mr. Wayne Peacock, Court Administrator – \$49,041
- B. 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.

12. **5:35 p.m. Public Hearing for consideration of Rezoning Case Z-2005-72.**

Recommendation: That the Board take the following action concerning Rezoning Case Z-2005-72, which was heard by the Rezoning Hearing Examiner (RHE) on December 19, 2005, and the Board of County Commissioners on February 2, 2006:

- A. Review and either adopt, modify, or overturn the RHE's recommendation for Rezoning Case Z-2005-72, or remand the Case back to the RHE; and
- B. Authorize the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

(2) Case Number: Z-2005-72  
Location: 1261 South Highway 97  
Property Reference Number: 22-1N-31-1301-000-002  
Property Size: 12.83 (+/-) acres  
From: VAG-2, Villages Agriculture District  
To: V-2A, Villages Single-Family Residential District  
  
FLU Category: MU-6, Mixed Use 6, Area 4  
Commissioner District: 5  
Requested by: Wiley C. "Buddy" Page, Agent for Jane Alderman Jernigan, Owner  
  
RHE Recommendation: Approval  
Staff Recommendation: Approval

13. Committee of the Whole Recommendation(s).

Recommendation: The Committee of the Whole (C/W) recommends the Board take the following action concerning reprioritization of the Escambia County Fiscal Year 2005-2006 Capital Improvement Program (CIP), to allow for modified priorities, increased construction costs, permit requirements, construction scheduling, easement acquisition and a change in production method (February 13, 2006, C/W Item 7):

- A. Approve the Prioritized CIP Projects and Bid Schedule list with cost estimate, and budget \$19,000,000 for construction (Attachment 1);
- B. Approve the Prioritized Pricing Agreement Projects list with cost estimate, and budget \$3,000,000 for construction (Attachment 2);
- C. Approve the Prioritized External Design Projects list with cost estimate, and budget \$1,700,000 for design (Attachment 3);
- D. Approve the construction estimates provided, but authorize the County Engineer to shift funding from lower priorities to allow for increased construction costs, production schedules and permit requirements; and
- E. Authorize the County Engineer to reserve \$1,300,000 to allow for unknown or unforeseen contingencies to be utilized, with the approval of the County Administrator.

14. Reports:

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

15. Items added to the agenda.

16. Announcements.

17. Adjournment.

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

CLERK OF THE CIRCUIT COURT'S REPORT  
FEBRUARY 16, 2006

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

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

A. Payroll Expenditures as of Payday February 10, 2006, in the amount of \$1,395,904.83; and

B. The following two Disbursement of Funds:

(1) January 26, 2006, to February 1, 2006, in the amount of \$17,942,040.25; and

(2) February 2, 2006, to February 8, 2006, in the amount of \$?.

2. Recommendation Concerning TDT Report

Recommendation: That the Board accept, for filing with the Board's Minutes, the Tourist Development Tax (TDT) Collections Data for December 2005 returns received in the month of January 2006, as prepared by the Clerk's Finance Department.

3. Recommendation Concerning Write Off of Accounts Receivable

Recommendation: That the Board adopt the Resolution authorizing the write off of \$7,885.90 in returned checks and other accounts receivable in various funds of the County that have been determined to be uncollectible bad debts.

I. CONSENT AGENDA – Continued

4. Recommendation Concerning Disposition of Records

Recommendation: That the Board approve *Records Disposition Document No. 349*, in accordance with State Retention Schedule GS1, for disposition of Item 32a, Minutes: Official Meetings (Transcripts: Microfilmed on Rolls 395-399), for the period June 2, 2005, through September 15, 2005, since the permanent records have been scanned and/or microfilmed.

5. Recommendation Concerning Budget Analyses

Recommendation: That the Board accept, for filing with the Board's Minutes, Budget Analyses for the first quarter of Fiscal Year 2005-2006, as follows:

- A. First quarter Expenditure Budget Analysis (Budget to Actual) as of December 31, 2005;
- B. First quarter Revenue Budget Analysis (Budget to Actual) as of December 31, 2005;
- C. First quarter Profit and Loss Statements from the following five Proprietary Funds:
  - (1) *Solid Waste Fund*
  - (2) *Inspection Fund*
  - (3) *Emergency Medical Service*
  - (4) *Economic Development and Industrial Fund*
  - (5) *Workers Comp Health Life*

I. CONSENT AGENDA – Continued

6. Recommendation Concerning Acceptance of Documents

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

- A. The original *Contract Extension Form – Amendment to Agreement Between AshBritt, Inc., and Escambia County, Florida – Disaster Debris Recovery Services for Hurricane Ivan – Solicitation Number: PD 03-04.Ivan*, as approved by the Board on July 7, 2005;
- B. Copies of the Minutes of the Santa Rosa Island Authority Special Board Meeting held January 4, 2006, the Special Board Meeting, Architectural and Environmental Committee, Administrative Committee and Development & Leasing Committee Meetings held January 11, 2006, and the Special Board Meeting held January 18, 2006;
- C. *Report No. 2006-078, Pensacola Junior College Financial Audit For the Fiscal Year Ended June 30, 2005*, as provided by State of Florida Auditor General, William O. Monroe, CPA, and received in Clerk's Finance Administration on January 30, 2006; and
- D. *Report No. 2006-088, Escambia County District School Board Financial and Federal Single Audit For the Fiscal Year Ended June 30, 2005*, as provided by State of Florida Auditor General, William O. Monroe, CPA, and received in the Clerk to the Board's Office on January 30, 2006.

7. Recommendation Concerning Minutes/Reports

Recommendation: That the Board approve the Minutes of the Public Forum Work Session and Regular Board Meeting, and accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held February 2, 2006.

**COUNTY ADMINISTRATOR'S REPORT  
FEBRUARY 16, 2006**

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

1. **Recommendation Concerning Certificate of Need – APS Environmental, LLC – Sandra Prince Jennings, E.I., Department of Solid Waste Management Director**

**RECOMMENDATION:** That the Board take the following action concerning a Certificate of Need for APS Environmental, LLC:

- A. Approve a Certificate of Need application permitting the above-named company to operate in Escambia County; and
- B. Authorize the Chairman to sign the Certificate.

2. **Recommendation Concerning Certificate of Need – Dorado Services, Inc. – Sandra Prince Jennings, E.I., Department of Solid Waste Management Director**

**RECOMMENDATION:** That the Board take the following action concerning a Certificate of Need for Dorado Services, Inc.:

- A. Approve a Certificate of Need application permitting the above-named company to operate in Escambia County; and
- B. Authorize the Chairman to sign the Certificate.

3. **Recommendation Concerning Non-Exclusive Long Term Franchise Agreement – Southern Scrap Company, Inc. – Sandra Prince Jennings, E.I., Department of Solid Waste Management Director**

**RECOMMENDATION:** That the Board take the following action concerning a Non-Exclusive Long Term Franchise Agreement for the Collection of Commercial Solid Waste with Southern Scrap Company, Inc.:

- A. Approve an Agreement permitting the above-named company to haul commercial solid waste in Escambia County; and
- B. Authorize the Chairman to sign the Agreement.

COUNTY ADMINISTRATOR'S REPORT

FEBRUARY 16, 2006

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4. Recommendation Concerning Resolution – Escambia County's Solid Waste Management Permit Holders Insurance – Sandra Prince Jennings, E.I., Department of Solid Waste Management Director

**RECOMMENDATION:** That the Board take the following action concerning a Resolution revising the insurance requirements for Escambia County's Solid Waste Management Permit Holders:

- A. Approve the Resolution revising Insurance Requirements for Escambia County's Solid Waste Management Permit Holders effective February 16, 2006. (This action repeals Resolution Number R2003 -119 adopted by the Board September 4, 2003.); and
- B. Authorize the Chairman to sign the Resolution.
5. Recommendation Concerning Enterprise Zone Development Agency Board Appointment – Keith Wilkins, NESD Director

**RECOMMENDATION:** That the Board take the following action concerning the Enterprise Zone Development Agency (EZDA) Board:

- A. Amend the Board's action of November 15, 2004, concerning the appointment of Susan Nicholas for a four-year term effective November 2004 through November 2008 as a representative of the local Code Enforcement Division to remove Ms. Nicholas; and
- B. Appoint Chief of Environmental Code Enforcement or his/her designee to the EZDA Board to fill the remainder of Ms. Nicholas' term.
6. Recommendation Concerning Enterprise Zone Development Agency 2005 Annual Report – Keith Wilkins, NESD Director

**RECOMMENDATION:** That the Board accept for filing with the February 16, 2006, Board minutes an Information Report concerning the Enterprise Zone Development Agency (EZDA) 2005 Annual Report.

7. Recommendation Concerning Scheduling a Public Hearing – Grande Lagoon Street Lighting MSBU – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board authorize a public hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on March 2, 2006, at 5:33 p.m., to consider the adoption of an Ordinance creating the Grande Lagoon Street Lighting MSBU.

8. **Recommendation Concerning Scheduling a Public Hearing – Twin Spires Plantation Street Lighting MSBU – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board authorize a public hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on March 2, 2006, at 5:32 p.m., to consider the adoption of an Ordinance creating the Twin Spires Plantation Street Lighting MSBU.

9. **Recommendation Concerning Final Plat – Leeward Subdivision Phase 2A & 2B – Richard Duane, P.E., County Engineer**

**RECOMMENDATION:** That the Board take the following action concerning recording of the Final Plat of Leeward Subdivision Phase 2A & 2B (a 72- lot, single-family, residential subdivision), located in the Pleasant Grove community, lying west of Blue Angel Parkway (State Road 173) and north of Gulf Beach Highway (County Road 292A), owned and developed by Simpatico at Leeward Estates Phase 1, LLC. Prior to recording, the County Engineer, County Surveyor, Planning and Zoning Director and the Clerk of the Circuit Court must sign the Final Plat, as set forth in Section 4.02.07.E, of the Escambia Land Development Code:

- A. Approve the Final Plat for recording; and
- B. Approve the street names “Leeward Drive, Downhaul Drive, Close Hauled Road, Squall Line Road, Heavy Weather Way and Noreaster Way”. (Roadway improvements, on-site stormwater management parcels and drainage improvements will remain “private”, and no construction warranties are required.)

10. Recommendation Concerning EMS – Community Training Center Agreement – Janice Kilgore, CEM, Public Safety Director

**RECOMMENDATION:** That the Board take the following action regarding the Agreement between the American Heart Association and Escambia County Department of Public Safety/EMS Division:

- A. **Rescind** the Board action taken on November 17, 2005, approving an Agreement between the American Heart Association and Escambia County Department of Public Safety/EMS Division;
- B. Approve the Training Center Agreement between the American Heart Association (AHA) and Escambia County Department of Public Safety/Emergency Medical Services (EMS) Division to enable EMS to continue as a Community Training Center (CTC) under the American Heart Association. The Agreement will enable EMS to provide both Advanced Cardiac Life Support and Basic Life Support Courses and any other certified course from the AHA; and
- C. Authorize the Chairman to sign the Agreement.

11. Recommendation Concerning Medicaid Re-enrollment Application – Janice Kilgore, CEM, Public Safety Director

**RECOMMENDATION:** That the Board **ratify** the Chairman's signature on the Florida Medicaid Re-enrollment Application and the Agreement with the Florida Agency for Healthcare Administration (AHCA). The Application and Agreement will allow Escambia County Emergency Medical Services to continue billing Medicaid for ambulance trips and allow for payment by Medicaid.

12. Recommendation Concerning Caretaker Services Agreement – Barrineau Park Community Center – Marilyn Wesley, Community Services Director

**RECOMMENDATION:** That the Board take the following action concerning Caretaker Services Agreement at the Barrineau Park Community Center:

- A. Approve extension of the Caretaker Services Agreement with Ms. Eleece H. Gibson at the Barrineau Park Community Center, under the terms and conditions of the original Agreement, Item Five, stating that the Contract may be renewed for two additional twelve-month periods upon mutual agreement of the parties, with the first renewal ending August 31, 2006; and
- B. Authorize the County Administrator to approve any subsequent renewals provided all terms and provisions of the original Agreement are met prior to the expiration date of each renewal.

13. **Recommendation Concerning Workforce Escarosa Board Appointments – Marilyn Wesley, Community Services Director**

**RECOMMENDATION:** That the Board take the following action concerning appointments to the Workforce Escarosa Board:

- A. Appoint Mr. Victor N. Smith, Cerex Advanced Fabrics, Inc., to serve a three-year term, private sector position on the Workforce Escarosa Board, effective February 16, 2006, through February 15, 2009;
- B. Appoint Ms. Brenda Moorer, Area Director, Vocational Rehabilitation, in a mandated position, effective February 16, 2006, with no term limit expiration;
- C. Appoint , as an interim until his replacement is selected, Mr. Walter R. Cook, District Administrator, Florida Department of Children and Families (DCF), District 1, effective February 16, 2006, replacing Mr. Mamum Rashied, who retired in January 2006; and
- D. Appoint Dr. Sandra Flake, Provost, University of West Florida, in a mandated position, effective February 16, 2006, with no term limit expiration.

14. **Recommendation Concerning Out-of-County Travel – George Touart, County Administrator**

**RECOMMENDATION:** That the Board authorize out-of-county travel for any member of the Commission, County Administrator, and County Attorney wishing to participate in meetings with Northwest Florida's Congressional Delegation in Washington, D.C., February 28, 2006, through March 2, 2006, concerning funding proposals for the following issues:

- A. Radio Systems;
- B. Waste Water/Sewer Treatment Site Relocation; and
- C. Transportation Issues.

(In addition, a meeting will be scheduled with new FEMA Administration appointees.)

II. Budget/Finance Consent Agenda

1. Recommendation Concerning the Adult Drug Court Treatment Program – Robin Wright Deputy Court Administrator

**RECOMMENDATION:** That the Board take the following action related to the Adult Drug Court Treatment Program:

- A. Approve the Agreement with Lakeview Center, Inc., for out-patient services for the Escambia County Drug Court Program based on piggy-backing on the Agreement with the State of Florida for the Non-Competitive Bid Process for continuation of Senate Bill 1258 Initiative (Contract Number AH 338) and authorize the County Administrator to sign all related documents; and
- B. Approve funding for the program not-to-exceed \$168,000 effective October 1, 2005, through September 30, 2006. The sources of the funding are as follows:
  - 1. Local Law Enforcement Block Grant – \$45,000 (Cost Center 410550, Object Code 53401) and \$56,000 (Cost Center 410558, Object Code 53401);
  - 2. Florida Department of Corrections – \$42,000 (Cost Center 410552, Object Code 53401); and
  - 3. Drug Abuse Trust Fund – \$25,000 (Cost Center 410559, Object Code 53401).

2. Recommendation Concerning Supplemental Budget Amendment #131 – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #131, Transportation Trust Fund (175) and Debt Service Fund (203), in the amount of (\$831,570) to reduce the transfer for debt service on the Road Improvement Revenue Bonds, Series 1993B.

3. Recommendation Concerning Supplemental Budget Amendment #132 – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board approve Budget Amendment #132, Transportation Trust Fund (175), in the amount of \$32,998 to provide funds to upgrade an Inspector position to a Chief of Construction Management position in the Engineering Department.

4. **Recommendation Concerning Supplemental Budget Amendment #126 – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board take the following action concerning the realignment and addition of Building Inspections Department personnel to improve operational efficiencies and meet the growing demands for permitting, inspections, and related services resulting from increases in workload volumes following recent hurricanes and the addition of new programs:

- A. Approve Budget Amendment Request #126, Inspections Fund (406), in the amount of \$523,015 which does the following:
1. Transfers funds in the amount of \$60,000 from Fund 406, Other Contractual Services, to Fund 406, Personnel Services; and
  2. Transfers funds in the amount of \$463,015 from Fund 406, Reserves, to Fund 406, Personnel Services; and
- B. Approve the following personnel changes;
1. The abolishment of the classified Engineering Technician IV position, and the replacing of it with the unclassified position of Site Inspections Supervisor and the addition of two Engineering Technician III positions in the Site Inspections Division;
  2. The abolishment of an Office Assistant IV position and the addition of two Office Assistant II and three Office Assistant III positions in the Permitting Division;
  3. The addition of one new Inspector position in the Plumbing, Gas and Mechanical Division;
  4. The addition of one new Inspector position in the Electrical Division;
  5. The addition of two new Inspector positions in the Building Inspections Division for roofing inspectors;
  6. The addition of an Accountant I position, the upgrade of an Office Assistant III position to an Office Assistant IV position, and the upgrade of the existing Accountant I position to an Accountant II position in the Administration Division;
  7. The addition of an Office Assistant III position to the Contractor Licensing Division; and
  8. The addition of two Code Enforcement Officer II positions and the upgrade of an Office Assistant II position to an Office Assistant III position in the Unlicensed/ Unpermitted Contractors Division.

5. Recommendation Concerning Supplemental Budget Amendment #137 – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board approve Budget Amendment #137, in the amount of \$5,700, to reallocate funds within the Environmental Protection Agency (EPA) Palafox Corridor, Brownfields Redevelopment Pilot Grant, Fund 110, Cost Center 220321, to provide funding for the existing student assistant position through the end of the Fiscal Year 2006.

6. Recommendation Concerning Supplemental Budget Amendment #141 – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #141, Other Grants and Projects Fund (110), in the amount of \$57,419 to recognize funds from the State of Florida, Bureau of Emergency Medical Services, and accrued interest on the previous Grant and to appropriate these funds.

7. Recommendation Concerning Fiscal Year 2005/2006 Miscellaneous Appropriations Agreement for Gulf Coast African-American Chamber of Commerce, Inc., Fiscal Agent for Gulf Coast African-American Visitor's Bureau, Inc. – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board take the following action concerning approval of the FY 05/06 Miscellaneous Appropriations Agreement for Gulf Coast African-American Chamber of Commerce, Inc., Fiscal Agent for Gulf Coast African-American Visitor's Bureau, Inc.:

- A. Approve the Miscellaneous Appropriations Agreement for \$23,000 to be paid from the 3rd Cent Tourist Development Tax [Fund 108, Cost Center 360101, Account 58201];
- B. Authorize the Chairman to sign the Agreement and all other necessary documents; and
- C. Authorize the execution of the necessary Purchase Order.

8. **Recommendation Concerning Winterfest Agreement – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board take the following action concerning the Agreement between Escambia County Board of County Commissioners (County) and Winterfest of Pensacola, Inc., (Winterfest), for parking on February 24-25, 2006:

A. Approve the Agreement with the following stipulations:

1. Winterfest agrees to act as an agent for the County on February 24-25, 2006, to oversee and manage the County parking garage located at the M. C. Blanchard Judicial Building on Spring Street, Pensacola, Florida;
2. A parking fee of \$5.00 per vehicle will be collected on behalf of the County by Winterfest; and
3. 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 Truth For Youth. Winterfest accepts responsibility for assuring that the County's portion of the amount is donated to Truth for Youth; and

B. Authorize the Chairman to execute the Agreement.

9. **Recommendation Concerning Surplus and Sale of Real Property Located at 10 Runyan 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 at 10 Runyan Street:

- A. Declare surplus its real property Account Number 08138700, Reference Number 50-2S-30-5090-017-002, 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 above the minimum bid of \$6,000 received from sealed bid 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.

10. **Recommendation Concerning Surplus and Sale of Real Property Located in the 2300 Block of North Baylen 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 2300 of Block North Baylen Street:

- A. Declare surplus its real property Account Number 132215750, Reference Number 00-0S-00-9010-221-134, 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 above the minimum bid of \$5,580 received from sealed bid 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.

11. **Recommendation Concerning Surplus and Sale of Real Property Located at 829 Massachusetts Avenue – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board take the following action concerning the surplus and sale of real property located at 829 Massachusetts Avenue:

- A. Declare surplus its real property Account Number 052200108, Reference Number 09-2S-30-0550-000-004, 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 above the minimum bid of \$3,500 received from sealed bid 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.

12. **Recommendation Concerning Surplus and Sale of Real Property Located at 10 Besma Drive – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board take the following action concerning the surplus and sale of real property located at 10 Besma Drive:

- A. Declare surplus its real property Account Number 071829000, Reference Number 34-2S-30-1151-040-007, 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 above the minimum bid of \$37,010 received from sealed bid 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.

13. **Recommendation Concerning Surplus and Sale of Real Property Located on Calle Ventoso – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board take the following action concerning the surplus and sale of two parcels of real property located on Calle Ventoso:

- A. Declare surplus its real property Account Number 010319185, Reference Number 061S29350000043, and authorize the sale of this property to the highest offer above the minimum bid of \$2,400 received by sealed bid in accordance with Section 46.134 of the Escambia County Code of Ordinances without further action of the Board. 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. Declare surplus its real property Account Number 010319190, Reference Number 061S29350000044, and authorize the sale of this property to the highest offer above the minimum bid of \$1,800 received by sealed bid in accordance with section 46.134 of the Escambia County Code of Ordinances without further action of the Board. 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; and
- C. Authorize the Chairman to sign all documents related to these sales.

14. Recommendation Concerning Surplus and Sale of Real Property Located at 6431 Lina 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 at 6431 Lina Street:

- A. Declare surplus its real property Account Number 120790000, Reference Number 392N313000014003, acquired by tax deed in 1981. 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 above the minimum bid of \$2,600 received from the on-line auction service or by sealed bid 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.

15. Recommendation Concerning Surplus and Sale of Real Property Located in the 200 Block of Madrid Road – Jean A. Kassab, CGFM, Administrative Services Director

**RECOMMENDATION:** That the Board take the following action concerning the surplus and sale of real property located in the 200 Block of Madrid Road:

- A. Declare surplus its real property Account Number 112630000, reference Number 091N311000071001, 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 \$100 without further action of the Board;
- B. In accordance with Section 46-131, Escambia County Code of Ordinances, make a factual determination that:
  - 1. The real property is of insufficient size and shape to be issued a building permit for any type of development to be constructed on the property; and
  - 2. The size, shape, location, and value of the property would make it of use to only one or more of the adjacent property owners; and
- C. Authorize the Chairman to sign any and all documents necessary to close this sale.

16. **Recommendation Concerning Surplus and Sale of Real Property Located at 800 North "B" 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 at 800 North "B" Street:

- A. Declare surplus its real property Account Number 150168000, Reference Number 00-0S-00-9060-022-015, 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 above the minimum bid of \$3,960 received from sealed bid 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.

17. **Recommendation Concerning Surplus and Sale of Real Property Located at 1301 Rainbow 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 at 1301 Rainbow Street:

- A. Declare surplus its real property Account Number 041883280, Reference Number 44-1S-30-2000-003-037, 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 above the minimum bid of \$21,220 received from sealed bid 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.

18. Recommendation Concerning Contract for Landscape Architecture, Architecture, Engineering and Survey Services for The Adult Softball Complex – Robert R. McLaughlin, Assistant County Administrator

**RECOMMENDATION:** That the Board award a Contract to Baskerville-Donovan, Inc., per the terms and conditions of PD 04-05.85, Landscape Architecture, Architecture, Engineering and Survey Services for The Adult Softball Complex for a total of \$119,965, with certain allowances being a not-to-exceed amount (Master Lift Station - \$23,664, Meetings - \$2,924, Printing - \$500, Geotechnical Engineer - \$4,000, and Permit Fees - \$2,000). [Funding: Fund 351, Local Option Sales Tax II, Cost Center 350213]

19. Recommendation Concerning Construction Management/Agent Services – Biltmore Construction, Inc. – Robert R. McLaughlin, Assistant County Administrator

**RECOMMENDATION:** That the Board award a Contract to Biltmore Construction, Inc., per the terms and conditions of PD 04-05.79, Construction Management / Agent Services for Construction Phase Services, for a total of \$604,100 for various facilities damaged by Hurricanes Ivan and Dennis. [Fund 112, Category "E", Ivan, Building / Equipment, Cost Center 330465]

20. Recommendation Concerning Construction Management/Agent Services – R.D. Ward Construction, Inc. – Robert R. McLaughlin, Assistant County Administrator

**RECOMMENDATION:** That the Board award a Contract to R.D. Ward Construction, Inc., per the terms and conditions of PD 04-05.79, Construction Management/Agent Services for Construction Phase Services, for a total of \$571,200 for various facilities damaged by Hurricanes Ivan and Dennis. [Funding: Fund 112, Category "E", Ivan, Building / Equipment, Cost Center 330465]

21. Recommendation Concerning Auctioneering Services – Robert R. McLaughlin, Assistant County Administrator

**RECOMMENDATION:** That the Board take the following action concerning the Auctioneering Services Contract:

- A. Cancel for convenience, the following Contract for "Auctioneering Services", PD 04-05.14, with Louis Boyleston Realty & Auction, Inc., as awarded on May 5, 2005, in accordance with the Special Terms and Conditions Section 8; and
- B. Authorize the Office of Purchasing to proceed with the issuance of a new solicitation for auctioneering services utilizing new and diverse specifications providing for multiple awards.

22. Recommendation Concerning Solid Waste Container Services – Robert R. McLaughlin, Assistant County Administrator

**RECOMMENDATION:** That the Board approve a 5.5% price increase to Allied Waste Services, for “Solid Waste Container Service”, PD 04-05.04, in accordance with the terms and conditions of the Contract. [Funding is available from various funds and cost centers.]

23. Recommendation Concerning Special Magistrate for Code Enforcement – Amendment #2 – Robert R. McLaughlin, Assistant County Administrator

**RECOMMENDATION:** That the Board approve Amendment #2 to the Contract with G. Thomas Smith, “Special Magistrate for Code Enforcement”, PD 02-03.53, to modify his hourly rate to align his fee with the Rezoning Hearing Examiner’s fee awarded on Contract PD 05-06.08, awarded by the Board on November 17, 2005, in accordance with the terms and conditions of the solicitation and annual appropriation of funds. [Funding is available from Fund 401 (Solid Waste Fund), Cost Center 230360.]

24. Recommendation Concerning Rezoning Hearing Examiner Services – Amendment #1 – Robert R. McLaughlin, Assistant County Administrator

**RECOMMENDATION:** That the Board approve Amendment #1 to the Contract with G. Thomas Smith, “Rezoning Hearing Examiner”, PD 02-03.52, to modify his hourly rate to align his fee with the Rezoning Hearing Examiner’s fee awarded on Contract PD 05-06.09, awarded by the Board on November 17, 2005, in accordance with the terms and conditions of the solicitation and annual appropriation of funds. [Funding is available from Fund 1 (General Fund), Cost Center 240201.]

25. Recommendation Concerning Purchase of Vehicle for NESD – Robert R. McLaughlin, Assistant County Administrator

**RECOMMENDATION:** That the Board authorize the County to piggyback off of the Florida State Contract #070-001-05-1, in accordance with the Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; Exemptions; and Section 46-64 Board Approval and award a Purchase Order for one Ford Escape Hybrid, 4 X 2, to Orville-Beckford Ford Mercury in the amount of \$26,280 for the Neighborhood and Environmental Services Department. [Funds are available in Fund 1 (General Fund), Cost Center 220101.]

26. Recommendation Concerning Wildland Firefighting Jumpsuits – Robert R. McLaughlin, Assistant County Administrator

**RECOMMENDATION:** That the Board award a three-year Contract for approximately \$50,000 to Municipal Equipment Company for “Wildland Firefighting Jumpsuits”, PD 05-06.032, in accordance with the terms and conditions of the solicitation and annual appropriation of funds. [Funding is available from Fund 143 (Fire Protection Fund), Cost Center 330202.]

27. Recommendation Concerning Temporary Employment Services – Robert R. McLaughlin, Assistant County Administrator

**RECOMMENDATION:** That the Board approve the extension of the Contracts for “Temporary Employment Services”, PD 02-03.22, with the same terms and conditions of the solicitation and annual appropriation of funds, through August 18, 2006, to the following six companies:

Adecco USA, Inc.;  
Employers' Assistant, Inc.;  
JJW Services, Inc., dba Accustaff;  
Keegan Staffing;  
Britt Landrum Temporaries, Inc.; and  
Manpower International, Inc.

[Funding will come from various Funds and Cost Centers.]

28. Recommendation Concerning Household Hazardous Waste Collection – Robert R. McLaughlin, Assistant County Administrator

**RECOMMENDATION:** That the Board award an Indefinite Quantity, Indefinite Delivery Term Contract, PD 05-06.027, “Household Hazardous Waste Collection and Disposal”, authorizing an annual amount of \$100,000 to EQ Florida, Inc., providing for the collection and disposal of hazardous waste materials throughout the county on an as-needed basis. The Contract period shall extend for a minimum period of 36 months but is not to expire before September 30, 2009, with services subject to an annual appropriation of funds by the Board. [Funds are available in Enterprise Fund 401, Cost Center 230304, Object Code 53401.]

29. **Recommendation Concerning Jail HVAC and Elevator Upgrades – Robert R. McLaughlin, Assistant County Administrator**

**RECOMMENDATION:** That the Board take the following action concerning the Jail HVAC and Elevator Upgrades:

- A. Accept and approve the selection and ranking of the following three firms relating to solicitation PD 05-06.021, "Jail HVAC and Elevator Upgrades":
  - 1. H.M. Yonge & Associates, Inc.;
  - 2. Peterson Engineering, Inc.; and
  - 3. Schmidt Dell & Associates, Inc.;
- B. Award a Contract for PD 05-06.021, "Jail HVAC and Elevator Upgrades", in the negotiated amount of \$136,675 to H. M. Yonge & Associates, Inc., the number one selected firm;
- C. Authorize the Facilities Management Department to issue a Task Order to H. M. Yonge & Associates, Inc., to commence the design development for the negotiated amount; and
- D. Authorize the issuance of Purchase Orders(s) in accordance with Chapter 46 of the County Code of Ordinances. [Funds are available in Cost Center 310206 and Object Code 56201.]

30. **Recommendation Concerning Contract Modification Number Three - 2005-2006 Optional Workfare Program Contract Number – M0205 – Marilyn Wesley, Community Services Director**

**RECOMMENDATION:** That the Board approve amending the 2005-2006 Optional Workfare Program-Food Stamp Employment and Training Contract (Workfare-FSET) with the State of Florida, Agency for Workforce Innovation (AWI), beginning July 1, 2005, through June 30, 2006, decreasing the Contract amount from \$361,017 to \$360,389.

31. Recommendation Concerning Change Order – Judicial Center Hurricane Ivan Repairs/CR Build Out – 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:	\$193,343.57	
Vendor:	Whitesell-Green, Inc.	
Project Name:	Judicial Center Hurricane Ivan Repairs/CR Build Out	
PO#:	260531-2 (251814-3)	
CO#:	6	
Original Award Amount:		\$ 3,180,039.35
Cumulative Amount of Contract Change Orders through #6		<u>\$ 2,435,317.33</u>
New Contract Total:		\$ 5,615,356.68

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

[Funding Source: Fund 112, Hurricane Repairs, Cost Center: 330465]

32. Recommendation Concerning License Agreements for Local Government Entities – George Touart, County Administrator

**RECOMMENDATION:** That the Board take the following action concerning Music Performance License Agreements with BMI and SESAC:

- A. Approve entering into a License Agreement for Local Government Entities between Escambia County and BMI for a term of one year, effective January 1, 2006. (The license fee is \$2,467 for BMI.);
- B. Approve entering into a License Agreement for Local Government Entities between Escambia County and SESAC for a term of one year effective January 1, 2006. (The license fee is \$1,968 for SESAC.); and
- C. Authorize the Chairman to sign the documents relating to these Agreements and all continuous yearly License Agreements with BMI and SESAC.

[Funds are available in Cost Center 110201, Object Code 53401, Other Contractual Services.]

33. **Recommendation Concerning Amendment #2 – General Paving and Drainage Pricing Agreement – Robert R. McLaughlin, Assistant County Administrator**

**RECOMMENDATION:** That the Board take the following action concerning the General Paving and Drainage Pricing Agreement:

- A. Approve Amendment #2 for the previously awarded contractors listed below, relating to Contract PD 04-05.10, "General Paving and Drainage Pricing Agreement", providing for the acceptance of price adjustments in accordance with Section 15., Price Adjustment, of the Contract, providing for inclusion of a Bituminous Materials Escalation Clause, in accordance with the Florida Department of Transportation (FDOT) Specifications and providing for a Contract extension through February 16, 2007:
1. Advance Construction Services, Inc., of Alabama;
  2. APAC-Southeast, Inc.;
  3. Gulf Atlantic Constructors, Inc.;
  4. Panhandle Grading & Paving, Inc.;
  5. Roads, Inc., of NWF;
  6. Utility Service Co., Inc.; and
- B. Authorize the County Administrator to execute the Amendment on behalf of the Board.

34. **Recommendation Concerning Project "Joy" – Jean A. Kassab, CGFM, Administrative Services Director**

**RECOMMENDATION:** That the Board take the following action concerning the Economic Development Incentive for Project "Joy", a confidential Economic Development Prospect:

- A. Adopt a Resolution establishing the intent to adopt an Ordinance for an Economic Development Ad Valorem Tax Exemption (EDATE) for Project "Joy" for 100% of the development's new facilities for up to 10 years;
- B. Adopt a Resolution approving Project "Joy" as a qualified applicant for the Florida Qualified Target Industry Tax Refund Program (QTI) and agreeing to join with the City of Pensacola in providing the required 20% local "participation" in the tax refund through a local EDATE in an amount not-to-exceed \$183,684 over a four-year period from 2008-2011; and
- C. Authorize the Chairman to execute the Resolutions.

**COUNTY ATTORNEY'S REPORT**  
**February 16, 2006**

**I. Information Agenda:**

1. Recommendation Concerning *Quietwater Entertainment, Inc., WAS, Inc., et al. v. Escambia County, FL*; Case No. 2002 CA 2393.

RECOMMENDATION: That the Board accept the attached information report concerning payment of delinquent MSBU assessment in the *Quietwater Entertainment, Inc., WAS, Inc., et al. v. Escambia County, FL; Case No. 2002 CA 2393.*