

THROUGH THESE DOORS WALK ONLY THE FINEST PEOPLE – THE CITIZENS OF ESCAMBIA COUNTY. DECISIONS ARE MADE IN THIS ROOM AFFECTING THE DAILY LIVES OF OUR PEOPLE. DIGNIFIED CONDUCT IS APPRECIATED.

CHAMBER RULES

1. IF YOU WISH TO SPEAK, YOU WILL BE HEARD.
2. YOU MUST SIGN UP TO SPEAK. SIGN-UP SHEETS ARE AVAILABLE AT THE BACK OF THE ROOM.
3. YOU ARE REQUESTED TO KEEP YOUR REMARKS BRIEF AND FACTUAL.
4. BOTH SIDES ON AN ISSUE WILL BE GRANTED UNIFORM/MAXIMUM TIME TO SPEAK.
5. DURING QUASI-JUDICIAL HEARINGS (I.E., REZONINGS), CONDUCT IS VERY FORMAL AND REGULATED BY SUPREME COURT DECISIONS. VERBAL REACTION OR APPLAUSE IS NOT APPROPRIATE.

**PLEASE NOTE THAT ALL BCC MEETINGS ARE RECORDED AND TELEVISED**

AGENDA

Board of County Commissioners  
Regular Meeting – April 8, 2010 – 5:30 p.m.  
Governmental Complex – First Floor

1. Call to Order.

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

2. Invocation – Commissioner Young.
3. Pledge of Allegiance to the Flag.
4. Are there any items to be added to the agenda?

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

5. Commissioners' Forum.

6. Proclamations/Special Recognition.

Recommendation: That the Board take the following action concerning Proclamations/Special Recognition:

- A. Take the following action concerning adoption/ratification of the following nine Proclamations:
- (1) Adopt the Proclamation commending and congratulating Ms. Jena Melancon for being selected by her peers to receive the National Council for International Visitors' Excellence in Programming Award;
  - (2) Adopt the Proclamation commending and congratulating Mr. Jack Drew on his recent selection to participate in the Honor Flight to Washington, DC;
  - (3) Adopt the Proclamation recognizing the dedicated and courageous efforts of the National Oceanic and Atmospheric Administration Aircraft Operations Center and aircrews for their invaluable service and continuing effort in providing our community hurricane warning and preparedness information;
  - (4) Adopt the Proclamation proclaiming April 11-17, 2010, as "Public Safety Telecommunicators Week" in Escambia County;
  - (5) Adopt the Proclamation proclaiming April 12-16, 2010, as "Youth Success Week" in Escambia County;
  - (6) Adopt the Proclamation proclaiming May 2010 as "Celebrate Escambia Waterways Month" in Escambia County;
  - (7) Adopt the Proclamation proclaiming April 15 and April 16, 2010, as "Bay Days" in Escambia County;
  - (8) Adopt the Proclamation proclaiming Saturday, April 24, 2010, as "Earth Day" in Escambia County; and

(Continued on Page 3)

AGENDA – BOARD OF COUNTY COMMISSIONERS

April 8, 2010

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6. Continued...

A. Continued...

- (9) Ratify the Proclamation acknowledging, with gratitude, the Banco Bilbao Vizcaya Argentaria Compass Services Group for its contributions and historical loyalty to the Escambia County, Florida, community;

B. Adopt the following two Proclamations:

- (1) The Proclamation commending and congratulating Henry "Buck" Carter, III, Relief Emergency Communications Dispatcher, Public Safety Bureau, on his retirement after 35 years of service; and
- (2) The Proclamation commending and congratulating Debra Seale, Corrections Officer, Corrections Bureau, on her retirement after 20 years of service; and

C. Recognize, with a certificate, Mr. and Mrs. Robert G. Carr for their efforts to beautify their yard and neighborhood, as nominated by their neighbor, Mrs. Barbara Mayall.

7. Written Communication:

- A. February 25, 2010 – Communication from Tamika Wallace-Guy requesting that the Board forgive a Code Enforcement Lien against property located at 1582 Kyle Drive; and
- B. March 18, 2010 – Communication from Robert E. Smith Lupo, Commodore King Air, requesting that the Board reduce or remove a Code Enforcement Lien against property located at 621 South Navy Boulevard.

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 the vacation, on the Board's own motion, of a Drainage Easement off Wilde Lake Boulevard.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, take the following action regarding the vacation, on the Board's own motion, of a 20-foot x 350-foot (7,000 square feet) Drainage Easement off Wilde Lake Boulevard:

- A. Approve the vacation;
- B. Adopt the Resolution to Vacate; and
- C. Authorize the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to execute them at that time.

10. Reports:

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

- 11. Items added to the agenda.
- 12. Announcements.
- 13. Adjournment.

**BACKUP NOT INCLUDED WITH THE CLERK'S REPORT IS AVAILABLE FOR REVIEW IN  
THE OFFICE OF THE CLERK TO THE BOARD  
ESCAMBIA COUNTY GOVERNMENTAL COMPLEX, SUITE 130**

CLERK OF THE COURTS & COMPTROLLER'S REPORT  
APRIL 8, 2010

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

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

A. The following two Payroll Expenditures:

(1) Pay Date March 19, 2010, in the amount of \$2,169,862.15; and

(2) Pay Date April 1, 2010, in the amount of \$2,099,030.40; and

B. The following two Disbursement of Funds:

(1) March 11, 2010, to March 17, 2010, in the amount of \$2,412,295.59; and

(2) March 18, 2010, to March 24, 2010, in the amount of \$3,788,417.61.

2. Recommendation Concerning Acceptance of CIAC Minutes

Recommendation: That the Board accept, for filing with the Board's Minutes, the Minutes of the Quarterly Meeting of the County Investment Advisory Committee (CIAC) held January 29, 2010, as prepared by the Clerk to the Board's Office.

I. CONSENT AGENDA – Continued

3. Recommendation Concerning Acceptance of Documents

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

- A. *Amendment No. 4 to Agreement Between the Northwest Florida Water Management District and Escambia County for East Ten Mile Creek Stream Restoration Project, Northwest Florida Water Management District Contract Number 06-060*, providing for a time extension until June 30, 2010, as executed by the Chairman and received in the Clerk to the Board's Office on March 18, 2010, based on the Board's May 4, 2006, approval of the Florida Forever Funding Agreement;
- B. *The Pensacola Sports Association, Inc., Pensacola, Florida, Financial Statements September 30, 2009, with Independent Auditors' Report*, as prepared by Carlson & Company, Chartered, Certified Public Accountants, and received in the Clerk to the Board's Office on March 18, 2010;
- C. *The State of Florida Auditor General's Report No. 2010-125 March 2010 Escambia County District School Board Florida Education Finance Program (FEFP) Full-Time Equivalent (FTE) Students and Student Transportation for the Fiscal Year Ended June 30, 2009*, as received in the Clerk to the Board's Office on March 23, 2010; and
- D. The following documents received in the Clerk to the Board's Office on March 25, 2010, as provided by Denee M. Rudd, Accounting Supervisor, Neighborhoods and Community Services Bureau:
  - (1) *The Change Rider*, increasing the Penalty from \$30,000 to \$60,000 for *Bond No. 1813224*, as executed by Dorado Services, Inc., as Principal, and The Hanover Insurance Company, as Surety, in favor of the Board of County Commissioners of Escambia County, as Obligee, on November 9, 2009;

(Continued on Page 3)

I. CONSENT AGENDA – Continued

3. Continued...

D. Continued...

- (2) *The Continuation Certificate for (Solid Waste Disposal Payment Guarantee) Bond No. 1815976*, in the amount of \$30,000, issued by The Hanover Insurance Company, as Surety, on behalf of Waste Pro of Florida, Inc., in favor of Escambia County Board of County Commissioners – Division of Solid Waste Management, continuing the Bond through August 10, 2010;
- (3) *Irrevocable Standby Letter of Credit Number 167*, issued by Beach Community Bank, in the amount of \$10,000, in favor of Escambia County Solid Waste Management, for the Account of Containers, Inc., effective November 17, 2009, until 5:00 p.m. November 17, 2010;
- (4) *Amendment Number 001 to Irrevocable Standby Letter of Credit Number 328000582501*, issued on September 16, 2009, by BancorpSouth Bank, in the amount of \$50,000, in favor of the Board of County Commissioners of Escambia County, Florida, through its Division of Solid Waste Management, on behalf of SAILA Construction, LLC, extending the expiration date from November 25, 2009, to November 25, 2010;
- (5) *License and/or Permit Continuous Bond, Bond No. ESD7319122*, in the penal sum of \$20,000, issued by The Insurance Company of the State of Pennsylvania, as Surety, on behalf of Marcor Remediation, Inc., as Principal, in favor of Escambia County Department of Solid Waste Management, as Obligee; and
- (6) *The Continuation Certificate* executed by Western Surety Company, in the sum of \$9,720, as Surety on Bond No. 929174191, *Surety Bond for Tipping Fees – Escambia County Department of Solid Waste Management*, for Southern Scrap Company, Inc., for the term beginning December 11, 2009, and ending December 11, 2010.

I. CONSENT AGENDA – Continued

4. Recommendation Concerning Minutes and 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 Regular Board Meeting held March 18, 2010;
- B. Approve the Minutes of the Executive Session for Union Proceedings held March 29, 2010;
- C. Approve the Minutes of the Special Board Meeting held April 5, 2010;
- D. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held March 18, 2010; and
- E. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held March 11, 2010.

## GROWTH MANAGEMENT REPORT

April 8, 2010

### I. PUBLIC HEARINGS

1. Review of the rezoning case heard by the Planning Board on March 8, 2010.

#### **RECOMMENDATION:**

That the Board take the following action:

- A. Review and either adopt, modify, or overturn the Planning Board's recommendation for Rezoning Case Z-2010-05 or remand the case back to the Planning Board; and
- B. Authorize the Chairman to sign the Order of the Escambia County Board of County Commissioners for the rezoning case that was reviewed.

<b>Case No.:</b>	<b>Z-2010-05</b>
Location:	13900 Innerarity Point Rd
Property Reference No.:	14-3S-32-1000-040-002 & 14-3S-32-1000-050-002
Property Size:	30.47 (+/-) acres
From:	R-3, One-family and Two-family District, (cumulative) Medium Density (10 du/acre)
To:	R-4, Multiple Family District, (cumulative) Medium High Density (18 du/acre)
FLU Category:	MU-3, Mixed Use
Commissioner District:	2
Requested By:	Wiley C. "Buddy" Page, Agent for Redfish Harbor, LLC, Owners
Planning Board Recommendation:	Approval
Speakers:	Buddy Page                      Stuart Mills Cathy Deal                      Bill Stromquist Kim Grab                         Mike Whitner Christy Droper                 Stephen Moorhead Ashton Hayward

- 2. 5:45 p.m. - Thursday, April 8, 2010 Public Hearing – Amendment to the Official Zoning Map.**

**RECOMMENDATION:**

That the Board adopt an Ordinance to amend the Official Zoning Map to include the rezoning case heard by the Planning Board on March 8, 2010 and approved during the previous agenda item; providing for severability, inclusion in the code, and an effective date.

- 3. 5:46 p.m. – Thursday, April 8, 2010 Public Hearing – LDC Ordinance – Article 6 “Nursing Homes and similar uses as Conditional Use in R-3”**

**RECOMMENDATION:**

That the Board review an Ordinance to the Land Development Code (LDC) amending Article 6 “Zoning Districts,” to add nursing homes, retirement homes, convalescent homes, adult congregate living facilities, and similar uses, except in the Coastal High Hazard Area (CHHA) future land use categories, as a conditional use in the R-3 zoning district; and to replace any reference to “major thoroughfares” with “collector” or “arterial roadways” within LDC Section 6.08.02.

This hearing serves as the first of two required public hearings before the Board of County Commissioners (BCC) as set forth in LDC Section 2.08.04(b) and F.S. 125.66(4)(b).

**II. ACTION ITEM**

- 1. Action Item – Conservation Easement for Eden Point Apartments**

**RECOMMENDATION**

That the Board take the following actions regarding a Conservation Easement for the Eden Point Apartment DRC Project #PSP 0910000091

- A.** Accept as a condition precedent to the development of property in Escambia County, Florida conveyance of a Conservation Easement, pursuant to Section 704.06, Florida Statutes, “Conservation easements; creation; acquisition; enforcement,” consisting of 3.95 +/- acres of wetland at 9100 Baldrige Drive; and

**B.** Authorize the Chairman to sign all documents related to the Conservation Easement.

**2. Action Item – Optional Sector Plan – Detailed Specific Area Plan (DSAP) Boundary**

**RECOMMENDATION:**

That the Board review and approve the Optional Sector Plan - Detailed Specific Area Plan (DSAP) Boundary. See map attached.

**III. CONSENT AGENDA**

**1. Schedule of Public Hearings**

**RECOMMENDATION:**

That the Board authorize the scheduling the following Public Hearings:

**A. 5:45 p.m. – Thursday, May 6, 2010** – A Public Hearing to amend the Official Zoning Map to include the following rezoning cases to be heard by the Planning Board on April 12, 2010.

- |                         |   |
|-------------------------|---|
| <b>1. Case No.:</b>     | <b>Z-2010-06</b>  |
| Location:               | 8800 Block of Thunderbird Drive   |
| Property Reference No.: | 06-1S-30-1000-012-009   |
| Property Size:          | 0.80 (+/-) acres  |
| From:                   | R-1, Single Family District, Low Density (4 du/acre) & S-1, Outdoor Recreational District |
| To:                     | R-1, Single Family District, Low Density (4 du/acre)                                      |
| FLU Category:           | MU-2, Mixed Use   |
| Commissioner District:  | 5   |
| Requested by:           | C. Joe & Barbara Joan Robinson, Owners  |
| <br>                    |   |
| <b>2. Case No.:</b>     | <b>Z-2010-07</b>  |
| Location:               | 4000 Block of North W Street  |
| Property Reference No.: | 09-2S-30-0900-020-006   |

Property Size: 0.60 (+/-) acres  
From: R-6, Neighborhood Commercial and Residential District, (cumulative) High Density (25 du/acre)  
To: C-1, Retail Commercial District, (cumulative) (25 du/acre)  
FLU Category: C, Commercial  
Commissioner District: 3  
Requested by: Thomas G. Hammond Jr., P.E., Agent for Marco Stolfi, Owner

**3. Case No.: Z-2010-08**  
Location: 4735 Mobile Highway  
Property Reference No.: 14-2S-30-8001-015-001  
Property Size: 2.52 (+/-) acres  
From: R-2, Single-family District (cumulative), Low-Medium Density (7 du/acre) & C-1, Retail Commercial District (cumulative) (25 du/acre)  
To: C-2, General Commercial and Light Manufacturing District (cumulative) (25 du/acre)  
FLU Category: C, Commercial  
Commissioner District: 1  
Requested by: Wiley C. "Buddy" Page, Agent for Chunilal R. & Saryubala C. Patel, Owners

**B. 5:46 p.m. – Thursday, May 6, 2010 – A Public Hearing – LDC Ordinance – Article 6 "Nursing Homes and similar uses as Conditional Use in R-3"**

**COUNTY ADMINISTRATOR'S REPORT  
APRIL 8, 2010**

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

**1. Recommendation Concerning Park License and Management Agreements for County Athletic Parks – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

**RECOMMENDATION: That the Board take the following action concerning the Park License and Management Agreements for County athletic parks between the County and volunteer athletic associations:**

- A. Adopt and authorize the Chairman to sign each of the Resolutions authorizing the lease and management of County-owned property, for public recreation purposes with the following volunteer athletic organizations:**
- 1. Bellview Baseball Association at Bellview Park**
  - 2. Bellview Football Club at Bellview Park**
  - 3. Brent Baseball Youth Sports Association at Brent Park**
  - 4. Brent Youth Sports Association at Brent Park**
  - 5. Cantonment Baseball Club at Cantonment Youth Athletic Park**
  - 6. Cantonment Football Club at Cantonment Youth Athletic Park**
  - 7. Ensley Chiefs Football Association at John R. Jones, Jr. Park**
  - 8. Miracle League of Pensacola at John R. Jones, Jr., Park**
  - 9. Molino Recreation Association at Don Sutton Park**
  - 10. Myrtle Grove Athletic Association at Myrtle Grove Park**
  - 11. Northwest Escambia Football League at Earnest Ward Park**
  - 12. Northwest Escambia Little League at Harvey C. Bradberry Park**
  - 13. Pensacola Futbol Club at Ashton Brosnaham Park**
  - 14. Perdido Bay Youth Sports Association at Baars Athletic Park**
  - 15. Quintette Community Association at Quintette Park**
  - 16. Warrington Baptist Softball League at Mayfair Park**
  - 17. Wedgewood/Rolling Hills Homeowner's Association at Lewis Powell Park**
  - 18. West Pensacola Youth Association at Raymond Riddles Park**
  - 19. Youth Association of North East Pensacola at John R. Jones, Jr., Park; and**
- B. Approve and authorize the Chairman to sign each Park License and Management Agreement for the same aforementioned 19 volunteer athletic organizations, effective upon Board approval.**

COUNTY ADMINISTRATOR'S REPORT

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2. Recommendation Concerning the Enterprise Zone Development Agency First Quarter Report – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

**RECOMMENDATION:** That the Board accept, for filing with the April 8, 2010, Board's Minutes, the Information Report concerning the Enterprise Zone Development Agency First Quarter Report.

3. Recommendation Concerning Request for Disposition of Property (Computer Equipment) – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board approve the Request for Disposition of Property indicating computer equipment is to be sold as surplus and/or appropriately disposed.

4. Recommendation Concerning Request for Disposition of Property (Indoor Air Quality Equipment) – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board approve the Request for Disposition of Property indicating indoor air quality equipment to be appropriately disposed as the equipment is obsolete and/or inoperable and is no longer being used.

5. Recommendation Concerning Waiver of Noise Abatement Ordinance – Relay for Life, Helen Caro Elementary School Track – T. Lloyd Kerr, AICP, Development Services Bureau Chief

**RECOMMENDATION:** That the Board approve the "Special Event Permit Application" for a limited waiver of the noise restrictions imposed by the Escambia County Noise Abatement Ordinance, in conjunction with outdoor activities being held by the Relay for Life, sponsored by the American Cancer Society, at the Helen Caro Elementary School Track, located at 12551 Meadson Road, Pensacola, Florida, from 12:00 p.m., (noon), Saturday, April 24, 2010, to 6:00 a.m., Sunday, April 25, 2010.

6. Recommendation Concerning – Relay for Life, Tate High School Stadium – T. Lloyd Kerr, AICP, Development Services Bureau Chief

**RECOMMENDATION:** That the Board approve the "Special Event Permit Application" for a limited waiver of the noise restrictions imposed by the Escambia County Noise Abatement Ordinance, in conjunction with outdoor activities being held by the Relay for Life, sponsored by the American Cancer Society, at the Tate High School Stadium, located at 1771 Tate Road, Cantonment, Florida, from 6:00 p.m., Friday, April 30, 2010, to 12:00 p.m., (noon), Saturday, May 1, 2010.

**COUNTY ADMINISTRATOR'S REPORT**

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**7. Recommendation Concerning Updated Hurricane Evacuation Zones – Frank Edwards, Public Safety Bureau Chief**

**RECOMMENDATION:** That the Board approve the updated Escambia County Hurricane Evacuation Zones, as delineated on the map, as a result of the State of Florida's effort to update the 1999 Northwest Florida Hurricane Evacuation Study.

**8. Recommendation Concerning Scheduling a Public Hearing – Amendment to the Animal Control Ordinance – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

**RECOMMENDATION:** That the Board authorize the scheduling of a Public Hearing for April 22, 2010, at 5:31 p.m., for consideration of amending Article I, Chapter 10, Sections 10-3 and 10-16, of the Escambia County Code of Ordinances. This Amendment to the Cruelty to Animals provision of the proposed Ordinance provides for definition and restrictions on tethering animals.

**9. Recommendation Concerning Escambia/Pensacola 2011-2013 State Housing Initiatives Partnership Local Housing Assistance Plan – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

**RECOMMENDATION:** That the Board take the following action regarding the Escambia/Pensacola 2011-2013 State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan:

- A. Adopt a Resolution adopting the Escambia/Pensacola 2011-2013 SHIP Local Housing Assistance Plan, including SHIP-financed, affordable housing strategies, specified eligibility and beneficiary definitions, average and maximum SHIP award limitations, fiscal and administrative provisions, description of affordable housing incentives, annual program service delivery goals, and required SHIP certifications;**
- B. Approve the SHIP Program Interlocal Agreement with the City of Pensacola providing for joint implementation and administration of the Escambia/Pensacola SHIP Program and the Escambia/Pensacola Local Housing Assistance Plan; and**
- C. Authorize the Chairman and/or Interim County Administrator, as appropriate, to execute all documents required to submit, receive and implement the SHIP Local Housing Assistance Plan and all related activities.**

**II. Budget/Finance Consent Agenda**

**1. Recommendation Concerning Surplus and Sale of Real Property Located at 7940 Hayworth Avenue – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning the surplus and sale of real property located at 7940 Hayworth Avenue (formerly approved as “real property located in the 7900 Block of Hayworth Avenue”), due to the failure of the successful bidder to close on the property:

- A. Rescind the Board's action of March 2, 2006, taking the following action concerning the surplus and sale of real property located in the 7900 Block of Hayworth Avenue:**
- 1. Declaring surplus the Board's real property Account Number 030127500, Reference Number 22-1S-30-2401-040-005, 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;**
  - 2. Authorizing 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**
  - 3. Authorizing the Chairman to sign all documents related to the sale;**
- B. Take the following action concerning Surplus and Sale of Real Property located at 7940 Hayworth Avenue:**
- 1. Declare surplus the Board's real property located at 7940 Hayworth Avenue, Account Number 03-0127-500, Reference Number 22-1S-30-2401-040-005, acquired by Governmental Foreclosure;**
  - 2. Authorize the sale of the property to the auction bidder with the highest offer received above the minimum bid of \$5,130, without further action of the Board; and**
  - 3. Authorize the Chairman to sign all documents related to the sale.**

COUNTY ADMINISTRATOR'S REPORT

APRIL 8, 2010

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2. Recommendation Concerning Foreclosure of Code Enforcement Lien on Real Property Located at 2208 West Herman Avenue – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board authorize foreclosure of the Code Enforcement Lien recorded in Official Records Book 6295, at Page 16, in the amount of \$5,412.50, of the Public Records of Escambia County, Florida, on real property located at 2208 West Herman Avenue, Account Number 05-2830-000, Reference Number 09-2S-30-1100-000-172. The current assessed value is \$23,991.

3. Recommendation Concerning Contract for Administration and Project Support Escambia County Fiscal Year 2008 CDBG Disaster Recovery Grant – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board take the following action concerning Contract PD 09-10.022 for Administration and Project Support Escambia County Fiscal Year 2008 CDBG Disaster Recovery Grant:

A. Approve the Proposal Review Committee ranking:

1. Jones-Phillips and Associates, Inc.
2. Meridian Community Services Group, Inc.
3. Beck Disaster Recovery, Inc.; and

B. Award Contract, PD 09-10.022, Administration and Project Support Escambia County Fiscal Year 2008 CDBG Disaster Recovery Grant, to Jones-Phillips and Associates, Inc., in the amount of \$184,250.

[Funding: Fund 124, Escambia Affordable Housing, Cost Center 220406  
Fund 110, Other Grants & Projects, (Cost Center to be assigned by OMB)]

4. Recommendation Concerning Purchase of a Vermeer Model Wildcat 521 Cougar Trommel Screen – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board authorize the County to piggyback off the National Joint Powers Purchasing Alliance Contract #081209-VMC, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, and award a Purchase Order to Vermeer Southeast Sales and Service, Inc., in the amount of \$217,740, for the purchase of a Vermeer Model Wildcat 521 Cougar Trommel Screen. [Funding: Fund 175, Transportation Trust Fund, Cost Center 210405, Object Code 56401]

COUNTY ADMINISTRATOR'S REPORT

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5. **Recommendation Concerning Contract for Term Employment Services – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning Contract PD 09-10.008, Term Employment Services:

- A. Approve the Assignment of Agreement authorizing the assignment of Contract PD 09-10.008, Term Employment Services, originally awarded to I.H.T. of SC, Inc., to be assigned to Temporary Personnel Solutions, LLC, in accordance with the terms and conditions of the Contract; and
- B. Authorize the Chairman to sign the Assignment of Agreement.

[Funding is available in various Funds and Cost Centers]

6. **Recommendation Concerning ARRA Stimulus Project – CEI (Construction Engineering Inspections) for Beulah Road Roadway Improvements – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning PD 09-10.019, ARRA (American Recovery and Reinvestment Act of 2009) Stimulus Project – CEI (Construction Engineering Inspections) for Beulah Road Roadway Improvements, from Nine Mile Road to south of Isaacs Road, Re-Solicitation:

- A. Approve the Selection/Negotiation Committee Ranking:
  - 1. Hatch-Mott MacDonald Florida, LLC
  - 2. Mehta and Associates, Inc.
  - 3. Volkert Construction Services, Inc.; and
- B. Award a Task Order for PD 09-10.019, ARRA Stimulus Project – CEI (Construction Engineering Inspections) for Beulah Road Roadway Improvements, from Nine Mile Road to south of Isaacs Road, Re-Solicitation, per the terms and conditions of PD 02-03.079, Professional Services as Governed by Florida Statute 287.055, to Hatch-Mott MacDonald Florida, LLC, in the amount of \$106,418.81.

[Funding: Fund 352, LOST III, (Federal Stimulus Grant Reimbursement), Cost Center 210108, Object Code 56301, Project No. 09EN0471, Financial Projects Number: 426893, Federal Aid Project Number: ARRA-531-B]

COUNTY ADMINISTRATOR'S REPORT

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7. **Recommendation Concerning Conveyance of Real Property Located in the 1800 Block of North Tarragona Street to Habitat for Humanity, Inc. – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning the conveyance of real property located in the 1800 Block of North Tarragona Street:

- A. Adopt the Resolution authorizing the conveyance of Real Property Account Number 13- 4208-500, Reference Number 00-0S-00-9020-070-129, to Pensacola Habitat for Humanity, Inc., a not- for-profit Corporation, for their Affordable Home Ownership Program;
- B. Approve the sale price of \$1,425 for the property; and
- C. Authorize the Chairman to execute the Resolution and all documents related to the conveyances.
8. **Recommendation Concerning Supplemental Budget Amendment #163 – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #163, LOST III Fund (352), in the amount of \$19,018, to recognize reimbursements from auto insurance payments and to appropriate these funds for the Sheriff's Department vehicle activities.

9. **Recommendation Concerning Supplemental Budget Amendment #167 – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #167, Transportation Trust Fund (175), in the amount of \$22,170, to recognize insurance proceeds received for damage to a traffic signal and to appropriate these funds back to the Transportation and Traffic Division.

10. **Recommendation Concerning Supplemental Budget Amendment #168 – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #168, Other Grants & Projects Fund (110), in the amount of \$72,000, to recognize proceeds from the State of Florida Division of Emergency Management ,Grant Award Number 2009-SS-T9-0081 and to appropriate these funds for homeland security activities such as disaster training.

COUNTY ADMINISTRATOR'S REPORT

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11. Recommendation Concerning Supplemental Budget Amendment #169 – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #169, Other Grants & Projects Fund (110), in the amount of \$52,496, to recognize proceeds from the Florida Department of Health, Grant ID Code Number C9017 and to appropriate these funds for Emergency Medical Services activities.

12. Recommendation Concerning Vending Machine Services – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board authorize the County to piggyback off the City of Ft. Walton Beach Contract, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications and Exemptions; and Section 46-64, Board Approval, and award a Contract to R & R Vending, Inc., for Vending Machine Services, PD 09-10.047, at the current vending prices and commission rates and raise the commission rate for snack vending from 12% to 20%.

13. Recommendation Concerning Header Relocation Construction – Perdido Landfill – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board award Contract, PD 09-10.027, Header Relocation Construction, Perdido Landfill to T & K Construction, LLC, in the amount of \$106,200. [Funding: Fund 110, Other Grants and Projects, Cost Center 221004, Object Code 56301]

14. Recommendation Concerning Landfill Gas Collection and Control System, Phase I Expansion – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board award a Contract, PD 09-10.036, Landfill Gas Collection and Control System, Phase I Expansion to American Environmental Group, LTD, LLC, in the amount of \$1,113,914. [Funding: Fund 110, Other Grants and Projects, Cost Center 221004, Object Code 56301 - \$618,342; Fund 401, Solid Waste Fund, Cost Center 220605, Object Code 56301 - \$495,572]

15. **Recommendation Concerning Supplemental Joint Participation Agreement for Perdido Key Service Development Project – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning the Supplemental Joint Participation Agreement (JPA) No. 42349218401, providing Fiscal Year 2011 funding for the Perdido Key Service Development Project:

- A. Approve the Supplemental JPA No. 42349218401, providing for the State of Florida Department of Transportation participation, in the amount of \$93,250, of Fiscal Year 2011 funding to Escambia County Area Transit for the Service Development Project on Perdido Key;
- B. Adopt the Resolution authorizing the application and acceptance of these funds; and
- C. Authorize the Chairman to execute the Resolution and all other required documents pertaining to the JPA, without further action of the Board.

[Funding: Fund 104, Mass Transit; no additional cost to the County]

16. **Recommendation Concerning a Task Order Contract for Jack's Branch Drainage Basin Study – Joy D. Blackmon, P.E., Interim Assistant County Administrator**

**RECOMMENDATION:** That the Board amend its action of January 21, 2010, regarding awarding a Task Order Contract, PD 08-09.105, Jack's Branch Drainage Basin Study, to Baskerville-Donovan, Inc., to change the award from "for an amount not to exceed \$348,073.06" to "a lump sum amount of \$320,073.06, plus \$28,000, for allowances". [Funding Source: Fund 351, LOST II, Account 210105/56301, Project No. 08EN0868]

17. **Recommendation Concerning Gulf Beach Highway Sidewalk – Joy D. Blackmon, P.E., Interim Assistant County Administrator**

**RECOMMENDATION:** That the Board take the following action concerning the authorization for staff to acquire property, by donation, for rights-of-way and Easements on Gulf Beach Highway:

- A. Authorize Staff to negotiate and resolve any matters related to, or associated with the acquisition of property, by donation, for rights-of-way and Easements, concerning sidewalk improvements for the Gulf Beach Highway Sidewalk Project, to gather information and conduct inspections as needed, and to allow the Board's acceptance of the real property;
- B. Authorize payment of documentary stamps because the property is being acquired for governmental use, which is for installation of sidewalks and related drainage and road improvements, and the County benefits from the acquisition of these properties because these improvements will improve the quality of life for the citizens of Escambia County by providing a safer and more efficient roadway and drainage system;
- C. Authorize the payment of incidental expenditures associated with the acquisition of these properties, which includes, but is not limited to, title searches, legal document preparation fees and recording of documents; and
- D. Authorize the Chairman or Vice Chairman to accept the Deeds or Easements as of the day of delivery of the Deeds or Easements to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time, subject to legal review and sign off.

[Funding Source: Fund 352, LOST III, Account 210107/56101/56301, Project No. 08EN0092]

III. For Discussion

1. Recommendation Concerning Sale of Real Property Located at 3009 North Tarragona Street – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board approve Option "A" or Option "B" and "C" concerning real property located at 3009 North Tarragona Street:

A. Approve, due to the failure of the successful bidder to close in 2007, granting the successful bidder (Sam Phillips) an additional 90-day extension period to close on the sale of real property, located at 3009 North Tarragona Street, Account Number 05-0885-000, Reference Number 04-2S-30-6001-008-007, acquired by tax deed in 2003, and amend the minimum bid amount from \$3,000 to the Property Appraiser's reassessed value of \$1,425;

OR

B. Rescind the following Board action of July 7, 2005, concerning the surplus and sale of real property, located at 3009 North Tarragona Street (amended on February 15, 2007, to delete the reference to on-line auction service and to change the minimum bid from \$2,400 to \$3,000):

1. Declaring surplus the County's real property Account Number 050885000, Reference Number 042S306001008007, acquired by tax deed in 2003; a legal notice will be posted in the Pensacola News Journal for two weeks stating that the County will be accepting bids through [www.pensacolacommunityauction.com](http://www.pensacolacommunityauction.com) on-line auction service or by sealed bid;
2. Authorizing the sale of this property to the highest offer received from the on-line auction service or by sealed bid, in accordance with Section 46.134 of the Escambia County Code of Ordinances, above the minimum bid of \$2,400, without further action of the Board; and
3. Authorizing the Chairman to sign all documents related to the sale; and

C. Find that the successful bidder has defaulted, retain the bid deposit and authorize the property to be re-advertised at the Property Appraiser's reassessed value of \$1,425.

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**2. Recommendation Concerning Code Enforcement Lien Against Property Located at 7296 Frank Reeder Road – Gordon Pike, Corrections Bureau Chief**

**RECOMMENDATION: That the Board take the following action concerning the Code Enforcement Lien against property located at 7296 Frank Reeder Road:**

- A. Approve accepting the offer of \$2,900 from Buyer's Title, Inc., for release of the Code Enforcement Lien against property located at 7296 Frank Reeder Road, recorded in Official Records Book 6306, at page 566, and Official Records Book 6533, at page 1737, of the Public Records and authorize the Chairman to execute the Release of Lien;**

**OR**

- B. Deny Buyer's Title, Inc.'s, request for release of the Code Enforcement Lien.**

**3. Recommendation Concerning Appointment to Planning Board – T. Lloyd Kerr, AICP, Development Services Bureau Chief**

**RECOMMENDATION: That the Board take the following action concerning the "At-Large" Planning Board Member vacancy created by the resignation of Justin A. Beck:**

- A. Review the Resumes of Tom Bell, Mary Ann Hunt, Carl Valletto and Keith D. Johnson, B.S., for appointment as an "At-Large" Member on the Planning Board;**
- B. Appoint one of the above-referenced individuals for the vacant "At-Large" Member position for a two-year term expiring April 5, 2012, utilizing the ballot sheet; and**
- C. Request the County Administrator's Office to provide a letter of appointment to the incoming "At-Large" appointee and a letter of appreciation to Mr. Beck.**

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**4. Recommendation Concerning Appointment/Reappointment to Board of Adjustment – T. Lloyd Kerr, AICP, Development Services Bureau Chief**

**RECOMMENDATION: That the Board take the following action concerning the “At-Large” Board of Adjustment Member vacancy, created by the April 5, 2010, term expiration of Jason K. Harvey:**

- A. Review the Resumes of Jason K. Harvey and Tom Bell;**
- B. Appoint/reappoint one of the above-referenced individuals for the vacant “At-Large” Member position, for a two-year term expiring April 5, 2012, utilizing the ballot sheet by taking one of the following actions;**

- 1. Waive Board Policy B.1 and re-appoint Jason K. Harvey;**

**OR**

- 2. Appoint Tom Bell; and**

- C. Based on the action in Item “B”, take one of the following actions:**

- 1. Request the County Administrator’s Office to provide a letter of re-appointment to Jason Harvey;**

**OR**

- 2. Request the County Administrator’s office to provide a letter of appointment to Tom Bell and a letter of appreciation to Jason Harvey.**

5. **Recommendation Concerning Debt Restructuring/Payoff – Amy Lovoy,  
Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning Debt Restructuring/Payoff:

- A. Authorize the Interim County Administrator or his designee(s) to take the steps necessary to completely repay the following debts, using funds currently escrowed from back taxes on Santa Rosa Island and from the debt service reserve:
  - 1. The 1997 Gulf Breeze Loan Pool loan, with a current outstanding balance of \$6,515,000, plus any accrued interest;
  - 2. The 2003 Gulf Breeze Loan Pool Loan (the Work Release Center loan), with a current outstanding balance of \$1,735,000, plus any accrued interest; and
- B. Set aside in a debt service reserve a total of \$402,237, from back taxes on Santa Rosa Island to defease the following debts that do not have the provisions for pre-payments:
  - 1. The Downtown Central Energy Plant loan, with a current outstanding balance of \$308,370; and
  - 2. The Leonard Street Chiller loan, with a current outstanding balance of \$455,003; and
- C. Adopt the Resolution approving Supplemental Budget Amendment #156, General Fund (001), the Code Enforcement Fund (103) and the Transportation Trust Fund (175), in the amount of \$1,944,460, to transfer funds into the General Fund (001) and into the Economic Development Fund (102) and to appropriate these funds to establish a reserve to fund certain outside agencies in Fiscal Year 2011, to purchase replacement equipment and an automated work order system and for certain facilities-related projects; and
- D. Adopt the Resolution approving Supplemental Budget Amendment #157, General Fund (001) and the Debt Service Fund (203), in the amount of \$8,278,397, to recognize a fund balance in the Debt Service Fund, to move funds from the reserves set aside for the taxes on Santa Rosa Island and to appropriate these funds for various debt payoffs.

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**6. Recommendation Concerning Acquisition of Real Property Located at 8210 Scenic Highway for a Boat Ramp – Joy D. Blackmon, P.E., Interim Assistant County Administrator**

**RECOMMENDATION:** That the Board take the following action regarding the acquisition of property located at 8210 Scenic Highway from Harvey D. and Anne Bellamy:

**A. Authorize staff to make an offer to Harvey D. and Anne Bellamy to purchase a parcel of property (approximately 1.22 acres) at 8210 Scenic Highway for \$266,250, which is the average of two appraisals;**

**OR**

**B. Authorize staff to make an offer to Harvey D. and Anne Bellamy to purchase a parcel of property (approximately 1.22 acres) at 8210 Scenic Highway for the County's appraised value of \$195,000; and**

**C. Authorize the County Attorney to prepare and the Chairman or Vice Chairman to execute any documents necessary to complete the acquisition of the properties.**

**[Funding Source: Fund 352, Lost III, Account 220102/56101, Project 08NE0018, "Boat Ramps"]**

COUNTY ATTORNEY'S REPORT  
April 8, 2010

I. **FOR ACTION:**

1. Attorney-Client Session - *Murfey Thomas, et al. v. Escambia County, Florida* - Case No. 2009 CA 001539

That the Board:

- A. Schedule a private meeting with its attorneys to discuss pending litigation, in accordance with Section 286.011(8), Florida Statutes, for May 6, 2010 at 4:00 p.m.; and
  - B. Approve the attached public notice to be published in the *Pensacola News Journal* on Saturday, April 24, 2010.
2. Alfred Gliniecki Employment Discrimination Settlement

That the Board approves a settlement of an employment discrimination complaint filed by employee Alfred Gliniecki for \$80,000.00, inclusive of attorney's fees and costs. In exchange for the settlement amount, Mr. Gliniecki will resign his position with the County, waive future employment with the County, and execute a general release of any and all claims on behalf of the County.