

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 2, 2009 – 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 White.
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.

Recommendation: That the Board adopt the following three Proclamations:

- A. The Proclamation extending thanks and appreciation to Dr. Cliff Owen for his selfless contributions to the Escambia County Animal Shelter;
- B. The Proclamation proclaiming April 2009 as "Fair Housing Month in Escambia County"; and
- C. The Proclamation proclaiming the week of April 12-18, 2009, as "Public Safety Telecommunicators Week" in Escambia County.

AGENDA – BOARD OF COUNTY COMMISSIONERS

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7. Written Communication:

- A. February 18, 2009 – Email communication from Ronald H. Bowers requesting that the Board forgive the fines relative to a Code Enforcement violation against property located at 8325 Kipling Street; and
- B. Undated communication from Rekeesha McCoy, TitleLink, representing the seller of property located at 1202 Chisholm Trail, requesting that the Board eliminate or reduce the Code Enforcement violation fines against the aforementioned property.

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 10-foot-wide Drainage Easement located on Nowak Road.**

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 10-foot-wide Drainage Easement (10 feet x 801.28 feet = 8,012.80 square feet, or .18 acre), located on Nowak Road:

- 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.

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10. **5:32 p.m. Public Hearing for consideration of the Petition to Vacate an unnamed right-of-way of varying width located in Bowling Green Subdivision, as petitioned by 1211, LLC.**

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, take the following action regarding the Petition to Vacate an unnamed right-of-way of varying width (approximately 10,750 square feet, or 0.25 acre), located in Bowling Green Subdivision, as petitioned by 1211, LLC:

- 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.

11. Reports:

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

12. Items added to the agenda.

13. Announcements.

14. 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 2, 2009

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 of the Circuit Court & Comptroller's Finance Department:

A. Payroll Expenditures for Pay Date March 20, 2009, in the amount of \$2,187,977.27; and

B. The following two Disbursement of Funds:

(1) March 12, 2009, to March 18, 2009, in the amount of \$1,975,859.97; and

(2) March 19, 2009, to March 25, 2009, in the amount of \$3,863,889.16.

2. Recommendation Concerning Acceptance of CAFR

Recommendation: That the Board accept, for filing with the Board's Minutes, the Comprehensive Annual Financial Report (CAFR) for the Fiscal Year ended September 30, 2008, as prepared by the Clerk of the Circuit Court & Comptroller's Finance Department, and audited by O'Sullivan Creel, LLP, Certified Public Accountants and Consultants.

CLERK OF THE COURTS & COMPTROLLER'S REPORT

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I. CONSENT AGENDA – Continued

3. Recommendation Concerning Accounts Receivable Write-Off

Recommendation: That the Board adopt the Resolution authorizing the write-off of \$194,761.50 in returned checks and accounts receivable in various funds of the County that have been determined to be uncollectible bad debts.

4. Recommendation Concerning Disposition of Property and/or Reinstatement of Fixed Assets

Recommendation: That the Board approve 11 forms, *Request for Disposition of Property*, indicating equipment to be sold as surplus and/or appropriately disposed of; the Requests were prepared by various County Bureaus and state the reasons for disposition/reinstatement.

5. Recommendation Concerning Disposition of Records

Recommendation: That the Board approve, in accordance with State Retention Schedule GS1, *Records Disposition Document No. 415*, for disposition of Board of County Commissioners' records, Item 32a, Minutes: Official Meetings (Transcripts: Microfilmed on Rolls 443-449), for the period June 5, 2008, through December 11, 2008, since the permanent records have been scanned and/or microfilmed.

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 to the Board's Office:

A. The following Agreements approved by the Board on November 6, 2008:

- (1) *The Agreement Between Escambia County and Bellomo-Herbert & Company, Inc., for Professional Services as Governed by Florida Statute 287.055 (PD 02-03.79)*, received in the Clerk to the Board's Office on March 6, 2009; and
- (2) The following five Agreements received in the Clerk to the Board's Office on March 12, 2009:
 - (a) *The Agreement Between Escambia County and David W. Fitzpatrick, PE, PA, for Professional Services as Governed by Florida Statute 287.055 (PD 02-03.79)*;
 - (b) *The Agreement Between Escambia County and Southeastern Surveying and Mapping Corporation for Professional Services as Governed by Florida Statute 287.055 (PD 02-03.79)*;
 - (c) *The Agreement Between Escambia County and LandMark Engineering and Land Planning, Inc., for Professional Services as Governed by Florida Statute 287.055 (PD 02-03.79)*;
 - (d) *The Agreement Between Escambia County and ValleyCrest Design Group for Professional Services as Governed by Florida Statute 287.055 (PD 02-03.79)*; and
 - (e) *The Agreement Between Escambia County and Environmental and Geotechnical Specialists, Inc., for Professional Services as Governed by Florida Statute 287.055 (PD 02-03.79)*; and

(Continued on Page 4)

I. CONSENT AGENDA – Continued

6. Continued...

B. The following two *Commercial Facade, Landscape, and Infrastructure Grant Program Lien Agreements* recorded on March 26, 2009:

- (1) The Lien Agreement with Sojourn Associates, LLC, as approved by the Board on November 20, 2008, and recorded in Official Records Book 6441, Pages 215 and 216; and
- (2) The Lien Agreement with Terry L. Hale, as approved by the Board on February 21, 2008, and recorded in Official Records Book 6441, Pages 888 and 889.

7. 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 Joint City-County Meeting held March 17, 2009;
- B. Approve the Minutes of the Attorney-Client Sessions held at 8:30 a.m. and 3:30 p.m. on March 19, 2009;
- C. Approve the Minutes of the Public Forum Work Session and Regular Board Meeting held March 19, 2009;
- D. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held March 19, 2009; and
- E. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held March 12, 2009.

GROWTH MANAGEMENT REPORT

April 2, 2009

I. PUBLIC HEARINGS

- 1. Review of the rezonings heard at the Rezoning Hearing Examiner on February 23, 2009.

RECOMMENDATION: That the Board take the following action:

- A. Review and either adopt, modify, or overturn the Rezoning Hearing Examiner's recommendation for rezoning cases Z-2009-01, and Z-2009-02; and
- B. Authorize the Chairman to sign the Orders of the Escambia County Board of County Commissioners for the rezoning cases that were reviewed.

Case No.:	Z-2009-01
Location:	8895 Untreiner Avenue
Property Reference No.:	10-1S-30-1101-091-001 10-1S-30-1101-102-001 10-1S-30-1101-095-001
Property Size:	4.36 (+/-) acres
From:	R-5, Urban Residential / Limited Office District, High Density, (cumulative) (20 du/acre)
To:	C-2, General Commercial and Light Manufacturing District, (cumulative) (25 du/acre)
FLU Category:	C, Commercial
Commissioner District:	3
Requested by:	Wiley C. "Buddy" Page, Agent for Angus & Wanda Brewton, Owners
RHE Recommendation:	Denied Eva Peterson Stacey Ward Wiley "Buddy" Page Angus Brewton

Case No.:	Z-2009-02
Location:	1332 Creighton Road
Property Reference No.:	31-1S-30-2202-000-001 31-1S-30-2202-000-002 31-1S-30-2202-000-003 31-1S-30-2204-000-001
Property Size:	2.3 (+/-) acres

From: R-4, Multiple Family District, Medium High Density, (cumulative) (18 du/acre) & C-1, Retail Commercial District, (cumulative) (25/du/acre)
To: C-1, Retail Commercial District, (cumulative) (25 du/acre)
FLU Category: MU-1, Mixed Use
Commissioner District: 4
Requested by: Wiley C. "Buddy" Page, Agent for Woerner Investments, LLC, Owner
RHE Recommendation: Approved
Eva Peterson
Stacey Ward
Wiley "Buddy" Page
Terry Thrash

2. **5:45p.m. – Thursday, April 2, 2009, Public Hearing** - Amendment to the Official Zoning Map

RECOMMENDATION: That the Board adopt an ordinance to amend the Official Zoning Map to include Rezoning Cases Z-2009-01 and Z-2009-02.

II. CONSENT AGENDA

1. **Scheduling of Public Hearing(s)**

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

- A. 5:45 P.M. – Thursday, April 16, 2009** – A public hearing to Repeal Ordinance 2008-65 in its entirety; and review a Comprehensive Plan Amendment, composed of one (1) ordinance and the attachments herein, and recommend approval of the ordinance to amend Part II of the Escambia Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended; amending portions thereof as follows: CPA PSFE – A Comprehensive Plan text amendment, adding the Public School Facilities Element as Chapter 15, amending Chapter 13, "Intergovernmental Coordination Element"; amending Chapter 14, "Capital Improvement Element"; replacing Chapter 15, "Adoption" with Chapter 15 "Public School Facilities Element" and adding Chapter 16 "Adoption"
- B. 5:45 p.m. – Thursday, May 07, 2009** – A public hearing to amend the Official Zoning Map to include the following Rezoning Cases(s) heard by the Rezoning Hearing Examiner (RHE) on March 23, 2009.

Case No.: Z-2009-03
Location: 2800 East Olive Road

Property Reference No.:	17-1S-30-2101-003-119
Property Size:	0.36 (+/-) acres
From:	C-1, Retail Commercial District, (cumulative) (25 du/acre)
To:	C-2, General Commercial and Light Manufacturing District, (cumulative) (25 du/acre)
FLU Category:	MU-1, Mixed Use 1
Commissioner District:	4
Requested by:	Wiley C. "Buddy" Page, Agent for Interstate Pawn, Inc., Owner

**COUNTY ADMINISTRATOR'S REPORT
APRIL 2, 2009**

I. Technical/Public Service Consent Agenda

1. Recommendation Concerning Memorandum of Understanding for Deadman's Island Restoration Project – Robert R. McLaughlin, County Administrator

RECOMMENDATION: That the Board take the following action concerning the Memorandum of Understanding between Escambia County, Florida, the City of Gulf Breeze, Florida, the Florida Department of Environmental Protection, the School Board of Escambia County, Florida, and Coastal Environments, Inc., for the Deadman's Island Restoration Project:

- A. Approve the Memorandum of Understanding establishing the parties' responsibilities in the "reefblk" assembly portion of the Deadman's Island Restoration Project; and**
- B. Authorize the Chairman to sign the Agreement.**

2. Recommendation Concerning Scheduling of a Public Hearing for an EDATE for Navy Federal Credit Union (Building #2) – Robert R. McLaughlin, County Administrator

RECOMMENDATION: That the Board approve authorizing the scheduling of a Public Hearing for Thursday, April 16, 2009, at 5:32, p.m., to adopt an Ordinance establishing an Economic Development Ad Valorem Tax Exemption, for Navy Federal Credit Union for the Central Energy Plant and the Multi-Level Parking Deck (Building #2), for 100% of their expansion for 10 years.

3. Recommendation Concerning an Economic Development Incentive Agreement for Navy Federal Credit Union – Robert R. McLaughlin, County Administrator

RECOMMENDATION: That the Board take the following action concerning the Economic Development Agreement with Navy Federal Credit Union:

- A. Approve entering into an Economic Development Agreement with the Navy Federal Credit Union for economic development incentives; and**
- B. Authorize the Chairman to sign the Agreement.**

[Funds are based on refund fees and taxes paid to the County by Navy Federal Credit Union as set forth in Ordinance No. 2007-56]

4. **Recommendation Concerning Application for Transportation Enhancement Projects for Paved Shoulders Along Gulf Beach Highway, Between Bauer Road and Innerarity Point Road – Larry Newsom, Transportation Director**

RECOMMENDATION: That the Board take the following action concerning an Application for Transportation Enhancement Projects:

- A. Approve resubmittal of an Application for Transportation Enhancement Projects for paved shoulders along Gulf Beach Highway (County Road 292A), between Bauer Road and Innerarity Point Road; and
- B. Adopt and authorize the Chairman to sign a Resolution in support of an Application for transportation enhancement funding for paved shoulders along Gulf Beach Highway (County Road 292A).

5. **Recommendation Concerning Michigan Avenue / Saufley Field Road Pedestrian Sidewalks – Larry Newsom, Transportation Director**

RECOMMENDATION: That the Board take the following action regarding Michigan Avenue / Saufley Field Road Pedestrian Sidewalks:

- A. Approve re-submittal of an Application for the Transportation Enhancement Program for pedestrian sidewalks on Michigan Avenue/Saufley Field Road (State Road 296/County Road 296), from Denver Avenue to N.A.S. Saufley Field, on Saufley Field Road, for a total of 1.87 miles; and
- B. Adopt and authorize the Chairman to sign a Resolution in support of an Application for transportation enhancement funding for pedestrian sidewalks on Michigan Avenue/Saufley Field Road.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Installation of Elections Equipment – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve payment to Elections Systems & Software Inc., in the amount of \$41,220, for the installation of the elections equipment purchased in Fiscal Year 2008. There is no increase in the Budget. Funds are available in Local Option Sales Tax III for this project.

2. Recommendation Concerning Foreclosure and Sale of Real Property Located at 3510 Mobile Highway – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board authorize the following action concerning the real property located at 3510 Mobile Highway, Account #063865000, Reference Number 33-2S-30-3008-000-000:

- A. Authorize foreclosure due to a Code Enforcement Lien, in the amount of \$2,847, recorded in OR Book 6260 at page1528 of the Public Records of Escambia County, Florida;
- B. Authorize the County to bid for this property up to an amount 20% greater than the costs of the Lien and foreclosure when purchasing the Certificate of Title;
- C. Authorize the sale of this property to the highest acceptable bidder, in accordance with Section 46-133 of Escambia County Code of Ordinances, without further action of the Board. The current assessed value of the property is \$167,003; and
- D. Authorize the Chairman to sign any documents related to this action.

3. Recommendation Concerning Supplemental Budget Amendment #177 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #177, General Fund (001), in the amount of \$10,744, to recognize reimbursements from auto insurance payments, and to appropriate these funds for the Sheriff's Department vehicle activities.

COUNTY ADMINISTRATOR'S REPORT

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4. Recommendation Concerning Supplemental Budget Amendment #178 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #178, Other Grants and Projects Fund (110), in the amount of \$40,000, to recognize revenue from the Florida Fish and Wildlife Conservation Commission and to appropriate these funds for reef monitoring.

5. Recommendation Concerning Supplemental Budget Amendment #180 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #180, Other Grants and Projects Fund (110), in the amount of \$10,000, to recognize proceeds from a State of Florida, Division of Emergency Management Subgrant Agreement and to appropriate these funds for the Community Emergency Response Team activities.

6. Recommendation Concerning Ferry Pass Road and Sewer Improvements – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board award an Indefinite Quantity, Indefinite Delivery, Unit Price Contract, PD 08-09.019, “Ferry Pass Zone 2 Phase 4”, to Starfish, Inc., of Alabama, for a total amount of \$1,960,690.71, for Ferry Pass road and sewer improvements. [Fund 351, LOST II, Cost Center 210105, Object Code 56301, Project Number 05EN1784, \$328,376.00; Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project Number 08EN0334, \$1,632,314.71]

7. Recommendation Concerning Highway 97/Kingsfield Road Lane Widening – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board award an Indefinite Quantity, Indefinite Delivery, Unit Price Contract, PD 08-09.031 “Highway 97/Kingsfield Road Lane Widening”, to Roads, Inc., of NWF, for a total amount of \$855,117.15. [Fund 351, LOST II, Cost Center 210105, Object Code 56301, Project Number 05EN1515]

8. Recommendation Concerning Ten Mile Creek East Stream Restoration – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board award an Indefinite Quantity, Indefinite Delivery, Unit Price Contract, PD 08-09.028, “Ten Mile Creek East Stream Restoration”, to Florida Three Rivers RC&D, Inc., for a Base Bid total amount of \$282,108.45. [Fund 110, Other Grants and Projects, Cost Center 212413, Object Code 56301]

COUNTY ADMINISTRATOR'S REPORT

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9. Recommendation Concerning Commissary Services at the Road Prison – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve authorizing the County to piggyback off of the Troup County, Georgia, 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, to Award a Purchase Order, in the amount of \$100,000, to Kimble's Food by Design, for Commissary Services at the Road Prison, PD 08-09.029, for a period of thirty-six months. [Fund 175, Transportation Trust fund, Cost Center 290205]

10. Recommendation Concerning Purchase of a 2009 International Cab and Chassis for the Road Department – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve authorizing the County to piggyback off of the State of Florida Contract #070-700-07-1, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications; Exemption; and Section 46-64, Board approval, and award a Purchase Order to Navistar Financial Corporation, c/o Bank of America, for one 2009 International Cab and Chassis, for the Road Department, with specified options, in the total amount of \$76,706, with funds available from Fund 175, Transportation Trust Fund, Cost Center 210402.

11. Recommendation Concerning Radio Tower and Microwave Equipment for Gonzalez Microwave Site – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve the Amendment, which amends the Table of Contents and includes Exhibit "E", Application and Certificate for Payment on Contract, to Sabre Communication Inc., for "Radio Tower and Microwave Equipment for Gonzalez Microwave Site", PD 07-08.036. [Fund 001, General Fund, Cost Center 330403, Object Code 56401]

12. Recommendation Concerning Radio Tower and Microwave Equipment for Big Lagoon Microwave Site – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve the Amendment, which amends the Table of Contents and includes Exhibit "E", Application and Certificate for Payment on Contract, to Southeastern Communication Service, Inc., for "Radio Tower and Microwave Equipment for Big Lagoon Microwave Site", PD 07-08.122. [Fund 001, General Fund, Cost Center #330403, Object Code 56401]

13. **Recommendation Concerning Contract Extension for Waste Tire Removal and Disposal – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board approve a Contract extension for Waste Tire Removal and Disposal, PD 05-06.024, for an additional six months, in accordance with the terms and conditions of the Contract, which will provide sufficient time for another solicitation and Contract award. [Fund 401, Solid Waste Fund, Cost Center 220604]

14. **Recommendation Concerning Sale of Recyclables Ferrous and Non-Ferrous Metal – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board award Contract PD 08-09.022, “Sale of Recyclables Ferrous and Non-Ferrous Metal”, to Southern Recycling, LLC, for a period of 12 months, with an option to extend for 2 additional, 12-month periods. [Fund 401, Solid Waste Fund, Revenue Account 343409]

15. **Recommendation Concerning Roadway Improvements to Muscogee Road and County Road 97 – Joy D. Blackmon, P.E., Public Works Bureau Chief**

RECOMMENDATION: That the Board authorize staff to initiate the acquisition process by purchase or donation of properties for rights-of-way and Easements on Muscogee Road and County Road 97. This includes, but is not limited to, obtaining title commitments, Phase I Environmental Assessments, appraisals, and surveys, and conducting inspections as needed. [Funding Source: Fund 351, Lost II, Account 210105/56301/56101, Project 05EN1515]

16. **Recommendation Concerning Agreement for Submittal of Sewage and Wastewater Meter Readings – Joy D. Blackmon, P.E., Public Works Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Agreement for Submittal of Sewage and Wastewater Meter Readings by Owner with Emerald Coast Utilities Authority:

- A. Approve the Agreement for Submittal of Sewage and Wastewater Meter Readings by Owner with Emerald Coast Utilities Authority (ECUA), for 357 South Baylen Street, establishing service subject to ECUA's sewer relief program; and
- B. Authorize the Chairman or Vice Chairman to execute all documents relating to the Agreement as required.

COUNTY ADMINISTRATOR'S REPORT

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17. **Recommendation Concerning Extension of Health Department Lease, – Joy D. Blackmon, P.E., Public Works Bureau Chief**

RECOMMENDATION: That the Board approve and authorize the Chairman to sign an extension of a Lease Agreement with Terhaar-Cronley Investment Partnership for warehouse space for the Health Department located at 3636 North “L” Street, from August 1, 2009, to July 31, 2014, at the rates of \$2,452 per month for the first year, \$2,526 for second and third years and \$2,602 for the fourth and fifth years of the Lease. The Lease, also contains an option to renew for an additional five years, as stated in Section 3 of the Lease Agreement.

18. **Recommendation Concerning Agreement with the EscaRosa Coalition on the Homeless, Inc. – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding the 2009/2010 Agreement for Homeless Program Management Support with the EscaRosa Coalition on the Homeless, Inc., (ECOH):

- A. Approve the 2009/2010 Agreement with ECOH to provide \$20,000 in funding for Program Management Support [Fund 124/Escambia County Affordable Housing-Cost Center 220406]; and
- B. Authorize the Chairman or Vice Chairman to execute the Agreement, and the Chairman or County Administrator, as appropriate, to execute all related documents as required to implement the project.

19. **Recommendation Concerning CDBG Fire Protection Improvements Project – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding the 2008 Community Development Block Grant (CDBG) Fire Protection Improvements Project:

- A. **Approve the Interlocal Agreement with Emerald Coast Utilities Authority (ECUA), in the amount of \$175,000, providing for the 2008 Fire Protection Improvements Project, including installation of fire hydrants and associated water main upgrades, primarily within Census Tracts 14, 31, 32, 33 and 34, as financed with 2008 CDBG funds (Fund 129/2008 CDBG-Cost Center: 220563);**
- B. **Authorize the Chairman or Vice Chairman to execute the Agreement and all related documents as required to implement the project; and**
- C. **Authorize the Office of the Clerk of the Circuit Court to record the Interlocal Agreement in the Official Records of Escambia County.**

20. **Recommendation Concerning HUD Neighborhood Stabilization Program (NSP) Funds and Approval of NSP Interlocal Agreement with the City of Pensacola – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding approval of the Neighborhood Stabilization Program (NSP) Substantial Amendment to the 2008 Escambia County Annual Plan by the U.S. Department of Housing and Urban Development (HUD) and the award of \$4,565,918 in 2008 HUD funds (Grant #B-08-UN-12-0005):

- A. Acknowledge, for the Official Record, HUD approval of the Neighborhood Stabilization Program Substantial Amendment to the 2008 Escambia County Annual Plan and accept the award of HUD NSP funds in the amount of \$4,565,918 as provided through Grant # B-08-UN-12-0005);
- B. Ratify the County Administrator's execution of the NSP Agreement as required by HUD;
- C. Approve the NSP Program Interlocal Agreement with the City of Pensacola, providing for cooperative implementation of the NSP Program in Escambia County with respect to NSP-financed, first-time, home buyer activities and providing NSP administrative support to the City for such services (NSP program and administrative funds budgeted in Fiscal Year 2009: Fund 129/NSP, Cost Center to be assigned by Budget);
- D. Authorize the Chairman or Vice Chairman to execute the Interlocal Agreement and authorize the Chairman, Vice Chairman or County Administrator, as appropriate, to execute all Grant-related documents as required to receive and implement all aspects of the NSP Program; and
- E. Authorize the Office of the Clerk of the Circuit Court to record the Interlocal Agreement in the Official Records of Escambia County.

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21. Recommendation Concerning a Change Order for Labor and Materials for Electrical Repairs – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

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

Bureau:	Neighborhoods/Community Services	
Division:	Recreation	
Type:	Labor and Materials for Electrical Repairs	
Amount:	\$87,000	
Vendor:	Greg Williams Electric, Inc.	
PO #:	290736	
CO#:	2	
Original Award Amount:		\$18,566.00
Cumulative Amount of Change Orders through CO#2:		<u>\$88,200.00</u>
New PO Total:		\$106,766.00

[Funding Source: Fund 352, LOST III, Parks Capital Improvements, Cost Center 210802, Project 09PR0073]

22. Recommendation Concerning Traffic Restrictions / Speed Limitations – Larry Newsom, Transportation Director

RECOMMENDATION: That the Board take the following action concerning traffic restrictions - speed limitations:

- A. Adopt the Resolutions for the reduction in speed from 30 miles per hour to 25 miles per hour for the following roadway segments:
 - 1. Brentco Road from Condor Drive to Pelican Point Drive;
 - 2. Condor Drive from Brentco Road to Condor Drive; and
 - 3. Pelican Point Drive from Condor Drive to terminus; and

- B. Authorize the Chairman to sign the Resolutions for these roadways.

[Funds are budgeted in Fund 175, Transportation Trust Fund, Cost Center 250701 and Account Code 53401 for sign installations.]

COUNTY ADMINISTRATOR'S REPORT

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- 23. Recommendation Concerning Escambia County Housing Finance Authority
Dormitory Revenue Bonds (University of West Florida Foundation, Inc., Project)
Series 2009 – Robert R. McLaughlin, County Administrator**

RECOMMENDATION: That the Board adopt the Resolution approving the issuance and sale of the not-exceeding \$15,000,000 Dormitory Revenue Bonds University of West Florida Foundation, Inc., Project, Series 2009, by the Escambia County Housing Finance Authority.

COUNTY ATTORNEY'S REPORT
April 2, 2009

I. FOR ACTION:

1. Establishing Rate and Insurance Requirements for Taxicabs

That the Board schedule a public hearing for April 16, 2009 at 5:36 p.m. to consider adopting an ordinance establishing rate and insurance requirements for taxicabs and similar vehicle services operating in the unincorporated areas of Escambia County.

2. Nonconsensual Towing and Storage Services

That the Board schedule a public hearing for April 16, 2009 at 5:37 p.m. to consider an ordinance establishing maximum prices for towing and storage services in Escambia County, including documentation requirements.

3. RICOH Copier Lease Agreement for Escambia County Probation and Road Prison

That the Board take the following action concerning approval of the RICOH Master Agreement with Escambia County with attached Addendum A:

- A. Approve the RICOH Master Agreement with Escambia County and attached Addendum A; and
- B. Authorize the Chairman to sign the Agreement and Addendum A; and
- C. Authorize the execution of the necessary purchase order(s).

4. Escambia County's Disclosure Counsel Engagement Letter with David G. Tucker

That the Board accept Mark Mustian of Nabors Giblin & Nickerson as the County's disclosure counsel, replacing David G. Tucker.

II. FOR INFORMATION:

1. *Billy E. Grantham and Helen F. Grantham vs. Escambia County, a political subdivision of the State of Florida, by and through its Board of County Commissioners* – Case No.1D08-2885

That the Board accept the information concerning *Billy E. Grantham and Helen F. Grantham vs. Escambia County* wherein the District Court of Appeal denied the Granthams' Petition for Writ of Certiorari.

2. *Robert K. Mandel and Sharon F. Mandel v. Harry R. McNesby, Charlie Walker, Sotirios Thagouras and Steve Littlejohn* -- Case No.: 3:08-cv-49-RV/MD

That the Board accept the following information concerning *Robert K. Mandel and Sharon F. Mandel v. Harry R. McNesby, Charlie Walker, Sotirios Thagouras and Steve Littlejohn* (Case No.: 3:08-cv-49-RV/MD).

3. State of Florida vs. Escambia County, Florida; Case No. 1D08-5690

That the Board accept information concerning State of Florida vs. Escambia County, Florida wherein the Attorney General's Office filed a motion for voluntary dismissal and the District Court of Appeal granted the dismissal.