

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
Special Meeting – October 22, 2004 – 1:30 p.m.
Courthouse – Third Floor

1. Call to Order.
2. Invocation.
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. Was the Meeting properly advertised?
6. Reports:

County Administrator's Report; and
County Attorney's Report.
7. Items added to the agenda.
8. Announcements.
9. Adjournment.

**COUNTY ADMINISTRATOR'S REPORT
OCTOBER 22, 2004**

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning Scheduling of Public Hearing – EDATE Pegasus Laboratories, Inc. – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board authorize the rescheduling of the public hearing previously set for Thursday, September 23, 2004, at 3:03 p.m., to November 04, 2004, at 5:34 p.m., to consider the adoption of an ordinance establishing an Economic Development Ad Valorem Tax Exemption (EDATE) for Pegasus Laboratories, Inc., for 23% of their expansion for 10 years. The Public Hearing was originally scheduled for September 23, 2004, and was cancelled due to Hurricane Ivan.

2. **Recommendation Concerning Scheduling of Public Hearing – EDATE Navy Federal Credit Union – Jean A. Kassab, CGFM, Administrative Services Director**

RECOMMENDATION: That the Board authorize the rescheduling of the public hearing previously set for Thursday, September 23, 2004, at 3:03 p.m., to November 04, 2004, at 5:34 p.m., to consider the adoption of an ordinance establishing an Economic Development Ad Valorem Tax Exemption (EDATE) for Pegasus Laboratories, Inc., for 23% of their expansion for 10 years. The Public Hearing was originally scheduled for September 23, 2004, and was cancelled due to Hurricane Ivan.

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

RECOMMENDATION: That the Board schedule a public hearing for November 15, 2004, at 5:35 p.m., to consider the petition to vacate the north 145.00 feet of Gift Drive, a 34-foot wide County right-of-way, running north off of Johnson Avenue, as petitioned by Merrill C. and Monica J. Cutts, with the Board to pay all additional costs to reconsider this request.

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

RECOMMENDATION: That the Board reschedule the 3:02 p.m., public hearing on September 23, 2004, until November 15, 2004, at 5:36 p.m., to consider the petition to vacate any interest that the County may have in an unpaved portion of Hollingsworth Road (approximately 1,050 feet), as petitioned by William E. and Beth L. Smith through their attorney Chuck Hoskin, Esquire, with the Board to pay all additional costs to reconsider this request.

5. Recommendation Concerning Granting of Electrical Utility Easement to Gulf Power – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board take the following action regarding granting a 15-foot wide by 450-foot long electrical utility easement (approximately 0.15 acres more or less), County owned land, located on “W” Street between the “W” Street Fire Department and the Federal Express building, to Gulf Power Company:

- A. Approve granting a 15-foot wide by 450-foot long Utility Easement to Gulf Power; and
- B. Authorize the Chairman or Vice-Chairman to sign the necessary document granting to Gulf Power Company the Easement.

6. Recommendation Concerning Child Safety Seats – Janice Kilgore, CEM, Public Safety Director

RECOMMENDATION: That the Board take the following action concerning the Florida Child Safety Seat Distribution Program – Acceptance and Agreement FY 2005 with Florida Department of Transportation (FDOT):

- A. That the Board approve and accept the agreement between the FDOT and Escambia County for the distribution of Child Safety Seats to the citizens of Escambia County; and
- B. Approve the Chairman to sign the agreement.

7. Recommendation Concerning FDOT Wetland Mitigation – Jones Swamp Watershed – Keith Wilkins, NESD Director

RECOMMENDATION: That the Board take the following action regarding Amendment Number 1 to Agreement with the Northwest Florida Water Management District:

- A. Approve Amendment Number 1 to Agreement between the Northwest Florida Water Management District (NFWMD) and Escambia County on behalf of the Florida Department of Transportation (FDOT) to acquire and donate lands within Jones Swamp Watershed for wetland mitigation;
- B. Authorize the Chairman to sign Amendment Number 1; and
- C. Authorize the Chairman to sign documents related to the Agreement with NFWMD and related land acquisition in the Jones Swamp Watershed.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Budget Amendment #246 – Jean A. Kassab, CGFM, Administrative Services Director

RECOMMENDATION: That the Board approve Budget Amendment #246, Other Grants & Projects Fund (110), in the amount of \$215 to recognize an increase in Personal Services in the Domestic Violence Fund and to appropriate these funds for use.

2. Recommendation Concerning Penhaven Drainage Project – Richard Duane, P.E., County Engineer

RECOMMENDATION: That the Board authorize Staff to take the following action concerning Penhaven Drainage Project, Fund 351 LOST Extension Account Number 210105-56101 and 56301:

- A. Negotiate and purchase one parcel located at 1402 North 46th Avenue, not to exceed 10% of the appraised value. The property will be used for an additional access to a previously constructed retention pond in conjunction with the Penhaven Drainage Project;
- B. Perform purchase related tasks such as securing a title search, conducting inspections, collecting information, securing a Phase 1 Environmental Assessment and obtaining an appraisal;
- C. Authorize payment of incidental costs associated with this purchase. These cost include closing costs, title search, legal document preparation fees, documentary stamp tax and the recording of the documents; and
- D. Authorize the Chairman or Vice-Chairman to sign all documents needed to complete the purchase.

3. Recommendation Concerning Rhythm Street and Melody Lane Drainage Improvement Project – Richard Duane, P.E., County Engineer

- A. **RECOMMENDATION:** That the Board take the following action regarding the donations of property owned by the Estate of Frank Carter, Joanna English, Julia Arnold, Velton Hanks, and Frank Henderson needed for the Rhythm Street and Melody Lane Drainage Improvement Project [Fund 351 "LOST Extension" Account 210105/56301 and 210105/56101];
- B. Authorize Staff to negotiate and resolve any matters related to, or associated with, the donation and/or dedication of road rights-of-way and easements regarding the Rhythm Street and Melody Lane Drainage Improvement Project;
- C. Authorize the Chairman or Vice Chairman to accept the deeds or easements as the day of delivery and to acknowledge the Board's acceptance at that time; and
- D. Authorize payment of incidental costs associated with these donations, because correcting these drainage problems with the donations of property benefits the County. These costs include a title search, legal document preparation fees, documentary stamp tax and the recording of the documents.

4. Recommendation Concerning FY 2004/2005 Purchase Orders Totaling \$50,000 or Greater – Joe Ward, Senior Deputy Court Administrator, Court Administration

RECOMMENDATION: That the Board approve the following not-to-exceed amounts for FY 2004/2005 through FY 2005/2006, to issue purchase order(s)/and or blanket purchase order(s) from previously awarded/approved annual requirement contracts or contractual agreements as follows:

<u>Contractor</u>	<u>Not to Exceed Amount Per Fiscal Year</u>	<u>Contract #</u>
A. Securitas Vendor # Security Services Fund: 114 (Work Release) Cost Center: 410612 Account Code: 53401	\$200,000	PD 00-01.65

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B.	Securitas Vendor # Security Services Fund: 115 (Court Admin) Cost Center: 410505 Account Code: 53401	\$110,000	PD 00-01.65
C.	Share, Inc. Vendor # Electronic Monitors Fund: 114 Cost Center: 410602 Account Code: 53401	\$100,000	BCC Approved Agreement Exp. 07/28/2006
D.	Carson Lovell Vendor # 031321 Building Lease Fund: 114 Cost Center: 410601 Account Code: 54401	\$ 70,000	BCC Approved Lease Exp. 09/30/2004
E.	Arrow Capital Corp. Vendor #: 014070 Alcohol Monitoing Systems Fund: 114 Cost Center: 410602 Account Code: 53401	\$ 60,000	
F.	Alcohol Monitoring Systems (AMS) Vendor #: Alcohol Monitoring Services Fund: 114 Cost Center: 410602 Account Code: 53401	\$ 80,000	
G.	ProTech Monitoring Vendor #: 165134 Electronic Monitoring (GPS) Fund: 114 Cost Center: 410602 Account Code: 53401	\$ 80,000	

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5. Recommendation Concerning Consulting/Planning for Perdido Key – George Touart, County Administrator

RECOMMENDATION: That the Board approve a purchase order to Solin & Associates, Inc., for Consulting/Planning Services for Perdido Key (PD 03-04.82) in the amount of \$70,500 and \$7,500 for travel expenses [General Fund 001, Cost Center 120101, Account 53101/54001].

COUNTY ATTORNEY'S REPORT
October 22, 2004

I. Discussion Agenda:

1. Recommendation Concerning Extension of the Declaration of State of Local Emergency:

RECOMMENDATION: That the Board take the following action concerning the Extension of the Declaration of State of Local Emergency:

A. Consider extending the Declaration of State of Local Emergency adopted on October 15, 2004, by Resolution R2004-163 for an additional seven (7) days because of life and safety issues due to the vast devastation to Escambia County, Florida caused by Hurricane Ivan. Such extension will begin at 5:00 p.m., central daylight time on October 22, 2004.

B. Authorize the Chairman to execute the Resolution extending the Declaration of State of Local Emergency.

2. Recommendation Concerning Cable Rate Regulation:

RECOMMENDATION: That the Board take the following action concerning Cable Rate Regulation:

That the Board review and provide guidance concerning the attached letter from Ila Feld, Esquire, with the Leibowitz & Associates, P. A. firm, which provides a summary of the County's authority to regulate cable television rates charged to subscribers.

ADDENDUM #1
COUNTY ATTORNEY'S REPORT
October 22, 2004

I. Discussion Agenda:

3. Recommendation Concerning an Interlocal Agreement Between Escambia County and the Town of Century for Hurricane Debris Collection and Removal from Public Areas and Rights of Way:

RECOMMENDATION: That the Board take the following action concerning the Interlocal Agreement with the Town of Century:

- A. That the Board consider entering into an Interlocal Agreement with the Town of Century for Hurricane Debris Collection and Removal from the Public Areas and Rights of Way.
- B. That the Board authorize the Chairman to execute the Interlocal Agreement with the Town of Century for Hurricane Debris Collection and Removal from the Public Areas and Rights of Way.
4. Recommendation Concerning the Repeal of the Charitable Solicitation Ordinance

RECOMMENDATION: That the Board take the following action concerning the repeal of the Charitable Solicitation Ordinance:

That the Board schedule a public hearing for November 15, 2004 at 5:37 p.m. to consider repealing the charitable roadway funds solicitation ordinance.

5. Recommendation Concerning the Repeal of the Commercial Activity on Rights-of-Way Ordinance

RECOMMENDATION: That the Board take the following action concerning the repeal of the commercial activity on rights-of-way ordinance:

That the Board schedule a public hearing for November 15, 2004 at 5:38 p.m. to consider repealing the commercial activity on rights-of-way ordinance.