

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 – September 17, 2009 – 3:00 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 Robertson.
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 take the following action concerning Proclamations:

- A. Adopt the Proclamations honoring and congratulating the following four citizens for reaching the age of 100:
- (1) Mrs. Bernice Blum;
 - (2) Mrs. Violet Sims Cummins;
 - (3) Mrs. Mollie Suschand; and
 - (4) Mrs. Elizabeth Dillon Theobald;
- B. Adopt the following two Proclamations:
- (1) The Proclamation commending and congratulating Sandra Ammons, Paramedic, Public Safety Bureau, on her retirement after 25 years of service; and
 - (2) The Proclamation commending and congratulating Ronald Rigby, Equipment Operator IV, Public Works Bureau, on his retirement after 25 years of service; and
- C. Take the following action concerning adoption/ratification of the following four Proclamations:
- (1) Adopt the Proclamation proclaiming September 15, 2009, through October 15, 2009, as “Hispanic Heritage Month” in Escambia County;
 - (2) Adopt the Proclamation proclaiming September 2009 as “National Preparedness Month” in Escambia County;
 - (3) Adopt the Proclamation proclaiming Simon Property Group as a “Partner in Emergency Service Training” in Escambia County; and
 - (4) Ratify the Proclamation dated September 1, 2009, welcoming the Most Worshipful Dale I. Goehrig, Grand Master of the Grand Lodge of Free and Accepted Masons of the State of Florida, upon the occasion of his visit to Escambia County.

7. Written Communication:

- A. June 14, 2009, email communication from Blanche Brown requesting that the Board forgive the fines relative to a Code Enforcement Lien against property located at 5 South Jamaica Street; and
- B. June 29, 2009, communication from Eddie Jones and Becky Jones requesting forgiveness of the Code Enforcement Liens filed against property located at 817 West Leonard Street (*the Estate of Juanita Harris*).

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. **3:01 p.m. Public Hearing for consideration of adopting an Ordinance amending the State Court Facilities Surcharge Ordinance.**

Recommendation: That the Board, at the 3:01 p.m. Public Hearing, adopt, and authorize the Chairman to sign, an Ordinance amending (*Chapter 34, Section 34-6, of the Escambia County Code of Ordinances*) the State Court Facilities Surcharge Ordinance, increasing the surcharge assessed on non-criminal traffic infractions from \$15 to \$30.

10. **3:02 p.m. Public Hearing for consideration of adopting an Ordinance creating the Li-Fair Subdivision Street Lighting MSBU.**

Recommendation: That the Board, at the 3:02 p.m. Public Hearing, adopt, and authorize the Chairman to sign, the Ordinance creating the Li-Fair Subdivision Street Lighting Municipal Services Benefit Unit (MSBU), and all related documents, and make the following findings of fact:

- A. Lots in the District are specially benefited since street lighting not only increases the market value of an individual lot in the District, but also increases safety in the District surrounding individual lots and the ability of lot owners to use their individual lots after dark;
- B. The benefit from improved street lighting varies according to the relative size of the affected lots; residential lots benefit from improved street lighting uniformly because of the small variation in size throughout the District;
- C. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
- D. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment for street lighting.

11. **3:03 p.m. Public Hearing for consideration of adopting an Ordinance creating Sections 90-65 through 90-69 of the Escambia County Code of Ordinances, imposing an additional one percent (1%) Tourist Development Tax (the 5th Cent).**

Recommendation: That the Board, at the 3:03 p.m. Public Hearing, adopt an Ordinance creating new Sections 90-65 through 90-69 of the Escambia County Code of Ordinances; imposing and levying an additional one percent (1%) Tourist Development Tax (the 5th Cent) in the incorporated and unincorporated areas of Escambia County; providing for the collection and designation of the additional tax; establishing the uses of the additional tax as promotion of tourism in support of air service into Escambia County, Florida, for a set period of three consecutive years, commencing October 1, 2010, and expiring December 31, 2012.

12. Committee of the Whole Recommendation.

(TO BE DISTRIBUTED UNDER SEPARATE COVER)

13. Reports:

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

14. Items added to the agenda.

15. Announcements.

16. 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
SEPTEMBER 17, 2009

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

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

- A. Payroll Expenditures for Pay Date September 4, 2009, in the amount of \$2,101,587,66;
- B. The following two Disbursement of Funds:
 - (1) August 27, 2009, to September 2, 2009, in the amount of \$23,374,266.51; and
 - (2) September 3, 2009, to September 9, 2009, in the amount of \$10,793,740,45;
- C. The Investment Report for the month ended August 31, 2009; and
- D. The Tourist Development Tax Collections Data for Fiscal Year 2008-2009, which includes July 2009 returns received in the month of August 2009; the eleven months revenue collected to date reflects 82% of the Budget for the Fiscal Year.

2. Recommendation Concerning Accounts Receivable Write-Off

Recommendation: That the Board adopt the Resolution authorizing the write-off of \$563 in returned checks and accounts receivable in various funds of the County that have been determined to be uncollectible bad debts.

I. CONSENT AGENDA – Continued

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

Recommendation: That the Board approve 41 forms, *Request for Disposition of Property*, indicating 166 items of 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.

4. 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 *Escambia County Health Facilities Authority Pensacola, Florida, Financial Statements, September 30, 2008 and 2007*, as provided by Paula G. Drummond, Executive Director/Counsel, Health Facilities Authority, and received in the Clerk to the Board's Office on August 27, 2009; and

B. The *ECUA Budget Water & Wastewater Systems FY2010*, as provided by Debra Buckley, Director of Finance, Emerald Coast Utilities Authority (ECUA), and received in the Clerk to the Board's Office on September 1, 2009.

5. 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 First Public Hearing Regarding the Fiscal Year 2009-2010 County-Wide Budget and Fiscal Year 2009-2010 Non-Ad Valorem Special Assessments Roll held September 3, 2009;

B. Approve the Minutes of the Regular Board Meeting held September 3, 2009;

C. Approve the Minutes of the Attorney-Client Session held September 10, 2009; and

D. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held September 3, 2009.

GROWTH MANAGEMENT REPORT

September 17, 2009

I. PUBLIC HEARINGS

1. **3:30 p.m. – Thursday, September 17, 2009 – Public Hearing** –An Ordinance to amend the Land Development Code, amending Articles 3, 6 & 13 “Temporary Structures”

RECOMMENDATION:

That the Board review the first of two Public Hearings, an Ordinance amending Part III of the Escambia County Code of Ordinances (1999), the Land Development Code (LDC)

- A. Article 3 “Definitions,” Section 3.02.00 to define temporary structures; and
- B. Article 6 “Zoning Districts,” Section 6.04.05 to distinguish temporary construction or sales offices from temporary structures; creating Section 6.04.16, to describe the approval requirements for temporary structures; amending Section 6.05.13.C., to add temporary structures as a conditional use for the R-6 zoning district; amending Section 6.05.14.C., to add temporary structures as a conditional use for the C-1 zoning district; and amending Section 6.05.16.B., to add temporary structures as a permitted use for the C-2 zoning district; and
- C. Article 13 “Santa Rosa Island Authority Development Regulations,” Section 13.03.03, to add temporary structures as a conditional use for the MDR/C-PB zoning district; amending Section 13.03.05, to add temporary structures as a conditional use for the HDR/C-PB zoning district; amending Section 13.03.06, to add temporary structures as a permitted use for the GR-PB zoning district; amending Section 13.03.07, to add temporary structures as a permitted use for the REC/R-PB zoning district; and amending Section 13.03.08, to add temporary structures as a permitted use for the CH-PB zoning district.

**COUNTY ADMINISTRATOR'S REPORT
SEPTEMBER 17, 2009**

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning the Florida Division of Forestry Annual Report – Robert R. McLaughlin, County Administrator**

RECOMMENDATION: That the Board accept, for filing with the Board's Minutes, the Florida Division of Forestry Annual Report to the Escambia County Board of Commissioners for Fiscal Year 2008-2009, submitted by Adam Parden, Forest Area Supervisor, Division of Forestry.

2. **Recommendation Concerning FDOT Traffic Signal Maintenance and Compensation Agreement – Amendment #1 – Larry Newsom, Office of Transportation and Traffic Operations Division Manager**

RECOMMENDATION: That the Board take the following action concerning the State of Florida Department of Transportation, Traffic Signal Maintenance and Compensation Agreement Amendment #1, which adds intersection control beacons on State roads, to be maintained by the County and reimbursed by the State of Florida Department of Transportation:

- A. Approve Amendment #1 to the Traffic Signal Maintenance and Compensation Agreement; and
- B. Authorize the Chairman to sign Amendment #1.
3. **Recommendation Concerning the Enterprise Zone Development Agency Third Quarter Report – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board accept, for filing with the September 17, 2009, Board's Minutes, the Information Report concerning the Enterprise Zone Development Agency Third Quarter Report.

4. **Recommendation Concerning Community Redevelopment Agency Meeting Minutes – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board accept, for filing with the Board's Minutes, the August 20, 2009, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.

5. **Recommendation Concerning Paid Time Off Policy – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board approve amending the Paid Time Off (PTO) Policy, Section II, C.33, to comply with reductions in benefits for unclassified employees and verbiage changes required, due to the Board of County Commissioners' (BCC) reorganization and due to budgetary constraints of the County as follows:

- A. Amend Section "B", Eligibility, to delete the crediting of 24 hours of sick leave to the employees' Extended Leave Bank (ELB) each fiscal year;
- B. Amend Section "O", Disposition of PTO Upon Entering the Deferred Retirement Option Program (DROP), to delete any lump-sum payment received when an employee entered DROP from final payment upon separation of service; and
- C. Amend entire PTO Policy to change verbiage to comply with the BCC Reorganization structure and changes in position titles.

6. **Recommendation Concerning Resolution Amending Escambia County Administrative Code – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt and authorize the Chairman to sign the Resolution amending the Escambia County Administrative Code to conform to the amended Board of County Commissioners' (BCC) Paid Time Off Policy and verbiage changes due to the BCC reorganization.

7. **Recommendation Concerning the Amalgamated Transit Union Collective Bargaining Agreement – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Collective Bargaining Agreement between the Escambia County Board of County Commissioners and the Amalgamated Transit Union Local 1395:

- A. Approve the Collective Bargaining Agreement between the Escambia County Board of County Commissioners and the Amalgamated Transit Union (ATU) Local 1395, Contract years October 1, 2009, through September 30, 2012; and
- B. Authorize the County Administrator to sign the Collective Bargaining Agreement.

(THE COLLECTIVE BARGAINING AGREEMENT WILL BE DISTRUBUTED UNDER A SEPARATE COVER)

8. **Recommendation Concerning the Police Benevolent Association Collective Bargaining Agreement – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Collective Bargaining Agreement between the Escambia County Board of County Commissioners and the Florida Police Benevolent Association, Inc., Locals 1247 and 1248:

- A. Adopt and authorize the Chairman to sign the Resolution ratifying the Collective Bargaining Agreement between the Escambia County Board of County Commissioners and the Florida Police Benevolent Association, Inc., Locals 1247 and 1248, for the Contract years October 1, 2009, through September 30, 2012; and
- B. Authorize the Chairman to execute the Ratification Certificate for the Collective Bargaining Agreement on behalf of the Escambia County Board of County Commissioners.

(THE COLLECTIVE BARGAINING AGREEMENT WILL BE DISTRUBUTED UNDER A SEPARATE COVER)

9. Recommendation Concerning Overtime Pay and Compensatory Time in Lieu of Overtime Pay Policy – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve the revised Overtime Pay and Compensatory Time in Lieu of Overtime Pay Policy, Section II, C.4, to include the most current updates.

10. Recommendation Concerning Disposition/Donation of Surplus Equipment for Pineview Volunteer Fire Department in Escambia County, Alabama – Frank H. Edwards, Public Safety Bureau Chief

RECOMMENDATION: That the Board take the following action concerning disposition of surplus equipment and donation of a 1997 F450 Ambulance (Property Number 46040) to Pineview Volunteer Fire Department, in Escambia County, Alabama:

- A. Approve the Request for Disposition of Property for the ambulance, which is obsolete and serves no useful function to the County, to be appropriately disposed of through donation to Pineview Volunteer Fire Department;
- B. Adopt a Resolution authorizing conveyance of the ambulance (Serial Number 1FDLF47FIVEC67022) to Pineview Volunteer Fire Department, in compliance with Section 274.06, Florida Statutes; and
- C. Authorize the Chairman to sign the Resolution and required documents related to the donation.

11. Recommendation Concerning Disposition/Donation of Surplus Equipment for the School Board of Escambia County – Frank H. Edwards, Public Safety Bureau Chief

RECOMMENDATION: That the Board take the following action concerning disposition of surplus equipment and donation of four Ford Crown Victoria sedans, Property Numbers 501625, 501732, 501817 and 501816, to the School Board of Escambia County, Florida, for use by George Stone Technical Center for use in its Law Enforcement Academy:

- A. Approve the Request for Disposition of Property for the vehicles, which are obsolete and serve no useful function to the County, to be appropriately disposed of through donation to George Stone Technical Center; and
- B. Adopt a Resolution authorizing conveyance of the vehicles to the School Board of Escambia County, Florida, in compliance with Section 274.06, Florida Statutes; and
- C. Authorize the Chairman to sign the Resolution and required documents related to the donation.

12. Recommendation Concerning the Scheduling of a Public Hearing to Vacate a Portion of an Alleyway in Block 1, Osceola Country Club Estates Subdivision – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board authorize the scheduling of a Public Hearing for October 15, 2009, at 5:31 p.m., to consider the Petition to Vacate a 10-foot-wide alleyway in Block 1, Osceola Country Club Estates Subdivision (280 feet x 10 feet = 2,800 square feet or 0.06 acres), as petitioned by 1115 Properties, LLC.

13. Recommendation Concerning the Citizens Volunteer Program for the Animal Services Division – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board approve the implementation of the Citizens Volunteer Program within the Animal Services Division, utilizing the Volunteer Manual for Program Operations.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning an Interfund Loan to the Solid Waste Fund for the Purchase of a Transfer Station – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning an Interfund Loan:

- A. Approve an Interfund Loan from the Internal Service Fund (501) to the Solid Waste Fund (401), in the amount of \$5,470,000, to finance the purchase of a transfer station. This Interfund Loan will be repaid over a seven-year period from Solid Waste Fund revenues;
- B. Authorize the Clerk's Office to journal \$5,470,000, in expenses from the Local Option Sales Tax Fund III (352), Cost Center 110267, to the Solid Waste Fund (401), Cost Center 220605; and
- C. Adopt the Resolution approving Supplemental Budget Amendment #338, Solid Waste Fund (401), in the amount of \$5,470,000, to recognize the proceeds of the loan and to appropriate these funds for the purchase of a transfer station.

2. Recommendation Concerning Sale of Real Property Located at 2300 North Baylen Street – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board authorize a refund of a 10% deposit, in the amount of \$400, to the bidder due to a legal description issue concerning real property located at 2300 North Baylen Street, Account Number 132215750, Reference Number 00-0S-00-9010-221-134. The southeast section of this property was sold through a tax deed sale creating a legal description problem.

3. Recommendation Concerning Supplemental Budget Amendment #352 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #352, Other Grants & Projects Fund (110), in the amount of \$3,596,422, to recognize Grant revenues from the Department of Justice and the Florida Department of Law Enforcement and to appropriate these funds for the Sheriff's Law Enforcement activities in Escambia County.

4. **Recommendation Concerning Supplemental Budget Amendment #356 – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #356, Local Option Sales Tax II Fund (351) and the Disaster Recovery Fund (112), in the amount of \$0, to move the budget for the construction of the new One Stop facility from the Disaster Recovery Fund to the Local Option Sales Tax II Fund.

5. **Recommendation Concerning Placement of Rest Benches and Shelter on Escambia County Rights-of-Way – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board approve the Licensee Advertising Agreement for Placement of Rest Benches and Shelter on Escambia County Rights-of-Way, for Escambia County Area Transit for PD 04-05.53, with Lamar Pensacola Transit, Inc., and authorize the Chairman to execute the Agreement.

[Funding: Fund 104, Mass Transit Fund, Object Code 344902, Advertising Revenue]

6. **Recommendation Concerning Workers' Compensation Insurance Renewal – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Workers' Compensation Insurance Renewal:

- A. Approve the continued participation with Florida Municipal Insurance Trust for the renewal of the fully insured workers' compensation insurance for Escambia County, effective October 1, 2009, in the amount of \$996,839; and
- B. Authorize the issuance of a Purchase Order, in the amount of \$996,839, for the period October 1, 2009, through September 30, 2010.

[Funding Source: Fund 501 (Internal Service), Cost Center 140834, Object Code 54501]

7. **Recommendation Concerning Purchase Order for Proprietary Annual GIS Software Maintenance for the County – Thomas Lloyd Kerr, AICP, Development Services Bureau Chief**

RECOMMENDATION: That the Board approve and authorize a Purchase Order, in the amount of \$54,150, to the Environmental Systems Research Institute, Inc., (ESRI) for proprietary annual GIS software maintenance for the County, with funding available through Fund 001, General Fund, Cost Center 140101, Information Systems.

8. **Recommendation Concerning the Rural Elderly Assistance Program – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding the 2009/2010 Community Development Block Grant (CDBG) Agreement with Council on Aging of West Florida, Inc., for the Rural Elderly Assistance Program (REAP):

- A. Approve the CDBG-funded Agreement with the Council on Aging of West Florida, Inc., in the amount of \$50,000, for continuation of the Rural Elderly Assistance Program for the 2009/2010 Fiscal Year; and
- B. Authorize the Chairman or Vice Chairman to execute the Agreement and related documents necessary to implement the project.

[Funding: Fund 129/CDBG – Cost Center to be assigned]

9. **Recommendation Concerning the Emergency Shelter Grant Program Agreement with Loaves and Fishes Soup Kitchen, Inc. – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding the 2009/2010 Emergency Shelter Grant Program (ESG) Agreement with Loaves and Fishes Soup Kitchen, Inc.:

- A. Approve an Agreement with Loaves and Fishes Soup Kitchen, Inc., detailing the utilization of a maximum of \$147,696 (comprised of \$87,119 in 2009 ESG funds and \$60,577 in Fund 124/Affordable Housing funds) to support salary and/or operational costs of the Loaves and Fishes Homeless Center, located at 257 East Lee Street; and
- B. Authorize the Chairman or Vice Chairman to execute the subject Agreement and all related documents required to complete the project.

[Funding: Fund 110/ESG – Cost Center to be assigned and Fund 124/Affordable Housing – Cost Center 220406]

10. Recommendation Concerning Fiscal Year 2009/2010 Fair Housing Services Agreement – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board take the following action regarding the 2009/2010 Fair Housing Services Agreement with the Escambia-Pensacola Human Relations Commission:

- A. Approve the 2009/2010 Community Development Block Grant (CDBG) funded Fair Housing Services Agreement with the Escambia-Pensacola Human Relations Commission, providing a total of \$18,500 for the 2009/2010 Fiscal Year; and
- B. Authorize the Chairman or Vice Chairman to execute the Agreement and all documents required to implement the Agreement.

[Funding: Fund 129/CDBG – Cost Center to be assigned]

11. Recommendation Concerning the Englewood Redevelopment Plan Interlocal Agreement – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the Interlocal Agreement between Escambia County Board of County Commissioners and the City of Pensacola:

- A. Approve an Interlocal Agreement between the Escambia County Board of County Commissioners and the City of Pensacola, relating to the Englewood Redevelopment Plan, to continue County funding and provision of services for the area of the Englewood neighborhood, within the Englewood Area Redevelopment Plan, annexed by the City of Pensacola, as shown on the map in Exhibit A; and
- B. Authorize the Chairman to sign the Interlocal Agreement.

[Funding Source: Fund 151, Englewood Tax Increment Financing (TIF) Trust Fund, Cost Center 220520]

12. **Recommendation Concerning the HPRP Substantial Amendment to the 2008 Escambia Consortium Annual Action Plan – Sandra P. Jennings, E.I., Neighborhoods/ Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding approval of the Homelessness Prevention and Rapid Re-Housing Program (HPRP)/Substantial Amendment to 2008 Escambia Consortium Annual Action Plan by the U.S. Department of Housing and Urban Development (HUD) and the award of \$855,417 in HUD HPRP funds (Grant #S-09-UY-12-0022):

- A. Acknowledge for the Official Record HUD approval of the Homelessness Prevention and Rapid Re-Housing Program (HPRP)/Substantial Amendment to 2008 Escambia Consortium Annual Action Plan and accept the award of HUD HPRP funds, in the amount of \$855,417, as provided through Grant #S-09-UY-12-0022;
- B. Ratify the County Administrator's execution of the HPRP Agreement as required by HUD;
- C. Approve the HPRP Agreement with the EscaRosa Coalition on the Homeless, Inc., providing \$131,386 in HPRP administrative funds for homeless Continuum of Care (CoC) agency coordination and HPRP program funds, for implementation of the Homeless Management Information System (HMIS);
- D. Approve the HPRP Agreement with Catholic Charities of Northwest Florida, Inc., providing \$702,646 in HPRP program funds, for direct service delivery and case management services to HPRP-eligible clients in Escambia County, subject to legal signoff; and
- E. Authorize the Chairman, Vice Chairman or County Administrator, as appropriate, to execute all Grant-related documents as required, to receive HPRP funds and implement all aspects of the HPRP Program.

[Funding: Fund 110/Other Grants – Cost Center 220506]

13. Recommendation Concerning Commercial Façade, Landscape and Infrastructure Grant Program Cancellation of Liens – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board ratify the following action of the Community Redevelopment Agency (CRA) concerning the Commercial Façade, Landscape, and Infrastructure Grant Program:

- A. Approving the following two Commercial Façade, Landscape, and Infrastructure Grant Program Cancellation of Liens, since the Grant recipients have met their Grant requirements:

<u>Property Owner's Name</u>	<u>Property Address</u>	<u>Lien Amount</u>
Paul D. Stinson	3520 Mobile Highway	\$10,000
Eddie Zarahn	229 Beverly Parkway	\$ 9,302.50; and

- B. Authorizing the Chairman to execute the Cancellation of Liens.

14. Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements at 1280 Mahogany Mill Road, Unit 12 – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements at 1280 Mahogany Mill Road, Unit 12:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Steven M. Adamson and Jacqueline G. Adamson, owners of residential property located at 1280 Mahogany Mill Road, Unit 12, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$1,413, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for the following improvements: Install a new roof; and
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

15. Recommendation Concerning Residential Rehab Grant Program Cancellation of Liens – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board ratify the following action of the Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Program:

- A. Approving the following eight Residential Rehab Grant Program Cancellation of Liens, since the Grant recipients have met their Grant requirements:

<u>Property Owner's Name</u>	<u>Property Address</u>	<u>Lien Amount</u>
Leigh Fellner	1303 N. Green St.	\$1,450.50
Guy Fisher	517 Edgewater Drive	\$6,000.00
Kimberly Jones	15 Srant Drive	\$3,016.00
Michael H. Kilmer and Rivka R. Kilmer	2818 West Jackson St.	\$1,100.00
Zoltan Nagy-Perge and Ildiko Nagy-Perge	742 Citrus Street	\$3,206.00
Michael A. Liebeno and Audrey Faragher-Liebeno	1208 Wisteria Avenue	\$3,121.50
Susan Smith	429 Baublits Court	\$2,052.50
Lois G. Hemmer	2930 W. Jackson St.	\$4,962.00; and

- B. Authorizing the Chairman to sign and execute the Cancellation of Liens.

16. Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements at 502 Lakewood Road – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements at 502 Lakewood Road:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Charles A. Swann and Toni E. Swann, owners of residential property located at 502 Lakewood Road, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$5,404, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, Object Code 58301, for the following improvements: Install new storm windows and storm shutters; and
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

17. Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements at 1127 West Maxwell Street – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board ratify the following action of the Escambia County Community Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements at 1127 West Maxwell Street:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Ella M. Walker, owner of residential property located at 1127 West Maxwell Street, Pensacola, Florida, in the Englewood Redevelopment Area, each in the amount of \$1,044, representing an in-kind match through the Englewood Tax Increment Financing (TIF), Fund 151, Cost Center 220520, Object Code 58301, for the following improvements: Sanitary sewer connections; and
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

18. **Recommendation Concerning 2008-2009 State Homeland Security Grant Program Subrecipient Agreement for Expenditure of Local Government Unit Funding for Florida – Frank H. Edwards, Public Safety Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the 2008-2009 State Homeland Security Grant Program Subrecipient Agreement for Expenditure of Local Government Unit Funding for Florida:

- A. Approve the Agreement between Escambia County, Florida, and the State of Florida, Department of Financial Services; and
- B. Authorize the Chairman to sign the Agreement.

(This Grant will provide reimbursement of up to \$33,600 for HazMat equipment sustainment and \$21,285 for HazMat team training.)

19. **Recommendation Concerning Amendment #14 to the Agreement with the City of Pensacola for Reimbursement Payments for 9-1-1 Call-Takers at the Pensacola Police Department – Frank H. Edwards, Public Safety Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning Amendment #14 to the Agreement between Escambia County and the City of Pensacola providing for reimbursement payments for 9-1-1 call-takers at the Pensacola Police Department, for the period October 1, 2009, through September 30, 2010:

- A. Approve and authorize the Chairman to sign Amendment #14 revising Article IV (Term and Termination) of the initial Agreement entered into on January 23, 1996; and,
- B. Approve issuance of a Purchase Order to the City of Pensacola, in the amount of \$247,052, for the purpose of payments in accordance with the Agreement.

[Funding Source: Fund 145/E9-1-1 Operations Fund, Cost Center 330404, Account Code 53401]

20. **Recommendation Concerning Fiscal Year 2009-2010 Contract Agreement for Mosquito Control – Joy D. Blackmon, P.E., Public Works Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning approval of the Fiscal Year 2009-2010 Contract Agreement between the Florida Department of Agriculture and Consumer Services (FDACS) and the Escambia County Board of County Commissioners, FDACS Contract #014948, for Mosquito Control:

- A. Approve the annual Contract Agreement; and
- B. Authorize the Chairman to sign the annual Contract Agreement.

(The expected revenue in the amount of \$35,000 for Fiscal Year 2009-2010 from the State of Florida will supplement funds provided by Escambia County to operate the Mosquito Control Division, Public Works Bureau. This State Grant Funding will be separate from County General Funds and will be held accountable in Cost Center 210902, Fund 106.)

21. **Recommendation Concerning the Sale of Real Property Located at 1608 West De Soto Street – Joy D. Blackmon, P.E., Public Works Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the reduction of minimum bid required for the sale of real property located at 1608 West De Soto Street:

- A. Authorize the sale of the Board's surplus real property, Account Number 15-0980-100, Reference Number 00-0S-00-9060-024-093, acquired by tax deed, to the bidder with the highest offer received from sealed bids above the minimum bid of \$3,017, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
- B. Authorize the Chairman to sign all documents related to the sale.

22. Recommendation Concerning Railroad Reimbursement Agreement with FDOT and CSX Transportation, Inc. – Larry Newsom, Office of Transportation and Traffic Operations Division Manager

RECOMMENDATION: That the Board take the following action concerning the Railroad Reimbursement Agreement with the State of Florida Department of Transportation and CSX Transportation, Inc.:

- A. Approve the Railroad Reimbursement Agreement between the State of Florida Department of Transportation (FDOT), CSX Transportation, Inc., and Escambia County Board of County Commissioners, for CSX Transportation to install the automatic grade crossing signals on Becks Lake Road, with an estimated cost of \$211,850;
- B. Adopt the Resolution authorizing execution of the Agreement; and
- C. Authorize the Chairman to sign the Agreement and the Resolution.

23. Recommendation Concerning the Belle Meadow Community Neighborhood Traffic Plan – Larry Newsom, Office of Transportation and Traffic Operations Division Manager

RECOMMENDATION: That the Board take the following action concerning the Belle Meadow Community Neighborhood Traffic Plan:

- A. Approve waiving the existing Municipal Services Benefit Unit Policy requirements, because a Neighborhood Traffic Plan was established prior to adopting the current guidelines; and
- B. Approve implementation of the Neighborhood Traffic Plan for the following road segments:
 - 1. Westview Lane – Mid-block on north-south portion of Westview Lane – one speed table;
 - 2. Westview Lane – East-west portion of Westview Lane, west of Lewis Street – one speed table;
 - 3. Westview Lane – Between Lewis Street and Belle Meadow Blvd. – one speed table; and
 - 4. Lewis Street – North of Westview Lane – one speed table.

[Funding Source: Fund 351, "Local Option Sales Tax II", Account 210105/56301]

24. **Recommendation Concerning the West Pensacola Heights and King George Community Neighborhood Traffic Plan – Larry Newsom, Office of Transportation and Traffic Operations Division Manager**

RECOMMENDATION: That the Board take the following action concerning the West Pensacola Heights and King George Community Neighborhood Traffic Plan:

- A. Approve waiving the existing Municipal Services Benefit Unit Policy requirements, because a Neighborhood Traffic Plan has been established; and
- B. Approve implementation of the Neighborhood Traffic Plan for the following road segments:
 - 1. Denver Avenue between West Michigan Avenue and Houston Avenue – two tables;
 - 2. Montgomery Avenue between West Michigan Avenue and Houston Avenue – two tables;
 - 3. Dallas Avenue between West Michigan Avenue and Houston Avenue – two tables;
 - 4. Nashville Avenue between West Michigan Avenue and Houston Avenue – two tables;
 - 5. Boulder Avenue between Denver Avenue and Chicago Avenue – two tables;
 - 6. Houston Avenue between Louisville Avenue and Chicago Avenue – two tables;
 - 7. Buckingham Road between Mobile Highway and Wales Avenue – three tables;
 - 8. Coventry Avenue between Houston Avenue and Buckingham Road – one table;
 - 9. Regents Avenue between Houston Avenue and Buckingham Road – one table; and
 - 10. Houston Avenue to 90 degree curve on Deerwood Drive – two tables.

[Funding Source: Fund 352, "Local Option Sales Tax III", Account 210107/56301 and Fund 351, "Local Option Sales Tax II", Account 210105/56301]

25. **Recommendation Concerning Escambia County Adult Drug Court Treatment Program – Catherine White, Drug Court Manager, Court Administration**

RECOMMENDATION: That the Board take the following action concerning the Escambia County Adult Drug Court Treatment Program:

- A. Approve the amended 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 Chairman to sign all related documents; and
- B. Approve funding for the program not to exceed \$233,300, effective October 1, 2008, through October 1, 2009. The amended Agreement may be extended up to a maximum of 90 days upon mutual consent of the parties. The sources of funding are as follows:
 - 1. Florida Department of Corrections - \$12,000;
 - 2. Local Law Enforcement Block Grant - \$ 29,000; and
 - 3. Drug Abuse Trust Fund - \$ 97,800

(THE AMENDED AGREEMENT FOR ESCAMBIA COUNTY ADULT DRUG COURT TREATMENT PROGRAM WILL BE DISTRIBUTED UNDER SEPARATE COVER)

26. **Recommendation Concerning Resolution Supporting Application for 2009-2010 Florida Beach Erosion Control Program Budget – Perdido Key Nourishment Project – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding a Resolution supporting an Application to the Florida Department of Environmental Protection (FDEP) for State funds, for the 2009-2010 Florida Beach Erosion Control Program Budget for the Perdido Key Nourishment Project:

- A. Adopt the Resolution supporting an Application to the FDEP for State funds under Section 161.091, Florida Statutes, for the 2009-2010 Florida Beach Erosion Control Program Budget, to be allocated for the Perdido Key Beach and Dune Restoration Project; and
- B. Authorize the Chairman to sign the Resolution.

[Funding: No direct budgetary impact at this time; however, there will be a local match required when the Perdido Key Nourishment Project is constructed and for continued maintenance of the project post-construction, to maximize eligibility for Federal Emergency Management Agency funds in the event of a declared disaster. Construction is projected to be in the fall of 2010, pending identification of a local funding source.]

27. Recommendation Concerning Fiscal Year 2009-2010 Purchase Orders in Excess of \$50,000 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve the issuance of blanket and or individual Purchase Orders based upon previously-awarded Contracts, Contractual Agreements, or annual requirements for the Fiscal Year 2009-2010, as provided.

III. For Discussion

1. Recommendation Concerning Fair Housing Initiatives Programs – Private Enforcement Initiative Grant Opportunity, Through Escambia County Government Under State or Local Governments Exception and Advance Payment of Reimbursable Funding – Dr. Calvin Avant, Executive Director of the Escambia - Pensacola Human Relations Commission

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

COUNTY ATTORNEY'S REPORT
September 17, 2009

I. **FOR ACTION:**

1. Attorney-Client Session - Escambia County v. McCall & Associates, Inc.
Case No. 2008 CA 000007

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 October 8, 2009 at 8:30 a.m.; and
- B. Approve the attached public notice to be published in the *Pensacola News Journal* on Saturday, September 26, 2009