

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 – October 15, 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 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.

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6. Proclamations/Special Recognition.

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

A. Adopt the following five Proclamations:

- (1) The Proclamation commending and expressing appreciation to Captain Rick Patterson, Corrections Bureau, Road Prison Division, for a selfless, heroic act;
- (2) The Proclamation commending and expressing appreciation to Doyle Sledge, Equipment Operator II, Public Works Bureau, Infrastructure Branch, Roads Division, for a selfless, heroic act;
- (3) The Proclamation commending and expressing appreciation to Mike Willet, Building Inspector, Development Services Bureau, Building Inspections Division, for a selfless, heroic act;
- (4) The Proclamation expressing congratulations and appreciation to the Oriskany Reunion Association and those who served on the Essex-Class Aircraft Carrier USS Oriskany (CV/CVA-34) on the occasion of their 2009 Reunion; and
- (5) The Proclamation congratulating and expressing appreciation to the Pensacola Jewish Federation and the award recipients recognized at the Federation's 2010 fund-raising kick-off event; and

B. Recognize, with a pin and certificate, John Michael "Mike" Kirkland, Engineering Specialist, Engineering Branch of the Infrastructure Division of the Public Works Bureau, for his dedication and 25 years of service to Escambia County.

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7. Written Communication:

- A. May 4, 2009 – Communication from Braden K. Ball, Jr., Shell, Fleming, Davis & Menge, representing Lori Sawyer, requesting that the Board release a Code Enforcement Lien against property located at 803 Escambia Avenue; and
- B. July 2, 2009 – Communication from T. A. Borowski, Jr., Borowski & Duncan, P.A., representing Clifford B. Fields, Jr., requesting that the Board release a Code Enforcement Lien (*against property located at 2617 West Avery Street*).

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 Petition to Vacate a 10-foot-wide alleyway in Block 1, Osceola Country Club Estates Subdivision, as petitioned by 1115 Properties, LLC.**

(TO BE DISTRIBUTED UNDER SEPARATE COVER)

10. **5:32 p.m. Public Hearing for consideration of adopting an Ordinance establishing a Land Purchase Incentive Program for the purchase of certain County-owned industrial property by qualifying businesses.**

Recommendation: That the Board, at the 5:32 p.m. Public Hearing, adopt an Ordinance establishing a Land Purchase Incentive Program for the purchase of certain County-owned industrial property by qualifying businesses.

11. **5:33 p.m. Public Hearing for consideration of adopting an Ordinance amending the Basic Life Support Emergency Medical Services Ordinance.**

Recommendation: That the Board, at the 5:33 p.m. Public Hearing, take the following action concerning the Basic Life Support Emergency Medical Services Ordinance:

A. Adopt an Ordinance amending Chapter 38, Article III, Division 4, of the Escambia County Code of Ordinances, the Basic Life Support Emergency Medical Services Ordinance, to allow the provision of basic life support or non-emergency transport services by certain licensed Emergency Medical Service providers; and

B. Authorize the Chairman to sign the Ordinance.

12. **5:34 p.m. Public Hearing for consideration of the Petition to Close Redwing Drive (66' R/W) to vehicular traffic at its northern terminus at Bush Street, as petitioned by Leonard Ciampini and William Renfroe.**

Recommendation: That the Board take the following action regarding the proposed closure of Redwing Drive (66' R/W) to vehicular traffic at its northern terminus at Bush Street, as petitioned by Leonard Ciampini and William Renfroe:

A. Approve the Petition to Close;

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.

13. Committee of the Whole Recommendation.

(TO BE DISTRIBUTED UNDER SEPARATE COVER)

14. Reports:

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

15. Items added to the agenda.
16. Announcements.
17. Adjournment.

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

CLERK OF THE COURTS & COMPTROLLER'S REPORT
OCTOBER 15, 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 October 2, 2009, in the amount of \$2,182,077.26;
- B. The following two Disbursement of Funds:
 - (1) September 24, 2009, to September 30, 2009, in the amount of \$8,013,038.35; and
 - (2) October 1, 2009, to October 7, 2009, in the amount of \$13,884,785.93;
- C. The Investment Report for the month ended September 30, 2009; and
- D. The Tourist Development Tax Collections Data for Fiscal Year 2008-2009, which includes the August 2009 returns received in the month of September 2009; the 12 months revenue collected to date reflects 96% of the Budget for the Fiscal Year.

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

Recommendation: That the Board approve six (6) forms, *Request for Disposition of Property*, indicating 12 items of equipment to be sold as surplus and/or appropriately disposed of, retroactive to September 30, 2009; the Requests were prepared by various County Bureaus and state the reasons for disposition.

I. CONSENT AGENDA – Continued

3. Recommendation Concerning Internal Audit Reports

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

- A. The Volunteer Fire Stipend Program Internal Audit Report, and the response from Fire Chief Frank Edwards; as outlined in Mr. Edwards' response, he will be implementing changes that address the various recommendations made in the Audit Report; and
- B. The Road Prison Commissary Fund Internal Audit Report, and the response from Mr. Gordon Pike, Bureau Chief, Corrections Bureau; as outlined in Mr. Pike's response, he will be implementing changes that address the various recommendations made in the Audit Report.

4. Recommendation Concerning Acceptance of Document

Recommendation: That the Board accept, for filing with the Board's Minutes, the *Northwest Florida Water Management District Proposed Budget Fiscal Year 2009-2010, effective October 1, 2009*, and a copy of *Resolution No. 733, Adoption of Fiscal Year 2009-2010 Budget*, as provided by N. Jean Whitten, Director, Division of Administration, Northwest Florida Water Management District, and received in the Clerk to the Board's Office on September 30, 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 Regular Board Meeting held October 1, 2009;
- B. Approve the Minutes of the Attorney-Client Session held October 8, 2009;
- C. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held October 1, 2009; and
- D. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held September 10, 2009.

GROWTH MANAGEMENT REPORT

October 15, 2009

I. CONSENT AGENDA

1. Scheduling of Public Hearings

RECOMMENDATION:

That the Board authorize the scheduling of Public Hearing(s):

- A. **5:46 p.m. – Thursday, November 5, 2009, Transmittal Hearing –**
Comprehensive Plan Amendment – Evaluation & Appraisal Report (EAR)
Based Amendments.
- B. **5:47 p.m. – Thursday, November 5, 2009, Adoption Public Hearing –**
Comprehensive Amendment, Capital Improvement Program.
- C. **5:48 p.m. – Thursday, November 5, 2009 Public Hearing –** Land
Development Code (LDC) Ordinance, amending Articles 3 & 6 “Mobile
Vending Units.”

**COUNTY ADMINISTRATOR'S REPORT
OCTOBER 15, 2009**

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning United Way Annual "Day of Caring" – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board support the annual "Day of Caring", sponsored by the United Way of Escambia County as a public purpose, thereby authorizing a maximum of eight hours of administrative leave with pay, on October 23, 2009, for employees who voluntarily participate in this event, and extend Worker's Compensation coverage to County Employees involved in this event.

2. **Recommendation Concerning the Scheduling of a Public Hearing – Uniform Method of Collection for Non-Ad Valorem Special Assessments – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board authorize the scheduling of a Public Hearing on December 10, 2009 at 5:31 p.m., to consider the adoption of a Resolution establishing their intent to use the Uniform Method of Collection for Non-Ad Valorem Special Assessments, as provided in Florida Statutes 197.3632.

3. **Recommendation Concerning Appointments to the Escambia County Contractor Competency Board – Thomas Lloyd Kerr, Development Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning appointments to the Escambia County Contractor Competency Board:

- A. Waive Board Policy B.1, "Appointment Policy and Procedures"; and
- B. Re-appoint the following three members, for a three-year term, effective October 1, 2009, through September 30, 2012:
 - 1. David L. Schwartz, Jerry Lee Chemical Company (Swimming Pool Contractor);
 - 2. Victor C. Wallace, Wallace Sprinkler & Supply, Inc., (Irrigation/Sprinkler Contractor); and
 - 3. James F. Lee, (Lay Person).

4. **Recommendation Concerning Muscogee Creek Indian Museum and Cultural Center Avigation Easement – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding the Muscogee Creek Indian Museum and Cultural Center Avigation Easement:

- A. Adopt the Dedication of an Avigation Easement in and over Escambia County property to be used for the Muscogee Creek Indian Museum and Cultural Center; and
- B. Authorize the Chairman to sign all documents related to the Avigation Easement.

[Funding: No budgetary impact]

5. **Recommendation Concerning Interlocal Agreement for Oversight and Responsibility of ECAT Bus Shelter Facilities Located in the City of Pensacola – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board rescind the Board's action of May 7, 2009, approving the Interlocal Agreement between Escambia County and the City of Pensacola relating to the transfer of oversight and responsibility of bus shelter facilities located in the City of Pensacola for riders of the Escambia County Area Transit (ECAT) system to Escambia County.

6. **Recommendation Concerning CRA 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 September 17, 2009, Community Redevelopment Agency Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.

7. **Recommendation Concerning Certificate of Need for Advanced Disposal Services Gulf Coast, LLC – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning a Certificate of Need for Advanced Disposal Services Gulf Coast, LLC:

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

8. **Recommendation Concerning Non-Exclusive Long Term Franchise Agreement for the Collection of Commercial Solid Waste with Advanced Disposal Services Gulf Coast, LLC – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning a Non-Exclusive Long Term Franchise Agreement for the Collection of Commercial Solid Waste with Advanced Disposal Services Gulf Coast, LLC:

- A. Approve an Agreement permitting Advanced Disposal Services Gulf Coast, LLC, to haul commercial solid waste in Escambia County; and
- B. Authorize the Chairman to sign the Agreement.
9. **Recommendation Concerning the Scheduling of a Public Hearing to Vacate a Portion of Pine Road – Joy D. Blackmon, P.E., Public Works Bureau Chief**

RECOMMENDATION: That the Board authorize the scheduling of a Public Hearing for November 19, 2009, at 5:31 p.m., to consider the Petition to Vacate a portion of Pine Road (108 feet x 50 feet = 5,400 square feet or 0.12 acres), in Treasure Hill Park Subdivision, as petitioned by Scott Fraley.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Letter of Agreement for "Buy Back" Medicaid Reimbursement Reductions – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve the Letter of Agreement with the State of Florida to allow local government dollars, in the amount of \$258,889, to be used to "buy back" Medicaid reimbursement reductions on behalf of Baptist and Sacred Heart Hospitals.

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

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #4, General Fund, in the amount of \$260,000, to recognize contributions from Sacred Heart and Baptist Hospitals and to appropriate these funds accordingly.

3. Recommendation Concerning Agreement to Offset County's Medicaid Obligations – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve the Agreement with the Baptist and Sacred Heart Hospitals for each to provide funding to the County to offset the County's Medicaid obligations. Sacred Heart will contribute a total of \$184,000, and Baptist will contribute \$76,000.

4. **Recommendation Concerning an Interfund Loan to Finance a Portion of Apparatus Purchase for Fire/Rescue and Supplemental Budget Amendment #9 – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning an Interfund loan to finance a portion of an apparatus purchase for Fire/Rescue:

- A. Approve an Interfund loan between the Self-Insurance Fund (501) and the Local Option Sales Tax III Fund (352), in the amount of \$2,300,000, to finance a portion of an apparatus purchase for Fire/Rescue. These funds will be repaid over a five-year period at the prevailing interest rate of the County's investment portfolio; and
- B. Adopt the Resolution approving Supplemental Budget Amendment #9, in the amount of \$3,298,658, to recognize estimated FEMA proceeds and an Interfund loan and to appropriate these funds for the purchase of fire apparatus.

5. **Recommendation Concerning Purchase Order to Purchase Equipment for Fire Services – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board authorize the County to piggyback off of the Florida Sheriff's Association Contract 08-08-0909 in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, and award a Purchase Order to Sunbelt Fire Inc., in the amount of \$4,611,943, for the purchase of 5 Rescue Pumps, 2 HP 100-foot Aerial Quints, 1 Tanker and 1 HP 95-foot Platform on Cyclone II. [Funding: Fund 352, Local Option Sales Tax III, Cost Center 330228, Fire Services Capital Projects, Object Code 56401, Machinery and Equipment]

6. **Recommendation Concerning Fiscal Year 2009/2010 Miscellaneous Appropriations Agreement for the Arts Council of Northwest Florida, Inc. – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning approval of the Fiscal Year 2009/2010 Miscellaneous Appropriations Agreement for The Arts Council of Northwest Florida, Inc.:

- A. Approve the Miscellaneous Appropriations Agreement for \$150,000, to be paid from the 4th Cent Tourist Development Tax Fund (108), Cost Center 360105;
- B. Authorize the Chairman to sign the Agreement and all other necessary documents; and
- C. Authorize the execution of the necessary Purchase Order.

7. **Recommendation Concerning Fiscal Year 2009/2010 Miscellaneous Appropriations Agreement for Pensacola-Escambia Human Relations Commission – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning approval of the Fiscal Year 2009/2010 Miscellaneous Appropriations Agreement for Pensacola-Escambia Human Relations Commission:

- A. Approve the Miscellaneous Appropriations Agreement for \$88,700, to be paid from the General Fund (001), Cost Center 110201;
- B. Authorize the Chairman to sign the Agreement and all other necessary documents; and
- C. Authorize the execution of the necessary Purchase Order.

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

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #5, Escambia Restricted Fund (101), in the amount of \$3,000, to recognize funds received from various Parks and Recreation events and to appropriate these funds for future recreational activities.

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9. Recommendation Concerning Budget Amendment #6 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve Budget Amendment #6, General Fund (001), in the amount of \$138, to cover an increase in the Property Appraiser's Budget due to a salary change.

10. Recommendation Concerning Purchases Orders on Previously-Awarded Contracts in Excess of 50,000 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board for Fiscal Year 2009-2010 approve the issuance of individual Purchase Orders in excess of \$50,000, based upon previously-awarded annual requirements as follows:

- | | | |
|----|--|----------------|
| A. | City of Pensacola | \$3,508,430.00 |
| | Vendor Number: 033300 | |
| | Northwest Florida Regional Library | |
| | Fund: 001 | |
| | Cost Center: 110201 | |
| | Account Code: 58102 | |
| B. | Northwest Florida Legal Services, Inc. | \$124,688.00 |
| | Vendor Number: 141832 | |
| | Legal Aid | |
| | Fund: 115 | |
| | Cost Center: 410802 | |
| | Account Code: 58201 | |
| C. | O'Sullivan, Creel, LLP | \$157,430.50 |
| | Vendor Number: 150323 | |
| | Audit Services | |
| | Fund: 001 | |
| | Cost Center: 140201/410701 | |
| | Account Code: 53101 | |

11. Recommendation Concerning Supplemental Budget Amendment #7 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #7, Other Grants & Projects Fund (110), in the amount of \$143,650, to recognize proceeds from a Florida Department of Law Enforcement Subgrant, Grant Number 2010-ARRC-ESCA-2-W7-003, Escambia County Drug Court Program and to appropriate the funds for Drug Court activities.

12. Recommendation Concerning Supplemental Budget Amendment #8 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #8, Other Grants & Projects Fund (110), in the amount of \$4,588,429, 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.

13. Recommendation Concerning Purchase Orders and Blanket Purchase Orders in Excess of \$50,000 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve the following amounts for Fiscal Year 2009-2010 to issue Purchase Orders and/or Blanket Purchase Orders in excess of \$50,000, from previously-awarded or approved annual requirement Contracts or Contractual Agreements, as follows:

	Contractor	Not- to-Exceed Amount	Contract
A.	Delta Dental Insurance Company Vendor # 040643 Dental Insurance Cost Center 140803 Claims - \$600,000/Admin - \$70,000	\$670,000	PD 02-03.61
B.	Blue Cross Blue Shield of Florida Vendor #023808 Health Insurance Cost Center 140804	\$13,203,561	PD 08-09.042
C.	Standard Life Insurance Company Life Insurance Cost Center 140805	\$470,000	PD 08-09.042

[Funding Source: Fund 501, Internal Service Fund]

14. **Recommendation Concerning Purchase Order for Temporary Employment Services at Escambia County Animal Shelter – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board approve and authorize a blanket Purchase Order, in an amount not-to-exceed \$90,000, to Staffco Management Group, Inc., CMI, dba American Staffing Resources, for the purpose of temporary employment services at the Escambia County Animal Shelter for Fiscal Year 2009-2010, with funding available through the General Fund (001), Cost Center 220204, Animal Services Administration.

15. **Recommendation Concerning Supplemental Joint Participation Agreement Project for Fiscal Year 2009-2010 Block Grant Funding ECAT – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning Supplemental JPA (Joint Participation Agreement) Project Number 41410118401, providing Fiscal Year 2009-2010 Block Grant funding for Escambia County Area Transit:

- A. Ratify the Chairman's signature on the Multi-Year Joint Participation Agreement Notification of Funding #3, in accordance with the terms of the Joint Participation Agreement, between the Florida Department of Transportation and Escambia County, Transit Block Grant, identified by Project Number 41410118401, Contract #AOJ68, providing for Block Grant transit operating assistance, in the amount of \$726,561; and
- B. Ratify the Chairman's signature on the Authorizing Resolution R2009-206.

[Funding: No additional cost to the County]

16. **Recommendation Concerning the HUD HOME Program Grant – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding implementation of the \$1,795,021 2009 HUD HOME (Housing and Urban Development) (Home Investment Partnerships Act) Program Grant (#M-09-DC-12-0225):

- A. Approve the HOME Program Interlocal Agreement with the City of Pensacola providing for the utilization of \$408,798 in 2009 HOME funds and \$50,000 in State Housing Initiatives Partnership (SHIP) program matching funds to support approved Substantial Housing Rehabilitation/ Reconstruction Assistance, and related project management activities within the City of Pensacola, with an effective date of October 15, 2009;
- B. Approve the HOME Program Interlocal Agreement with Santa Rosa County, providing for the utilization of \$299,623 in 2009 HOME funds, to support approved Substantial Housing Rehabilitation/Reconstruction assistance and related project management activities within Santa Rosa County, with an effective date of October 15, 2009;
- C. Authorize the Chairman or Vice Chairman to execute the Interlocal Agreements and all documents required to implement HOME project activities; and
- D. Authorize the Office of the Clerk of the Circuit Court to record the Interlocal Agreements in the Official Records of Escambia County.

[Funding: Fund 147/2009 HOME Grant, Cost Center to be assigned by OMB and Fund 120/2009 SHIP Program, Cost Center 220428]

COUNTY ADMINISTRATOR'S REPORT

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17. Recommendation Concerning Change Order for Restoration of the Old County Courthouse – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

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

Bureau:	Neighborhoods/Community Services	
Division:	Neighborhood Redevelopment	
Type:	Addition	
Amount:	\$22,511.85	
Vendor:	Greenhut Construction Company, Inc.	
Project Name:	Restoration of the Old County Courthouse	
Contract:	PD 06-07.045	
PO#:	280478	
CO#:	11	
Original Award Amount:		\$59,577.00
Cumulative Amount of Change Orders through CO#11		<u>\$1,417,161.08</u>
New Contract Total:		\$1,476,738.08

[Funding Source: Fund 129, 2008 Community Development Block Grant (CDBG), ADA Improvements to County Facilities, Cost Center 220563, Account 56201, in the amount of \$2,165; Fund 352, Local Option Sales Tax III, Natural Resources/Community Redevelopment Program Area, Cost Center 220102, in the amount of \$20,346.85]

18. **Recommendation Concerning Recreation Fees Increases and Changes for Fiscal Year 2009-2010 – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding the Board-approved Recreation Fees Increases and Changes for Fiscal Year 2009-2010, Neighborhoods/Community Services Bureau, Parks Programs Division, resulting in an increase of approximately \$74,580 in revenue, effective October 1, 2009:

- A. Adopt the Resolution revising the schedule of recreation fees for use of Escambia County Parks and Recreation Facilities;
- B. Approve amending the following Board Policies, pertaining to fees for use of Escambia County Parks and Recreation Facilities, effective October 1, 2009:
 - 1. “Use and Fees for County Parks”: Section 1; D.3;
 - 2. “Lake Stone Campground Rules and Regulations”: Section 1; D.3.C; and
- C. Authorize the Chairman to sign the Resolution.

[Funding: General Fund 001/ Cost Centers 220801 (Adult Sports), 220803 (Recreation), and 220804 (Lake Stone)]

19. **Recommendation Concerning Memorandum of Understanding for Access to the eCivis Grant Locator Program – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Memorandum of Understanding (MOU) with Pensacola-Escambia Clean Community Commission, Inc., to provide access to the eCivis Grant Locator Program:

- A. Approve the Memorandum of Understanding between Escambia County and Pensacola-Escambia Clean Community Commission, Inc.; and
- B. Authorize the Chairman to sign the MOU.

[Funding Source: Fund 401, Solid Waste Environmental Quality, Cost Center 220602, Object Code 55201]

20. **Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements Located at 302 Bryant 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 302 Bryant Road:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Michael E. Dancer, owner of residential property located at 302 Bryant Road, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$3,711, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements: Install new storm windows; and
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

21. **Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements Located at 416 South 1st 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 416 South 1st Street:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Wanda D. Brown, owner of residential property located at 416 South 1st Street, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$5,685, representing an in-kind match through the Warrington Tax Increment Financing (TIF), Fund 151, Cost Center 220516, Object Code 58301, for the following improvements: Install a new central heating and air conditioning system; and
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

22. **Recommendation Concerning Sign Grant Funding Agreement Located at 3701 North Pace Boulevard – 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 Sign Grant Funding Agreement at 3701 North Pace Boulevard:

- A. Approving the Sign Grant Program Funding Agreement between Escambia County CRA and Climate Control Contractors, Inc., owner of commercial property located at 3701 North Pace Boulevard, Pensacola, Florida, in the Palafox Redevelopment Area, in the amount of \$1,437, representing an in-kind match through the Palafox Tax Increment Financing (TIF), Fund 151, Cost Center 220517, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc., 2007 Community Development Block Grant, Fund 129, Cost Center 220555, Object Code 58301, for the following improvements: Upgrades to the existing signage; and
- B. Authorizing the Chairman to sign the Funding Agreement and any related documents necessary to implement this Grant award.

23. **Recommendation Concerning Revocable License Agreement for ECAT Public Bus Stop Shelter – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Revocable License Agreement Between the District Board of Trustees of Pensacola Junior College and Escambia County, for installation and maintenance of a public bus stop shelter, adjacent to Underwood Avenue, in connection with Escambia County Area Transit's public transportation service:

- A. Acknowledge, for the Official Record, approval of the Revocable License Agreement between the District Board of Trustees of Pensacola Junior College and Escambia County, detailing the terms of the Agreement, location and use of the property, property condition and maintenance, insurance, termination, notices, compliance with laws, and miscellaneous items further clarifying the extent of the Agreement; and
- B. Ratify the Chairman's signature on the executed Agreement.

[Funding: Fund 320, Cost Center 220210 – FY 2009 FTA Grant Funds]

24. Recommendation Concerning Purchase Order for Navy Federal Credit Union Greater Pensacola Operations – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve Purchase Order Number 100001 to Navy Federal Credit Union Greater Pensacola Operations, for the amount of \$1,000,000, for Economic Development Incentives, as set out in the Economic Development Incentive Fund Program Agreement between Escambia County Board of Commissioners and Navy Federal Credit Union, approved on September 3, 2009. [Funding: Fund 102, Economic Development; Cost Center 360704, Object Code 58201]

25. Recommendation Concerning Task Order Contract for CR 453 “W” Street Milling, Resurfacing and Roadway Improvements, from Fairfield Drive to SR 95 (US 29) – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning a Task Order Contract, PD 08-09.081, Construction, Engineering and Inspection for County Road 453 “W” Street Milling, Resurfacing and Roadway Improvements, from Fairfield Drive to State Road 95 (US 29):

A. Approve the Selection/Negotiation Committee Ranking:

1. Hatch Mott McDonald, LLC
2. Mehta Associates, Inc.
3. Metric Engineering, Inc.

B. Award Task Order Contract, PD 08-09.081, Construction, Engineering and Inspection for CR 453 “W” Street Milling, Resurfacing and Roadway Improvements, from Fairfield Drive to SR 95 (US 29), to Hatch Mott McDonald, LLC, in the amount of \$229,519.14, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

[Funding: Fund 352, LOST III, Cost Center 210108, Object Code 56301, Project Number 09EN0483-Financial Projects Number: 426680-1-Federal Aid Project Number: ARRA-530-B]

26. Recommendation Concerning Price Adjustment for Solid Waste Container Contract – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board authorize a 5 percent price adjustment to Contract PD 07-08.040, Solid Waste Container, with an effective date of October 15, 2009, as requested by the County Administrator Designee, David Wheeler. [Funding: Fund 001, General Fund, Cost Center 210602, Object Code 54301]

27. Recommendation Concerning Extension of Licensee Advertising Agreement to Provide Exterior Advertising for Fixed Route Buses Operated by ECAT – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve the one-year extension of the Licensee Advertising Agreement to Provide Exterior Advertising for Fixed Route Buses Operated By Escambia Area Transit, PD 05-06.018, with Transit Advertising Limited, Inc., effective January 1, 2010, through December 31, 2010. [Funding: Fund 104, Mass Transit Fund, Object Code 344902, Advertising Revenue]

28. Recommendation Concerning M.C. Blanchard Soffit Mitigation Project – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board award Contract, PD 08-09.102, M.C. Blanchard Soffit Mitigation Project, to Cajun Contractors, Inc., in the amount of \$128,592. [Funding: Fund 112, Disaster Recovery Fund, Object Code 56201, Cost Center 330465]

29. Recommendation Concerning Landfill Gas Collection and Control System Modernization and Expansion Design – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning a Task Order Award for PD 08-09.088, Landfill Gas Collection & Control System Modernization and Expansion Design:

A. Approve the Selection/Negotiation Committee Ranking:

1. Geosyntec Consultants
2. Jones Edmunds & Associates, Inc.
3. HDR Engineering, Inc.

B. Award a Task Order, PD 08-09.088, Landfill Gas Collection & Control System Modernization and Expansion Design, per the terms and conditions of PD 02-03.079, Professional Services, as Governed by Florida Statute 287.055, to Geosyntec Consultants for a lump sum amount of \$130,098.

[Funding: Fund 401, Solid Waste Fund, Account 56301, Cost Center 220605]

30. **Recommendation Concerning Professional Services as Governed by Florida Statute 287.055 (A&E Services) – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning Professional Services as Governed by Florida Statute 287.055 (A&E Services):

- A. Award Task-Order-based Continuing Contracts to Bay Design Associates Architects per, PD 02-03.79, Professional Services as Governed by Florida Statute 287.055 (A&E Services), on a “Maximum Ceiling” basis fee schedule as follows:

Maximum Overhead – 168%

Maximum Profit – 12%

Maximum FCCM – 1.50%

Maximum Multiplier – 301.66% (providing no single item above is exceeded)

Existing Hourly Rates for each firm (based on an audited or auditable financial package)

- B. Authorize the Division(s), in conjunction with the Office of Purchasing to negotiate Task Orders according to F.S. 287.055 “Consultants’ Competitive Negotiation Act” (A&E Services), on a project-by-project basis.

31. **Recommendation Concerning Hot in Place Asphalt Project for Quintette Road, Longleaf Drive, Community Drive, Johnson Avenue, Tate Road, North Tate School Road, Tate School Road, and Ten Mile Road – Joy D. Blackmon, P.E., Public Works Bureau Chief**

RECOMMENDATION: That the Board authorize the County to piggyback off the Agreement between the City of Margate and Cutler Repaving, Inc., for Hot in Place Asphalt Project Bid No. 2009-010, for an amount not to exceed \$480,400.22, for repaving portions of Quintette Road, Longleaf Drive, Community Drive, Johnson Avenue, Tate Road, North Tate School Road, Tate School Road, and Ten Mile Road, in accordance with the Escambia County Code of Ordinances Chapter 46-44, Applications and Exemptions and Section 46-84, Board approval, to award a Contract to Cutler Repaving, Inc. [Funding: Fund 352, Local Option Sales Tax III Fund, Cost Center 210107, Object Code 56301, Project Number 08EN0208, Resurfacing]

32. Recommendation Concerning Purchase Order for Various Road Materials Pricing Agreement 2007 – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board approve issuance of a Purchase Order to Roads, Inc., of NWF, in the amount of \$464,550, on Contract PD 06-07.082 “Various Road Materials Pricing Agreement 2007”, to provide hot mix asphalt to Escambia County. Escambia County Road Division will deliver hot mix asphalt to site for contractor for the following resurfacing projects: East Quintette Road from North Highway 95A to the Escambia County Line; Community Drive from Longleaf Drive to Bellview Avenue; Longleaf Drive from Pine Forest Road to Kemp Road; East Johnson Avenue from Airway Drive to Davis Highway; Tate Road from North Tate School Road to West Roberts Road; North Tate School Road from South Highway 29 to Tate Road; Tate School Road from South Highway 29 to Tate Road; and Ten Mile Road from Chemstrand Road to North Palafox Street. [Funding Source: Fund 352, “Local Option Sales Tax III”, Account 210107/56301, Project No. 08EN0208, “Resurfacing”]

33. Recommendation Concerning Contract Award for CR 95A Old Palafox Milling, Resurfacing and Roadway Improvements, from Memory Lane to Duke Avenue – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board award Contract, PD 08-09.059, CR 95A Old Palafox Milling, Resurfacing and Roadway Improvements, from Memory Lane to Duke Avenue, to Panhandle Grading & Paving, Inc., in the amount of \$1,037,710.

[Funding: Fund 352, LOST III, (Federal Stimulus Grant Reimbursement), Cost Center 210108, Object Code 56301, Project Number 09EN0433-Financial Projects Number: 426678-1-Federal Aid Project Number: ARRA-530-B]

34. **Recommendation Concerning Task Order Contract for Construction, Engineering and Inspection for CR 95A Old Palafox, from Nine Mile Road to East Roberts Road – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning Task Order Contract PD 08-09.079, Construction, Engineering and Inspection for CR 95A Old Palafox, from Nine Mile Road to East Roberts Road:

A. Approve the Selection/Negotiation Committee Ranking:

1. Volkert Construction Services, Inc.
2. Mehta and Associates, Inc.
3. Jehle-Halstead, Inc.

B. Award Task Order Contract, PD 08-09.079, Construction, Engineering and Inspection for CR 95A Old Palafox Milling, Resurfacing and Roadway Improvements, from Nine Mile Road to East Roberts Road, to Volkert Construction Services, Inc., in the amount of \$78,015.43, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

[Funding: Fund 352, LOST III, (Federal Stimulus Grant Reimbursement), Cost Center 210108, Object Code 56301, Project Number 09EN0505-Financial Projects Number: 426677-1, Federal Aid Project Number: ARRA-530-B]

35. Recommendation Concerning Task Order Contract for Construction, Engineering and Inspection for CR 95A Old Palafox, from Memory Lane to Duke Avenue – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning Task Order Contract PD 08-09.080, Construction, Engineering and Inspection for CR 95A Old Palafox, from Memory Lane to Duke Avenue:

A. Approve the Selection/Negotiation Committee Ranking:

- 1. Metric Engineering, Inc.**
- 2. Mehta and Associates, Inc.**
- 3. Hatch Mott McDonald, LLC**

B. Award Task Order Contract, PD 08-09.080, Construction Engineering and Inspection for CR 95A Old Palafox Street Milling, Resurfacing and Roadway Improvements, from Memory Lane to Duke Avenue, to Metric Engineering, Inc., in the amount of \$172,719.12, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

[Funding: Fund 352, LOST III, (Federal Stimulus Grant Reimbursement), Cost Center 210108, Object Code 56301, Project Number 09EN0433-Financial Projects Number: 426678-1-Federal Aid Project Number: ARRA-530-B]

36. Recommendation Concerning Task Order Contract for Construction, Engineering and Inspection for CR 498 Copter Road, from Ellyson Park Entrance to Nine Mile Road – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning Task Order Contract PD 08-09.082, Construction, Engineering and Inspection for CR 498 Copter Road, from Ellyson Park Entrance to Nine Mile Road:

A. Approve the Selection/Negotiation Committee Ranking:

1. Dyer, Riddle, Mills & Precourt, Inc.
2. Hatch Mott McDonald, LLC
3. Jehle-Halstead, Inc.

B. Award Task Order Contract, PD 08-09.082, Construction, Engineering and Inspection (CEI) for CR 498 Copter Road Milling, Resurfacing and Roadway Improvement, from Ellyson Park Entrance to Nine Mile Road, to Dyer, Riddle, Mills & Precourt, Inc., in the amount of \$45,363.36, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

[Funding: Fund 352, LOST III, (Federal Stimulus Grant Reimbursement), Cost Center 210108, Object Code 56301, Project Number 09EN0514-Financial Projects Number: 426677-1, Federal Aid Project Number: ARRA-530-B]

37. **Recommendation Concerning Task Order Contract for Construction, Engineering and Inspection for CR 297 Dog Track Road, from Gulf Beach Highway to Blue Angel Parkway – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning Task Order Contract PD 08-09.083 Construction, Engineering and Inspection for CR 297 Dog Track Road, from Gulf Beach Highway to Blue Angel Parkway:

A. Approve the Selection/Negotiation Committee Ranking:

1. Mehta and Associates, Inc.
2. Volkert Construction Services, Inc.
3. Dyer, Riddle, Mills & Precourt, Inc.

B. Award Task Order Contract, PD 08-09.083, Construction, Engineering and Inspection for CR 297 Dog Track Road Milling, Resurfacing and Roadway Improvements, from Gulf Beach Highway to Blue Angel Parkway, to Mehta and Associates, Inc., in the amount of \$33,010.38, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

[Funding: Fund 352, LOST III, (Federal Stimulus Grant Reimbursement), Cost Center 210108, Object Code 56301, Project Number 09EN0492-Financial Projects Number: 426676-1, Federal Aid Project Number: ARRA-530-B]

38. **Recommendation Concerning Task Order Contract for Construction, Engineering and Inspection for CR 297A Dog Track Road, from Blue Angel Parkway to Hwy 98 – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning Task Order Contract PD 08-09.085, Construction, Engineering and Inspection for CR 297A Dog Track Road, from Blue Angel Parkway to Hwy 98:

- A. Approve the Selection/Negotiation Committee Ranking:
1. Mehta and Associates, Inc.
 2. Volkert Construction Services, Inc.
 3. Dyer, Riddle, Mills & Precourt, Inc.
- B. Award Task Order Contract, PD 08-09.085, Construction, Engineering and Inspection for CR 297A Dog Track Road Milling, Resurfacing and Roadway Improvements, from Blue Angel Parkway to Hwy 98, to Mehta and Associates, Inc., in the amount of \$79,261.65, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

[Funding: Fund 352, LOST III, (Federal Stimulus Grant Reimbursement), Cost Center 210108, Object Code 56301, Project Number 09EN0461-Financial Projects Number: 426891-1, Federal Aid Project Number: ARRA-530-B]

39. **Recommendation Concerning Task Order Contract for Construction, Engineering and Inspection for Johnson Avenue, from Gateswood Drive to Olive Road – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning Task Order Contract PD 08-09.086, Construction, Engineering and Inspection for Milling, Resurfacing and Roadway Improvements for Johnson Avenue, from Gateswood Drive to Olive Road:

A. Approve the Selection/Negotiation Committee Ranking:

1. Jehle-Halstead, Inc.
2. Volkert Construction Services, Inc.
3. Hatch Mott McDonald, LLC

B. Award Task Order Contract, PD 08-09.086, Construction, Engineering and Inspection for Johnson Avenue Milling, Resurfacing and Roadway Improvements, from Gateswood Drive to Olive Road, to Jehle-Halstead, Inc., in the amount of \$37,190, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

[Funding: Fund 352, LOST III, (Federal Stimulus Grant Reimbursement), Cost Center 210108, Object Code 56301, Project Number 09EN0454-Financial Projects Number: 426892-1, Federal Aid Project Number: ARRA-530-B]

40. **Recommendation Concerning Task Order Contract for Construction, Engineering and Inspection for Broad Street Sidewalk Improvements – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning Task Order Contract PD 08-09.087, Construction, Engineering and Inspection for Broad Street Sidewalk Improvements:

A. Approve the Selection/Negotiation Committee Ranking:

1. Volkert Construction Services, Inc.
2. Mehta Associates, Inc.
3. Jehle-Halstead, Inc.

B. Award Task Order Contract, PD 08-09.087, Construction, Engineering and Inspection for Broad Street Sidewalk Improvements, to Volkert Construction Services, Inc., in the amount of \$13,051.21, to be governed by the terms and conditions of PD 02-03.079, Professional Services Contract.

[Funding: Fund 352, LOST III, (Federal Stimulus Grant Reimbursement), Cost Center 210108, Object Code 56301, Project Number 09EN0443, Financial Projects Number: 426894-1, Federal Aid Project Number: ARRA-530-B]

41. **Recommendation Concerning Adopting a Resolution Concerning the Schedule of Rates and Fees for Solid Waste Transfer Stations – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

COUNTY ATTORNEY'S REPORT
October 15, 2009

I. FOR ACTION:

1. Amendment #1 to the Agreement for Lobbyist Services

That the Board approve and execute Amendment #1 to the Agreement for Lobbyist Services to Gentry & Associates for an amount not to exceed \$60,000 plus expenses of up to \$2,500 for travel and extraordinary costs.

2. Termination of the Rezoning Hearing Examiner Agreement
PD 07-08.136

That the Board authorize the County Attorney to give written notice to terminate the Agreement between Escambia County and Attorney James M. Messer in accordance with Article 6.1, Term and Termination of the Rezoning Hearing Examiner Agreement.

3. Escambia County v. The Health Center of Pensacola, Inc.
Case No. 2009 CA 2070

That the Board:

- A. Approve a settlement in which The Health Center of Pensacola, Inc. will pay to Escambia County, Florida the sum of \$15,325 in full settlement of all claims for transport services asserted by Escambia County against The Health Center of Pensacola, Inc. pending as of June 26, 2009; and
- B. Authorize Public Safety Bureau Chief, Frank Edwards, to execute a General Release of all claims pending through the date of June 26, 2009 that Escambia County has or could have asserted against The Health Center of Pensacola, Inc. for transport services.

4. David Kauble Worker Compensation Washout Settlement

That the Board:

- A. Approve a washout workers compensation settlement in the amount of \$10,000.00, inclusive of attorney fees and costs, for former correctional officer David Kauble, in return for a general release of liability; and
- B. Retroactively accept \$3,500.00 in settlement of a workers' compensation lien on a settlement obtained by Mr. Kauble in a civil lawsuit related to his compensable injury; and

C. Approve a side stipulation with Mr. Kauble's attorney in the amount of \$2,000.00 to settle outstanding attorney's fees and costs associated with a 2006 petition for benefits.