

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 – November 19, 2009 – 5:30 p.m.
Governmental Complex – First Floor

1. Call to Order.

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

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

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

5. Commissioners' Forum.

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6. Proclamations/Special Recognition.

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

- A. Adopt the Proclamation honoring and congratulating Mrs. Myrtle JaQuay for reaching the age of 100;
- B. Adopt the following two Proclamations:
 - (1) The Proclamation proclaiming December 2009 as “Keep The Wreath Green Month” in Escambia County; and
 - (2) The Proclamation proclaiming December 1-6, 2009, as “Snowball Derby Week” in Escambia County; and
- C. Recognize, with pins and certificates, the below-named employees for their dedication and years of service to the County:
 - (1) Danny Smillie, Jr., Field Supervisor, Roads Division, Infrastructure Branch of the Public Works Bureau, 25 years; and
 - (2) Leonard Padgett, Mosquito Control Technician, Mosquito Control Division of the Facilities Management Branch of the Public Works Bureau, 30 years.

Presentation(s)

- A. "Thank You Award" to the County from Celebrate Pensacola; and
- B. Certificate recognizing Captain Paul Redman for his dedicated service as appointee by Commissioner Kevin W. White to the Escambia County Marine Advisory Committee from August 7, 2008, through September 18, 2009.

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7. Written Communication:

- A. September 15, 2009 – Email communication from Denise Chenel Daughtry concerning Winterfest's holiday visit;
- B. September 1, 2009 – Communication from Jose Panama requesting that the Board forgive a Code Enforcement Lien against property located at 715 North 70th Avenue; and
- C. November 13, 2009 – Communication from Betty H. Salter, President, Pensacola Habitat for Humanity, requesting that the Board forgive liens against the following three properties:
 - (1) 7950 Perth Avenue
 - (2) 381 Barker Street (a/k/a 421 Barker Street)
 - (3) 2711 North "Z" 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*.

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9. **5:31 p.m. Public Hearing for consideration of Petition to Vacate a portion of Pine Road, Treasure Hill Park Subdivision, as petitioned by Scott Fraley.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, take the following action concerning the Petition to Vacate a portion of Pine Road (108 feet x 50 feet = 5,400 square feet, or 0.12 acre), in Treasure Hill Park Subdivision, as petitioned by Scott Fraley:

- A. Approve the Petition to Vacate;
- B. Accept the Hold/Harmless Agreement;
- C. Adopt the Resolution to Vacate; and
- D. Authorize the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to execute them at that time.

10. **First 5:33 p.m. Public Hearing for consideration of adopting an Ordinance establishing an Economic Development Ad Valorem Tax Exemption for Rodney Rich & Company, for 100% of their expansion, for ten years.**

Recommendation: That the Board, at the **first** 5:33 p.m. Public Hearing, adopt an Ordinance establishing an Economic Development Ad Valorem Tax Exemption for Rodney Rich & Company, for 100% of their expansion, for ten years.

11. **Second 5:33 p.m. Public Hearing for consideration of the vacation, on the Board's own motion, of an unnamed right-of-way located on the Brownsville Middle School property.**

Recommendation: That the Board, at the **second** 5:33 p.m. Public Hearing, take the following action concerning the vacation, on the Board's own motion, of an unnamed right-of-way (66 feet x approximately 1,200 feet = 79,200 square feet, or 1.80 acres), located on the Brownsville Middle School property:

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

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12. **5:34 p.m. Public Hearing for consideration of adopting an Emergency Adult Arcade Moratorium Extension Ordinance.**

Recommendation: That the Board, at the 5:34 p.m. Public Hearing, take the following action concerning the Emergency Adult Arcade Moratorium Extension Ordinance:

- A. Waive the notice requirements (4/5 vote required);
- B. Declare that an emergency exists and that the immediate enactment of said Ordinance is necessary; and
- C. Adopt, and authorize the execution of, the Emergency Ordinance.

13. Committee of the Whole Recommendation.

(TO BE DISTRIBUTED UNDER SEPARATE COVER)

14. Reports:

Clerk of the Circuit Court & Comptroller
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
NOVEMBER 11, 2009

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

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

- A. Payroll Expenditures for Pay Date November 13, 2009, in the amount of \$2,123,810.68;
- B. Disbursement of Funds for October 29, 2009, to November 4, 2009, in the amount of \$8,365,096.15;
- C. The Investment Report for the month ended October 31, 2009; and
- D. The Tourist Development Tax Collections Data for Fiscal Year 2009-2010, which includes the September 2009 returns received in the month of October 2009; the first month revenue collected reflects 7% of the Budget for the Fiscal Year.

2. Recommendation Concerning Disposition of Records

Recommendation: That the Board approve *Records Disposition Document No. 430* or disposition of Board of County Commissioners' Records, Item 32a, Minutes: Official Meetings (Transcripts: Microfilmed on Rolls 452-454), for the period April 2, 2009, through June 18, 2009, since the permanent records have been scanned and/or microfilmed.

I. CONSENT AGENDA – Continued

3. Recommendation Concerning Acceptance of CIAC Minutes

Recommendation: That the Board accept, for filing with the Board's Minutes, the Minutes of the Quarterly Meeting of the County Investment Advisory Committee (CIAC) held August 21, 2009, as prepared by the Clerk to the Board's Office.

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 original *Mediation Settlement Agreement* regarding Ernest C. Wulzer and Rebecca L. Wulzer vs. Escambia County, Florida, a political subdivision of the State of Florida, City of Pensacola, Florida, and the State of Florida, and the *Settlement Agreement* regarding Ernest C. Wulzer and Rebecca L. Wulzer v. Escambia County, a political subdivision of the State of Florida, and the State of Florida, Department of Transportation, as approved by the Board on May 21, 2009;
- B. Closing documents relating to the sale of two parcels of property, located at Brewer Drive and Interstate Circle and Brewer Drive and Lepley Road (*to Ralph Meacham*), as approved by the Board on May 7, 2009, and received in the Clerk to the Board's Office on October 30, 2009, and November 2, 2009, respectively;
- C. Closing documents relating to *Trust for Public Land Sale to Escambia County (Perdido Key Beach Mouse Land Acquisition)*, as approved by the Board on September 18, 2008, and received in the Clerk to the Board's Office on November 4, 2009; and
- D. The *Oath of Office* for Escambia County Health Facilities Authority Member, H. Christopher Brooks, Sr., who was reappointed to a new four-year term, effective August 22, 2009, through August 21, 2013, as received in the Clerk to the Board's Office on November 12, 2009.

I. CONSENT AGENDA – Continued

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 November 5, 2009;
- B. Approve the Minutes of the Special Emergency Board Meeting held November 8, 2009; and
- C. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held November 5, 2009.

**COUNTY ADMINISTRATOR'S REPORT
NOVEMBER 19, 2009**

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning the Scheduling of a Public Hearing for an EDATE Ordinance for Genesis Property Holding, LLC – Robert R. McLaughlin, County Administrator**

RECOMMENDATION: That the Board authorize the scheduling of a Public Hearing, Thursday, December 10, 2009, at 5:33 p.m., for consideration of adopting an Ordinance establishing an Economic Development Ad Valorem Tax Exemption (EDATE) for Genesis Property Holding, LLC, for 100% of their new business for 10 years.

2. **Recommendation Concerning the Scheduling of a Public Hearing for an EDATE Ordinance for Woodlands Medical Specialists, PA – Robert R. McLaughlin, County Administrator**

RECOMMENDATION: That the Board authorize the scheduling of a Public Hearing, Thursday, December 10, 2009, at 5:34 p.m., for consideration of adopting an Ordinance establishing an Economic Development Ad Valorem Tax Exemption (EDATE) for Woodlands Medical Specialists, PA, for 100% of their new business for 10 years.

3. **Recommendation Concerning the Affirmative Action Policy – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board rescind the Affirmative Action Policy, Section 1, Plan E.1., which was adopted by the Board on October 1, 1979. This Policy was replaced by the Workplace Diversity Plan which was adopted by the Board on September 9, 2004.

4. **Recommendation Concerning the Leave Policy for Classified and Unclassified Personnel – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board rescind the Leave Policy for Classified and Unclassified Personnel, Section II, Part C.3, from the Board of County Commissioners' Policy Manual. The policy is replaced by the September 17, 2009, Administrative Code, the September 17, 2009, Paid Time Off Policy, and by the October 1, 2009, Human Resources Policies and Procedures, Sections 5, 6, 7, and 10.

5. Recommendation Concerning Flexible Benefits/Flexible Spending Accounts Policy – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board rescind the Flexible Benefits/Flexible Spending Accounts Policy, Section II, Plan C.13, from the Board of County Commissioners' Policy Manual. This policy was replaced by the August 17, 2008, County's Flexible Benefits Account Provider's Summary Plan description.

6. Recommendation Concerning the Years of Service Award Policy – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board rescind the Years of Service Award Policy, Section II, Part C. 27, from the Board of County Commissioners' Policy Manual. Due to the budget reduction, reorganization, and the loss of five Human Resources positions, the Years of Service Program was delegated to the bureaus.

7. Recommendation Concerning the Record Keeping Policy for Hours Worked and Leave – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board rescind the Record Keeping Policy for Hours Worked and Leave, Section II, Part C.3 (a), from the Board of County Commissioners' Policy Manual. Requirements for time-keeping records in this policy are covered by the current Human Resources Policies and Procedures, Section 17, Salary Administration, and the County's current computerized time-keeping system, i.e., responsibility rests with the bureaus.

8. Recommendation Concerning the County Employees Serving On Jury Duty Policy and Step Pay Plan Policy – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board rescind the following policies from the Board of County Commissioners' Policy Manual, because these policies were replaced by the October 1, 2009, Human Resources Policies and Procedures Manual:

- A. County Employees Serving On Jury Duty Policy, Section II, Part C.5; and
- B. Step Pay Plan Policy, Section II, Plan C.10.

COUNTY ADMINISTRATOR'S REPORT

NOVEMBER 19, 2009

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9. Recommendation Concerning Non-Renewal of Non-Exclusive Franchise Agreement for Hauling of Commercial Solid Waste – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board not renew the Non-Exclusive Franchise Agreement for Hauling of Commercial Solid Waste with existing hauling contractors, upon expiration of the term of the Agreement, December 31, 2010.

10. Recommendation Concerning the Procedures for Disposition of County Property Policy – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board approve amending Policy B-1, 2, Section II, Procedures for Disposition of County Property, as provided to conform to current operational procedures, County organizational policies and Florida Statute 274.

11. Recommendation Concerning Appointment/Reappointments to the Escambia County Extension Council – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning appointment/reappointments to the Escambia County Extension Council:

- A. Appoint the following individual to a two-year term, effective December 1, 2009, through November 30, 2011:

<u>ZONE</u>	<u>NAME AND ADDRESS</u>
7	Debbie Looney, 9491 Cove Avenue, Pensacola, Florida 32534;

- B. Reappoint the following five individuals to a two-year term, effective December 1, 2009, through November 30, 2011:

<u>ZONE</u>	<u>NAME AND ADDRESS</u>
1	Abbie Rolph, 7300 Jack Smith Road, Century, Florida 32535
3	Mick Breault, 2700 Highway 97, Molino, Florida 32577
5	Tina Tuttle, 6755 Highway 99, Molino, Florida 32577
9	Enrique Eligio, 2784 Cottonwood Lane, Pensacola, Florida 32514
11	Eleanor Godwin, 2510 North Yates Avenue, Pensacola, Florida, 32503; and

- C. Request the County Administrator's Office provide letters of appointment to incoming members and letters of appreciation to out-going members.

12. Recommendation Concerning an Interlocal Agreement for Environmental Support Services for the City of Pensacola – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the Interlocal Agreement Between the Escambia County Board of County Commissioners and the City of Pensacola Providing for the Delivery of Environmental Support Services:

- A. Approve the Interlocal Agreement Between the Escambia County Board of County Commissioners and the City of Pensacola to increase access to environmental services in order to promote, restore and enhance the environment and quality of life for the citizens of Pensacola; and
- B. Authorize the Chairman to sign the Agreement.

[Funding Source: There will be a positive budgetary impact. As services are delivered, the City will be invoiced for County staff time.]

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

RECOMMENDATION: That the Board accept for filing with the Board's Minutes, the October 15, 2009, Community Redevelopment Agency (CRA) Meeting Minutes, prepared by Vera Cardia-Lively, Senior Office Support Assistant, CRA.

14. Recommendation Concerning Reappointment to the Tourist Development Council – Robert R. McLaughlin, County Administrator

RECOMMENDATION: That the Board approve the reappointment of Shirley K. Cronley to the Tourist Development Council, effective December 1, 2009, through November 30, 2013, as an "Interested in Tourism" appointee.

15. Recommendation Concerning Certificates of Public Convenience and Necessity – Frank Edwards, Public Safety Bureau Chief

RECOMMENDATION: That the Board approve the Certificates of Public Convenience and Necessity for Atmore Ambulance, Inc., Baptist Hospital's LifeFlight, Escambia County Public Safety Bureau, Lifeguard Ambulance Service of Florida, LLC, and Sacred Heart Children's Hospital Neonatal and Pediatric Transport Van, effective January 1, 2010, through December 31, 2010.

16. Recommendation Concerning Memorandum of Understanding between Escambia County and Naval Aviation Schools Command for the Provision of Certain Clinical Training – Frank Edwards, Public Safety Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the Memorandum of Understanding between Escambia County and Naval Aviation Schools Command for the Provision of Certain Clinical Training:

- A. Approve the Memorandum of Understanding to allow the provision of clinical learning experiences required for emergency medical technician certification, under the auspices of Escambia County Emergency Medical Services, for selected Naval Aviation Schools Command staff trainees; and
 - B. Authorize the Chairman to sign the Memorandum of Understanding.
17. Recommendation Concerning Anchor and Guy Easement Request from Gulf Power Company – Joy D. Blackmon, P.E., Public Works Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the Anchor and Guy Easement request from Gulf Power Company for a Portion of Lots 11 and 12, Block 40, Beach Haven Subdivision:

- A. Approve granting an Anchor and Guy Easement to Gulf Power Company for a portion of Lots 11 and 12, Block 40, Beach Haven Subdivision; and
 - B. Authorize the Chairman or Vice-Chairman to sign the necessary document granting Gulf Power Company an Anchor and Guy Easement.
18. Recommendation Concerning Appointment to the Escambia Marine Advisory Committee – Commissioner Grover C. Robinson, IV

RECOMMENDATION: That the Board confirm Commissioner Robinson's appointment of Captain Dave Mucci to the Escambia Marine Advisory Committee, replacing Mr. Chris Wachtel, effective November 19, 2009. This appointment will run concurrent with Commissioner Robinson's term of office or at his discretion.

19. Recommendation Concerning Appointment to the Citizens' Environmental Committee – Commissioner Grover C. Robinson, IV

RECOMMENDATION: That the Board confirm Commissioner Robinson's appointment of Ms. Chasidy Hobbs to the Citizens' Environmental Committee, effective November 19, 2009, replacing Dr. Mel Droubay. This appointment will run concurrent with Commissioner Robinson's term of office or at his discretion.

20. **Recommendation Concerning Appointment to the Planning Board – Robert R. McLaughlin, County Administrator**

RECOMMENDATION: That the Board confirm the appointment of Robert V. Goodloe, replacing Karen Sindel, as Commissioner Gene M. Valentino's appointment to the Escambia County Planning Board, effective November 19, 2009. This appointment will run concurrent with Commissioner Valentino's term of office or at his discretion.

II. Budget/Finance Consent Agenda

1. **Recommendation Concerning Fiscal Year 2009/2010 Miscellaneous Appropriations Agreement for the African American Heritage Society, 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 between Escambia County and the African American Heritage Society, Inc.:

- A. Approve the Miscellaneous Appropriations Agreement, in the amount of \$25,000, 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.
2. **Recommendation Concerning Fiscal Year 2009/2010 Miscellaneous Appropriations Agreement with the Gulf Coast African American Chamber of Commerce, Inc. – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Fiscal Year 2009/2010 Miscellaneous Appropriations Agreement between Escambia County and Gulf Coast African American Chamber of Commerce, Inc.:

- A. Approve the Miscellaneous Appropriations Agreement, in the amount of \$40,000, to be paid from the General Fund (001), Cost Center 110201, Account 58224;
- B. Authorize the Chairman to sign the Agreement and all other necessary documents; and
- C. Authorize the execution of the necessary Purchase Order.

3. Recommendation Concerning Supplemental Budget Amendment #35 – Amy Lovoy, Management and Budget Services Bureau Chief;

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #35, Other Grants and Projects Fund (110), in the amount of \$20,000, to recognize proceeds from the Florida Department of Agriculture and Consumer Services, Division of Forestry, and to appropriate the funds for the use of tree planting projects and establishing a baseline tree canopy assessment to target future planting areas for optimum benefit to the County.

4. Recommendation Concerning Supplemental Budget Amendment #36 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #36, Other Grants and Projects Fund (110), in the amount of \$144,617, to recognize the remainder of the East 10 Mile Creek Project Grant and to appropriate these funds for ongoing restoration activities for Fiscal Year 2009/2010.

5. Recommendation Concerning Supplemental Budget Amendment #38 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #38, Escambia County Restricted Fund (101), in the amount of \$1,000, to recognize the proceeds of donations and other revenue associated with the Barn Bash held by Parks and Recreation and to appropriate these funds for future recreational activities.

6. Recommendation Concerning Supplemental Budget Amendment #39 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #39, General Fund (001) and Other Grants and Projects Fund (110), in the amount of \$549,150, to recognize funding from the American Recovery and Reinvestment Act and the Florida Department of Law Enforcement and to appropriate these funds for expanded Drug-Court-related activities, administered by the State Courts in Escambia County over a two-year period.

7. **Recommendation Concerning Supplemental Budget Amendment #40 – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #40, Solid Waste Fund (401), in the amount of \$350,000, to recognize litigation settlement proceeds received from Allied Waste Services and to appropriate these funds for the operation of a new Solid Waste transfer station.

8. **Recommendation Concerning Supplemental Budget Amendment #41 – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #41, Other Grants and Projects Fund (110), in the amount of \$11,237, to recognize proceeds to be received from a State of Florida, Division of Emergency Management Purchase Order and to appropriate these funds for updating the Hazardous Materials Facility Analysis data.

9. **Recommendation Concerning Supplemental Budget Amendment #42 – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #42, Other Grants and Projects Fund (110), in the amount of \$102,724, to recognize proceeds to be received from a State of Florida, Division of Emergency Management, Emergency Management Preparedness and Assistance Grant and to appropriate these funds for improving the daily and emergency operations of the local Office of Emergency Management, assisting in local disaster preparations and community outreach.

10. **Recommendation Concerning Supplemental Budget Amendment #43 – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #43, Disaster Recovery Fund (112), in the amount of \$122,735, to recognize Federal Emergency Management Agency proceeds and to appropriate these funds for the West Fork Boggy Creek Project.

11. Recommendation Concerning Contract for Medical Supplies and Equipment – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve the price increase for GlucaGen from Bedford Laboratories. This is a single source item with no other manufacturers. The old price was \$69.50, and the new amended price will be \$77.28. This was a multiple-vendor-awarded Contract for Medical Supplies and Equipment and is currently on the last year extension of a 36-month Contract.

[Funding: Fund 408, Emergency Medical Services, Cost Center 330302, Object Code 55201 and Fund 143, Fire Protection Services, Cost Center 330206, Object Code 55201]

12. Recommendation Concerning Release of a Code Enforcement Lien Against Property Located at 435 Lakeview Avenue – Gordon Pike, Community Corrections Bureau Chief

RECOMMENDATION: That the Board take the following action concerning release of a Code Enforcement Lien against property located at 435 Lakeview Avenue:

- A. Accept the offer from Watson Title Insurance Agency, Inc., of \$1,182.50, for release of the Code Enforcement Lien against property located at 435 Lakeview Avenue, recorded in Official Records Book 6414, at page 1316, and Official Records Book 6414, at page 1341, of the Public Records; and
- B. Authorize the Chairman to execute the Release of Lien.

13. Recommendation Concerning the Florida Division of Emergency Management Preparedness and Assistance Grant Program Grant Contract – John Dosh, Emergency Management Division Manager

RECOMMENDATION: That the Board take the following action regarding the Emergency Management Preparedness and Assistance Grant Program Grant Contract Number 10-BG-25-01-27-01-XXX:

- A. Approve the State of Florida, Division of Emergency Management, State and Federally-Funded Subgrant Agreement, providing State funds, in the amount of \$102,724, to assist in improving the daily and emergency operations of our local Office of Emergency Management and to assist in local disaster preparations and community outreach. The funds will be identified in Fund 110, Other Grants and Projects, Cost Center 330405; and
- B. Authorize the Chairman to execute the Subgrant Agreement.

14. Recommendation Concerning Hazardous Materials Analysis Purchase Order to Update the Hazardous Materials Facility Analysis Data – John Dosh, Emergency Management Division Manager

RECOMMENDATION: That the Board take the following action concerning the Hazardous Materials Analysis Purchase Order Number A12466:

- A. Accept the State of Florida, Division of Emergency Management Purchase Order that provides funding to update the Hazardous Materials Facility Analysis data. The Purchase Order provides State funding to the County, in the amount of \$11,237, for the period of September 24, 2009, through June 30, 2010, with no match requirement. Funding will be identified in Fund 110, Other Grants and Projects, Cost Center 330323; and
- B. Authorize the Chairman to execute the Scope of Work Acceptance Form.

15. Recommendation Concerning a Change Order for FEMA Project – 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:	Solid Waste Management	
Type:	Addition	
Amount:	\$67,782.60	
Vendor:	Roads, Inc., of NWF	
Project Name:	FEMA 1831-DR-FL	
Contract:	PAID NO. 033-99033-00	
PO#:	291648 (Issued as re-budget at 11/05/09 BCC)	
CO#:	1	
Original Award Amount:		\$140,729.58
Cumulative Amount of Change Orders through CO#1:		<u>\$67,782.60</u>
New Contract Total:		\$208,512.18

[Funding Source: Fund 401, Solid Waste Fund, Account 54601, Cost Center 220610; Approximately 88% of expended funds to be reimbursed by FEMA and State of Florida]

16. **Recommendation Concerning Urban and Community Forestry Grant Memorandum of Agreement – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Urban and Community Forestry Grant Memorandums of Agreement (MOA) between the Florida Department of Agriculture and Consumer Services (FDACS) and the Escambia County Board of County Commissioners:

- A. Ratify the submission of the Urban and Community Forestry Grant application (Proposal Form 2009, Exhibit "A", Attachments "D" and "E" to the Urban and Forestry Grant MOA) by Jimmie Jarratt, on behalf of Escambia County Neighborhoods/Community Services Bureau, Water Quality and Land Management Division;
- B. Approve the Urban and Community Forestry Grant MOA, FDACS Contract 015393, in the amount of \$20,000, to plant and establish trees, establish a baseline tree canopy assessment, target tree planting areas and educate stakeholders on the value of the urban forest;
- C. Approve the Urban and Community Forestry Grant Maintenance Memorandum of Agreement; and
- D. Authorize the Chairman to sign both Memorandums of Agreement, Amendments, and other Grant-related documents including no cost extensions.

[Funding Source: Fund 110, Other Grants and Projects, new Cost Center; matching funds will be provided through the County's Tree Restoration Fund 101, Cost Center 220310, and/or Tree Mitigation Fees Fund 101, Cost Center 220334]

COUNTY ADMINISTRATOR'S REPORT

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17. **Recommendation Concerning a Change Order for 603 West Romana Street/Former Escambia County Mosquito Control Facility – 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 for the operation and maintenance of the remediation system at the former Escambia County Mosquito Control Facility located at 603 West Romana Street:

Bureau:	Neighborhoods/Community Services	
Division:	Community Redevelopment Agency	
Type:	Addition	
Amount:	\$83,366.14	
Vendor:	Cameron-Cole	
Project Name:	603 West Romana Street/Former Escambia County Mosquito Control Facility	
Contract:	PD 06-07.038	
PO No.:	291405	
CO No.:	2	
Original Award Amount:		\$59,218.82
Cumulative Amount of Change Orders through CO #2		<u>\$89,165.04</u>
New Contract Total:		\$148,383.86

[Funding Source: 2009 Community Development Block Grant (CDBG), Fund 129, Cost Center 220410, Object Code 53101]

18. **Recommendation Concerning Army Corps of Engineers Site Access License Agreement for Clarinda Triangle EPA Superfund Site – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the License Agreement (Department of the Army License, Escambia Wood Treatment Plant Superfund Site) between Escambia County and the U.S. Army Corps of Engineers (ACOE) to conduct demolition, removal and associated clean-up of structures from the Clarinda Triangle, a U.S. Environmental Protection Agency (EPA) Superfund Site:

- A. Approve the ACOE Site Access License Agreement (Department of the Army License, Escambia Wood Treatment Plant Superfund Site) for a period of 12 months, beginning November 20, 2009, and ending November 20, 2010; and
- B. Authorize the Chairman to sign the License Agreement.

[Funding Source: Neighborhood Enterprise Foundation (NEFI) Neighborhood Stabilization Program (NSP), Fund 129, Cost Center 220502, Object Code 58301]

19. **Recommendation Concerning Commercial Facade Grant Funding and Lien Agreements for 2203 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 Commercial Facade Grant Funding and Lien Agreements at 2203 North Pace Boulevard:

- A. Approving the Commercial Façade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Renaissance Man, Inc., owner of commercial property located at 2203 North Pace Boulevard, Pensacola, Florida, in the Englewood Redevelopment Area, each in the amount of \$2,558.97, representing an in-kind match through the Englewood Tax Increment Financing (TIF), Fund 151, Cost Center 220520, Object Code 58301, for the following improvements: Install a new fence and landscaping; and
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

20. Recommendation Concerning Commercial Facade Grant Funding and Lien Agreements for 3725 Mobile Highway – 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 Commercial Facade Grant Funding and Lien Agreements at 3725 Mobile Highway:

- A. Approving the Commercial Façade, Landscape, and Infrastructure Grant Program Funding Agreement between Escambia County CRA and Relax Inn Motel Corporation, owner of commercial property located at 3725 Mobile Highway, Pensacola, Florida, in the Brownsville Redevelopment Area, each in the amount of \$9,900, representing an in-kind match through the Brownsville Tax Increment Financing (TIF), Fund 151, Cost Center 220515, Object Code 58301, and/or Neighborhood Enterprise Foundation, Inc., (NEFI) 2006 Community Development Block Grant (CDBG), Fund 129, Cost Center 221403, Object Code 58301, for the following improvements: Painting the exterior buildings; 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 for 202 Mandalay Drive – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board ratify the following action of the Escambia County Redevelopment Agency (CRA) concerning the Residential Rehab Grant Funding and Lien Agreements at 202 Mandalay Drive:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Mikal E. Kissick, owner of residential property located at 202 Mandalay Drive, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$828, representing an in-kind match through the Barrancas Tax Increment Financing (TIF), Fund 151, Cost Center 220519, 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.

22. **Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements for 415 Gibbs 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 415 Gibbs Road:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Jean McPhee, owner of residential property located at 415 Gibbs Road, Pensacola, Florida, in the Warrington redevelopment Area, each in the amount of \$2,900, 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 shutters; and
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

23. **Recommendation Concerning Amendment #1 to Homelessness Prevention and Rapid Re-Housing Program Direct Service Delivery and Case Management Services Agreement with Catholic Charities of Northwest Florida, Inc. – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action regarding Amendment #1 to the Homelessness Prevention and Rapid Re-Housing Program (HPRP) Direct Service Delivery and Case Management Services Agreement with Catholic Charities of Northwest Florida, Inc.:

- A. Approve Amendment #1 to the Homelessness Prevention and Rapid Re-Housing Program (HPRP) Direct Service Delivery and Case Management Services Agreement with Catholic Charities of Northwest Florida, Inc., as originally approved on September 17, 2009, to increase the maximum HPRP operating (cash flow) advance from \$40,000 to \$100,000, to meet the demand for HPRP direct assistance payments and related operational costs; and
- B. Authorize the Chairman or Vice Chairman to execute the Amendment and all related documents required to implement the remaining project activities.

[Funding: Fund 120/HPRP-Cost Center 220506]

24. **Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements for 500 North Wentworth 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 500 North Wentworth Street:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and John Michael, owner of residential property located at 500 North Wentworth Street, Pensacola, Florida, in the Brownsville Redevelopment Area, each in the amount of \$4,837, representing an in-kind match through the Brownsville Tax Increment Financing (TIF), Fund 151, Cost Center 220515, Object Code 58301, for the following improvements: Install a new roof and 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.

25. **Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements at 505 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 505 Lakewood Road:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Paul R. Barfield and Doreen H. Barfield, owners of residential property located at 505 Lakewood Road, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$1,893, 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.

26. **Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements for 605 Rue Max 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 605 Rue Max Street:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and James Rogers and Jennie Rogers, owners of residential property located at 605 Rue Max Street, Pensacola, Florida, in the Barrancas Redevelopment Area, each in the amount of \$2,888, 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 replacement 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.

27. **Recommendation Concerning Residential Rehab Grant Funding and Lien Agreements for 12 Lincoln 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 12 Lincoln Road:

- A. Approving the Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Emory Bailes and Deborah Bailes, owners of residential property located at 12 Lincoln Road, Pensacola, Florida, in the Warrington Redevelopment Area, each in the amount of \$3,150, 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 roof; and
- B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement this Grant award.

28. **Recommendation Concerning Antenna Mounting Space Lease with Escambia River Electric Cooperative, Inc. – Frank Edwards, Public Safety Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Communication Antenna Mounting Space Lease between Escambia River Electric Cooperative, Inc., and Escambia County:

- A. Approve the \$1 per year Lease to allow Escambia County space on the EREC water tank, located at 5026 Arthur Brown Road, Walnut Hill, Florida, for three communication antennas, including the right to install, maintain, operate, repair, and remove antennas, together with sufficient space at the base of the water tank for a 10 foot x 16 foot radio equipment building; and
- B. Authorize the Chairman to sign the Lease.

[Funding: Fund 001, General/Cost Center 330403/Account Code 54401, Rentals & Leases]

29. **Recommendation Concerning the Second Amendment to the Agreement for Interruptible Natural Gas Service – Joy D. Blackmon, P.E., Public Works Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Second Amendment to the Agreement for Interruptible Natural Gas Service with the City of Pensacola (d/b/a Energy Services of Pensacola):

- A. Approve the Amendment, which authorizes a fixed charge of \$150 monthly; a fuel charge of \$5.84 per MMBTU (Million British Thermal Units); a usage charge of \$1.99 per MMBTU; and a time extension for a period of 12 months, from November 1, 2009, to October 31, 2010; and
- B. Authorize the Chairman or Vice Chairman to execute all documents relating to the Amendment as required.

[Funding: Fund 001, General Fund, Cost Center 210604, Object Code 54301]

30. **Recommendation Concerning Acquisition of Property for use as Road Rights-of-Way and Drainage Improvements on Kingsfield Road and County Highway 297A – Joy D. Blackmon, P.E., Public Works Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning acquisition of property for use as road rights-of-way and drainage improvements on Kingsfield Road and County Highway 297A:

- A. Authorize Staff to negotiate and resolve any matters related to, or associated with the acquisition of property for road rights-of-way and Easements located on or adjacent to Kingsfield Road and County Highway 297A, gather information, and conduct inspections as needed to allow the Board's acceptance of the real property;
- B. Authorize the payment of documentary stamps because the property is being acquired for governmental use, which is for road rights-of-way and drainage Easements, and the County benefits from these acquisitions because they facilitate the installation of improvements and maintenance of paving and drainage systems, which will enhance the quality of life for the citizens of Escambia County;
- C. Authorize the payment of incidental expenditures associated with the acquisition of these properties; and
- D. Authorize Staff to prepare, and the Chairman or Vice Chairman to accept the deeds or Easements as of the day of delivery of the deeds or Easements to the Chairman or Vice Chairman and authorize the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time.

[Funding Source: Fund 352, LOST III, Account 210107/56101 and 56301, Project #08EN0105]

31. **Recommendation Concerning Grant-In-Aid for Adult Post-Adjudicatory Expansion in Escambia County, Florida – Catherine White, Court Administration Drug Court Coordinator**

RECOMMENDATION: That the Board take the following action concerning the Grant-In-Aid for Adult Post-Adjudicatory Expansion in Escambia County, Florida:

- A. Approve the Grant-In-Aid Agreement for Adult Post-Adjudicatory Drug Court Expansion in Escambia County, Florida, between the Office of the State Courts Administrator and the Escambia County Board of County Commissioners, to expand post-adjudicatory adult drug court and authorize the Chairman to sign all related documents; and
- B. Approve funding for the program not to exceed \$268,537.50, effective October 1, 2009, through September 30, 2010.

32. **Recommendation Concerning Amendments to the Joint Participation Agreements with the FDOT for Reallocating Surplus Funds on Three Local Agency Program Agreements – Joy D. Blackmon, P.E., Public Works Bureau Chief**

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

COUNTY ATTORNEY'S REPORT
November 19, 2009

I. **FOR ACTION:**

1. Agreement Between Escambia County and Nabors, Giblin & Nickerson, P.A. for Legal Services Concerning the Tourist Development Tax Litigation

That the Board take the following action:

- A. Approve the attached Agreement with the law firm of Nabors, Giblin & Nickerson, P.A. for representation in a lawsuit against internet hotel providers for unpaid tourist development taxes and other unpaid taxes; and,
- B. Authorize the chairman to sign the Agreement.