

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 – January 6, 2011– 5:30 p.m.
Governmental Complex – First Floor

1. Call to Order.

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

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

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

5. Commissioners' Forum.
6. 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.

7. 5:31 p.m. First of Two Public Hearings and Schedule and Advertise Second Public Hearing Designating 3300 Mobile Highway as a Brownfields Area

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, take the following action concerning designating 3300 Mobile Highway as a Brownfields Area:

A. Hold the **first** Public Hearing to receive input on the proposed designation of 3300 Mobile Highway as a Brownfields area; and

B. Approve the scheduling and advertising the **second** of two Public Hearings for January 20, 2011, at 5:31 p.m., to consider adoption of a Resolution of the Board of County Commissioners of Escambia County, Florida, designating 3300 Mobile Highway as a Brownfields area within the Brownsville Redevelopment Area of Escambia County for the purpose of economic development and environmental rehabilitation; authorizing the Community & Environment Deputy Bureau Chief to notify the Department of Environmental Protection of said designation; and providing for an effective date.

8. Committee of the Whole Recommendation

Recommendation: The Committee of the Whole (C/W), at the December 16, 2010, C/W Workshop, recommends that the Board take the following action:

A. Adopt the list of priorities for bridges for the next five years (as outlined in the Escambia County Bridge Prioritization & Budget Needs PowerPoint Presentation prepared by Hatch Mott MacDonald [C/W Item 3]);

B. Authorize the County Attorney to advertise a Non-Binding Request for Letters of Interest/ Request for Proposals for Outside Counsel for BP Oil Spill Issues (C/W Item 4); and

C. Direct staff in the County Attorney's Office and the Planning Division to prepare, and schedule a Public Hearing for consideration of adopting, an Ordinance, similar to those adopted by other communities, that would prohibit fraternity housing and other unsuitable types of activities in the R 1, Single-Family District, Low Density (C/W Item 7).

9. Reports:
 - Clerk of the Courts & Comptroller's Report
 - Growth Management Report
 - County Administrator's Report
 - County Attorney's Report
10. Items added to the agenda.
11. Announcements.
12. 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
January 6, 2011

I. CONSENT AGENDA

1. That the Board accept, for filing with the Board's Minutes, the following seven Reports prepared by the Clerk of the Circuit Court & Comptroller's Finance Department:
 - A. The following two Payroll Expenditures:
 - (1) Pay Date December 10, 2010, in the amount of \$2,208,680.65; and
 - (2) Pay Date December 23, 2010, in the amount of \$2,272,788.11;
 - B. The following four Disbursements of Funds:
 - (1) December 2, 2010, to December 8, 2010, in the amount of \$2,230,957.92;
 - (2) December 9, 2010, to December 15, 2010, in the amount of \$5,050,585.17;
 - (3) December 16, 2010, to December 22, 2010, in the amount of \$33,811,423.20;
and
 - (4) December 23, 2010, to December 29, 2010, in the amount of \$877,171.92; and
 - C. The Investment Report for the month ended November 30, 2010.
2. That the Board approve *Records Disposition Document No. 444* , for disposition of Board of County Commissioner's Records, Item 32a, Minutes: Official Meetings (Transcripts: Microfilmed on Rolls 466 through 468), for the period June 10, 2010, through September 23, 2010, in accordance with State Retention Schedule GS1, since the permanent records have been scanned and/or microfilmed.

3. That the Board accept, for filing with the Board's Minutes, the following three documents provided to the Clerk to the Board's Office:
 - A. The Financial Statements for Pensacola-Escambia County Promotion and Development Commission for the Fiscal Year ended September 30, 2010, as prepared and audited by Saltmarsh, Cleaveland & Gund, Certified Public Accountants and Consultants, and received in the Clerk to the Board's Office on December 8, 2010;
 - B. The Financial Statements for the Santa Rosa Island Authority for the Fiscal Year ended September 30, 2010, as prepared and audited by Carr Riggs & Ingram, Certified Public Accountants and Consultants, and received in the Clerk to the Board's Office on December 16, 2010; and
 - C. The Financial Statements for the Escambia County Housing Finance Authority for the Fiscal Year ended September 30, 2010, as prepared and audited by Calvin Charles Johnson, Certified Public Accountant, and received in the Clerk to the Board's Office on December 16, 2010.
4. 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 Northwest Florida Water Management District 2009 Annual Report, and the Governing Board Meeting Schedule for 2011, as provided by Robin K. Tucker, Executive Assistant, Northwest Florida Water Management District, and received in the Clerk to the Board's Office on December 13, 2010; and
 - B. The FY/PY 2010/2011 CDBG Program Grant Agreement Number B-10-UC-12-0012 Amendment, FY/PY 2010/2011 HOME Program Grant Agreement Number M10-DC120225 Amendment, and FY/PY 2010/2011 ESG Program Grant Agreement Number S10-UC-12-0022 Amendment, as executed by the County Administrator on December 1, 2010, based on the Board's July 8, 2010, action authorizing the Interim County Administrator to execute the 2010 Escambia Consortium Annual Action Plan and all related documents, and received in the Clerk to the Board's Office on December 20, 2010.
5. That the Board take the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:
 - A. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held December 9, 2010;
 - B. Approve the Minutes of the Regular Board Meeting held December 9, 2010;
 - C. Approve the Minutes of the Special Board Meeting held December 16, 2010;
 - D. Approve the Minutes of the Attorney-Client Session held December 16, 2010; and
 - E. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held December 16, 2010.

GROWTH MANAGEMENT REPORT
January 6, 2011

I. PUBLIC HEARING

1. Review of the Rezoning Cases heard by the Planning Board on December 13, 2010

RECOMMENDATION:

That the Board take the following action concerning the rezoning cases heard by the Planning Board on December 13, 2010:

- A. Review and either adopt, modify, or overturn the Planning Board's recommendations for Rezoning Cases Z-2010-18 and Z-2010-19 or remand the case(s) back to the Planning Board; and
- B. Authorize the Chairman to sign the Orders of the Escambia County Board of County Commissioners for the rezoning cases that were reviewed.

- 1. Case No.: Z-2010-18**
- Location: 300 Beverly Parkway
Property Reference No.: 46-1S-30-2001-001-037
Property Size: 0.34 (+/-) acres
From: R-6, Neighborhood Commercial and Residential District (cumulative) High Density (25 du/acre)
To: C-2, General Commercial and Light Manufacturing District (cumulative) (25 du/acre)
FLU Category: MU-1, Mixed Use & C, Commercial
Commissioner District: 3
Requested by: Tom Hammond, PE, Agent for Ramzan Ali, Owner
Planning Board Approval
Recommendation:
Speakers: Tom Hammond
- 2. Case No.: Z-2010-19**
- Location: 3407 N Tarragona Street
Property Reference No.: 04-2S-30-6001-005-021
Property Size: 0.16 (+/-) acres
From: R-3, One-family and Two-family District (cumulative) Medium Density (10 du/acre)
To: R-5, Urban Residential/Limited Office District (Cumulative) High Density (20 du/acre)
FLU Category: C, Commercial
Commissioner District: 3
Requested by: Leonard and Carrie Walker, Owners
Planning Board Approval
Recommendation:
Speakers: Leonard Walker
Della Cruse

2. 5:45 p.m. – Thursday, January 6, 2011 – Public Hearing – Amendment to the Official Zoning Map

RECOMMENDATION:

That the Board adopt an Ordinance to amend the Official Zoning Map to include the rezoning cases heard by the Planning Board on December 13, 2010 and approved during the previous agenda item and to provide for severability, inclusion in the code, and an effective date.

3. 5:46 p.m. – Thursday, January 6, 2011 – Public Hearing – LDC Ordinance – Articles 2 & 3 “Spot Zoning”

RECOMMENDATION:

That the Board review and adopt an Ordinance to the Land Development Code (LDC) amending Article 2 “Administration,” to amend the language describing what constitutes “spot zoning”; and amending Article 3 “Definitions,” to add a definition for “spot zoning.”

II. CONSENT AGENDA

1. Schedule of Public Hearings

RECOMMENDATION:

That the Board authorize the scheduling of the following Public Hearings:

A. Thursday, January 20, 2011

1. 5:45 p.m. - Public Hearing - Compliance Agreement with the Florida Department of Community Affairs regarding the EAR Based Amendments to the Escambia County Comprehensive Plan.
2. 5:46 p.m. - Public Hearing - Comprehensive Plan Evaluation & Appraisal Report (EAR) Based Amendments Adoption Hearing Remedial Amendments.

B. Thursday, February 3, 2011

1. 5:45 p.m. - A Public Hearing to amend the Official Zoning Map to include the following Rezoning Case to be heard by the Planning Board on January 10, 2011.

Case No.:	Z-2011-01
Location:	300 Highway 95-A
Property Reference No.:	14-1N-31-1004-001-004
Property Size:	13.3 (+/-) acres
From:	VM-1, Villages Mixed Residential/Commercial District (gross density for residential uses 4 du/per acre)
To:	GBD, Gateway Business District
FLU Category:	I, Industrial & MU-6, Mixed-Use 6
Commissioner District:	5
Requested by:	Wiley C. “Buddy” Page, Agent for Universal Fabricators, Inc.

2. 5:46 p.m. - Public Hearing - LDC Ordinance - Articles 3 & 6 “Wind Turbines”

COUNTY ADMINISTRATOR'S REPORT
January 6, 2011

I. Technical/Public Service Consent Agenda

1. Recommendation Concerning the Scheduling of a Public Hearing to Consider the Petition to Vacate a Portion of Maywood Avenue - Joy D. Blackmon, P.E., Public Works Bureau Chief

That the Board authorize the scheduling and advertising of a Public Hearing for February 3, 2011, at 5:31 p.m., to consider the Petition to Vacate a portion of Maywood Avenue (25 feet x approximately 565 feet = 14,125 square feet or 0.32 acres), as petitioned by the School Board of Escambia County (the School Board).

2. Recommendation Concerning the Property Exchange with the Emerald Coast Utilities Authority - Fayal Drive - Joy D. Blackmon, P.E., Public Works Bureau Chief

That the Board take the following action concerning the property exchange with the Emerald Coast Utilities Authority - Fayal Drive:

A. Adopt a Resolution authorizing the conveyance of a drainage Easement to the Emerald Coast Utilities Authority (ECUA) over the northern shoulder of the western portion of Fayal Drive in exchange for a Deed from ECUA to the eastern portion of Fayal Drive, subject to a drainage Easement retained in favor of ECUA; and

B. Authorize the Chairman to execute all documents, subject to Legal review and sign-off, necessary to complete the property exchange with ECUA.

3. Recommendation Concerning the District Three appointee to the Escambia County Mass Transit Advisory Committee - Larry M. Newsom, Interim Assistant County Administrator

That the Board take the following action concerning the District Three appointee to the Escambia County Mass Transit Advisory Committee (MTAC):

A. Confirm the appointment of Ira L. Jones as the District Three representative to the Escambia County Mass Transit Advisory Committee, with the term of the appointment to be effective January 6, 2011, and to run concurrent with the term of Commissioner Marie Young; and

B. Request the County Administrator's Office to provide a letter of appreciation to Sr. Chaplain Freddie Augustine for his service.

4. Recommendation Concerning Public Hearing Request - Fund Balance Carry Forwards - Amy Lovoy, Management and Budget Services Bureau Chief

That the Board authorize the scheduling and advertising of a Public Hearing on January 20, 2011, at 5:34 p.m., to amend the Fiscal Year 2010/2011 Budget to include the fund balance carry forwards.

5. Recommendation Concerning the Disposition of Surplus County Property from the Community & Environment Bureau - Sandra P. Jennings, P. E., Community & Environment Bureau Chief

That the Board approve the four Requests for Disposition of Property indicating 12 items, (i.e. computers, tractors and various other equipment), all of which are described and listed on the Request Forms with reasons for disposition stated on each. The items are to be auctioned as surplus or properly disposed of.

6. Recommendation Concerning the Florida State Legislature's Honorary Designation of the Section of Sorrento Road from Blue Angel Parkway to Innerarity Point Road/Gulf Beach Highway as "Perdido Key Parkway" - Larry M. Newsom, Interim Assistant County Administrator

That the Board take the following action concerning the Florida State Legislature's honorary designation of the section of Sorrento Road from Blue Angel Parkway to Innerarity Point Road/Gulf Beach Highway as "Perdido Key Parkway":

A. Adopt the Resolution that states the Board's support of the honorary designation of "Perdido Key Parkway" for the section of Sorrento Road from Blue Angel Parkway to Innerarity Point Road/Gulf Beach Highway; and

B. Authorize the Chairman to execute the Resolution.

7. Recommendation Concerning Scheduling and Advertising First of Two Public Hearings Designating 7220 North Palafox Street as a Brownfield Area - Sandra P. Jennings, P.E., Community & Environment Bureau Chief

That the Board authorize the scheduling and advertising the first of two Public Hearings on January 20, 2011, at 5:33 p.m., to consider adoption of a Resolution of the Board of County Commissioners of Escambia County, Florida, designating 7220 North Palafox Street as a Brownfield area within Escambia County, for the purpose of economic development and environmental rehabilitation; authorizing the Community & Environment Deputy Bureau Chief to notify the Department of Environmental Protection of said designation; and providing for an effective date.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Enterprise Agreement with Microsoft Corporation - Amy Lovoy, Management and Budget Services Bureau Chief

That the Board take the following action concerning an Enterprise Agreement with Microsoft Corporation:

A. Approve the Microsoft Enterprise Enrollment, State and Local Amendment, which authorizes the termination of the current three-year Microsoft Enterprise Agreement (Enrollment Number 8568879), approved by the Board on September 18, 2008, and authorizes a new enrollment, with an effective date of November 1, 2010;

B. Approve the Enterprise Enrollment (Indirect) State and Local, Microsoft Business Agreement Number U0275474;

C. Authorize the County to piggyback off the Florida State Contract 252-001-09-1 and award a Purchase Order, in the amount of \$181,086, to SHI as the authorized reseller for Microsoft Corporation;

D. Approve and authorize the County Administrator to execute the Purchase Order, with not-to-exceed second and third year payments of \$200,000; and

E. Authorize the Chairman to execute all documents related to the termination and acceptance of the Enterprise Agreements with Microsoft Corporation.

[Funding: Fund 001, General Fund, Cost Center 140101 Information Technology - \$181,086]

2. Recommendation Concerning Supplemental Budget Amendment #69 - Payment in Lieu of Taxes Agreement with Sacred Heart Health System, Inc. - Amy Lovoy, Management & Budget Services Bureau Chief

That the Board adopt the Resolution approving Supplemental Budget Amendment #69, General Fund (001), in the amount of \$5,331,309, to recognize funds received from a Payment in Lieu of Taxes Agreement with Sacred Heart Health System, Inc., and to appropriate these funds in the current year's Budget.

3. Recommendation Concerning Supplemental Budget Amendment #70 - Amy Lovoy, Management and Budget Services Bureau Chief

That the Board adopt the Resolution approving Supplemental Budget Amendment #70, CRA Expendable Trust Fund (151) and the General Fund (001), to recognize a decrease, in the amount of \$9,286, in the General Fund transfer to the Community Redevelopment Agency - Tax Increment Finance (CRA-TIF) Districts in Escambia County and appropriate this decrease among the County's Five CRA-TIF Districts. This adjustment reflects the difference in the amount budgeted for the five County TIF Districts, the City of Pensacola TIF Districts, and the amount collected from property taxes.

4. Recommendation Concerning Supplemental Budget Amendment #71 - Jones Swamp Tree Harvesting - Amy Lovoy, Management and Budget Services Bureau Chief

That the Board adopt the Resolution approving Supplemental Budget Amendment #71, Escambia County Restricted Fund (101), in the amount of \$17,926, to recognize proceeds from the sale of surplus timber from tree harvesting and to appropriate these funds to be used for maintenance costs at the Jones Swamp Wetland Preserve.

5. Recommendation Concerning Supplemental Budget Amendment #80 - State Homeland Security Grant Program Sub-recipient Agreement - Amy Lovoy, Management and Budget Services Bureau Chief

That the Board adopt the Resolution approving Supplemental Budget Amendment #80, Other Grants and Projects Fund (110), in the amount of \$69,295, to recognize proceeds from a State of Florida Homeland Security Grant Program and to appropriate these funds to be used for continued training for team members and upkeep of equipment for the Urban Search & Rescue and Hazardous Material Teams.

6. Recommendation Concerning Amendment #1 to the Contract between the State of Florida and Escambia County - Amy Lovoy, Management & Budget Services Bureau Chief

That the Board approve Amendment #1 to the Contract between the State of Florida, Department of Revenue and Escambia County, increasing the total Contract by \$10,000, to allow additional reimbursement from the State for services of process. This Amendment will allow the County to receive an additional \$10,000 in reimbursements from the State of Florida.

7. Recommendation Concerning Contract Assignment for Escambia County Sector Plan, PD 06-07.043 - Amy Lovoy, Management and Budget Services Bureau Chief

That the Board take the following action concerning Contract PD 06-07.043, Escambia County Sector Plan:

A. Authorize the assignment of Contract PD 06-07.043, Escambia County Sector Plan, originally awarded to MSCW, Inc., to Vanassee Hangen Brustlin, Inc., in accordance with the terms and conditions of the Contract; and

B. Authorize the Chairman to sign the Assignment of Agreement.

[Funding: Fund 001, General Fund, Cost Center 240206]

8. Recommendation Concerning Cantonment Athletic Park Expansion - Amy Lovoy, Management and Budget Services Bureau Chief

That the Board award an Indefinite Quantity, Indefinite Delivery Contract, PD 10-11.006, Cantonment Athletic Park Expansion, to Roads, Inc., of NWF, for a total amount of \$492,197.50. [Funding: Fund 352 LOST III, Cost Center 210802, Object Code 56301, Project No. 11PR0965]

9. Recommendation Concerning the Release of Three County Liens at 13 Linda Street - Amy Lovoy, Management and Budget Services Bureau Chief

That the Board take the following action to assist Pensacola Habitat for Humanity, Inc., in the purchase of real property at 13 Linda Street, Account Number 07-2955-000, Reference Number 35-2S-30-6000-009-004:

A. Authorize release of two Municipal Services Benefit Unit (MSBU) Liens from 1998 and 1999, recorded in Official Records Book 4316, at Page 1650, and Official Records Book 4451, at Page 1275, respectively, in the total amount of \$516.60, and the 2010 Nuisance Abatement Lien, in the amount of \$258.59, recorded in Official Records Book 6557, at Page 1626, of the Public Records of Escambia County, Florida; and

B. Habitat for Humanity, Inc., will pay for the resolution and recording fees related to these Liens and will receive approval from the County of the design for any structure to be constructed prior to the County's release of Liens.

10. Recommendation Concerning the State of Florida, Division of Emergency Management, Federal Fiscal Year 2010 Homeland Security Grant Program Award - Michael D. Weaver, Public Safety Bureau Chief

That the Board take the following action concerning the State of Florida, Division of Emergency Management (FDEM), Federal Fiscal Year 2010 Homeland Security Grant Program award, allocating to Escambia County a Grant in the amount of \$62,997, for the period of August 1, 2010, through January 31, 2013:

A. Approve the FDEM Award Letter allocating funding that will be identified in Fund 110, Other Grants and Projects, Cost Center 330459, Domestic Security Grant;

B. Authorize the Chairman to sign the Grant Award Letter; and

C. Authorize the County Administrator to execute the subsequent Grant Agreement.

11. Recommendation Concerning Issuance of a Purchase Order on Contract PD 05-06.048, Purchase of Ambulances – Michael D. Weaver, Public Safety Bureau Chief

That the Board authorize the issuance of a Purchase Order to Horton Emergency Vehicles, in the amount of \$609,984, on Contract PD 05-06.048, "Purchase of Ambulances", for the purchase of three 2011 Navistar ambulances, Model 603A. [Funding Source: Fund 352 – LOST III, Project No. 08PS0028 – Ambulances, Cost Center 330435, Account 56401]

12. Recommendation Concerning the County's Acceptance of Property for Road Rights-of-Way and Drainage Improvements on Nicholson Drive - Joy D. Blackmon, P.E., Public Works Bureau Chief

That the Board take the following action concerning acquisition of property by donation for road rights-of-way and drainage improvements on Nicholson Drive:

A. Authorize staff to negotiate and resolve any matters related to, or associated with the acquisition of property by donation for road rights-of-way and Easements, located on or adjacent to Nicholson Drive, 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 road and drainage improvements, which will result in a more efficient and safer roadway, 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; which includes, but is not limited to, a title search, documentary stamp tax and recording of documents; 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, subject to Legal review and sign-off.

[Funding Source: Fund 351, LOST II, Account 210105/56101/56301, Project #05EN1605, "Nicholson Drive"]

13. Recommendation Concerning General Paving, Drainage, and Resurfacing Pricing Agreement 2010 - Joy D. Blackmon, P.E., Public Works Bureau Chief

That the Board authorize the issuance of individual or Blanket Purchase Orders, per PD 07-08.134, "General Paving, Drainage, and Resurfacing Pricing Agreement", in accordance with Chapter 46 of the Escambia County Code of Ordinances, to the following list of contractors in Fiscal Year 2010/2011, to be issued for the Public Works Bureau - Infrastructure/Engineering Division, not to exceed \$2,000,000 in total:

APAC Mid-South, Inc.
Gulf Atlantic Constructors, Inc.
Panhandle Grading and Paving, Inc.
Pensacola Concrete Construction Co.
Roads, Inc., of NWF
Starfish, Inc., of Alabama

[Funding Source: Fund 001, "General Fund", Account 211106/56301 - Santa Rosa Island Drainage Improvements]

14. Recommendation Concerning the Purchase of Real Property Located at 1664 Eagle Terrace, in Brookhollow Subdivision from Ronald E. and Theresa Maloy Schaefer - Joy D. Blackmon, P.E., Public Works Bureau Chief

That the Board take the following action regarding the purchase of a parcel of real property located at 1664 Eagle Terrace, in Brookhollow Subdivision (approximately 0.58 acres) from Ronald E. and Theresa Maloy Schaefer:

A. Authorize the purchase of a parcel of real property (approximately 0.58 acres) from Ronald E. Schaefer and Theresa Maloy Schaefer, for the appraised value of \$37,000, in accordance with the terms and conditions contained in the Contract for Sale and Purchase; and

B. Authorize the County Attorney to prepare and the Chairman or Vice Chairman to execute any documents, subject to Legal review and sign-off, necessary to complete the purchase, without further action of the Board.

[Funding Source: Fund 351, Lost II, Account 210105/56101/56301, Project 10EN0275 and Fund 352, Lost III, Account 210107/56101/56301, Project 10EN0455]

15. Recommendation Concerning the Purchase of Real Property Located in the 1700 Block of Eagle Street in Brookhollow Subdivision from Pensacola Bar and Harbor Pilots, Inc. - Joy D. Blackmon, P.E., Public Works Bureau Chief

That the Board take the following action regarding the purchase of three parcels of real property (totaling approximately 1.08 acres) located in the 1700 Block of Eagle Street, in Brookhollow Subdivision from Pensacola Bar and Harbor Pilots, Inc.:

A. Authorize the purchase of three parcels of real property (totaling approximately 1.08 acres) from Pensacola Bar and Harbor Pilots, Inc., for the appraised value of \$80,000, in accordance with the terms and conditions contained in the Contract for Sale and Purchase; and

B. Authorize the County Attorney to prepare and the Chairman or Vice Chairman to execute any documents, subject to Legal review and sign-off, necessary to complete the purchase, without further action of the Board.

[Funding Source: Fund 351, Lost II, Account 210105/56101/56301, Project 10EN0275 and Fund 352, Lost III, Account 210107/56101/56301, Project 10EN0455]

16. Recommendation Concerning a Local Agency Program Agreement with the State of Florida Department of Transportation, for Funding (not to exceed \$550,000), for Construction of Paved Shoulders on 2nd Street between Interbay Avenue and Barrancas Avenue (SR-292) - Larry M. Newsom, Interim Assistant County Administrator

That the Board take the following action concerning a Local Agency Program Agreement with the State of Florida Department of Transportation, for funding (not to exceed \$550,000), for construction of paved shoulders on 2nd Street between Interbay Avenue and Barrancas Avenue (SR-292):

A. Approve the State of Florida Department of Transportation, Local Agency Program (LAP) Agreement, between the State of Florida Department of Transportation (FDOT) and Escambia County, for a design of paved shoulders on 2nd Street, between Interbay Ave and Barrancas Avenue (SR-292);

B. Adopt the Resolution authorizing the execution of the LAP Agreement; and

C. Authorize the Chairman to sign the LAP Agreement and Resolution for this project.

[Funding: The reimbursement from FDOT to the County will take place over a three-year period. This is due to the box funding being allocated as such: current Fiscal Year \$125,000; FY 2011-12 \$125,000; FY 2012-13 \$300,000]

17. Recommendation Concerning a Railroad Reimbursement Agreement to Improve the Alabama Gulf Coast Railway, LLC, Railroad Crossing Controls Located on Arthur Brown Road - Larry M. Newsom, Interim Assistant County Administrator

That the Board take the following action concerning a Railroad Reimbursement Agreement to improve the Alabama Gulf Coast Railway, LLC, (A&GCR) railroad crossing controls located on Arthur Brown Road:

A. Adopt the Resolution that authorizes the County to enter into the Agreement with the State of Florida Department of Transportation (FDOT) and A&GCR;

B. Approve the Railroad Reimbursement Agreement between the State of Florida Department of Transportation, Alabama Gulf Coast Railway, LLC, and Escambia County, Florida, that specifies FDOT will fund the \$250,000, estimated cost to improve the railroad crossing controls on Arthur Brown Road, at the A&GCR crossing, in the Walnut Hill area, and further specifies A&GCR and the County will equally share the \$3,146, annual maintenance cost for the crossing controls; and

C. Authorize the Chairman or Vice Chairman to execute the Resolution and the Agreement.

[Funding: Fund 175, Transportation Trust Fund, Account 270201/54601]

18. Recommendation Concerning Brent Park Beautification & Restoration 2010 Project - Sandra P. Jennings, P.E., Community & Environment Bureau Chief

That the Board take the following action concerning the Community Development Block Grant (CDBG) funded Neighborhood Renewal Initiative Mini-Grant Agreement with BBYSA, Inc.:

A. Approve the Agreement and award a Neighborhood Renewal Initiative Grant, in the maximum amount of \$500, for the Brent Park Beautification and Restoration 2010 Project, sponsored by BBYSA, Inc., located in the Palafox Community Redevelopment Area; and

B. Authorize the Chairman or Vice Chairman to execute the Agreement and all related documents as required to implement the project.

[Funding: Fund 129/2009 CDBG, Cost Center 220410]

19. Recommendation Concerning Escambia County Ex-Oriskany PCB Artificial Reef Monitoring Project Grant Agreement with Florida Fish and Wildlife Commission (FWC) – Grant No. 10263 - Sandra P. Jennings, P.E., Community & Environment Bureau Chief

That the Board take the following action concerning the Escambia County Ex-Oriskany PCB Artificial Reef Monitoring Project Grant Agreement with the Florida Fish and Wildlife Conservation Commission (FWC) – Grant No. 10263:

A. Approve the Grant Agreement between Escambia County Board of County Commissioners and FWC, for the Ex-Oriskany PCB Artificial Reef Monitoring Project, in the amount of \$53,000, from the date of execution through December 30, 2012; and

B. Authorize the Chairman to execute the Agreement and any documents related to acceptance, execution, reporting, and amendments to this Grant, pending Legal review and approval, without further action of the Board.

[Funding Source: Fund 110, Other Grants & Projects; Cost Center/Revenue Code – TBD at time of Supplemental Budget Amendment]

20. Recommendation Concerning Interlocal Agreement with Santa Rosa County for Permitted Artificial Reef Sites - Sandra P. Jennings, P.E., Community & Environment Bureau Chief

That the Board take the following action concerning an Interlocal Agreement between the County and Santa Rosa County for permitted artificial reef sites:

A. Approve the Interlocal Agreement allowing Santa Rosa County to contribute appropriate reef materials and monetary compensation towards management of the artificial reef construction, for the purpose of enhancing the County's existing artificial reef sites; and

B. Authorize the Chairman to execute the Interlocal Agreement and any documents related to acceptance, without further action of the Board.

[Funding: Fund 108, Tourist Promotion Fund, Revenue Account TBD (new) – (\$1,000 minimum)]

21. Recommendation Concerning a Purchase Order to Thompson Tractor Company, Inc., for One Caterpillar D3K LGP Track Type Tractor, in the Amount of \$81,967. for Solid Waste Management - Sandra P. Jennings, P.E., Community & Environment Bureau Chief

That the Board authorize the County to Piggyback off the National Joint Powers Alliance (NJPA) Contract IFB# 092409, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Applications, exemptions: and Section 46-64, Board approval, and award a Purchase Order to Thompson Tractor Company, Inc., for one Caterpillar D3K LGP Track Type Tractor, in the amount of \$81,967, for Solid Waste Management. [Funding: Fund 401, Solid Waste Fund, Cost Center 220603]

22. Recommendation Concerning Agreement for Operation of Job Access and Reverse Commute and New Freedom Programs - Larry M. Newsom, Interim Assistant County Administrator

That the Board take the following action concerning the Agreement for operation of Job Access and Reverse Commute and New Freedom Programs:

A. Approve the Agreement between Escambia County and the Transportation Planning Organization for Operation of Job Access and Reverse Commute and New Freedom Programs; and

B. Authorize the Chairman to execute the Agreement and all related documents.

[Funding: Fund 104, Mass Transit; no additional cost to the County]

23. Recommendation Concerning the Agreement between ECAT, the Florida-Alabama Transportation Planning Organization and the University of South Florida's Center for Urban Transportation Research, for the 2011 Major Update to the Escambia County Ten Year Transit Development Plan - Larry M. Newsom, Interim Assistant County Administrator

That the Board accept for the Official Record, the Agreement between ECAT (Escambia County Area Transit), the Florida-Alabama Transportation Planning Organization (TPO), and the University of South Florida's Center for Urban Transportation Research (CUTR), for the 2011 Major Update to the Escambia County Ten Year Transit Development Plan (TDP), ensuring that ECAT services are eligible for the State Transit Block Grant and other transit funding available from the Florida Department of Transportation (FDOT).

III. For Discussion

1. Recommendation Concerning Appointment to the Escambia County Board of Adjustment - Charles R. "Randy" Oliver, CPA PE, County Administrator

That the Board approve appointing one of the following nominees to the Escambia County Board of Adjustment at-large position, effective January 6, 2011, through April 15, 2011, to fill the unexpired term of Robert R. Penfold, who resigned:

- A. Jesse Casey; or
- B. David Karasek

2. Recommendation Concerning Resolution Requesting Assistance in Getting BP Claims for Economic Losses Caused by the BP Oil Spill Approved, Expedited and Settled - Charles R. "Randy" Oliver, CPA PE, County Administrator

That the Board adopt the Resolution requesting assistance from the President of the United States and the Northwest Florida Legislative Delegation to take action to ensure BP holds true on its promise, in a timely manner, to make Escambia County and its citizens whole for any economic losses caused by the BP Oil Spill.

COUNTY ATTORNEY'S REPORT

January 6, 2011

I. FOR ACTION

1. Ruth Bradshaw Workers' Compensation Settlement

Recommendation Concerning Ruth Bradshaw Workers' Compensation Settlement

That the Board approve a workers' compensation washout settlement in the total amount of \$213,281.00, inclusive of attorney's fees and costs. The County will pay \$174,000 of the total settlement amount and an excess carrier shall reimburse the County for the remaining \$39,281.00.

2. Correction of Reimbursement to Commissioner Gene Valentino for Attorney's Fees

Recommendation Concerning Correction of Reimbursement to Commissioner Gene Valentino for Attorney's Fees

That the Board ratify correction of the total amount of attorney's fees due Commissioner Gene Valentino from \$16,553.30 (as approved by the Board on December 9, 2010) downward to \$14,232.16 to reflect adjustments in supporting documentation.

II. FOR INFORMATION

1. Temporarily Delaying Preparation of Easements for Perdido Key Beach Restoration, Nourishment, and Erosion Control Project

Issue Concerning Temporarily Delaying Preparation of Easements for Perdido Key Beach Restoration, Nourishment, and Erosion Control Project

That the Board accept the following information concerning temporarily delaying the preparation of easements for Perdido Key Beach Restoration, Nourishment, and Erosion Control Project:

The County Administrator has requested that the County Attorney's Office temporarily delay preparation and transmission of easements to gulf front property owners in connection with the Perdido Key Beach Restoration, Nourishment, and Erosion Control Project until staff has had the opportunity to educate Perdido Key residents on the nature and scope of the project.

At its October 21, 2010 meeting, the Board authorized the County Attorney's Office to prepare easements for properties on Perdido Key adjacent to the Gulf of Mexico and to prepare any other associated correspondence. The County Administrator feels that the Perdido Key residents would be more likely to support the project if the County first conducts a public education program, including holding public meetings and designing and installing an internet webpage that can provide information on the nature and scope of the project and the associated benefits that will accrue to the Perdido Key residents and the public at-large.

In order to assist the public in understanding the project and cultivating support, the Community & Environment Bureau will work with the Public Information Bureau to develop a County informational internet webpage and community meetings.