

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 – February 18, 2010 – 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. Proclamations.

Recommendation: That the Board take the following action concerning Proclamations:

- A. Adopt the Proclamation honoring and congratulating Mrs. Elmira Gandy Crapps for reaching the age of 103;
- B. Ratify the following two Proclamations, dated February 11, 2010:
 - (1) The Proclamation proclaiming that Martina McBride is an “Honorary Citizen” of Escambia County; and
 - (2) The Proclamation proclaiming that Trace Adkins is an “Honorary Citizen” of Escambia County; and
- C. Adopt the following two Proclamations:
 - (1) The Proclamation commending and congratulating Illauna Brazwell, Commissioner's Aide, District 1, on her retirement after 15 years of service; and
 - (2) The Proclamation commending and congratulating Harold Jackson, Jr., Inspections Supervisor, Development Services Bureau, on his retirement after 17 years of service.

7. 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*.

8. **5:31 p.m. Public Hearing for consideration of the Petition to Vacate a portion of Park Road, Haven Park Subdivision, as petitioned by Henry E. Bateman and Judith A. Bateman.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, take the following action regarding the Petition to Vacate a portion of Park Road, Haven Park Subdivision (40 feet x approximately 390 feet = [approximately] 15,600 square feet, or 0.36 acre), as petitioned by Henry E. Bateman and Judith A. Bateman:

- 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.

9. Committee of the Whole Recommendation.

(TO BE DISTRIBUTED UNDER SEPARATE COVER)

10. Reports:

Clerk of the Circuit Court & Comptroller
County Administrator
County Attorney

11. Items added to the agenda.

12. Announcements.

13. 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
FEBRUARY 18, 2010

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

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

- A. Payroll Expenditures for Pay Date February 5, 2010, in the amount of \$2,162,294.63;
- B. The following two Disbursement of Funds:
 - (1) January 28, 2010, to February 3, 2010, in the amount of \$10,175,688.58; and
 - (2) February 4, 2010, to February 10, 2010, in the amount of \$1,619,284.30;
- C. The Investment Report for the month ended January 31, 2010;
- D. The Tourist Development Tax Collections Data for Fiscal Year 2009-2010, which includes the December 2009 returns received in the month of January 2010; the fourth month revenue collected reflects 23.15% of the Budget for the Fiscal Year; and
- E. Budget Comparison Reports for Fiscal Year 2009-2010, as follows:
 - (1) Summarized, by Fund, Budget to Actual Comparison as of January 31, 2010; and
 - (2) Actual Revenue and Expenditure Comparison to the prior Fiscal Year as of January 31, 2010.

2. Recommendation Concerning Disposition of Records

Recommendation: That the Board approve *Records Disposition Document No. 426*, for disposition of Board of County Commissioners' Records, Item 32a, Minutes: Official Meetings (Transcripts: Microfilmed on Rolls 455 through 457), for the period July 7, 2009, through September 17, 2009, in accordance with State Retention Schedule GS1, since the permanent records have been scanned and/or microfilmed.

I. CONSENT AGENDA – Continued

3. Recommendation Concerning Internal Audit Report

Recommendation: That the Board accept, for filing with the Board's Minutes, the Escambia County Sheriff's Office Internal Audit Report, as prepared and audited by Smith, Dukes & Buckalew, L.L.P., Certified Public Accountants, along with the response from Sheriff David Morgan; as outlined in Sheriff Morgan's response, he will be implementing changes that address the various recommendations made in the Audit Report, as received in the Clerk to the Board's Office on February 4, 2010.

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 *Amendment to Interlocal Agreement Between Escambia County, Florida, and the Pensacola Downtown Improvement Board for the Creation of a Comprehensive Downtown Parking Strategy for Centralized and Efficient Management of Downtown Parking Facilities*, as approved by the Board on August 21, 2008, and received in the Clerk to the Board's Office on February 1, 2010; and
- B. The following documents regarding the Escambia-Pensacola Human Relations Commission (HRC), as received in the Clerk to the Board's Office on February 2, 2010:
 - (1) *Financial Statements of Escambia-Pensacola Human Relations Commission September 30, 2009 and 2008*, as prepared and audited by Brown Thornton ♦ Pacenta & Company, P.A., Certified Public Accountants Business & Financial Consultants; and
 - (2) *Escambia-Pensacola Human Relations Commission 2008-2009 Annual Report Citizen Focused ♦ Results Oriented*, as prepared by HRC.

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 February 4, 2010;
- B. Approve the Minutes of the Executive Session held February 4, 2010; and
- C. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held February 4, 2010.

**COUNTY ADMINISTRATOR'S REPORT
FEBRUARY 18, 2010**

I. Technical/Public Service Consent Agenda

1. **Recommendation Concerning Waiver of County Noise Abatement Ordinance – Pensacola Studio – Thomas Lloyd Kerr, Development Services Bureau Chief**

RECOMMENDATION: That the Board approve the “Special Event Permit Application” for a limited waiver of the noise restrictions, imposed by the Escambia County Noise Abatement Ordinance, in conjunction with the outdoor charity event for the Haiti Earthquake Relief Effort, sponsored by the Pensacola Studio, to be held Sunday, April 18, 2010, from 12:00 p.m., to 8:00 p.m., at 6229 North 9th Avenue (corner of 9th and Langley Avenues).

2. **Recommendation Concerning Equestrian Center Volunteer Ombudsman Position – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning an Equestrian Center Volunteer Ombudsman position for the Neighborhoods/Community Services Bureau, Neighborhood Redevelopment Branch, Parks Programs Division:

- A. Approve the position of an Equestrian Center Volunteer Ombudsman, created by the Board on January 21, 2010, to serve in an advisory capacity to the Parks Programs Division on issues related to the Equestrian Center;
- B. Authorize selection of the first Equestrian Center Volunteer Ombudsman by a majority vote of the Board from candidates selected by each Commissioner; and
- C. Establish a term of two years for the Volunteer Ombudsman position.
3. **Recommendation Concerning the Scheduling of a Public Hearing for Renewal of a Permit for a Construction and Demolition Debris for Land Clearing Disposal Management Facility for Longleaf C&D Disposal Facility – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board authorize the scheduling of a Public Hearing for March 4, 2010, at 5:31 p.m., for consideration of the renewal of a Permit to Construct, Operate, Modify or Close a Construction and Demolition Debris or Land Clearing Disposal Management Facility for Longleaf C&D Disposal Facility, owned by Waste Management, Inc.

COUNTY ADMINISTRATOR'S REPORT

FEBRUARY 18, 2010

PAGE 2 of 13

4. **Recommendation Concerning Scheduling of a Public Hearing to Vacate a Portion of Hayne Street, North Pensacola Unit Four Subdivision – Joy D. Blackmon, P.E., Interim Assistant County Administrator**

RECOMMENDATION: That the Board authorize the scheduling of a Public Hearing for March 18, 2010, at 5:31 p.m., to consider the proposed vacation of a portion of Hayne Street, North Pensacola Unit Four Subdivision (approximately 17,189 square feet or 0.39 acres), on the Board's own Motion.

5. **Recommendation Concerning Appointment to the West Florida Public Library Board of Trustees – Larry M. Newsom, Interim County Administrator**

RECOMMENDATION: That the Board appoint Ms. Frances Yeo to the West Florida Public Library Board of Trustees for a four-year term, effective February 18, 2010, through February 17, 2014, replacing Mr. Phillip White, who resigned.

6. **Recommendation Concerning the Scheduling of a Public Hearing for an EDATE for Navy Federal Credit Union, Phase III – Larry M. Newsom, Interim County Administrator**

RECOMMENDATION: That the Board authorize the scheduling of a Public Hearing, Thursday, March 4, 2010, at 5:32 p.m., to adopt an Ordinance establishing an Economic Development Ad Valorem Tax Exemption for Navy Federal Credit Union for Phase III of their overall campus expansion.

7. **Recommendation Concerning an Appointment to the Escambia County Board of Adjustment – Larry M. Newsom, Interim County Administrator**

RECOMMENDATION: That the Board confirm the appointment of Jennifer J. Rigby, replacing David W. Fitzpatrick, as Commissioner Kevin W. White's appointee to the Escambia County Board of Adjustment, effective February 18, 2010. This appointment will run concurrent with Commissioner White's term of office or at his discretion.

II. **Budget/Finance Consent Agenda**

1. **Recommendation Concerning Sale of Real Property Located at 2008 North "S" Street – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the reduction of the minimum bid required for the sale of real property located at 2008 North "S" Street, due to the Property Appraiser's reassessed value:

- A. Authorize the sale of the Board's surplus real property, Account Number 06-1410-000, Reference Number 17-2S-30-1300-002-044, acquired by governmental foreclosure, to the bidder with the highest offer above the minimum bid of \$3,681, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
- B. Authorize the Chairman to sign all documents related to the sale.

2. **Recommendation Concerning Sale of Real Property Located at 7940 Hayworth Avenue – Amy Lovoy, Management And Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the reduction of the minimum bid required for the sale of real property located at 7940 Hayworth Avenue, due to the Property Appraiser's reassessed value:

- A. Authorize the sale of the Board's surplus real property, Account Number 03-0127-500, Reference Number 22-1S-30-2401-040-005, acquired by governmental foreclosure, to the bidder with the highest offer above the minimum bid of \$5,130, in accordance with Section 46.134 of the Escambia County Code of Ordinances, without further action of the Board; and
- B. Authorize the Chairman to sign all documents related to the sale.

COUNTY ADMINISTRATOR'S REPORT

FEBRUARY 18, 2010

PAGE 4 of 13

3. Recommendation Concerning Surplus and Sale of Real Property Located at 1211 Border Street – Amy Lovoy, Management And Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property located at 1211 Border Street:

- A. Declare surplus the Board's real property, Account Number 07-0661-000, Reference Number 34-2S-30-0460-012-046;**
- B. Authorize the sale of the property to the bidder with the highest offer received above the minimum bid of \$3,107, without further action of the Board; and**
- C. Authorize the Chairman to sign all documents related to the sale.**

4. Recommendation Concerning Surplus and Sale of Real Property Located at 1728 Blakely Avenue – Amy Lovoy, Management And Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property located at 1728 Blakely Avenue:

- A. Declare surplus the Board's real property, Account Number 10-0350-000, Reference Number 35-2S-31-1000-011-047;**
- B. Authorize the sale of the property to the bidder with the highest offer received above the minimum bid of \$9,262, without further action of the Board; and**
- C. Authorize the Chairman to sign all documents related to the sale.**

5. Recommendation Concerning Surplus and Sale of Real Property Located at 1732 Bainbridge Avenue – Amy Lovoy, Management And Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property located at 1732 Bainbridge Avenue:

- A. Declare surplus the Board's real property, Account Number 10-0299-000, Reference Number 35-2S-31-1000-011-040;**
- B. Authorize the sale of the property to the bidder with the highest offer received above the minimum bid of \$12,350, without further action of the Board; and**
- C. Authorize the Chairman to sign all documents related to the sale.**

6. Recommendation Concerning Surplus and Sale of Real Property Located at 3709 West Mallory Street – Amy Lovoy, Management And Budget Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the surplus and sale of real property located at 3709 West Mallory Street:

- A. Declare surplus the Board's real property, Account Number 06-3714-000, Reference Number 33-2S-30-1300-100-017;
- B. Authorize the sale of the property to the bidder with the highest offer received above the minimum bid of \$6,270, without further action of the Board; and
- C. Authorize the Chairman to sign all documents related to the sale.

7. Recommendation Concerning Budget Amendment #113 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board approve Budget Amendment #113, General Fund (001), in the amount of \$227,349, to recognize a transfer from reserves to cover the County Administrator's final payout.

8. Recommendation Concerning Supplemental Budget Amendment #117 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #117, Other Grants and Projects (110) and General Fund (001) to recognize a transfer of funds, in the amount of \$5,206, from the Supervisor of Elections Budget to the Federal Elections Activity Grant and to appropriate these funds for elections activities in Escambia County.

9. Recommendation Concerning Supplemental Budget Amendment #118 – Amy Lovoy, Management and Budget Services Bureau Chief

RECOMMENDATION: That the Board adopt the Resolution approving Supplemental Budget Amendment #118, Other Grants and Projects (110), in the amount of \$10,894, to recognize interest proceeds from the Supervisor of Elections Grants and to appropriate these funds for elections activities in Escambia County.

10. **Recommendation Concerning Workers' Compensation Audit Additional Premium – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning an additional premium required as a result of the workers' compensation audit:

- A. Approve the payment to Florida Municipal Insurance Trust, in the amount of \$102,594, for the additional premium for audit period October 1, 2008, through September 30, 2009; and
- B. Authorize the issuance of a Purchase Order in the amount of \$102,594.

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

11. **Recommendation Concerning Purchase of Telephone System for Escambia County Central Office Complex – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board authorize the County to piggyback off the General Services Administration Contract #GS-35F-0628S, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, and award a Purchase Order to KMS Business Products, Inc., in an amount not to exceed \$257,500, for the purchase of a telephone system for the Escambia County Central Office Complex. [Funding: Fund 351, Local Option Sales Tax II, Cost Center 110261, Project Number 05AD0029 One Stop Building, Object Code 56201]

12. **Recommendation Concerning Award of Task Order-Based Continuing Contracts for Architect and Engineering Services – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board amend its action taken at the October 1, 2009, Board Meeting concerning the Professional Services as Governed by Florida Statute 287.055, PD 02-03.79 (A&E Services), to correct the language from "Award Task Orders based on Continuing Contracts" to "Award Task Order-based Continuing Contracts", due to a scrivener's error.

13. **Recommendation Concerning Consulting Engineering Services for Greenbrier Boulevard Extension – Amy Lovoy, Management and Budget Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning PD 09-10.010, Consulting Engineering Services for Greenbrier Boulevard Extension:

A. Approve the Selection/Negotiation Committee Ranking:

1. Post, Buckley, Schuh & Jernigan, Inc.;
2. Fabre Engineering & Surveying; and
3. Jehle-Halstead, Inc., and

B. Award a Task Order Contract for PD 09-10.010, Consulting Engineering Services for Greenbrier Boulevard Extension, per the terms and conditions of PD 02-03.079, Professional Services as Governed by Florida Statute 287.055, to Post, Buckley, Schuh & Jernigan, Inc., for a lump sum amount of \$279,639, Phase I Preliminary Engineering and allowances of \$238,000 for a total of \$517,639.

[Funding: Fund 352, LOST III, Account 210104, Object Code 56301, Project No. 09EN0315]

14. **Recommendation Concerning Renewal of a Lease Agreement With Daniel W. Bailey – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the renewal of a Lease Agreement between Escambia County, Florida, and Daniel W. Bailey, (as personal representative of the Estate of Winston Claude Bailey), to operate and maintain a groundwater contamination remediation system located on Mr. Bailey's property south of the Perdido Landfill, for the purpose of recovery and treatment of contaminated groundwater from the unlined sections of Perdido Landfill:

- A. Approve the Lease Agreement at a cost of \$17,570, for a twelve-month period, beginning February 1, 2010, and ending January 31, 2011; and
- B. Authorize the Chairman to sign the Lease Agreement.

[Funds available in Solid Waste Fund 401, Cost Center 220602]

15. Recommendation Concerning Pensacola Bay Fishing Bridge Fee Schedule – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board adopt the Pensacola Bay Fishing Bridge Fee Schedule, effective March 1, 2010. [Funding: Fund 110, Marine Resources, Cost Center 220807]

16. Recommendation Concerning Issuance of Individual or Blanket Purchase Orders, General Paving, Drainage and Resurfacing Pricing Agreement – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: 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 2009/2010, to be issued for the Neighborhoods/Community Services Bureau, Solid Waste Management Division, not to exceed \$1,500,000 in total:

APAC-Southeast, Inc.
Henry Haire Building and Development, Inc.
Gulf Atlantic Constructors, Inc.
Panhandle Grading & Paving, Inc.
Pensacola Concrete Construction Co.
Roads, Inc., of NWF
Starfish, Inc., of Alabama
Utility Service Co., Inc.

[Funding: Fund 401, Solid Waste, Cost Centers 220602, 220603, 220604, 220605, 220608, 220612 and 220613]

17. Recommendation Concerning Elevated Iron Concentrations at the County-Owned and Operated Klondike Landfill – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the Modification to the Research Agreement between Escambia County and the University of Florida Board of Trustees to assess and address issues associated with elevated iron concentrations at the County-owned-and-operated Klondike Landfill:

- A. Approve the Modification to the Research Agreement for \$140,000, for twelve months, with an option to renew annually; and
- B. Authorize the Chairman to sign the Agreement.

[Fund 401, Solid Waste, Cost Center 220608]

18. Recommendation Concerning Acquisition, Closure and Remediation of the Abandoned Saufley C&D Disposal Landfill – Sandra P. Jennings, E.I., Neighborhoods/ Community Services Bureau Chief

(BACKUP TO BE DISTRIBUTED UNDER SEPARATE COVER)

19. Recommendation Concerning 2009 Community Development Block Grant Fire Protection Improvements Project – Sandra P. Jennings, E.I., Neighborhoods/ Community Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning the 2009 Community Development Block Grant (CDBG) Fire Protection Improvements Project:

- A. Approve the Interlocal Agreement with Emerald Coast Utilities Authority, in the amount of \$175,000, providing for the Fire Protection Improvements Project (2009) including installation of fire hydrants and associated water main upgrades primarily within Census Tracts 28.01 and 29; 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]

20. Recommendation Concerning Amendment #1 to Lake Stone Campground Facility Management Agreement – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief

RECOMMENDATION: That the Board take the following action concerning approval of Amendment #1 to the Agreement between the Escambia County Board of County Commissioners and Mervyn Leroy Simmons for the management of the Lake Stone Campground Facility:

- A. Approve Amendment #1 to the Agreement between the Escambia County Board of County Commissioners and Mervyn Leroy Simmons, extending the term of the Agreement for one year, as provided in paragraph 5 of the original Agreement, period ending on February 10, 2011; and
- B. Authorize the Interim County Administrator to sign the Amendment.

[Funding Source: General Fund 001; Cost Center 220804, Lake Stone]

21. **Recommendation Concerning Myrtle Grove Elderly Apartments Rental Development Agreement – Sandra P. Jennings, E.I., Neighborhoods/Community Services Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning the Myrtle Grove Elderly Apartments Rental Development Agreement with AMR at Pensacola, Inc., as authorized on November 5, 2009:

- A. Approve a Rental Development Completion Agreement with AMR at Pensacola, Inc., a local non-profit, formally committing \$367,500, in combined Hurricane Housing Recovery Program (HHRP) and HOME Program funds to complete development of the Myrtle Grove Elderly Apartments, specifically requiring completion of a minimum of six duplexes (12 units of affordable housing) on property located at 1426 61st Avenue, Pensacola, Florida, (Property Reference #: 352S303100001003/ Property Account #: 07268000), in accordance with the long-term occupancy requirements of the HHRP and HOME Programs; and
- B. Authorize the Chairman or Interim County Administrator, as appropriate, to execute the Agreement and all related documents as required to implement the authorized actions and fully-complete the project.

[Funding: Fund 120/HHRP, Cost Center 220426; Fund 147/HOME, Cost Center 220501]

22. **Recommendation Concerning Hiring of Budgeted Senior Office Support Assistant Positions for Emergency Medical Services – Frank Edwards, Public Safety Bureau Chief**

RECOMMENDATION: That the Board authorize a waiver of the frozen position list and allow the Public Safety Bureau to advertise and hire budgeted Senior Office Support Assistant positions as they become vacated in the Emergency Medical Services Billing Office. [Funding Source: Fund 408 – Emergency Medical Service; Cost Center 330304 – EMS Training & Quality Assurance]

23. **Recommendation Concerning Motorola Service Agreement for County's E-911 Equipment and Software – Frank Edwards, Public Safety Bureau Chief**

RECOMMENDATION: That the Board take the following action concerning Motorola Service Agreement, Order #S0000101, for maintenance of the County's E-911 system equipment and software, in the amount of \$101,491.25, for the period March 1, through September 30, 2010:

- A. Approve and authorize the Interim County Administrator to sign the Service Agreement; and
- B. Authorize issuance of a Purchase Order in the amount of \$101,491.25, to Motorola for this purpose.

[Funding Source: Fund 145 – E-911 Operations Fund; Cost Center 330404 – E911 Communications, Account Code 54601 – Repair & Maintenance]

24. **Recommendation Concerning Area "A" Density Reduction Project – Joy D. Blackmon, P.E., Interim Assistant County Administrator**

RECOMMENDATION: That the Board take the following action regarding the purchase of a parcel of property owned by Charles E. Burnham and Mary Burnham, consisting of approximately 3.16 acres, located off Fenceline Road, for the Area "A" Density Reduction Project:

- A. Authorize the purchase of one parcel of property from Charles E. Burnham and Mary Burnham (03-3S-31-2004-004-001), for the appraised value of \$117,000, in accordance with the terms and conditions contained in the Contract for Sale and Purchase;
- B. Authorize the payment of documentary stamps because the property is being purchased for governmental use – to control development and promote the long-term viability of Pensacola Naval Air Station – and will enhance the public safety and general welfare of the citizens of Escambia County; and
- C. Authorize the County Attorney to prepare and the Chairman or Vice Chairman to execute any documents necessary to complete the purchase without further action from the Board.

[Funding Source: Fund 110, "Other Grants and Projects - Density Reduction PNS-NAS", Account 221006/56101]

25. **Recommendation Concerning Acquisition of Real Property for Boat Ramp Project on Perdido River at Mobile Highway – Joy D. Blackmon, P.E., Interim Assistant County Administrator**

RECOMMENDATION: That the Board take the following action regarding the acquisition of two parcels of real property from Gregory and Linda English for a Boat Ramp Project on Perdido River at Mobile Highway:

- A. Authorize staff to make an offer to Gregory and Linda English to purchase two parcels of property (Parcel 4 = 1.68 acres / Parcel 5 = 2.63 acres / total of 4.31 acres) for \$888,500, which is the average of two appraisals; and
- B. Authorize the County Attorney to prepare and the Chairman or Vice Chairman to execute any documents necessary to complete the acquisition of the properties.

[Funding Source: Fund 352, Lost III, Account 220102/56101, Project 08NE0018, "Boat Ramps"]

COUNTY ATTORNEY'S REPORT
February 18, 2010

I. FOR ACTION:

1. Termination of Agreement with Joyner & Jordan-Holmes, PLC

That the Board approve the termination of the agreement for foreclosure services with Joyner & Jordan-Holmes, PLC (now known as Stiles, Taylor & Grace, P.A.) subject, in the discretion of the County Attorney, to satisfactory resolution of any outstanding foreclosure litigation.

2. Approval of Fiscal Year 2009/10 Miscellaneous Appropriations Agreements allocating funds to qualified arts organizations

That the Board take the following action concerning approval of Fiscal Year 2009/2010 Miscellaneous Appropriations Agreements:

A. Find that said expenditures of County tax monies serve an essential public purpose as established by law; and

B. Approve the following Miscellaneous Appropriations Agreements to be paid from the 4th Cent Tourist Development Tax Fund 108, Cost Center 360105:

1. Artel, Inc.	\$124.00
2. Ballet Pensacola, Inc.	\$219.00
3. The Choral Society of Pensacola, Inc.	\$154.00
4. Jazz Society of Pensacola, Inc.	\$121.00
5. Pensacola Children's Chorus Inc.	\$3,358.00
6. Pensacola Little Theatre, Inc.	\$7,348.00
7. Pensacola Museum of Art, Inc.	\$3,080.00
8. Perdido Bay Tribe of Southeastern Lower Muscogee Creek Indians, Inc.	\$170.00
9. Pensacola Opera, Inc.	\$6,434.00
10. The Pensacola Symphony Orchestra Guild, Inc.	\$3,887.00
11. Society for the Preservation and Encouragement of Barbershop Quartet Singing in America, Inc., Pensacola Chapter	\$105.00; and

C. Authorize the Chairman to sign the Agreements and all other necessary documents; and

D. Authorize the execution of the necessary purchase orders.

3. Lease Agreement with Artel, Inc. for space located on the First Floor of the Old County Courthouse

That the Board take the following action concerning the lease of County-owned space at the Old County Courthouse, located at 223 Palafox Place, Pensacola, Florida, to Artel, Inc.:

- A. Adopt a Resolution approving the lease of the first floor of the Old County Courthouse, 223 Palafox Place, with Artel, Inc., under the terms and conditions contained in the attached Lease Agreement; and
- B. Authorize the Chairman to execute the Lease Agreement, Resolution, and all other documents necessary to complete this transaction. **(Backup to be distributed under separate cover.)**