

THROUGH THESE DOORS WALK ONLY THE FINEST PEOPLE – THE CITIZENS OF ESCAMBIA COUNTY. DECISIONS ARE MADE IN THIS ROOM AFFECTING THE DAILY LIVES OF OUR PEOPLE. DIGNIFIED CONDUCT IS APPRECIATED.

CHAMBER RULES

1. IF YOU WISH TO SPEAK, YOU WILL BE HEARD.
2. YOU MUST SIGN UP TO SPEAK. SIGN-UP SHEETS ARE AVAILABLE AT THE BACK OF THE ROOM.
3. YOU ARE REQUESTED TO KEEP YOUR REMARKS BRIEF AND FACTUAL.
4. BOTH SIDES ON AN ISSUE WILL BE GRANTED UNIFORM/MAXIMUM TIME TO SPEAK.
5. DURING QUASI-JUDICIAL HEARINGS (I.E., REZONINGS), CONDUCT IS VERY FORMAL AND REGULATED BY SUPREME COURT DECISIONS. VERBAL REACTION OR APPLAUSE IS NOT APPROPRIATE.

**PLEASE NOTE THAT ALL BCC MEETINGS ARE RECORDED AND TELEVISED**

AGENDA

Board of County Commissioners  
Regular Meeting – October 7, 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. Georgia Bell Lewis Harris for reaching the age of 100;
- B. Adopt the following two Proclamations:
  - (1) The Proclamation commending and congratulating Eddie M. Mason, Administrative Supervisor, Public Works Bureau, on her retirement after 15 years of service; and
  - (2) The Proclamation commending and congratulating Linda L. Smithson, Senior Office Support Assistant, Community & Environment Bureau, on her retirement after 30 years of service; and
- C. Take the following action concerning the adoption/ratification of the following three Proclamations:
  - (1) Adopt the Proclamation proclaiming September 15, 2010, through October 15, 2010, as “Hispanic Heritage Month” in Escambia County;
  - (2) Ratify the Proclamation, dated September 29, 2010, proclaiming October 3-9, 2010, as “4-H Week” in Escambia County; and
  - (3) Ratify the Proclamation, dated September 27, 2010, proclaiming October 1, 2010, as “National Association of Letter Carriers’ Day” in Escambia County.

- 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 Bates Drive, as petitioned by Shirlaura Bremer.**

Recommendation: That the Board, at the 5:31 p.m. Public Hearing, take the following action regarding the Petition to Vacate a portion of Bates Drive (15 feet x approximately 825 feet = 12,375 square feet, or 0.28 acre), as petitioned by Shirlaura Bremer:

- 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. Reports:

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

- 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  
October 7, 2010

I. CONSENT AGENDA

1. Recommendation Concerning Acceptance of Reports

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

A. The following two Payroll Expenditures:

- (1) Pay Date September 17, 2010, in the amount of \$2,275,712.17; and
- (2) Pay Date October 1, 2010, in the amount of \$2,289,502,71;

B. The following three Disbursement of Funds:

- (1) September 9, 2010, to September 15, 2010, in the amount of \$5,741,956.27;
- (2) September 16, 2010, to September 22, 2010, in the amount of \$3,522,789.88;  
and
- (3) September 23, 2010, to September 29, 2010, in the amount of \$8,907,905.56.

2. Recommendation Concerning Acceptance of CIAC Minutes

Recommendation: That the Board accept, for filing with the Board's Minutes, the Minutes of the Special Meeting of the County Investment Advisory Committee (CIAC) held March 26, 2010, the Quarterly Meeting of the CIAC held April 23, 2010, and the Special Meeting of the CIAC held May 17, 2010, as prepared by the Clerk to the Board's Office.

I. CONSENT AGENDA – Continued

3. 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. A copy of the *Oath of Office* for Escambia County Health Facilities Authority Member Rodney L. Kendig, who was appointed to a four-year term, effective August 22, 2010, through August 21, 2014, as filed with the Florida Department of State, Division of Elections, by Paula G. Drummond, Executive Director, Escambia County Health Facilities Authority, and received in the Clerk to the Board's Office on September 14, 2010; and
- B. A copy of the *Northwest Florida Water Management District Amended Proposed Budget Fiscal Year 2010-2011, effective October 1, 2010*, and a copy of *Resolution No. 747, Adoption of Fiscal Year 2010-2011 Budget*, as provided by N. Jean Whitten, Director, Division of Administration, Northwest Florida Water Management District, and received in the Clerk to the Board's Office on September 29, 2010.

4. 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 Second Budget Public Hearing held September 23, 2010;
- B. Approve the Minutes of the Special Board Meeting held September 17, 2010;
- C. Approve the Minutes of the Regular Board Meeting held September 16, 2010;
- D. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held September 16, 2010; and
- E. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held September 9, 2010.

## GROWTH MANAGEMENT REPORT

October 7, 2010

### I. PUBLIC HEARINGS

1. Review of the rezoning case heard by the Planning Board on September 13, 2010.

#### **RECOMMENDATION:**

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

- A. Review and either adopt, modify, or overturn the Planning Board's recommendation for Rezoning Case Z-2010-11 or remand the case back to the Planning Board; and
- B. Authorize the Chairman to sign the Order of the Escambia County Board of County Commissioners for the rezoning case that was reviewed.

<b>Case No.:</b>	<b>Z-2010-11</b>
Location:	4923 Lillian Highway
Property Reference No.:	34-2S-30-0200-002-011
Property Size:	2.25 (+/-) acres
From:	R-2 Single-family District (cumulative), Low-medium Density (7 du/acre) & R-6 Neighborhood Commercial and Residential District, (cumulative) High Density (25 du/acre)
To:	C-1 Retail Commercial District (cumulative) (25 du/acre)
FLU Category:	MU-2 (Mixed-Use 2)
Commissioner District:	2
Requested by:	Wiley C. "Buddy" Page, Agent for Rhonda M. Riley & Alan D. Howard, Owners
Planning Board Recommendation:	Denial of C-1, Approval of R-6
Speakers:	Wiley C. "Buddy" Page Joyce Childers Eva Peterson Lynette Harris Tommy Brown Horace Jones

**2. 5:45 p.m. – Thursday, October 7, 2010 – 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 case heard by the Planning Board on September 13, 2010 and approved during the previous agenda item and to provide for severability, inclusion in the code, and an effective date.

**II. ACTION ITEM**

**1. Action Item – Saverna Park Final Plat Permit # 04071044**

**RECOMMENDATION:**

That the Board take the following actions concerning recording of the Final Plat of Saverna Park, (a 143 lot single family residential subdivision), located in the Cottage Hill Community on Well Line Road, lying west of U.S. Highway 29. Owned and developed by Saverna Park, LLC. Prior to recording, the County Engineer, County Surveyor, Development Services Bureau Chief and the Clerk of the Circuit Court must sign the Final Plat, as set forth in Section 4.02.07.E, of the Escambia County Land Development Code. Also, prior to recording the County Surveyor must sign the Final Plat as set forth in Chapter 177.081 (1) Florida Statutes;

- A. Approve the final plat for recording;
- B. Approve the street names “Jacobs Way, Jesse Drive, Hesed Court and Perdido Road”;
- C. Accept all public easements, drainage improvements within public easements/public parcels, as depicted upon the final plat for permanent County maintenance subject to the transfer of the stormwater system to operation and maintenance phase through the water management district. The cost of maintenance for drainage improvements are to be funded through the establishment of a stormwater management Municipal Services Benefit Unit (MSBU); and
- D. Authorize the Chairman or Vice-Chairman to execute a Two Year Warranty Agreement.

**2. Action Item – Quorum for meetings of the Land Development Code (LDC) Revisions Citizen Advisory Committee**

**RECOMMENDATION:**

That the Board review and approve an amendment to Section 8, "Quorum and Voting," of Resolution R2010-81, which established the Escambia County Land Development Code Citizen Advisory Committee, amending the quorum requirement as requested by the Committee.

**III. CONSENT AGENDA**

**1. Schedule of Public Hearings**

**RECOMMENDATION:**

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

- A. 5:45 p.m. – Thursday, October 21, 2010 – Public Hearing – Compliance Agreement with the Florida Department of Community Affairs regarding the EAR Based Amendments to the Escambia County Comprehensive Plan.**
- B. 5:46 p.m. – Thursday, October 21, 2010 – Public Hearing – Comprehensive Plan EAR Based Amendments Adoption Hearing (Remedial Action).**

**COUNTY ADMINISTRATOR'S REPORT  
OCTOBER 7, 2010**

**I. Technical/Public Service Consent Agenda**

1. **Recommendation Concerning the Scheduling of a Public Hearing for the River Oaks Landing Subdivision Street Lighting MSBU – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board authorize the scheduling of a Public Hearing for the establishment of a street lighting Municipal Services Benefit Unit (MSBU) on October 21, 2010, at 5:34 p.m., to consider adoption of an Ordinance creating the River Oaks Landing Subdivision Street Lighting MSBU.

2. **Recommendation Concerning Appointments to the Workforce Escarosa, Inc, Board of Directors – Sandra P. Jennings, P.E., Community & Environment Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning appointments to the Workforce Escarosa, Inc., Board of Directors:

- A. Confirm the appointment of Rebecca (Becky) Camarillo, General Manager, TownePlace Suites by Marriott, as a private sector representative for a three-year term, with the term of appointment to be effective October 7, 2010, through October 6, 2013; and
- B. Confirm the appointment of Jason Williams, Vice President and Commercial Loan Officer, Gulf Coast Community Bank, as a private sector representative for a three-year term, with the term of appointment to be effective October 7, 2010, through October 6, 2013; and
- C. Confirm the reappointment of William Joseph (Jay) Overman III, Founder President, Online Employment Media, Inc., as a private sector representative for a three-year term per the end date of his previous appointment, with the term of appointment to be effective September 20, 2010, through September 19, 2013; and
- D. Confirm the appointment of Dr. Jason Hurst, Dean of Instructional Affairs, Pensacola State College, as an education sector representative for a three-year term, with the term of appointment to be effective October 7, 2010, through October 6, 2013.

3. Recommendation Concerning Requests for Disposition of Property for the Corrections Bureau – Gordon C. Pike, Corrections Bureau Chief

**RECOMMENDATION:** That the Board approve the five Requests for Disposition of Property, for property which is described and listed on the Requests, with reasons for disposition stated. The items are to be auctioned as surplus or properly disposed of for the Corrections Bureau.

4. Recommendation Concerning Waiver of the Escambia County Noise Abatement Ordinance for the DeLuna Festival to be Held by the Five Flags Tourism Group – T. Lloyd Kerr, AICP, 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 DeLuna Festival outdoor event, sponsored by the Five Flags Tourism Group, to be held Friday, Saturday, and Sunday, October 15, 16, 17, 2010, from 11:00 a.m., through 11:59 p.m., daily, at Casino Beach.

5. Recommendation Concerning Waiver of the Escambia County Noise Abatement Ordinance for the Special Event to be Held by Lock & Key Productions – T. Lloyd Kerr, AICP, 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 event sponsored by Lock & Key Productions, to begin 12:00 a.m., Monday, October 18, 2010, and to continue through 11:59 p.m., Monday, October 25, 2010, at 1201 Rainbow Avenue.

6. Recommendation Concerning Waiver of the Escambia County Noise Abatement Ordinance for the New Year's Eve Fireworks Display at Portofino Island Resort Pier – T. Lloyd Kerr, AICP, 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, to extend the time for the New Year's Eve fireworks display, sponsored by the Portofino Island Resort, which will be launched from the pier at the Portofino Island Resort from 11:59 p.m., December 31, 2010, to 12:12 a.m., January 1, 2011.

7. **Recommendation Concerning a Memorandum of Understanding to Fund a Part-Time Maintenance Worker (4-H Camp Caretaker) Position at the Langley Bell 4-H Center – Sandra P. Jennings, P.E., Community & Environment Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning a Memorandum of Understanding (MOU) between Escambia County Board of Commissioners and the Escambia County 4-H Foundation, Inc.:

- A. Approve an MOU that will provide for the Escambia County 4-H Foundation, Inc., to fund a part-time maintenance worker (4-H Camp caretaker) position at the Langley Bell 4-H Center, as a Grant-funded position for Fiscal Year 2010-2011; and
- B. Authorize the Chairman to sign the MOU.
8. **Recommendation Concerning Certificates of Public Convenience and Necessity – Michael D. Weaver, Interim Public Safety Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning Certificates of Public Convenience and Necessity:

- A. 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, 2011, through December 31, 2011; and
- B. Authorize the Chairman to execute the Certificates of Public Convenience and Necessity.
9. **Recommendation Concerning Resolution for Conveyance of the Deed for Property Located at 6708 Plantation Road – Joy D. Blackmon, P.E., Interim Assistant County Administrator**

**RECOMMENDATION:** That the Board adopt a Resolution authorizing the conveyance of the Deed to the Florida Department of Transportation to confirm revesting the title to the property located at 6708 Plantation Road, Pensacola, Florida:

- A. Authorize the Chairman or Vice Chairman to execute all documents relating to the conveyance of the Deed as required; and
- B. Authorize staff to record the Deed at the County's expense.

**COUNTY ADMINISTRATOR'S REPORT**

**OCTOBER 7, 2010**

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**10. Recommendation Concerning the Fiscal Year 2009-2010 Florida Division of Forestry Annual Report – Larry M. Newsom, Interim County Administrator**

**RECOMMENDATION:** That the Board accept, for filing with the Board's Minutes, the Florida Division of Forestry Annual Report to the Escambia County Board of Commissioners for Fiscal Year 2009-2010, submitted by Adam Parden, Forest Area Supervisor, Division of Forestry.

**11. Recommendation Concerning Early Retiree Reinsurance Program – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning the Early Retiree Reinsurance Program:

- A. Approve the Agreement to Provide Administrative Services for the Early Retiree Reinsurance Program with Blue Cross and Blue Shield of Florida, Inc., that will allow them to assist the County in administering the Early Retiree Reinsurance Program, effective June 1, 2010; and**
- B. Authorize the Interim County Administrator to sign the Agreement.**

II. Budget/Finance Consent Agenda

1. Recommendation Concerning the Fiscal Year 2010-2011 Contract with the State of Florida, Department of Health, Escambia County Health Department, for Operation of the Escambia County Health Department – John J. Lanza, MD, PhD, MPH, FAAP, CHD, Escambia County Health Department Director

**RECOMMENDATION:** That the Board take the following action concerning the Contract between the Escambia County Board of County Commissioners and the State of Florida, Department of Health, Escambia County Health Department:

- A. Adopt, as allowed by Florida Statutes, Chapter 154, the Resolution entitled “Resolution Authorizing a Contract Between the Escambia County Board of County Commissioners and the State of Florida, Department of Health, Escambia County Health Department” for operation of the Escambia County Health Department Contract year of October 1, 2010, through September 30, 2011;
- B. Adopt the Resolution Authorizing a Revised Fee Schedule for Certain Medical Services Provided Pursuant to the Contract for the Operation of the Escambia County Health Department; and
- C. Authorize the Chairman to sign the Resolutions and the Contract.
2. Recommendation Concerning Interlocal Agreement for Secondary Road Maintenance with the City of Pensacola – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board authorize payment to the City of Pensacola in the amount of \$15,210, for a previous year’s expense related to the Interlocal Agreement for Secondary Road Maintenance. If approved, the County will pay this invoice from the Transportation Trust Fund (175), Cost Center 210402.

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

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #2, Other Grants & Projects Fund (110), in the amount of \$400,000, to recognize Grant funds from the United States Environmental Protection Agency and to appropriate these funds for the Brownfield Assessment and Cleanup.

COUNTY ADMINISTRATOR'S REPORT

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

**RECOMMENDATION:** That the Board adopt the Resolution approving Supplemental Budget Amendment #3, Other Grants and Projects (110), in the amount of \$77,043, 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 maintaining and enhancing County Emergency Management Plans and Programs.

5. Recommendation Concerning Budget Amendment #335 – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board approve Budget Amendment #335, Corrections Bureau, Transportation Trust Fund (175), Public Safety Bureau, Fire Protection Fund (143), Community & Environment Bureau, Escambia Restricted Fund (101), LOST Projects Fund (352), Public Works Bureau, Internal Service Fund (501), in the amount of \$713,000, to cover additional personnel costs at the Road Prison, Fire Department, Animal License Fees, Equestrian Center and fuel distribution.

6. Recommendation Concerning Change Order for Landfill Gas Collection and Control System, Phase 1 Expansion – Sandra P. Jennings, P.E., Community & Environment Bureau Chief

**RECOMMENDATION:** That the Board ratify the issuance of Change Order Number 3 and authorize the Interim County Administrator to execute the Change Order as follows:

Bureau:	Community & Environment
Division:	Solid Waste Management
Type:	Addition
Amount:	\$218,866.58
Vendor:	American Environmental Group, LTD, LLC
Project Name:	Landfill Gas Collection and Control System Phase 1 Expansion
Contract:	PD 09-10.036
Purchase Order Number:	101224
Change Order Number:	3
Original Award Amount:	\$1,113,914.00
Cumulative Amount of Change Orders thru CO# 3:	<u>\$272,358.96</u>
New Contract Total:	\$1,386,272.96

[Funding Source: Fund 401, Solid Waste Enterprise Fund, Cost Center 220605, Object Code 56301]

7. **Recommendation Concerning Senior Office Support Assistant Position for Community & Environment Bureau/Solid Waste Management Division – Sandra P. Jennings, P.E., Community & Environment Bureau Chief**

**RECOMMENDATION:** That the Board take the following action regarding the Senior Office Support Assistant position being vacated by Linda Smithson, Community & Environment Bureau/Solid Waste Management Division:

- A. Authorize a waiver of the Frozen Position List and allow the Community & Environment Bureau to fill the budgeted Senior Office Support Assistant position being vacated by Linda Smithson, Community & Environment Bureau/Solid Waste Management Division; and
- B. Approve the reinstatement of former employee Jane Eisenzimmer, (formerly with Animal Services), to fill the position.

[Funding Source: Fund 401, Solid Waste, Cost Center 220601]

8. **Recommendation Concerning Seventh Amendment to Veterans and Dependent Counseling and Assistance Services Agreement – Sandra P. Jennings, P.E., Community & Environment Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning the Seventh Amendment to Veterans and Dependent Counseling and Assistance Services Agreement between the County and Disabled American Veterans Department of Florida:

- A. Approve the Seventh Amendment to Veterans and Dependent Counseling and Assistance Services Agreement between the Escambia County Board of County Commissioners and Disabled American Veterans Department of Florida, Inc., extending Contract provisions for the period of October 1, 2010, through September 30, 2011, in the amount of \$15,000; and
- B. Authorize the Chairman to sign the Agreement without further action of the Board.

[Funding Source: Fund 001, General Fund, Cost Center 220202, Public Social Services - \$15,000]

9. **Recommendation Concerning Supplemental Nutrition Assistance Program – Sandra P. Jennings, P.E., Community & Environment Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning the Supplemental Nutrition Assistance Program (SNAP) (formerly known as Food Stamp Employment & Training (FSET)) Grant Contract between Workforce Escarosa, Inc., and the County:

- A. Approve the Supplemental Nutrition Assistance Program (SNAP) Grant Contract, SNAP #2010-2011-01, between Workforce Escarosa, Inc., and the County for the period of October 1, 2010, through September 30, 2010, in the amount of \$143,000; and
- B. Authorize the Chairman to sign the Contract without further action of the Board.

[Funding Source: Fund 110, Other Grants and Projects - \$143,000; no local match required]

10. **Recommendation Concerning Issuance of Blanket and/or Individual Purchase Orders in Excess of \$50,000 for the Community & Environment Bureau – Sandra P. Jennings, P.E., Community & Environment Bureau Chief**

**RECOMMENDATION:** That the Board for the Fiscal Year 2010-2011, approve the issuance of blanket and/or individual Purchase Orders, in excess of \$50,000, based upon previously-awarded Contracts, contractual Agreements, or annual requirements as provided, for the Community & Environment Bureau.

11. **Recommendation Concerning U.S. Environmental Protection Agency's Brownfields Assessment Grant Program – Sandra P. Jennings, P.E., Community & Environment Bureau Chief**

**RECOMMENDATION:** That the Board ratify the Interim County Administrator's signature on the U.S. Environmental Protection Agency's (EPA) Cooperative Agreement, BF-95460710-0, and on the EPA Application for Federal Assistance, SF-424, Brownfields Assessment Grant Program. [Funding Source: Fund 110, Cost Centers to be determined, Object Code to be determined]

12. **Recommendation Concerning Communications System Agreement with Motorola, Inc. – Michael D. Weaver, Interim Public Safety Bureau Chief**

**RECOMMENDATION:** That the Board authorize the County to piggyback off of the State of Alabama Two Way Radios Contract (#4010274) and the Houston-Galveston Area Council Interlocal Contract, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44 and Section 46-64, and take the following action concerning the Communications System Agreement between Motorola, Inc., and Escambia County, Florida, in the amount of \$12,500,000:

- A. Approve and authorize the Chairman to sign the Agreement effective upon the last date of execution; and
- B. Approve issuance of a Purchase Order to Motorola, Inc., for the purpose of payment in accordance with the Agreement.

[Funding Source: Fund 351, Cost Center 330314; Fund 352, Cost Centers 330435, 540115, 330228; Fund 001, Cost Center 330403.]

13. **Recommendation Concerning Amendment Number Two (2) to Antenna Site License Agreement – Michael D. Weaver, Interim Public Safety Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning Amendment Number Two (2) to Antenna Site License Agreement with Southern Communications Services, Inc., d/b/a SouthernLINC Wireless, as it pertains to the North Antenna Site:

- A. Approve the Amendment extending the term of the License for an additional five-year term, beginning July 25, 2010, and providing three consecutive automatic renewal terms of five years per term and the associated fees and payment schedule; and,
- B. Authorize the Chairman to sign the document.

[The annual payment to the County for the first five years is \$1,825.05. License fees increase for each five-year term by 15% of the previous term rate. Lease payments will be deposited in Fund 001 (General Fund) / Revenue Account 362030 (Southern, North Site).]

14. **Recommendation Concerning Airway Drive Sidewalk and Drainage Project – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board award an Indefinite Quantity, Indefinite Delivery Contract, PD 09-10.074, Airway Drive Sidewalk & Drainage Project to Roads, Inc., of NWF, for a total amount of \$1,761,761. [Funding: Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project Number 09EN0033, \$1,139,762 and Fund 110, Other Grants and Projects, Cost Center 210514, Object Code 56301, \$621,999]

15. **Recommendation Concerning Coral Creek Subdivision North Area Drainage Improvements – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board award an Indefinite Quantity, Indefinite Delivery Contract, PD 09-10.078, Coral Creek Subdivision North Area Drainage Improvements, to Heaton Brothers Construction Co., Inc., for a total amount of \$733,454.25. [Funding: Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project Number 08EN0301]

16. Recommendation Concerning Change Order #3 to Purchase Order 101344 to Beck Disaster Recovery, Inc., for Additional Services for Field Inspection and Oversight for Response and Recovery for Deepwater Horizon B.P. Oil Spill – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board ratify the issuance of the following Change Order related to the response and recovery actions taken to provide defensive measures against the threats to the local area environment from the Deepwater Horizon B.P. Oil Spill:

Change Order #3 to Purchase Order 101344 to Beck Disaster Recovery, Inc., for additional services for field inspection and oversight for response and recovery for Deepwater Horizon B.P. Oil Spill.

Vendor:	Beck Disaster Recovery, Inc.
Project Name:	OILSPL10
Contract:	N/A
Purchase Order Number:	101344
Change Order Number:	03
Original Award Amount:	\$175,000.00
Total Prior Change Order Amount:	\$201,010.00
This Change Order Amount:	<u>\$256,498.43</u>
New Purchase Order Total:	\$632,508.43

[Funding: Fund 112, Disaster Recovery Fund, Cost Center 330481, Project OILSPL10. The cost of consulting services is part of the claim to be recovered from BP.]

17. Recommendation Concerning Termination of Agreement for Design Build CRA Sidewalk Project #2 (Winthrop Avenue, Cairo Street and Old Corry Field Road) – Amy Lovoy, Management and Budget Services Bureau Chief

**RECOMMENDATION:** That the Board ratify the termination of Agreement PD 08-09.003, Design Build CRA Sidewalk Project #2 (Winthrop Avenue, Cairo Street and Old Corry Field Road), with Hernandez & Swift Associates, Inc., effective September 30, 2010, after completion of the design phase. [Funding: Fund 151, Community Redevelopment, Brownsville, Cost Center 220516, Object Code 56301]

18. **Recommendation Concerning Contract for the Baylen Street Medical Clinic Renovation – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board award a Contract for the Baylen Street Medical Clinic Renovation, PD 09-10.084, to Vision Construction Ent., Inc., in the amount of \$187,784. [Funding: Fund 501, Internal Revenue Service, Cost Center 140609, Object Code 56201, \$97,784 and Fund 129, CDBG HUD Entitlement Fund, Cost Center 220563, Object Code 56301, \$90,000]

19. **Recommendation Concerning Contract Amendment #1 for Design Build CRA Sidewalk Project #1, Phase 1, Lakewood Street and West Blount Street, Phase 2: Montpelier Drive – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board approve Contract Amendment #1 for PD 08-09.002, Design-Build CRA Sidewalk Project #1, Phase 1: Lakewood Street and West Blount Street, Phase 2: Montpelier Drive, with Panhandle Grading and Paving, Inc., and Sigma Consulting Group, Inc., to provide for the construction cost of the Design-Build, Contract in the amount of \$473,820.35. [Funding: Fund 151, Community Redevelopment, Warrington, Cost Center 220516, Object Code 56301]

20. **Recommendation Concerning Task Order for Design Services for 10 Mile Roadway and Drainage Improvements from North Palafox Street to Chemstrand Road – Amy Lovoy, Management and Budget Services Bureau Chief**

**RECOMMENDATION:** That the Board take the following action concerning Task Order Award for PD 09-10.076, Design Services for 10 Mile Roadway and Drainage Improvements from North Palafox Street to Chemstrand Road:

A. Approve the Selection/Negotiation Committee Ranking:

1. Kenneth Horne & Associates, Inc.
2. Post, Buckley, Schuh & Jernigan, Inc., d/b/a PBS&J
3. HDR Engineering, Inc.
4. Rebol-Battle & Associates, Inc.; and

B. Award a Task Order for PD 09-10.076, Design Services for 10 Mile Roadway and Drainage Improvements from N. Palafox St. to Chemstrand Rd., per the terms and conditions of PD 02-03.079, Professional Services, as Governed by Florida Statute 287.055, to Kenneth Horne & Associates, Inc., for a lump sum amount of \$143,265 and allowances of \$56,000.

[Funding: Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project 10EN0745]

21. Recommendation Concerning Reallocation of Funds From the Fiscal Year 2009/2010 Capital Improvement Program from the Gulf Beach Highway Transportation Funds – Joy D. Blackmon, P.E., Interim Assistant County Administrator

**RECOMMENDATION:** That the Board approve the reallocation of funds, totaling \$300,000, from the Fiscal Year 2009/2010 Capital Improvement Program, from Gulf Beach Highway Transportation Funds (District 2) to the Coral Creek Subdivision North Area Drainage Improvements Drainage Funds (District 2). [Funding Source: Fund 352, "Local Option Sales Tax III", Account 210107]

22. Recommendation Concerning Acquisition of Property by Donation, for Rights-of-Way and Easements in the Pou Station Road Area – Joy D. Blackmon, P.E., Interim Assistant County Administrator

**RECOMMENDATION:** That the Board take the following action concerning the authorization for staff to acquire property, by donation, for rights-of-way and Easements in the Pou Station Road Area:

- A. Authorize Staff to negotiate and resolve any matters related to, or associated with the acquisition of property, by donation, for rights-of-way and Easements related to drainage improvements for the Pou Station Road area, to gather information and conduct inspections as needed, and to allow the Board's acceptance of the real property;
- B. Authorize payment of documentary stamps because the property is being acquired for governmental use, which is for drainage improvements, and the County benefits from the acquisition of these properties because the resulting projects will improve the quality of life for the citizens of Escambia County by providing a safer and more efficient roadway and drainage system;
- C. Authorize the payment of incidental expenditures associated with the acquisition of these properties, which includes, but is not limited to, title searches, legal document preparation fees and recording of documents; and
- D. Authorize 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 181, Master Drainage Basin, Account 210726/56101 or 56301]

23. Recommendation Concerning the Acquisition of a Parcel of Real Property Located at 680 North Navy Boulevard – Joy D. Blackmon, P.E., Interim Assistant County Administrator

**RECOMMENDATION:** That the Board take the following action regarding the acquisition of a parcel of real property located at 680 North Navy Boulevard from WOS Properties, LLC:

- A. Authorize staff to make an offer to WOS Properties, LLC, to purchase a parcel of property (approximately 0.34 acres) for the appraised amount of \$45,000, subject to the owner retaining a perpetual sign Easement for an existing outdoor overhead billboard sign; and
- B. Authorize the County Attorney to prepare, and the Chairman or Vice Chairman to execute any documents necessary to complete the acquisition of this property.

[Funding Source: Fund 110 (Other Grants and Projects) / Cost Center 221007 (FCT Jones Swamp Wetland), and Fund 352 (LOST III) / Cost Center 220102 (NESD Capital Projects) / Project (Southwest Greenway) to be assigned in FY2011]

24. Recommendation Concerning Reallocation of Funds from the Fiscal Year 2009/2010 Capital Improvement Program from the Muscogee Road Phase 3 and Maplewoods Drainage Projects – Joy D. Blackmon, P.E., Interim Assistant County Administrator

**RECOMMENDATION:** That the Board approve the reallocation of funds, totaling \$160,000, from the Fiscal Year 2009/2010 Capital Improvement Program from Muscogee Road Phase 3 (District 5 – \$80,000) and from Maplewoods Drainage Project (District 3 – \$80,000), to the Airway Drive Sidewalk and Drainage Improvement Project (District 3 and District 5). [Funding Source: Fund 352, “Local Option Sales Tax III”, Account 210107]

25. Recommendation Concerning Environmental Enforcement Lien Relief for 1517 Hernandez Street – Gordon Pike, Corrections Bureau Chief

**RECOMMENDATION:** That the Board take the following action concerning the Environmental Enforcement Lien against property located at 1517 Hernandez Street:

A. Authorize a Release of the Environmental Enforcement Lien, in the amount of \$968.50 (\$950 Abatement Cost/\$18.50 Administrative Costs), against property located at 1517 Hernandez Street, recorded in Official Records Book 6436, Pages 1388-1389 of the Public Records; and

B. Authorize the Chairman to execute the Release.

26. Recommendation Concerning Issuance of Blanket and/or Individual Purchase Orders in Excess of \$50,000 – Amy Lovoy, Management and Budget Services Bureau Chief

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

<u>Contractor</u>	<u>Not- to-Exceed Amount</u>	<u>Contract</u>
A. Delta Dental Insurance Company Vendor Number: 040643 Dental Insurance Cost Center: 140803 Claims - \$600,000/Admin - \$70,000	\$670,000	PD 02-03.61
B. Blue Cross Blue Shield of Florida Vendor Number: 023808 Health Insurance Cost Center: 140804	\$14,523,917	PD 08-09.042
C. Standard Life Insurance Company Vendor Number: 194910 Life Insurance Cost Center: 140805	\$370,000	PD 08-09.042

Funding Source: 501, Internal Service Fund.

COUNTY ATTORNEY'S REPORT  
October 7, 2010

**I. FOR ACTION:**

1. Employment Agreement Between Escambia County and Charles R. "Randy" Oliver for the Position of County Administrator

That the Board approve the attached Employment Agreement between Escambia County and Charles R. "Randy" Oliver for the position of County Administrator.

2. Rapid Management Company v. Board of County Commissioners Case No. 2008 CA 000572

That the Board:

- A. Approve the withdrawal of the motion to tax costs and the motion for attorney and paralegal fees; and
- B. Authorize the County Attorney's Office to file a notice withdrawing these motions from consideration by the Court.

3. Johnson v. Monroe and Escambia County. Case No. 2007 CA 000959 Property Located at 223 Rosalyn Way

That the Board:

- A. Approve the settlement of the lawsuit *Johnson v. Monroe and Escambia County* / Case No. 2007 CA 000959 between the County and the plaintiffs, Robert and Myrtle Johnson, in accordance with the Settlement Agreement attached to this recommendation.
- B. Authorize the Chairman to execute the Settlement Agreement, a Partial Release of Lien, and any other documents necessary to fulfill the terms of the Settlement Agreement.

4. Restricting Access to the Gulf of Mexico during De Luna Fest Concerts

That the Board adopt a resolution declaring that double red flag conditions will occur on a specific portion of Santa Rosa Island during the De Luna Fest series of concerts and restricting access to the Gulf of Mexico from 7:00 a.m. on Friday, October 15, 2010, until 5:00 a.m. on Monday, October 18, 2010.

5. Traffic Infraction Detector (“Red Light Camera”) Ordinance

That the Board authorize the scheduling of a Public Hearing on October 21, 2010 at 5:33 p.m. to consider adopting an ordinance authorizing the installation of traffic infraction detectors (“red light cameras”) and enforcement of certain traffic violations using traffic infraction detectors in the unincorporated area of Escambia County.

6. Settlement of Workers’ Compensation Claim involving Francis Patton

That the Board approve payment to the claimant, Francis Patton, in the amount of \$190,000.00, inclusive of the funding of a Medicare Set Aside annuity and all outstanding attorneys’ fees and costs. An excess insurance carrier shall reimburse the County for 100.0% of this settlement amount.

**II. FOR INFORMATION:**

1. *PFL Development, LLC v. Escambia County Community Land Trust, Inc., et al.*, Case No.: 2009 CA 001413

That the Board accept the attached information concerning PFL Development, LLC v. Escambia County Community Land Trust, Inc., et al. wherein the Court granted the Plaintiff’s Motion for Summary Final Judgment specifically preserving the priority of the County’s Land Use Restriction Agreement (as it pertained to the Maison Deville Apartments property) over the primary mortgage holder.