PUBLIC FORUM WORK SESSION

Chairman May called the Public Forum Work Session to order at 4:33 p.m.

1. FOR INFORMATION: The Board:

A. Heard comments from Dianne Krumel, Cassandray Y. McAway, and Barry Goodson, who expressed displeasure with the Florida Department of Transportation (FDOT) for clear-cutting heritage live oak trees on Scenic Highway (to make way for new ramps, sound walls, and two stormwater retention ponds, as part of the ongoing I-10 and Scenic Highway widening project);

B. Upon inquiry from Commissioner Robertson, was advised by Larry M. Newsom, Assistant County Administrator, that the FDOT was not required to obtain a local permit prior to removal of the trees; and

C. Was advised by Commissioner Robinson that the FDOT, as an agency of the State of Florida, is not subject to the County's rules; however, the County will assist with the landscaping in that area to ensure that mature trees are re-planted.
PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

2. **FOR INFORMATION:** The Board heard comments from James C. Nims, Jr., concerning a Florida Congressman who was arrested in Washington, DC, absentee ballots, Veterans, the Military, and various other national, state, and local issues.

5:06 P.M. – PUBLIC FORUM ADJOURNED
5:33 P.M. – REGULAR MEETING CONVENED

REGULAR BCC AGENDA

1. **Call to Order**

   Chairman May called the Regular Meeting of the Board of County Commissioners to order at 5:33 p.m.

2. **Invocation**

   Chairman May advised that Reverend Carl Reeves, Pastor, Greater Mount Lily Baptist Church, would deliver the Invocation.

3. **Pledge of Allegiance to the Flag**

   Chairman May advised that Commissioner Robinson would lead the Pledge of Allegiance to the Flag.

4. **Adoption of the Agenda**

   Motion made by Commissioner Valentino, seconded by Commissioner Barry, and carried unanimously, adopting the agenda, as prepared and duly amended.
5. Commissioners’ Forum

A. District 2 – Commissioner Valentino advised that he will provide a report at a future Committee of the Whole Workshop concerning his recent trip to Hamburg, Germany;

B. District 1 – Commissioner Robertson wished everyone a Happy New Year;

C. District 4 – Commissioner Robinson commented concerning a Florida Department of Transportation (FDOT) project for which the FDOT clear-cut heritage oak trees on Scenic Highway, and advised that the County will be involved with the re-planting and landscaping, and encouraged citizens to forward their concerns to the FDOT;

D. District 5 – Commissioner Barry wished everyone a Happy New Year and expressed his appreciation to constituents who attended tonight's Meeting; and

E. District 3 – Commissioner May wished everyone a Happy New Year and advised that the Commissioners offer "Godspeed" and prayers on behalf of Interim County Administrator Touart.

6. Proclamations

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, adopting the following three Proclamations:

A. The Proclamation commending and congratulating Eddie Wehmeier on his selection as the "Employee of the Month" for January 2014;

B. The Proclamation commending and congratulating Naomi Allen, Maggie Player, and Gillian Werner for their volunteerism, spirit of excellence and perseverance, and for their completion of their Soles4Souls service project that improved the lives of so many youths and others worldwide; and

C. The Proclamation extending the Board's appreciation and congratulations to the Pensacola Beach Chamber of Commerce for a job well done.
7. **Retirement Proclamations**

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried unanimously, adopting the following three Retirement Proclamations:

A. The Proclamation commending and congratulating Margareta Frymire, Law Librarian, Corrections Department, on her retirement after 17 years of service;

B. The Proclamation commending and congratulating Larry Kent, Emergency Medical Specialist, Public Safety Department, on his retirement after 20 years of service; and

C. The Proclamation commending and congratulating Douglas Smith, Detention Deputy, Corrections Department, on his retirement after 17 years of service.

8. **Proof of Publication**

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, waiving the reading of the legal advertisement(s) and accepting, 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*, as follows:

A. The following two Public Hearings on the agenda:

   (1) The 5:45 p.m. Public Hearing, advertised in the *Pensacola News Journal* on November 15, 19, and 20, 2013, for consideration of adopting an Ordinance amending the Official Zoning Map; and

   (2) The 5:46 p.m. Public Hearing, advertised in the *Pensacola News Journal* on December 18, 2013, for consideration of adopting LSA 2013-01; and

(Continued on Page 5)
8. Continued…

B. The Board of County Commissioners – Escambia County, Florida, Meeting Schedule December 30-January 3, 2014 – Legal No. 1615956, as published in the Pensacola News Journal on December 28, 2013, as follows:

December 31: Escambia County Offices Closed-New Year’s Eve
January 1: Escambia County Offices Closed-New Year’s Day
January 2:
- 9:00 a.m.: Board of County Commissioners Agenda Work Session
- 4:30 p.m.: Board of County Commissioners Public Forum
- 5:30 p.m.: Board of County Commissioners Public Hearings & Reports

NEXT WEEK’S NOTE:

January 6:
- 4:00 p.m.: RESTORE Act Advisory Committee
January 7:
- 8:30 a.m.: Planning Board/Rezoning
- 1:30 p.m.: Environmental Enforcement Special Magistrate
- 6:00 p.m.: District 2 Commissioner Town Hall Meeting
January 8:
- 8:30 a.m.: Construction Competency Board Exam Committee
- 9:00 a.m.: Construction Competency Board Regular Mtg & Public Hrgs
- 10:00 a.m.: County Administrator Selection Committee
January 8:
- 1:00 p.m.: Development Review Committee
- 3:00 p.m.: Mass Transit Advisory Committee
January 8:
- 5:00 p.m.: Santa Rosa Island Authority Board Meeting
January 9:
- 9:00 a.m.: Board of County Commissioners Committee of the Whole
- 6:15 p.m.: Channel 3 Town Hall Meeting
I. CONSENT AGENDA

1-5. Approval of Various Consent Agenda Items

Motion made by Commissioner Barry, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 5, as follows:

1. Accepting, for filing with the Board’s Minutes, the Tourist Development Tax Collections Data for the October 2013 returns received in the month of November 2013, as prepared by the Finance Department of the Clerk and Comptroller’s Office; this is the second month of collections for the Fiscal Year 2013-2014; total collected for the October 2013 returns was $447,045.85; this is 3.10% increase over the October 2012 returns; total collections year to date are .42% less than the comparable time frame in Fiscal Year 2012-2013.

2. Accepting, for filing with the Board’s Minutes, the Investment Portfolio Summary Report for the month ended November 30, 2013, as required by Ordinance Number 95-13; on November 30, 2013, the portfolio market value was $197,209,879 and portfolio earnings totaled $221,670 for the month and $460,700 year-to-date; the short term portfolio yield was 0.15%, which should be compared to the S&P Government Index Pool Index 30 Day benchmark of 0.03%; the long-term CORE portfolio achieved a total return of 0.17%, which should be compared to the Merrill Lynch 1-5 Year Treasury Index benchmark of 0.12%.

3. Approving the transfer of equipment from the Board’s Fixed Asset Inventory Records to the Escambia County Sheriff’s Office, as of September 30, 2013, in the amount of $2,602,865.63.
CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-5. Approval of Various Consent Agenda Items – Continued

4. Accepting, for filing with the Board's Minutes, the following documents provided to the Clerk to the Board’s Office:

   A. The original *Multi-Year Joint Participation Agreement Notification of Funding LOA #33*, as executed by the Vice Chairman on October 18, 2013, based on the Board's September 15, 2011, approval of Public Transportation Joint Participation Agreement Number 421368284, and received in the Clerk to the Board's Office on December 6, 2013;

   B. The *Santa Rosa Island Authority, A Component Unit of Escambia County, Florida, Financial Statements and Supplementary Information September 30, 2013 and 2012*, as prepared and audited by Carr Riggs & Ingram, LLC, Certified Public Accountants and Advisors, and received in the Clerk to the Board's Office on December 13, 2013;

   C. The *Pensacola-Escambia County Promotion and Development Commission Pensacola, Florida, Financial Statements September 30, 2013*, 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 13, 2013; and

   D. Closing documents relating to the purchase of property, located at 3810 Frontera Circle, from George E. Thomas, as approved by the Board on May 2, 2013, and received in the Clerk to the Board's Office on December 18, 2013.
CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-5. Approval of Various Consent Agenda Items – Continued

5. Taking the following action concerning Minutes and Reports prepared by the Clerk to the Board’s Office:

A. Approving the Minutes of the Regular Board Meeting held December 5, 2013;

B. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held December 5, 2013; and

C. Accepting, for filing with the Board's Minutes, the Report of the Joint Board of County Commissioners/Escambia County Planning Board Committee of the Whole (C/W) Workshop held October 29, 2013, as follows:

AGENDA NUMBER

1. Call To Order

Chairman Valentino called the Joint Board of County Commissioners (BCC)/Escambia County Planning Board (ECPB) Committee of the Whole (C/W) Workshop to order at 8:36 a.m.

2. Was the Meeting Properly Advertised?

The Joint C/W was advised by Doris Harris, Deputy Clerk to the Board, that the Meeting was advertised in the Pensacola News Journal on October 26, 2013, in the Board of County Commissioners – Escambia County, Florida, Meeting Schedule October 28-November 1, 2013, Legal No. 1611636.

(Continued on Page 9)
PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-5. Approval of Various Consent Agenda Items – Continued

5. Continued…

C. Report of the October 29, 2013, Joint BCC/ECPB C/W Workshop – Continued

AGENDA NUMBER – Continued

3-4. Presentation of the Revised Comprehensive Plan and the Schedule for Adoption - Introduction of the New Outline for the Land Development Code (LDC) and the Schedule for Adoption

The Joint C/W discussed the Draft Review of the Escambia County Comprehensive Plan 2030, relative to the Presentation of the Revised Comprehensive Plan and the Schedule for Adoption (Item 3), and viewed and discussed a PowerPoint Presentation entitled Escambia County Board of County Commissioners Planning Board Joint Committee of the Whole, which was also provided in hard copy, presented by Bonita Player, P.E., Consultant Project Principal, Engineering & Planning Resources, PC; Joy D. Blackmon, P.E., Escambia County Public Works Department Director and County Engineer; Matthew Mooneyham, Escambia County Project Manager; and Horace Jones, Interim Escambia County Planning Director, relative to Introduction of the New Outline for the Land Development Code (LDC) and the Schedule for Adoption (Item 4), which reflect the following Schedules:

<table>
<thead>
<tr>
<th>Comprehensive Plan Schedule</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Board Public Hearing</td>
</tr>
<tr>
<td>Board of County Commissioners Public Hearing</td>
</tr>
<tr>
<td>State Review Process</td>
</tr>
<tr>
<td>Board of County Commissioners Adoption (target)</td>
</tr>
</tbody>
</table>

(Continued on Page 10)
CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-5. Approval of Various Consent Agenda Items – Continued

5. Continued…

C. Report of the October 29, 2013, Joint BCC/ECPB C/W Workshop – Continued

AGENDA NUMBER – Continued

3-4. Continued…

Land Development Code Schedule

<table>
<thead>
<tr>
<th>Event</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>Planning Board Public Workshop</td>
<td>January 2014</td>
</tr>
<tr>
<td>Planning Board Public Hearing</td>
<td>February 2014</td>
</tr>
<tr>
<td>BCC 1st Public Hearing</td>
<td>February 2014</td>
</tr>
<tr>
<td>BCC Adoption</td>
<td>March 2014*</td>
</tr>
</tbody>
</table>

*Contingent on Comprehensive Plan approvals

5. Planning Board/Board of County Commissioners' Discussion

The Joint C/W discussed the Draft Review of the Escambia County Comprehensive Plan 2030 and a PowerPoint Presentation entitled Escambia County Board of County Commissioners Planning Board Joint Committee of the Whole (see Items 3 and 4), as facilitated by Bonita Player, P.E., Consultant Project Principal, Engineering & Planning Resources, PC; Joy D. Blackmon, P.E., Escambia County Public Works Department Director and County Engineer; Matthew Mooneyham, Escambia County Project Manager; and Horace Jones, Interim Escambia County Planning Director, and the Joint C/W:

A. Heard comments from the Honorable Malcolm Thomas, Superintendent of Schools, who expressed his opposition to striking the School Concurrency language from the LDC and requested that the School Board be included in the process, and was advised by Larry M. Newsom, Assistant County Administrator, that County staff and School District staff will meet and discuss the School Board’s long-range plans, which will be considered;

(Continued on Page 11)
I. CONSENT AGENDA – Continued

1-5. Approval of Various Consent Agenda Items – Continued

5. Continued…

C. Report of the October 29, 2013, Joint BCC/ECPB C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Continued…

B. Heard the request from Mr. Tate that Section 5.08, Level of service standards, be modified to indicate the requirements of the Comprehensive Plan, and that the last line in FLU 4.1.2, Airfield Influence Planning Districts (AIPD), be modified to read "The districts for each are as follows," and drop the recommendation (to strike the conditions for the districts); 

C. Upon inquiry from the School Board Member Hightower concerning the School Concurrency language, was advised by Horace Jones that the Department of Economic Opportunity requires the Interlocal Agreement to be revised; therefore, the County and School Board Legal Departments will work together to make the necessary revisions that will be reinserted into the Comprehensive Plan;

D. Following comments from Ms. Oram regarding her concerns that language has been stricken from the AIPD (Page CP7:17), was advised by Mr. Jones that duplicated language is being stricken; however, the LDC will ensure protection of the military installations;

E. Heard Commissioner Valentino clarify that the purpose of the meeting is to review Policy consistencies or inconsistencies, and the Policy that is different is School Concurrency, while others remain unchanged but have been shifted to the LDC, and was advised by Ms. Blackmon that Commissioner Valentino is referring to Traffic Concurrency, School Concurrency, and any other State-mandated eliminations;

(Continued on Page 12)
CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-5. Approval of Various Consent Agenda Items – Continued

5. Continued…

C. Report of the October 29, 2013, Joint BCC/ECPB C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Continued…

F. Upon being advised by Ms. Hightower that a document should have been provided to indicate where in the LDC the language that is stricken from the Comprehensive Plan will appear, was advised by Ms. Blackmon that a final document will be provided for the Planning Board Workshop and, if necessary, staff will review the document line by line and address specifically how statements were modified, and, further, that the Interlocal Agreement and that language must be approved prior to adoption of the final Comprehensive Plan by the BCC;

G. Was advised by Ms. Oram that the schedule indicates the Comprehensive Plan will be adopted prior to the LDC; however, she believes the two documents should be adopted concurrently to ensure that everything is captured, and was advised by Ms. Blackmon that the documents are scheduled for review concurrently, and adoption of the Comprehensive Plan is contingent on modifications to any Interlocal Agreement and the manner in which issues proceed through Planning Board review of the LDC;

H. Heard the suggestion from Ms. Sindel that the critical issues of School Concurrency, Traffic Concurrency, and protection for the military, etc., need to be resolved before the Planning Board begins taking public input, and was advised by Mr. Jones that the Interlocal Agreement will be addressed by the School District and County Legal; however, staff will provide the Policy changes to the Planning Board prior to its Meeting on Monday, November 4, 2013;

(Continued on Page 13)
CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-5. Approval of Various Consent Agenda Items – Continued

5. Continued…

C. Report of the October 29, 2013, Joint BCC/ECPB C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Continued…

I. Heard comments from Ms. Davis concerning developers from other areas who have complained that the County’s zoning process is difficult and cumbersome, and was advised by Mr. Jones that the process has been streamlined in recent months and is now more user-friendly;

J. Was advised by Mr. Tate that although Traffic Concurrency is no longer required in the Comprehensive Plan, it has been agreed that it will be transferred to the LDC, and was advised by Ms. Blackmon that staff will prepare a matrix that will display the language removed from the Comprehensive Plan and inserted into the LDC;

K. Was advised by Mr. Tate, with concurrence from Ms. Sindel and Mr. Briske, that the November 4, 2013, Planning Board Public Hearing for this issue should be converted to a Workshop, and a Public Hearing scheduled for later in November; and

(Continued on Page 14)
CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

1-5. Approval of Various Consent Agenda Items – Continued

5. Continued…

C. Report of the October 29, 2013, Joint BCC/ECPB C/W Workshop – Continued

AGENDA NUMBER – Continued

5. Continued…

L. Was advised by Ms. Blackmon that staff will develop a schedule with the same time line for the Comprehensive Plan and the LDC.

Speaker(s):

Ellen Roston
Marilyn Badessa
Robert Stender
Orvind Johnson
Muriel Wagner
Dan Gilmore
Mary Gutierrez

For Information: The Joint C/W was advised by Commissioner Robertson that the Florida Department of Transportation will conduct a meeting at Plainview Baptist Church, from 5:30 p.m. to 7:00 p.m. this evening, to discuss the four-laning of Nine Mile Road.

6. Board of County Commissioners’ Direction – None.

(Continued on Page 15)
I. CONSENT AGENDA – Continued

1-5. Approval of Various Consent Agenda Items – Continued

5. Continued…

C. Report of the October 29, 2013, Joint BCC/ECPB C/W Workshop – Continued

ITEMS ADDED TO THE AGENDA – COMMISSIONER GROVER C. ROBINSON IV

1. Recommendation: The BCC recommends that the Board take the following action:

   A. Authorize Commissioner Grover C. Robinson IV to send a letter to the U.S. Department of the Treasury, in response to the Proposed Treasury Rules (concerning the investment and use of amounts deposited in the Gulf Coast Restoration Trust Fund, which was established in the Treasury of the United States by the Resources and Ecosystem Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act of 2012 [RESTORE Act]); and

   B. Approve requesting a 30-day extension to the (November 5, 2013) deadline for all responses to the Proposed Treasury Rules.

   Recommended 5-0

AGENDA NUMBER – Continued

7. Adjourn

Chairman Valentino declared the Joint C/W Workshop adjourned at 10:22 a.m.
I. PUBLIC HEARINGS

1. Rezoning Cases

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning Rezoning Case Z-2013-21, heard by the Planning Board (PB) on December 2, 2013:

A. Adopting the PB recommendation and approving C-2NA;

B. See Page 21; and

C. Authorizing the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

<table>
<thead>
<tr>
<th>(1) Case Number:</th>
<th>Z-2013-21</th>
</tr>
</thead>
<tbody>
<tr>
<td>Addresses:</td>
<td>6800 and 6806 Pine Forest Road</td>
</tr>
<tr>
<td>Property Reference Numbers:</td>
<td>25-1S-31-4301-000-001 and 25-1S-31-4301-000-000</td>
</tr>
<tr>
<td>Property Size:</td>
<td>1.48 (+/-) acres</td>
</tr>
<tr>
<td>From:</td>
<td>C-1, Retail Commercial District (cumulative) (25 dwelling units per acre)</td>
</tr>
<tr>
<td>To:</td>
<td>C-2NA, General Commercial and Light Manufacturing District, Bars, Nightclubs, and Adult Entertainment are Prohibited Uses (cumulative) (25 dwelling units per acre)</td>
</tr>
<tr>
<td>FLU Category:</td>
<td>MU-U, Mixed Use-Urban</td>
</tr>
<tr>
<td>Commissioner District:</td>
<td>1</td>
</tr>
<tr>
<td>Requested by:</td>
<td>Gary R. Sapp, Owner</td>
</tr>
<tr>
<td>PB Recommendation:</td>
<td>Approval</td>
</tr>
</tbody>
</table>

Speaker(s) – None.

(Continued on Page 17)
I. PUBLIC HEARINGS – Continued

1. Rezoning Cases – Continued

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning Rezoning Case Z-2013-22, heard by the Planning Board (PB) on December 2, 2013:

A. Adopting the PB recommendation and approving VR-1;

B. See Page 21; and

C. Authorizing the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

(2) Case Number: Z-2013-22
Address: 2842 Nowak Dairy Road
Property Reference Number: 36-1N-31-2000-000-000
Property Size: 12.31 (+/-) acres
From: VAG-2, Villages Agriculture District, Gross Density (one dwelling unit per five acres)
To: VR-1, Villages Rural Residential District, Gross Density (one dwelling unit per four acres)
FLU Category: MU-S, Mixed Use-Suburban
Commissioner District: 5
Requested by: Sean and Elizabeth Vinaja, Owners
PB Recommendation: Approval

Speaker(s) – None.

(Continued on Page 18)
I. PUBLIC HEARINGS – Continued

1. Rezoning Cases – Continued

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried unanimously, taking the following action concerning Rezoning Case Z-2-013-23, heard by the Planning Board (PB) on December 2, 2013:

A. Adopting the PB recommendation and approving R-5;

B. See Page 21; and

C. Authorizing the Chairman to sign the Orders of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

(3) Case Number: Z-2013-23
   Address: Airway Drive
   Property Reference Number: 12-1S-30-2001-001-001
   Property Size: 68.00 (+/-) acres
   From: S-1, Outdoor Recreational District (noncumulative)
   To: R-5, Urban Residential/Limited Office District, (cumulative) High Density
   FLU Category: MU-U, Mixed Use-Urban
   Commissioner District: 3
   Requested by: Wiley "Buddy" Page, Agent for Smart Living, LLC
   PB Recommendation: Approval

Speaker(s):

Suzanna Ellard
Gary Watson
David Jewell

(Continued on Page 19)
GROWTH MANAGEMENT REPORT – Continued…

I. PUBLIC HEARINGS

1. Rezoning Cases – Continued

Motion made by Commissioner Robertson, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning Rezoning Case Z-2013-25, heard by the Planning Board (PB) on December 2, 2013:

A. Adopting the PB recommendation and approving C-2NA;

B. See Page 21; and

C. Authorizing the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

(4) Case Number: Z-2013-25
Address: 5580 Pensacola Boulevard
Property Reference: 47-1S-30-1101-002-064
Property Size: 1.64 (+/-) acres
From: C-1, Retail Commercial District (cumulative)(25 dwelling units per acre)
To: C-2NA, General Commercial and Light Manufacturing District, Bars, Nightclubs, and Adult Entertainment are Prohibited Uses (cumulative)(25 dwelling units per acre)
FLU Category: C, Commercial
Commissioner District: 3
Requested by: Harry Bell Jr., Agent for James D. Kemp, Owner
PB Recommendation: Approval

Speaker(s) – None.

(Continued on Page 20)
I. PUBLIC HEARINGS

1. Rezoning Cases – Continued

Motion made by Commissioner Valentino, seconded by Commissioner Barry, and carried unanimously, taking the following action concerning Rezoning Case Z-2013-26, heard by the Planning Board (PB) on December 2, 2013:

A. Adopting the PB recommendation and approving R-3;

B. See Page 21; and

C. Authorizing the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Cases that was reviewed, as follows:

(5) Case Number: Z-2013-26
Address: Mobile Hwy
Property Reference: 39-1S-31-1302-000-001
Property Size: 4.51 (+/-) acres
From: C-1, Retail Commercial District (cumulative) and R-2, Single-Family District (cumulative), Low-Medium Density

To: R-3 One-Family and Two-Family District, (cumulative) Medium Density

FLU Category: MU-U, Mixed Use-Urban
Commissioner District: 1
Requested by: Steven D. White, Agent for James and Lianna Nash, Owners

PB Recommendation: Approval

Speaker(s) – None.
GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

1. Rezoning Cases – Continued

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, taking the following action concerning Rezoning Case PB 2013-01, heard by the Santa Rosa Island Authority (SRIA) on November 20, 2013:

A. See Pages 16 through 20;

B. Adopting the SRIA recommendation and approving PR-PB; and

C. Authorizing the Chairman to sign the Order of the Escambia County Board of County Commissioners for the Rezoning Case that was reviewed, as follows:

(6) Case Number: PB 2013-01
Address: Morgan Park, Pensacola Beach Boulevard
Property Reference Number: 28-2S-26-0900-000-000
Property Size: .50 (+/-) acre
From: Con/Rec-PB, Conservation/Recreation (-Pensacola Beach)
To: PR-PB, Preservation (-Pensacola Beach)
FLU Category: Rec, Recreation
Commissioner District: 4
Requested by: Paolo Ghio, Santa Rosa Island Authority
(SRIA) Recommendation: Approval

Speaker(s) – None.
GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

2. 5:45 p.m. Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried unanimously, taking the following action:

A. Adopting an Ordinance (Number 2014-1) to amend the Official Zoning Map to include the Rezoning Cases (Z-2013-21, Z-2013-22, Z-2013-23, Z-2013-25, and Z-2013-26) heard by the Planning Board on December 2, 2013, and approved during the previous agenda item, and to provide for severability, inclusion in the Code, and an effective date; and

B. Adopting an Ordinance (Number 2014-2) to amend the Official Future Land Utilization Map (Zoning Map) of the 1988 Pensacola Beach Land Utilization Plan to include the Rezoning Case (PB 2013-01) heard by the Santa Rosa Island Authority on November 20, 2013, and approved during the previous agenda item, and to provide for severability, inclusion in the Code, and an effective date.

Speaker(s) – None.

3. 5:46 p.m. Public Hearing

Motion made by Commissioner Valentino, seconded by Commissioner Robertson, and carried unanimously, adopting (an Ordinance [Number 2014-3] approving) Large Scale Amendment (LSA) 2013-01 Map, amending Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan: 2030, as amended; amending the Future Land Use map designation (of a parcel, totaling 69.462 acres, located off Airway Drive and south of Nine Mile Road, from Public [P] to Mixed Use-Urban [MU-U]); at the October 7, 2013, Planning Board meeting, the Planning Board recommended approval to the BCC for transmittal to the Department of Economic Opportunity (DEO); at the November 7, 2013, BCC meeting, the Board approved the transmittal to DEO.

Speaker(s) – None.
GROWTH MANAGEMENT REPORT – Continued

II. CONSENT AGENDA

1. Scheduling of Public Hearings

Motion made by Commissioner Robertson, seconded by Commissioner Robinson, and carried unanimously, authorizing the scheduling of the following two Public Hearings for Thursday, January 16, 2014:

A. 5:45 p.m. – A Public Hearing – Review of an Ordinance authorizing transmittal of the Escambia County Comprehensive Plan 2030 to DEO (Department of Economic Opportunity); and

B. 5:46 p.m. – A Public Hearing – Review of an Ordinance amending Article 2, Section 2.08.02.E, "Board of County Commissioners review and action on rezonings."

COUNTY ADMINISTRATOR’S REPORT – George Touart, Interim County Administrator

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-9. Approval of Various Consent Agenda Items

Motion made by Commissioner Robertson, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 9, as follows:

1. Authorizing the scheduling of a Public Hearing on January 16, 2014, at 5:33 p.m., to amend the Fiscal Year 2013-2014 Budget to include the fund balance carry forwards.

2. Rescinding the Board’s following action of November 7, 2013, concerning the Solid Waste Annual Dump Dash 5K and Trash-A-Thon Fundraiser Event (Funding: Fund 101, Escambia County Restricted Fund, Cost Center 230317, Solid Waste Fund Raiser):

   A. Adopting the Resolution (R2013-131) supporting (authorizing) the Solid Waste Annual Dump Dash 5K and Trash-A-Thon Fundraiser Event (to be held at the Perdido Landfill on November 16, 2013) as a source for significant funding for educational outreach and for the benefit of County services and facilities; and

   B. Authorizing the Chairman to sign the Resolution.
1-9. Approval of Various Consent Agenda Items – Continued

3. Approving the appointment of Arthur R. Nunamaker to the Escambia County Disability Awareness Committee to serve as one of the two "at-large" appointees, for a four-year term, effective January 2, 2013 (2014), through January 1, 2017 (2018).


5. Taking the following action concerning an appointment to the Escambia County Canvassing Board:
   
   A. Appointing Commissioner Steven L. Barry to serve on the Escambia County Canvassing Board for the 2014 elections; Commissioner Barry would serve during the following elections: the Primary Election on August 26, 2014, and the General Election on November 4, 2014; and
   
   B. Authorizing out-of-County travel and funding to a Canvassing Board Workshop scheduled in Orlando, Florida, on Friday, January 31, 2014.

6. Approving the Request for Disposition of Property Form for the Community & Environment Department, for property which is described and listed on the Request for Disposition of Property Form, with reason for disposition stated; the listed item has been found to be of no further use to the County; thus, it is requested that it be properly disposed of.
COUNTY ADMINISTRATOR’S REPORT – Continued

1. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-9. Approval of Various Consent Agenda Items – Continued

7. Taking the following action concerning the Title VI Plan for Escambia County Area Transit (ECAT); during the Federal Transit Administration (FTA) triennial audit conducted September 9-10, 2013, it was determined that the Title VI Plan, pursuant to Title VI of the Civil Rights Act of 1964; Title 49, Chapter 53, Section 5332, of the United States Code; and the FTA’s Circular 4702.1B, "Title VI Program Guidelines for Federal Transit Administration Recipients," needed to be updated; the current Plan expired on November 30, 2013; the update to the plan specifically removes all references to Veolia Transportation; all contact information throughout the document was also updated, including non-elected board member positions for the Escambia County Mass Transit Advisory Committee:

A. Approving the 2013 Title VI Plan; and

B. Authorizing the Chairman to sign the 2013 Title VI Plan.

8. Confirming the appointment of Phyllis P. Gonzalez, Circuit 1 Community Development Administrator, Florida Department of Children and Families (DCF), to the Workforce Escarosa Board of Directors, as a permanent public assistance/DCF representative, for an indefinite term, beginning January 2, 2014.

9. Adopting, and authorizing the Chairman to sign, the Resolution (R2014-1) expressing the Board's support for seeking additional funding for construction projects on Nine Mile Road (US Alt 90).
II. BUDGET/FINANCE CONSENT AGENDA

1-21. Approval of Various Consent Agenda Items

Motion made by Commissioner Robertson, seconded by Commissioner Valentino, and carried unanimously, approving Consent Agenda Items 1 through 21, as follows, with the exception of Item 14, which was held for a separate vote:

1. Taking the following action concerning the replacement State of Florida, Division of Emergency Management (FDEM), Federal Fiscal Year 2013, Homeland Security, Federally-Funded Subgrant Agreement, Contract Number 14-CI, allocating to Escambia County a Grant totaling $11,200, for the period September 1, 2013, through September 30, 2014:

   A. Approving the replacement FDEM Federally-Funded Subgrant Agreement, allocating Grant funding for the Community Emergency Response Team Program, identified in Fund 110, Other Grants and Projects Fund, Cost Center 330430, Revenue Account 334248; and

   B. Authorizing the Chairman or Vice Chairman to sign the replacement Agreement.

2. Taking the following action concerning the replacement State of Florida, Division of Emergency Management (FDEM), Federal Fiscal Year 2013, Homeland Security Federally-Funded Subgrant Agreement, Contract Number 14-CC, allocating to Escambia County a Grant totaling $11,200, for the period September 1, 2013, through September 30, 2014:

   A. Approving the replacement FDEM Federally-Funded Subgrant Agreement, allocating Grant funding for the Citizen Corps Program, identified in Fund 110, Other Grants and Projects Fund, Cost Center 330458, Revenue Account 334251; and

   B. Authorizing the Chairman or Vice Chairman to sign the replacement Agreement.
Public Forum Work Session and Regular BCC Meeting Minutes – Continued

County Administrator’s Report – Continued

II. Budget/Finance Consent Agenda – Continued

1-21. Approval of Various Consent Agenda Items – Continued

3. Approving the issuance of a Purchase Order to ACC, a Securadyne Systems Company, in the amount of $66,868.74, for the replacement of the Public Safety Department’s existing analog video surveillance system with a digital video surveillance system (security camera system), per Quotation No. 78030-5, GSA Contract No. GS-07F-0251N (Funding Source: Fund 110, Other Grants and Projects Fund, Cost Center 330236, Domestic Assistance Grant).

4. Adopting the Resolution (R2014-2) approving Supplemental Budget Amendment #060, Other Grants and Projects Fund (110), in the amount of $30,881, to recognize proceeds from the Florida Department of Health, and to appropriate these funds for the improvement and expansion of pre-hospital Emergency Medical Services in Escambia County.

5. Adopting the Resolution (R2014-3) approving Supplemental Budget Amendment #062, Local Option Sales Tax III Fund (352), in the amount of $257,708, to recognize proceeds from the State of Florida, Division of Emergency Management Subgrant Agreement Number 14HM-2Z-01-XXX, Project Number 1595-27-B, and to appropriate these funds for the Maplewoods Subdivision Drainage Ditch Piping and Ashland Avenue Bridge Enhancements.
II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued

6. Taking the following action (concerning) rescinding (the Board's action of February 18, 2010, regarding) the surplus and sale of real property located at 1732 Bainbridge Avenue, due to a legal description error:

A. Rescinding the (following) Board's action of February 18, 2010, concerning the surplus and sale of real property located at 1732 Bainbridge Avenue:

   (1) Declaring surplus the Board’s real property, Account Number 10-0299-000, Reference Number 35-2S-31-1000-011-040;

   (2) Authorizing 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

   (3) Authorizing the Chairman to sign all documents related to the sale;

B. Authorizing the refund of the deposit paid ($729.30) by the highest bidder for the purchase of the property;

C. Declaring surplus the Board's real property, Account Number 10-0299-000, Reference Number 35-2S-31-1000-011-040;

D. Authorizing the sale of the property, with the corrected legal description, to the highest bidder; and

E. Authorizing the Chairman to sign all documents related to the sale.

7. Authorizing foreclosure, based on the 2011 Code Enforcement Lien, in the amount of $23,279, recorded in Official Records Book 6833, at Page 880, of the Public Records of Escambia County, Florida, on real property located at 7051 Beulah Road, Account Number 09-0876-170, Reference Number 19-1S-31-2401-000-004, with the current assessed value of $61,137.
8. Taking the following action concerning real property located at 1050 Muscogee Road (Account Number 11-4074-000, Reference Number 17-1N-31-1200-001-004):

A. Authorizing this property to be utilized as one of several parcels for use in the Muscogee Road Drainage Improvement Project by the Public Works Department; and

B. Authorizing the transfer of funds ($4,642.50) from Fund 352, Local Option Sales Tax III, Account 210107, Object Code 56101, Project #09EN0115, to the General Fund, which covers the hard costs associated with the 2007 Code Enforcement Lien.

9. Awarding, and authorizing the Interim County Administrator to sign, the Collection Services Agreement PD 13-14.009, "Collection Services for Public Safety," to Affiliated Creditors, Inc., effective February 5, 2014, for a period of 12 months, with an option to extend the Contract for two additional 12-month periods, at the commission rate of 12.98% for Primary Placements, in accordance with the terms and conditions of the Agreement (Funding: Fund 408, Emergency Medical Service [EMS] Fund, Cost Center 330603, EMS Billing, Object Code 53401, Other Contractual Services).

10. Authorizing the County to piggyback off of the State of Florida Term Contract #071-000-14-1, in accordance with the Escambia County Code of Ordinances, Chapter 46, Article II, Section 46-44, Application; exemptions; and Section 46-64, Board approval, and awarding a Purchase Order for two 2014 Ford Super Duty F-250 2WD SuperCab (X2A), for the Facilities Management Department, to Alan Jay Ford Lincoln Mercury, Inc., in the amount of $56,829.20, according to specifications VE 13-14.001 (Funding: Fund 352, Local Option Sales Tax III, Cost Center 110267, Object Code 56401, Project #14PF2638, Libraries/Community Centers).
II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued


13. Approving, and authorizing the Chairman to execute, the Contract Modification providing for administrative changes to PD 02-03.079, Professional Services as Governed by Florida Statute 287.055, between Escambia County, Florida, and Post, Buckley, Schuh & Jernigan, Inc. (d/b/a PBS&J), changing the name to Atkins North America, Inc.

15. Taking the following action concerning a Grant Application for the Federal Transit Administration (FTA) Bus and Facilities Program: Grant 5339 by Escambia County Area Transit (ECAT), for the purchase of 17 bus shelters and the replacement of one Americans with Disabilities Act bus (Funding: there is no budgetary impact; the $77,705 in Florida Toll Revenue Credits will enable the FTA to fund the entire purchase amount of $310,819):

A. Adopting the Resolution (R2014-4) authorizing Escambia County to apply for and accept Grants, make purchases, and expend funds pursuant to Grant awards by the Florida Department of Transportation and the FTA Act of 1964;

B. Authorizing the ECAT General Manager to file a Grant Application and Grant Award Execution via the Federal Transportation Electronic Award and Management System; and

C. Authorizing the Chairman to execute the Resolution and all other required documents pertaining to acceptance and expenditure of Grant funds, including notifications of funding and electronic document filing, pending Legal approval, without further action of the Board.
II. BUDGET/FINANCE CONSENT AGENDA – Continued

16. Taking the following action concerning the State of Florida Department of Transportation (FDOT) Grant Application for U.S.C. Section 5310 funding (Federal Transit Administration [FTA] urbanized area funding), to be used by Escambia County for the purchase of six Americans with Disabilities Act buses; Pensacola Bay Transportation is currently the local paratransit provider; they have 28 vehicles in their fleet; eleven of those manufactured between 2001 and 2006 have mileage ranging from 288,308 to 458,199; with some of these vehicles presently out of service, Pensacola Bay Transportation is operating with no spare vehicles and no capital replacement plan; FDOT recommends that paratransit vehicles be replaced at five years and/or 200,000 miles; this Application will allow Escambia County to add rolling stock and to begin replacing vehicles as Grant money is available, and will serve as part of the Capital Replacement Plan for the paratransit vehicles (Funding: the FTA requires that 20% of the Grant amount be matched by local government; FDOT will match 10% of the Grant amount, which leaves a 10% match [$36,000] for Escambia County):

A. Adopting the Resolution (R2014-5) authorizing Escambia County to apply for and accept certain Grant awards made by FDOT and by the FTA Act of 1964;

B. Authorizing the Escambia County Area Transit General Manager to file the Grant Application and Grant Award Execution via the Federal Transportation Electronic Award and Management System; and

C. Authorizing the Chairman to execute the Resolution and all other required documents pertaining to acceptance and expenditure of Grant funds, including notification of funding and electronic document filing, pending Legal approval, without further action of the Board.
COUNTY ADMINISTRATOR’S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-21. Approval of Various Consent Agenda Items – Continued

17. Taking the following action concerning a Local Agency Program (LAP) Agreement with the State of Florida Department of Transportation (FDOT) for funding (not to exceed $1,388,244), for the construction and inspection of paved shoulders along Crabtree Church Road, from Sunshine Hill Road to State Road 97 (Atmore Highway), in Escambia County; in March 2007, the Office of Transportation and Traffic Operations applied for Transportation Enhancement Program funds through the Florida Department of Transportation; the amount identified for the design portion of the Grant was $138,824; Escambia County was approved for the Grant in November 2009; the Board of County Commissioners approved the LAP Agreement for the design portion in December 2011 (Funding: a Supplemental Budget Amendment will be prepared by the Management and Budget Services Department to recognize the funding for the LAP Agreement):

A. Approving the LAP Agreement between FDOT and Escambia County for construction and inspection of paved shoulders along Crabtree Church Road, between Sunshine Hill Road and State Road 97 (Atmore Highway);

B. Adopting a Resolution (R2014-6) authorizing the execution of the LAP Agreement; and

C. Authorizing the Chairman to sign the LAP Agreement and the Resolution for this Project.
II. BUDGET/FINANCE CONSENT AGENDA – Continued

18. Taking the following action concerning the State of Florida Department of Transportation (FDOT) Grant Application for U.S.C. Section 5311 funding (Federal Transit Administration [FTA] non-urbanized area funding), to be used by the Community Transportation Coordinator (CTC) and Escambia County Area Transit (ECAT) in the non-urbanized areas of Escambia County, including operation of the fixed route to Century; the Section 5311 Non-urbanized Area Formula Program provides Federal operating or capital assistance to eligible recipients who operate/contract public transportation service in non-urbanized areas (rural areas - typically the Century route); eligible recipients may receive annual Section 5311 allocations to offset operational expenses of public transportation service operated/contracted in non-urbanized areas; Grant recipients must be either a CTC or an otherwise eligible recipient who maintains a written Coordination Agreement with the CTC; Escambia County is the eligible local recipient of FDOT funding and has a written Contract with the local CTC, Pensacola Bay Transportation, LLC; Escambia County also meets further requirements that Grant recipients must have the requisite fiscal and managerial capability to carry out the Project and the legal authority to receive Federal and State funds (Funding: these funds are included in the ECAT Fiscal Year 2013-2014 Budget; based upon past years' awards and utilization of funds, ECAT could apply for up to $250,000):

A. Adopting the Resolution (R2014-7) authorizing Escambia County to apply for and accept certain Grant awards made by FDOT and by the FTA Act of 1964; and

B. Authorizing the Chairman to execute the Resolution and all other required documents pertaining to acceptance and expenditure of Grant funds, including notification of funding and electronic document filing, pending Legal approval, without further action of the Board.
19. Taking the following action regarding the acquisition of a parcel of real property (approximately 4.13 acres), located at 16447 Perdido Key Drive, from the Trust for Public Land (Funding Source: Fund 352/Local Option Sales Tax III/Cost Center 220102, NESD Capital Projects/Object Code 56101/Projects: 12NE1712 [Perdido Key Beach Access], 08NE0048 [Primary Dune Restoration], 08NE0072 [Perdido Key HCP], and 08NE0028 [Environmentally Sensitive Lands]):

A. Authorizing the purchase of a parcel of real property, located at 16447 Perdido Key Drive, for the average appraised value of $3,050,000, from the Trust for Public Land;

B. Approving the Purchase and Sale Agreement for the acquisition of a parcel of real property (approximately 4.13 acres), located at 16447 Perdido Key Drive, from the Trust for Public Land, in accordance with the terms and conditions contained in the Agreement; and

C. Authorizing the County Attorney's Office to prepare, and the Chairman or Vice Chairman to execute, any documents, subject to Legal review and sign-off, necessary to complete the acquisition of this property, without further action of the Board.

20. Approving the issuance of a Purchase Order, in excess of $50,000, to Securitas Security Services USA, Inc., PD 10-11.043, to continue to provide security services at the West Florida Public Library, as provided below (Funding: Fund 113, Library Fund, Other Contractual Services, Cost Center 53401):

Securitas Security Services USA, Inc. – $50,585.92

21. Approving, and authorizing the Interim County Administrator to sign, subject to Legal sign-off, the Agreement for Consulting Services with Erin L. Deady, P.A., with regard to any matters relating to the Deepwater Horizon Oil Spill incident, the RESTORE Act, allocation of restoration funds, and such other issues that may be identified by the County.
Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, approving, and authorizing the Interim County Administrator to execute, the following Change Order #2 on Contract PD 02-03.079, "Professional Services," for construction, engineering, inspection, and project management services related to construction of the Mahogany Mill Boat Ramp Project (Funding Source: Fund 352, Local Option Sales Tax III, Cost Center 220102, NESD Capital Projects, Project 08NE0018):

Department: Community & Environment
Division: Administration
Type: Addition
Amount: $66,260.52
Vendor: Atkins North America, Inc.
Project Name: Mahogany Mill Boat Ramp Project
Contract: PD 02-03.079
Purchase Order Number: 121557
Change Order (CO) Number: 2
Cost Center for CO: 220102
Original Award Amount: $ 84,784.16
Cumulative Amount of Change Orders through CO Number 2: $ 66,260.52
New Contract Total: $151,044.68

Speaker(s):
Andrew Blewer
III. FOR DISCUSSION

1. Chairman's Annual Appointments

Motion made by Commissioner Robinson, seconded by Commissioner Barry, and carried unanimously, confirming Chairman Lumon J. May's 2014 annual appointments to Boards and Committees on which Commissioners serve, as follows, effective January 2, 2014:

**Area Agency on Aging** (1) – Commissioner Robertson

**Area Housing Commission** (1) – Marie Young (2012-2015) (Chapter 421, Florida Statutes – 4 YEAR TERMS) (according to Florida Statutes and the Special Act relating to the Area Housing Commission, Marie Young can continue to serve as the Board’s appointee, even when she is no longer an elected official)

**Greater Pensacola Chamber Board of Directors** (1) – Commissioner Valentino (Note: the Chamber Bylaws require the Chairman or Chairman’s Designee serve on this Board)

**Bay Area Resource Council** (2) – Commissioner Robinson and Commissioner Barry

**Community Action Program Committee, Inc.** – Commissioner May

**Community Drug & Alcohol Commission** (1) – Commissioner May

**Community Enterprise Investments, Inc.** (1) – Commissioner May

**Council on Aging** (1) – Commissioner May was appointed to serve through December 2013 (Note: appointments to this Committee are made by the Council on Aging, not by the BCC Chairman; the Council on Aging will announce its 2014 appointee at its annual meeting December 17, 2013; this appointment will be confirmed at an upcoming BCC Meeting)

**Downtown Improvement Board** (1) – Commissioner Robinson

**Early Learning Coalition of Escambia County** (1) – At a future BCC Meeting, Commissioner Barry will appoint a new designee to serve through 2016

**Escambia County Transportation Disadvantaged Coordinating Board** – Commissioner May (2016)

**Extension Council-Escambia County** (1) – Commissioner Barry

**Florida-Alabama Transportation Planning Organization** (all 5 Commissioners) (Note: formerly Transportation Planning Organization/Metropolitan Planning Organization)

**Juvenile Justice Council** (1) – Commissioner May (Note: Chairman or designee)

**Military Affairs Committee** (1) – Commissioner Barry

(Continued on Page 38)
III. FOR DISCUSSION – Continued

1. Continued…

Northwest Florida Oil Impact Coalition (1) – Commissioner Robinson (serves as Chairman of this Coalition, with term to run concurrent with his term of office or until the Coalition sunsets, whichever occurs first)
Northwest Florida Regional Transportation Planning Organization (TPO) (2) – Commissioner Barry (2016), Commissioner Valentino (2014) (Note: the Florida-Alabama TPO makes appointments to this Organization – On January 18, 2012, an amendment was made to the Northwest Florida Regional TPO’s bylaws allowing members to serve through the duration of their elected office; at its December 12, 2012, Meeting, the Florida-Alabama TPO appointed Commissioner Barry to replace the seat vacated by Commissioner White)
Pensacola-Escambia Development Commission (2) – Commissioner Barry (2013-2015) and Commissioner Robertson (2012-2014) (Note: each Commissioner is appointed for staggered two-year terms)
Public Safety Coordinating Council-Escambia County (1) – Commissioner May
Resource, Conservation & Development Council (1) – Commissioner Barry
Tourism Administration & Convention Committee (1) – Commissioner May
Tourist Development Council (1) – Commissioner Valentino
Value Adjustment Board (2) – Commissioner Barry and Commissioner Valentino (Note: Section 194.015, Florida Statutes, revised the membership of the Board effective September 1, 2008)
West Florida Regional Planning Council (2) – Commissioner Valentino and Commissioner Robertson

2. Addendum to Contract

Motion made by Commissioner Robertson, seconded by Commissioner Barry, and carried unanimously, approving, and authorizing the Chairman to sign, subject to Legal sign-off, the Addendum to Contract, Reference: The Waters Consulting Group, Inc., Proposal PD 12-13.059 (Funding: Fund 001, General Fund, Cost Center 110201, Object Code 52101).
COUNTY ATTORNEY’S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1. Scheduling of a Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Valentino, and carried unanimously, authorizing the scheduling of a Public Hearing on January 16, 2014, at 5:34 p.m., to consider (adopting an Ordinance) amending the Noise Ordinance, Chapter 42, Article III, Sections 42-63 and 42-67, of the Escambia County Code of Ordinances, to define the Core Area of Santa Rosa Island (Pensacola Beach), and establish separate noise restrictions for the commercial and residential areas of Santa Rosa Island.

II. FOR DISCUSSION

1. Department of Justice Consent Agreement

Motion made by Commissioner Valentino, seconded by Commissioner Robinson, and carried unanimously, approving to schedule, for discussion at the March 2014 Committee of the Whole Workshop, the Department of Justice’s proposed Consent Agreement related to operations at the Escambia County Jail, to include the review of all of the factors, including any desire on the Board’s part to consider further study.

2. Chumuckla Hunting Club

Motion made by Commissioner Robertson, seconded by Commissioner Valentino, and carried unanimously, approving, subject to Legal sign-off, to allow the Hunting Club to continue operating under the lease agreement with the County, through 2014, relative to the request of the Chumuckla Hunting Club to continue to hunt on approximately 601 acres in Santa Rosa County (NOLF-X parcel).
COUNTY ATTORNEY’S REPORT – Continued

III. FOR INFORMATION

1. Relax Hospitality, LLC, a Florida limited liability company; and ADX Communications of Escambia, LLC, a Florida limited liability company, vs. Escambia County, acting by and through its Board of Adjustment; and CEJ South, Inc., a Florida corporation

The Board took no action concerning the recommendation that the Board accept, for filing with the Board's Minutes, the Opinion in the matter of Relax Hospitality, LLC, a Florida limited liability company; and ADX Communications of Escambia, LLC, a Florida limited liability company, vs. Escambia County, acting by and through its Board of Adjustment; and CEJ South, Inc., a Florida corporation, filed December 2, 2013, in the Circuit Court of the First Judicial Circuit of Escambia County, Florida, granting Petitioners' Writ of Certiorari (which quashed the Board of Adjustment's decision to grant an administrative appeal filed by CEJ South, Inc., and remanded the matter for further proceedings, relative to staff's administrative decision to deny a change of use permit for CEJ to operate a funeral home with crematory at 7253 Plantation Road, based on the Planning Board's prior interpretation of the Land Development Code provisions and its conclusion that a funeral home with crematory was not a "permitted use" within the relevant zoning classification).

2. Department of Juvenile Justice

The Board took no action concerning the recommendation that the Board accept the following information:

"The Department of Juvenile Justice, pursuant to the county cost-share provisions of Section 985.686, Florida Statutes, by which Escambia County is responsible for pre-disposition secure detention costs, issued a letter dated November 27, 2013 with the reconciliation of shared detention costs for FY 2012-2013 which was then revised with a final reconciliation spreadsheet on December 3, 2013. Escambia County is due a credit of $1,721,217.83. The Department of Juvenile Justice has refused to honor the credit alleging that it has no budgeted funds to apply the credit to future payments owed to the Department of Juvenile Justice for FY 2013-2014.

(Continued on Page 41)
COUNTY ATTORNEY’S REPORT – Continued

III. FOR INFORMATION – Continued

2. Continued…

Under the terms of the final reconciliation, an appeal with the Department of Administrative Hearings would have been due no later than December 18, 2013. At the request of the Legislature and Florida Association of Counties, the Florida Department of Juvenile Justice issued a letter dated December 12, 2013 which postponed appeal rights until the 2014 Florida Legislature has met and determined whether or not to fund the credits owed the counties. As an inducement for the counties to forestall an appeal, the DJJ through its Chief of Staff has included this language in the December 12, 2013 letter: "All rights and remedies for the counties originating from the FY 12-13 reconciliations are preserved, and not waived, between now and the date of final agency action stated herein." With this letter in hand, the County can take a wait and see approach while the legislature is in session for 2014 to determine whether it will appropriate monies to fund the credits.

The December 12th DJJ letter has been discussed with Amy Lovoy, Director, Department of Management & Budget Services, and she concurs with postponing an appeal with the Division of Administrative Hearings until such time as the Florida Legislature has determined whether or not to fund the County's credit. In recent telephone conferences with several county attorneys and retained attorneys representing counties affected by the FY 2012-13 reconciliation, a consensus was reached that the counties will preserve all rights and remedies with the DJJ December 12th letter and that the counties should await financial assistance from the legislature during the 2014 session before taking legal action."

ITEMS ADDED TO THE AGENDA – None.

ANNOUNCEMENTS – None.
ADJOURNMENT

There being no further business to come before the Board, Chairman May declared the Regular Meeting of the Board of County Commissioners adjourned at 6:20 p.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

ATTEST:

By: ______________________________
_______________________________
Pam Childers
Clerk of the Circuit Court & Comptroller
Deputy Clerk

Lumon J. May, Chairman

Approved: January 16, 2014