

MINUTES OF THE PUBLIC FORUM WORK SESSION AND REGULAR MEETING OF THE  
BOARD OF COUNTY COMMISSIONERS  
HELD JUNE 2, 2015  
BOARD CHAMBERS, FIRST FLOOR, ERNIE LEE MAGAHA GOVERNMENT BUILDING  
221 PALAFOX PLACE, PENSACOLA, FLORIDA  
(4:30 p.m. – 6:27 p.m.)

Present: Commissioner Steven L. Barry, Chairman, District 5  
Commissioner Grover C. Robinson IV, Vice Chairman, District 4  
Commissioner Lumon J. May, District 3  
Commissioner Wilson B. Robertson, District 1  
Commissioner Douglas B. Underhill, District 2  
Honorable Pam Childers, Clerk of the Circuit Court and Comptroller  
(Regular Board Meeting only)  
Jack R. Brown, County Administrator  
Alison Rogers, County Attorney  
Lizabeth Carew, Administrative Specialist, Clerk and Comptroller's Office  
Judy H. Witterstaeter, Program Coordinator, County Administrator's Office

PUBLIC FORUM WORK SESSION

Chairman Barry called the Public Forum Work Session to order at 4:30 p.m.

1. FOR INFORMATION: The Board heard comments from Barbara Mayall concerning a new employee at ECAT (Escambia County Area Transit) and hiring policies for individuals who have a criminal record.
2. FOR INFORMATION: The Board heard comments from the following individuals concerning the landfill in the Wedgewood Community:
  - A. Willie Lawrence
  - B. Lafanette Soles-Woods
  - C. Judy Cook
3. FOR INFORMATION: The Board heard comments from Gary Sansing concerning various local issues.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

PUBLIC FORUM WORK SESSION – Continued

4. FOR INFORMATION: The Board heard comments from Myra Lightner concerning the Longleaf Disposal Facility.
5. FOR INFORMATION: The Board heard comments from Jessica Koelsch in support of the RESTORE Act Advisory Committee's recommendations regarding Selection Criteria and Scoring for RESTORE projects.

5:03 P.M. – PUBLIC FORUM ADJOURNED

5:31 P.M. – REGULAR BOARD MEETING CONVENED

REGULAR BCC AGENDA

1. Call to Order

Chairman Barry called the Regular Meeting of the Board of County Commissioners to order at 5:31 p.m.

2. Invocation

Father Matthew Carter, Annunciation Greek Orthodox Church, delivered the Invocation.

3. Pledge of Allegiance to the Flag

Commissioner Robertson led the Pledge of Allegiance to the Flag.

4. Adoption of the Agenda

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, adopting the agenda as prepared and duly amended.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

5. Commissioners' Forum:

- A. District 4 – Commissioner Robinson congratulated all Escambia County graduates and their families; and
- B. District 5 – Commissioner Barry announced that Northwest Florida State, formerly Okaloosa Walton, won the Baseball Junior College National Championship.

6. Proclamations

Motion made by Commissioner May, seconded by Commissioner Robinson, and carried unanimously, taking the following action concerning adoption/ratification of Proclamations:

- A. Adopting the Proclamation commending and congratulating Don Christian, an Engineering Technician in the Traffic and Transportation Division of the Public Works Department, on his selection as "Employee of the Month" for June 2015;
- B. Adopting the Proclamation commending Assistant Chief Richard Fulton, Jr., on his countless hours of volunteer dedication and service to Escambia County and joining with Escambia County Fire Rescue (ECFR) in congratulating him on his retirement after 29 years of service; with his retirement, ECFR has lost a valuable member that has helped out in so many ways; his years of experience and knowledge cannot be replaced;
- C. Adopting the Proclamation commending Captain John Morits on his countless hours of volunteer dedication and service to Escambia County and joining with ECFR in congratulating him on his retirement after nine years of service; with his retirement, ECFR has lost a valuable member;
- D. Adopting the Proclamation proclaiming the month of June 2015 as "Americans with Disabilities Month" in Escambia County, committing to resurvey all County facilities for accessibility to all citizens and provide for corrective actions as funding allows;

(Continued on Page 4)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

6. Continued...

- E. Adopting the Proclamation proclaiming June 15, 2015, as "Ride to Work Day" in Escambia County and encouraging scooter and motorcycle riders to ride to work on that day to demonstrate that motorcyclists are from all occupations and walks of life, that motorcyclists can reduce traffic and parking congestion in large cities, and that motorcycles are for transportation as well as recreation;
- F. Adopting the Proclamation proclaiming June 18, 2015, as "National Dump the Pump Day" in Escambia County, joining with ECAT and public transportation agencies across the country to participate in the 10th Annual National Dump the Pump Day to encourage people to ride public transportation on June 18, 2015;
- G. Adopting the Proclamation joining the citizens of Escambia County in congratulating Marty White on his retirement and in commending him for his years of service to the community; and
- H. Ratifying the Proclamation commending Home Depot #6932, under the direction of Don Gray, Store Manager, for hosting, and Carey Hobbs and Sonja Pelot for organizing the Hurricane Preparedness Workshop to bring communities together, to increase hurricane preparedness, and to inspire our citizens to take action.

Speaker(s):

Joy Blackmon  
Colby Brown  
Don Christian  
Warren Jernigan  
Betty Bochnik

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

REGULAR BCC AGENDA – Continued

7. Proof of Publication

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, 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 five Public Hearings on the agenda:

- (1) The 5:47 p.m. Public Hearing, advertised in the Pensacola News Journal on April 17, 2015, for consideration of adopting an Ordinance amending Part II of the Escambia County Comprehensive Plan, Chapter 9, Housing Element;
- (2) The 5:48 p.m. Public Hearing, advertised in the Pensacola News Journal on May 18, 2015, for consideration of the issuance of an Operational Permit for Resource Extraction for Perdido Landfill North Borrow Pit;
- (3) The 5:49 p.m. Public Hearing, advertised in the Pensacola News Journal on May 18, 2015, for consideration of the issuance of an Operational Permit for Resource Extraction for Perdido Landfill East Borrow Pit;
- (4) The 5:50 p.m. Public Hearing, advertised in the Pensacola News Journal on May 18, 2015, for consideration of the issuance of an Operational Permit for Resource Extraction for North End Camp Borrow Pit; and
- (5) The 5:51 p.m. Public Hearing, advertised in the Pensacola News Journal on May 18, 2015, for consideration of the issuance of an Operational Permit for Resource Extraction for Green's Borrow Pit, Blossom Trail Borrow Pit; and

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule, June 1 – June 5, 2015, Legal No. 1642397*, as published in the Pensacola News Journal on May 30, 2015.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Honorable Pam Childers, Clerk  
of the Circuit Court & Comptroller

I. CONSENT AGENDA

1. Minutes and Reports

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, taking the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:

- A. Accepting, for filing with the Board's Minutes, the Report of the Agenda Work Session held May 21, 2015;
- B. Approving the Minutes of the Regular Board Meeting held May 21, 2015; and
- C. Accepting, for filing with the Board's Minutes, the Report of the Committee of the Whole (C/W) Workshop held May 14, 2015, as follows:

AGENDA NUMBER

1. Call to Order

Chairman Barry called the Committee of the Whole (C/W) Workshop to order at 9:06 a.m.

2. Was the Meeting Properly Advertised?

The C/W was advised by Kimberly McCord, Office Assistant III, Clerk and Comptroller's Office, that the Meeting was advertised in the Pensacola News Journal on May 9, 2015, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule, May 11 -15, 2015, Legal No. 1641474.*

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1. Continued...

C. Report of the May 14, 2015, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Jail Update

A. Board Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled *Jail Update*, presented by Amy Lovoy, Interim Assistant County Administrator, and the C/W:

- (1) Heard comments from Commissioner Robertson, Commissioner Barry, and Commissioner Underhill, who advised that they do not support the Superfund Site as a site for a new jail;
- (2) Heard comments from Commissioner May, who advised that he is going to support the existing jail site, because, in his opinion, there is no data to suggest there was flooding anywhere other than the basement, and the net cost to repair the jail would be significantly less than building a new facility;
- (3) Was advised by Michael Tidwell, Director, Corrections Department, that none of the jail buildings currently in use meet American Correctional Association (ACA) standards;
- (4) Heard the request from Commissioner Underhill that staff provide an estimated cost to repair the existing CBD (Central Booking Detention facility) and bring it up to ACA standards;
- (5) Was advised by County Administrator Brown that renovating the current CBD facility to meet ACA standards would reduce the number of cells and space;

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1. Continued...

C. Report of the May 14, 2015, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Continued...

A. Continued...

(6) Discussed constructing a temporary structure at the Road Camp Prison to house minimum security-eligible inmates, which are currently being housed in other counties; and

(7) Heard the request from Commissioner Underhill for an exact number of inmates who are eligible for incarceration at the Road Camp Prison; and

B. Board Direction – The C/W recommends that the Board direct staff to move forward with a RFP (Request For Proposals) for a 400-bed, temporary jail facility.

**Recommended 5-0**

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1. Continued...

C. Report of the May 14, 2015, C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Overview of Santa Rosa Island Issues

A. Board Discussion – The C/W viewed and discussed two PowerPoint Presentations, which were also provided in hard copy, one entitled *SRIA Organizational and Financial Analysis*, presented by Steven McDonald, GAI Consultants, Inc.; and one entitled *Santa Rosa Island Authority*, presented by Amy Lovoy, Interim Assistant County Administrator, and the C/W:

(1) Was advised by Interim Assistant County Administrator Lovoy that:

(a) County staff met Santa Rosa Island Authority (SRIA) staff to discuss ways to create service parity, and the result of the discussion was to divide SRIA services into three main "Buckets," as follows:

1) Bucket 1 – Services provided by the County in other areas of the County, but not on the Island, or are provided at a cost greater than on the mainland, which include:

- a) Road surfacing on County roads;
- b) Public and recreational facilities;
- c) Fire Rescue;
- d) Ambulance services; and
- e) Local Option Sales Tax-eligible infrastructure projects;

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1. Continued...

C. Report of the May 14, 2015, C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Continued...

A. Continued....

(1) Continued...

(a) Continued...

2) Bucket 2 – Services that are unique to the Island or are provided by the SRIA at an enhanced level of service, which include:

- a) Island Administration – \$704,000;
- b) Environmental and development services – \$516,000;
- c) Trolley operations – \$225,000;
- d) Human Resources – \$112,000;
- e) Public Safety - \$411,000;
- f) Law Enforcement – budgeted amount is \$200,000;
- g) Lifeguards – \$750,000; and
- h) Beach renourishment debt service – \$1,300,000; and

3) Bucket 3 – Services the County does not typically perform, which include:

- a) Island marketing, including operations of the Beach Chamber of Commerce and the Visitor's Information Center – \$381,000;
- b) Events and event promotion – \$340,000; and
- c) Finance/Accounting – \$505,000; and

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1. Continued...

C. Report of the May 14, 2015, C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Continued...

A. Continued....

(1) Continued...

(b) If the Board wants to create parity for Bucket 1 services, the Board could consider Option 1 or Option 2, as outlined in the PowerPoint Presentation;

(2) Discussed lease fees, double taxation, and the duplication of services on the Island; and

(3) Requested that the SRIA reduce its budget by 30-66%; and

B. Board Direction – None.

Speaker(s):

Vikki Garrett  
Dottie Ford  
Honorable Chris Jones  
Janice Gilley  
David Pavlock  
Bob West  
Thomas Campanella

(COMMISSIONER MAY WAS ABSENT DURING DISCUSSION OF THIS ITEM)

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1. Continued...

C. Report of the May 14, 2015, C/W Workshop – Continued

AGENDA NUMBER – Continued

5. License and Management Agreement for Community Centers

A. Board Discussion – The C/W was advised by Commissioner Barry that this item has been dropped from the agenda; and

B. Board Direction – None.

6. Code Enforcement Lien Forgiveness Policy

A. Board Discussion – The C/W discussed the Code Enforcement Lien Forgiveness Policy and agreed to authorize the County Attorney to draft a policy giving the County Administrator the authority to waive fines and penalties if the current owner is not the one who incurred the lien, regardless of value and how the property was acquired, and to collect only hard costs included in the abatement; and

B. Board Direction – None.

(COMMISSIONER MAY WAS ABSENT DURING DISCUSSION OF THIS ITEM)

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1. Continued...

C. Report of the May 14, 2015, C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Short-Term Vacation Rentals

A. Board Discussion – The C/W discussed short-term vacation rentals, and the C/W:

(1) Was advised by County Attorney Rogers that:

(a) There are escalating numbers of short-term rentals in R1, R2, and R3 zoned districts on the mainland and other non-traditional areas, whereas multiple families are sharing one house;

(b) Florida Law preempts regulation of vacation rentals unless an Ordinance was in place prior to June 1, 2011, and Escambia County does not have an Ordinance specific to vacation rentals; and

(c) Escambia County can try to argue that the intent of the R1, R2, and R3 zoned districts is to not allow for this activity; however, there is nothing in these zoning categories that specifically addresses "short-term rental" in the description but it does have the overarching intent of single-family homes and those attendant uses;

(2) Upon inquiry by Commissioner Barry, was advised by County Attorney Rogers that the County cannot establish a new definition for short-term rental; and

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1. Continued...

C. Report of the May 14, 2015, C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Continued...

A. Continued...

(3) Heard comments from Commissioner Underhill concerning this issue in District 2 and the danger it poses to communities by residents losing access to the water because those areas are all commercialized; and

B. Board Direction – The C/W recommends that the Board acknowledge that the intent of the R1 through R3 zoning categories is to not allow for short-term rental activity, which has been the case prior to June 2011.

**Recommended 4-0, with Commissioner May having left the meeting**

8. Purchase of Air Monitors for the Wedgewood Community

A. Board Discussion – The C/W discussed the purchase of air monitors for the Wedgewood Community, and the C/W:

(1) Was advised by Keith Wilkins, Director, Community and Environment Department, that an estimate for three monitoring stations has been received, with a cost of \$36,000 per station, and an additional \$1,300 to make each station trailer-mounted and mobile;

(2) Heard the request from Commissioner May that staff reach out to the stakeholders before this is "inked";

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1. Continued...

C. Report of the May 14, 2015, C/W Workshop – Continued

AGENDA NUMBER – Continued

8. Continued...

A. Continued...

(3) Upon inquiry by Commissioner Robertson regarding the budget for the monitors and the funding source, was advised by Director Wilkins that the Board has authorized a budget of up to \$120,000 and the General Fund Reserves has been identified as the funding source; and

(4) Upon hearing comments from Commissioner Robertson concerning the appropriateness of using General Fund dollars for this purchase, was advised by County Administrator Brown that he will investigate the restrictions on the Landfill Reserves fund; and

B. Board Direction – The C/W recommends that the Board direct staff to move forward with the purchase of three air monitoring stations, to be placed in the proximity of the Rolling Hills landfill, with the funding source to be identified.

**Recommended 5-0**

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1. Continued...

C. Report of the May 14, 2015, C/W Workshop – Continued

ITEMS ADDED TO THE AGENDA - COMMISSIONER STEVEN L. BARRY

1. Low Cost Spay and Neuter Program

- A. Board Discussion – The C/W was advised by Commissioner Barry that the Humane Society was awarded an impact grant for implementation of a low cost spay and neuter program and heard his request for Board support to approve the budgeted amount of \$25,000 for the program and authorize the County Attorney's Office to draft a Memorandum of Understanding with the Humane Society regarding the program; and
- B. Board Direction – The C/W recommends that the Board authorize the County Attorney's Office to draft a Memorandum of Understanding with the Humane Society regarding a low cost spay and neuter program.

**Recommended 5-0**

AGENDA NUMBER – Continued

9. Adjourn

Chairman Barry declared the C/W Workshop adjourned at 12:56 p.m.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Horace Jones, Director,  
Development Services Department

I. PUBLIC HEARINGS

1. 5:47 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, adopting an Ordinance (*Number 2015-17*) amending Part II of the Escambia County Comprehensive Plan, Chapter 9, Housing Element, Objective 1.6, Housing Programs, removing references to the neighborhood Enterprise Foundation and providing for affordable housing assistance.

Speaker(s) – None.

2. 5:48 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Underhill, and carried unanimously, approving, and authorizing, the request for the Development Services Department of Escambia County to issue an Operational Permit for Resource Extraction for Perdido Landfill North Borrow Pit.

Speaker(s) – None.

3. 5:49 p.m. Public Hearing

Motion made by Commissioner Underhill, seconded by Commissioner Robinson, and carried unanimously, approving, and authorizing, the request for the Development Services Department of Escambia County to issue an Operational Permit for Resource Extraction for Perdido Landfill East Borrow Pit.

Speaker(s) – None.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

4. 5:50 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, approving, and authorizing, the request for the Development Services Department of Escambia County to issue an Operational Permit for Resource Extraction for North End Camp Borrow Pit.

Speaker(s) – None.

5. 5:51 p.m. Public Hearing

Motion made by Commissioner Robinson, seconded by Commissioner Underhill, and carried 4-0, with Commissioner May abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), approving, and authorizing, the request for the Development Services Department of Escambia County to issue an Operational Permit for Resource Extraction for Green's Borrow Pit, Blossom Trail Borrow Pit.

Speaker(s):

Anthony Green

II. FOR ACTION

1. Escambia County Comprehensive Plan Implementation Annual Report

Motion made by Commissioner Robinson, seconded by Commissioner Robertson, and carried unanimously, approving the 2013/2014 Escambia County Comprehensive Plan Implementation Annual Report.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

III. CONSENT AGENDA

1. Scheduling of Public Hearings

Motion made by Commissioner May, seconded by Commissioner Robinson, and carried unanimously, authorizing the scheduling of the following Public Hearings for June 25, 2015:

- A. 5:45 p.m. Public Hearing – CPA-2015-05 - Minimum Density Removal;
- B. 5:46 p.m. Public Hearing – Condition Use Criteria/Administrative Appeal Ordinance;
- C. 5:47 pm. Public Hearing – Adding Public Offices to HC/LI Ordinance; and
- D. 5:48 p.m. Public Hearing – Family Conveyance Ordinance.

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried 4-0, with Commissioner Robertson abstaining (*and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers*), authorizing the scheduling of a Public Hearing for July 7, 2015, at 5:45 p.m., to amend the Official Zoning Map to include the following Rezoning Case heard by the Planning Board on June 2, 2015:

Case Number:	Z-2015-11
Address:	2755 Fenwick Road
Property Reference Number:	42-1S-30-3001-002-003
Property Size:	0.77 (+/-) acre
From:	HDMU, High Density Mixed Use district (25 dwelling units per acre)
To:	HC/LI-NA, Heavy Commercial and Light Industrial district, Prohibiting Bars, Nightclubs, and Adult Entertainment uses
FLU Category:	MU-U, Mixed Use-Urban
Commissioner District:	1
Requested by:	Wiley C. "Buddy" Page, Agent for Robertson Brazwell, LLC

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PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

GROWTH MANAGEMENT REPORT – Continued

III. CONSENT AGENDA – Continued

1. Continued...

Motion made by Commissioner May, seconded by Commissioner Underhill, and carried unanimously, authorizing the scheduling of a Public Hearing for July 7, 2015, at 5:45 p.m., to amend the Official Zoning Map to include the following Rezoning Case heard by the Planning Board on June 2, 2015:

Case Number: Z-2015-12  
Address: 9600 Block Tower Ridge Road  
Property Reference Numbers: 01-1S-32-1000-070-003, 01-1S-32-1000-050-003, 01-1S-32-1000-050-004, 01-1S-32-1000-110-003, 01-1S-32-1000-080-003, and 01-1S-32-1000-120-004  
Property Size: 78.72 (+/-) acres  
From: RMU, Rural Mixed Use district (two dwelling units per acre)  
To: LDMU, Low Density Mixed Use district (seven dwelling units per acre)  
FLU Category: RC, Rural Community  
Commissioner District: 1  
Requested by: Kerry Anne Schultz, Agent for The Busbee Limited Partnership and The Murphy J. Jacob Trust, Owners

For Information: Commissioner Robinson disclosed that the buyer of this property is the buyer of another property represented by his firm.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Jack R. Brown, County Administrator

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1-10. Approval of Various Consent Agenda Items

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, approving Consent Agenda Items 1 through 10, as follows, with the exception of Item 8, which was held for a separate vote, as amended to drop Item 1:

1. Dropping the recommendation that the Board reappoint Rodger "RP" Doyle to the Escambia County Value Adjustment Board to serve another one-year term, effective June 10, 2015, through June 9, 2016.
2. Authorizing the scheduling and advertising of a Public Hearing at 5:31 p.m. on Tuesday, July 7, 2015, to consider adoption of an Ordinance of Escambia County, Florida, amending Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Florida, as amended; amending Chapter 3, Article 3, "Overlay Districts," Section 3-3.3, to amend certain Site and Building Requirements in Medium Density Residential (MDR) or High Density Residential (HDR) zoning within the Barrancas Overlay District; providing for severability; providing for inclusion in the Code; and providing for an effective date.
3. Authorizing the scheduling and advertising of a Public Hearing at 5:32 p.m. on Tuesday, July 7, 2015, to consider adoption of an Ordinance of Escambia County, Florida, amending Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Florida, as amended; amending Chapter 3, Article 3, "Overlay Districts," Section 3-3.8, to amend Prohibited Uses within the Warrington Overlay District; providing for severability; providing for inclusion in the Code; and providing for an effective date.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-10. Approval of Various Consent Agenda Items – Continued

4. Taking the following action concerning the update to the Escambia County Comprehensive Emergency Management Plan (CEMP):
  - A. Approving and adopting by Resolution (*R2015-75*) the CEMP, as required by Florida Administrative Code R. 27P-6.006(11) and authorized by the Escambia County Code of Ordinances, Section 37-39;
  - B. Authorizing the Chairman or Vice Chairman to sign the Resolution;
  - C. Approving Promulgation Memorandum; and
  - D. Authorizing the Chairman or Vice Chairman to initial the Promulgation Memorandum.
5. Taking the following action concerning the District 2 appointment to the Escambia County Mass Transit Advisory Committee:
  - A. Confirming the appointment of Nancy Bass as the District 2 representative to the Escambia County Mass Transit Advisory Committee, with an appointment term effective June 2, 2015, and running concurrently with the term of Commissioner Douglas Underhill; and
  - B. Requesting that the County Administrator's Office provide a letter of appointment to Nancy Bass and a letter of appreciation to Claude Gillette, who has resigned, for his service.
6. Approving the Application for a Special Event Permit for a limited waiver of the noise restrictions imposed by the Escambia County Noise Abatement Ordinance, in conjunction with the outdoor event, Gulf Coast June Fest, sponsored by the Gulf Coast Cultural Community Network, to be held at the Pensacola Fairgrounds on Mobile Highway, from 12:00 p.m. through midnight, each day beginning Friday, June 19, 2015, through Sunday, June 21, 2015.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

1-10. Approval of Various Consent Agenda Items – Continued

7. Accepting, for filing with the Board's Minutes, the Information Report concerning the County Americans with Disabilities Act (ADA) Compliance and Upgrades Report (Americans with Disabilities Act and Rehabilitation Act of 1973 Section 504 Update), in recognition and celebration of the 25th Anniversary of the ADA.
8. See Page 24.
9. Taking the following action concerning the National Association of Counties (NACo) 2015 Credential (Voting) Form:
  - A. Designating Commissioner Grover C. Robinson, IV, Vice Chairman, as Escambia County's delegate, and Commissioner Wilson B. Robertson, as Escambia County's alternate delegate; and
  - B. Authorizing the Chairman to sign the NACo 2015 Credentials (Voting) Identification Form.
10. Authorizing the Chairman to sign a letter of support for the Town of Century to take part in the Florida Department of Economic Opportunity's Competitive Florida Partnership Program, a targeted technical assistance program that helps communities map their strengths and identify what makes them unique, then identify opportunities and improvements that fit within their character for greater economic and community development.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

8. RESTORE Selection Criteria and Scoring

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, approving to give two bonus points for tourism development for the off-shoulder season, September 1 through March 31.

Motion made by Commissioner Robinson, seconded Commissioner May, and carried unanimously, approving the Selection Criteria and Scoring (Version 1.7), as recommended by the RESTORE (Resources and Ecosystems Sustainability, Tourist Opportunities, and Revived Economies of the Gulf Coast States Act) Act Advisory Committee, relating to the RESTORE Multi-Year Implementation Plan development, as amended.

Speaker(s):

Ron Ellington  
Bentina Terry

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA

1-12. Approval of Various Consent Agenda Items

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, approving Consent Agenda Items 1 through 12, as follows, as amended to drop Item 7:

1. Approving, and authorizing the County Administrator to execute, the following Change Order #2 to Southern Haulers, LLC, in the amount of \$80,000, on Contract PD 13-14.041, "Palafox Transfer Station Debris Hauling" (PTS) (Funding Source: Fund 401, Solid Waste Fund, Cost Center 230307, Object Code 53401):

Department:	Solid Waste
Division:	Waste Services
Type:	Addition
Amount:	\$80,000
Vendor:	Southern Haulers, LLC
Project Name:	PTS Debris Hauling
Contract:	PD 13-14.041
Purchase Order Number:	150642
Change Order (CO) Number:	2
Original Award Amount:	\$60,000
Cumulative Amount of Change Orders through CO #2:	\$120,000
New Contract Total:	\$180,000

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-12. Approval of Various Consent Agenda Items – Continued

2. Taking the following action concerning Change Order #1 to Sigma Consulting Group, Inc., for Beulah Landfill Review and Recommendations (Funding Source: Fund 401, Solid Waste Fund, Cost Center 330495, Object Code 54612):

A. Rescinding the Board's action of April 9, 2015, approving, and authorizing the County Administrator to execute, Change Order #1 to Sigma Consulting Group, Inc., for Beulah Landfill Review and Recommendations; Bridge Re-design and Construction, due to the April 2014 Flood Event; and

B. Approving, and authorizing the County Administrator to execute, the following Change Order #2 to Sigma Consulting Group, Inc., for Beulah Landfill Review and Recommendations; Bridge Re-design and Construction, due to the April 2014 Flood Event:

Department:	Solid Waste Management
Division:	Engineering/Environmental Quality
Type:	Addition
Amount:	\$24,330
Vendor:	Sigma Consulting Group, Inc.
Project Name:	Beulah Landfill Review and Recommendation; Bridge Re-Design and Construction, due to April 2014 Flood Event
Contract:	PD 05 06.041.13.SWM.14001
Purchase Order Number:	141652
Change Order (CO) Number:	2
Original Award Amount:	\$37,640
Cumulative Amount of Change Orders through CO #2:	\$24,330
New Purchase Order Total:	\$61,970

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-12. Approval of Various Consent Agenda Items – Continued

3. Taking the following action concerning an Economic Development Transportation Project Fund Agreement (EDTPFA) with the State of Florida Department of Transportation (FDOT), for funding not to exceed \$1,950,000, for the transportation improvements on County Road (CR) 184 (Muscogee Road) and State Road (SR) 95 (US 29), in Escambia County (Funding: a Supplemental Budget Amendment will be prepared by the Office of Management and Budget to recognize the funding for the EDTFA):

A. Approving the *State of Florida, Department of Transportation Economic Development Transportation Project Fund Agreement (On-System)* for transportation improvements on CR 184 (Muscogee Road) and SR 95 (US 29), in Escambia County;

B. Adopting a Resolution (*R2015-76*) authorizing the execution of the EDTPFA; and

C. Authorizing the Chairman to sign the EDTPFA, the Resolution, and any other document related to this EDTPFA Project.

4. Taking the following action concerning the *Joint Participation Agreement between Florida Department of Transportation and Escambia County* for the Repair of Potholes, in approximately 48 different locations, by milling and resurfacing on State Road 30 (US 98) Navy Boulevard, from State Road 295 (New Warrington Road) to the Bayou Chico Bridge (Funding Source: Fund 352, Local Option Sales Tax III, Cost Center 220102 - NESD Capital Projects, Project #12NE1992, Navy Boulevard Project):

A. Approving the Joint Participation Agreement, which specifies the State of Florida Department of Transportation will reimburse Escambia County an amount not to exceed \$200,000; and

B. Adopting a Resolution (*R2015-77*) authorizing the Chairman to sign the Joint Participation Agreement.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-12. Approval of Various Consent Agenda Items – Continued

5. Taking the following action concerning the filing of traffic restrictions - speed reductions, per the requirements of Ordinance Number 2003-26, which authorizes the County Engineer to place restrictions on the movement of traffic on County roadways and streets (Funding: Fund 175, Transportation Trust Fund, Cost Center 211201, Object Code 53401, for Sign Installations):

- A. Adopting the Resolution (*R2015-78*) establishing the speed limit for the reduction in speed, from 30 miles per hour to 25 miles per hour, for the following roadway segments:

- (1) Dandelion Lane, from Saufley Field Road to end of road (D1);
- (2) JoJo Road, from Jernigan Road to Westside Drive (D5);
- (3) Harrow Way, from E. Kingsfield Road to Donegal Drive (D5);
- (4) Donegal Drive, from Colwyn Drive to end of road (D5);
- (5) Linton Way, from Donegal Drive to Kings Road (D5);
- (6) Colwyn Drive, from Donegal Drive to end of road (D5);
- (7) Turnberry Road, from Kings Road to Colwyn Drive (D5);
- (8) Fallkirk Way, from Turnberry Road to end of road (D5);
- (9) Kilkenny Way, from Colwyn Drive to end of road (D5);
- (10) Buxton Way, from Colwyn Drive to end of road (D5);
- (11) Portree Way, from Colwyn Drive to end of road (D5);
- (12) Kings Road, from E. Kingsfield Road to end of roadway (D5);
- (13) Galway Street, from Kings Road to Templemore Drive (D5);
- (14) Templemore Drive, from end of road to end of road (D5);
- (15) Callan Way, from Kings Road to Glenmore Drive (D5);
- (16) Glenmore Drive, from end of road to end of road (D5);
- (17) Ashford Road, from Kings Road to end of road (D5);
- (18) Kinsale Drive, from Ashford Road to Ashford Road (D5);
- (19) Brampton Way, from Ashford Road to end of road (D5);
- (20) St. Andrews Drive, from Ashford Road to end of road (D5);
- (21) Derry Drive, from Ashford Road to end of road (D5);
- (22) Foxford Street, from St. Andrews Drive to end of road (D5);
- (23) Muirfield Road, from St. Andrews Drive to Foxford Street (D5);

(Continued on Page 29)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-12. Approval of Various Consent Agenda Items – Continued

5. Continued...

A. Continued...

- (24) Cabot Street, from Muirfield Road to E. Kingsfield Road (D5);
- (25) Sedgefield Drive, from Waycross Avenue to Waycross Avenue (D2);
- (26) Conrad Street, from Sedgefield Drive to end of road (D2);
- (27) Conrad Court, from Conrad Street to end of road (D2);
- (28) Dunlap Street, from Sedgefield Drive to Sedgefield Drive (D2);
- (29) Charlotte Avenue, from Waycross Avenue to Sedgefield Drive (D2); and
- (30) Weatherstone Circle, from Waycross Avenue to Weatherstone Circle (D2); and

B. Authorizing the Chairman to sign the Resolution.

6. Taking the following action concerning the property exchange with the Emerald Coast Utilities Authority (ECUA) (Funding: funds for incidental expenses associated with the recording of County documents are available in an Engineering Escrow Account accessed by the Escambia County Clerk's Office; ECUA will be responsible for the recording of all ECUA documents):

- A. Adopting a Resolution (*R2015-79*), subject to Legal review and sign-off, authorizing the conveyance, by Deed, of a vacant parcel of real property (2,500 square feet or approximately 0.06 acre), located south of Highway 98, to ECUA, in exchange for a Special Warranty Deed from ECUA conveying a vacant parcel of real property (approximately 0.07 acre), located south off Highway 98; and
- B. Authorizing the Chairman to execute all documents, subject to Legal review and sign-off, necessary to complete the property exchange with ECUA.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-12. Approval of Various Consent Agenda Items – Continued

7. Dropping the recommendation that the Board approve, and authorize the Chairman to sign, the Fiscal Year 2014/2015 Miscellaneous Appropriations Agreement between Escambia County and the Pensacola Downtown Improvement Board, in the amount of \$287,500, to be paid from the Tourist Promotion Fund (108), Cost Center 360105, Account 58201, for the purchase of holiday lights and the performances of the Pensacola Pelican Drop, as approved by the Board on March 19, 2015.
8. Adopting the Resolution (*R2015-80*) approving Supplemental Budget Amendment #146, Local Option Sales Tax III Fund (352), in the amount of \$1,950,000, to recognize proceeds from a State of Florida, Department of Transportation Economic Development Transportation Project Fund Agreement, and to appropriate these funds for transportation improvements on County Road 184 (Muscogee Road) and State Road 95 (US 29), in Escambia County.
9. Awarding Contract PD 14-15.048, for Toll Collection Personnel Services at Bob Sikes Bridge, and approving the *Agreement Relating to Toll Collection Personnel Service for the Bob Sikes Toll Bridge (PD 14-15.048)*, between Escambia County and JJW Services, Inc., d/b/a Accustaff, for the estimated annual amount of \$410,000, effective July 1, 2015, for a term of one year, with options for renewal for up to four additional 12-month periods, subject to the terms of the Agreement; the estimated annual amount is based on "all in rates" per hour, for one manager, four supervisors, and 25 toll collectors (Funding: Fund 167, Bob Sikes Toll Bridge, Cost Center 140301, Object Code 53401).
10. Approving, and authorizing the Chairman to sign, the *Agreement for Consulting Services (PD 14-15.046)* between Escambia County and Crossroads Consulting Services, LLC, per the terms and conditions of PD 14-15.046, Community Recreation and Sports Tourism Needs and Facility Feasibility Study, for a lump sum of \$97,500, and travel expense allowance of \$4,800, for a total of \$102,300 (Funding: Fund 108, Tourist Promotion Fund, Cost Center 360105 – \$51,150; Fund 102, Economic Development Fund, Cost Center 360704 – \$51,150).

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-12. Approval of Various Consent Agenda Items – Continued

11. Awarding a Purchase Order for PD 14-15.055, Slope Mower for the Roads and Bridges Division of the Public Works Department, to Menzi USA, Inc., for two Aebi slope mowers, model TT 211, in the amount of \$207,138, as follows (Funding: Fund 175, Transportation Trust Fund, Cost Center 210405, Object Code 56401):

<b>Total for Two</b>	<b>\$234,138</b>
Less trade-In for 2007 TT 75 Aebi Slope Mower, Serial Number 17032, approximately 1,659 hours	-13,500
Less trade-In for 2007 TT 75 Aebi Slope Mower, Serial Number 17034, approximately 2,219 hours	-13,500
	<b>\$207,138</b>

12. Accepting the United Way of Escambia County Human Services Appropriations Committee 2014-2015 Funding Recommendations, in the amount of \$90,750, which entails \$90,616 of allocations to be distributed to the approved non-profit entities, plus \$134 of the Committee-related expenses for a required Legal Notice, to be reimbursed to the United Way of Escambia County; the funds are included in the adopted Budget for the current Fiscal Year (Funding: Fund 001, General Fund, Cost Center 320202, Public Social Services – \$90,725; Fund 001, General Fund, Cost Center 320201, Community Affairs Administration – \$25).

III. FOR DISCUSSION

1. Intern Program

Motion made by Commissioner May, seconded by Commissioner Underhill, and carried unanimously, approving the Policy establishing the County Commission Intern Program, to be funded this Budget Year, as previously allocated in the Fiscal Year 2014-2015 Budget, at \$50,000, with \$10,000 dedicated to each District.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1-3. Approval of Various For Action Items

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, approving For Action Items 1 through 3, as follows:

1. Agreeing to resolve the outstanding Workers' Compensation lien, in exchange for the lump sum payment by the claimant of \$45,000.00 from his third-party lawsuit settlement proceeds; the proposed resolution is also contingent upon approval by Meadowbrook Insurance Group, the excess insurance carrier for this date of loss.
2. Taking the following action concerning the scheduling of an Attorney-Client Session to discuss pending litigation in the cases of Escambia County v. Innerarity Island Development Authority and ECUA, Case No. 2014 CA 000237, and Escambia County v. Innerarity Island Development Authority and Kathy Collins, Case No. 2014 CA 002103:
  - A. Scheduling a private meeting with the Board's attorneys to discuss pending litigation, in accordance with Section 286.011(8), Florida Statute, for June 25, 2015, at 3:30 p.m.; and
  - B. Approving the Public Notice printed below, to be published in the Pensacola News Journal on Saturday, June 13, 2015:

**PUBLIC NOTICE**

IT IS THE INTENTION of the Board of County Commissioners of Escambia County, Florida, to hold a private meeting with its attorney to discuss pending litigation in the cases of *Escambia County v. Innerarity Island Development Authority and ECUA*, Case No. 2014 CA 000237 and *Escambia County v. Innerarity Island Development Authority and Kathy Collins*, Case No. 2014 CA 002103, in accordance with Section 286.011(8), Florida Statutes. Such attorney-client session will be held at 3:30 p.m., on Thursday, June 25, 2015, in the Ernie Lee Magaha Government Building, Board Chambers, 221 Palafox Place, Pensacola, Florida. Commissioners Wilson B. Robertson, Douglas B. Underhill, Lumon J. May, Grover C. Robinson, IV, and Steven L. Barry, County Administrator Jack R. Brown, County Attorney Alison P. Rogers, Attorneys representing Escambia County Charles V. Peppler, Deputy County Attorney and Sally B. Fox, and a certified court reporter will attend the attorney-client session.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

1-3. Approval of Various For Action Items – Continued

3. Approving the amendments to the Policy on the Guidelines for Relief From Environmental (Code) Enforcement Special Magistrate Liens, in Section III, Part H.2.

II. FOR DISCUSSION

1. Approval of Legal Assistance

Motion made by Commissioner Underhill, seconded by Commissioner Robinson and carried unanimously, authorizing the County Attorney's Office to provide assistance to Community Economic Development Agency (CEDA) in processing a trademark registration with the U.S. Patent and Trademark Office, with associated costs to come out of the CEDA already budgeted funds.

2-4. Approval of For Discussion Items 2 through 4

Motion made by Commissioner Robinson, seconded by Commissioner May, and carried unanimously, approving For Action Items 2 through 4, as follows:

2. Rescheduling the Public Hearing for the operational permit for resource extraction for Shortleaf Borrow Pit from Thursday, June 25, 2015, at 5:31 p.m. to Thursday, July 7, 2015, at 5:33 p.m.
3. Adopting the Resolution (*R2015-81*) concerning Exxon Valdez environmental fine parity for the Deepwater Horizon oil spill.

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ATTORNEY'S REPORT – Continued

II. FOR DISCUSSION – Continued

2-4. Approval of For Discussion Items 2 through 4 – Continued

4. Taking the following action concerning the acquisition of the "Ocean Wind" vessel from Ocean Transport Corporation:
  - A. Approving and accepting the Bill of Sale and Certificate of Documentation, transferring title of the "Ocean Wind" vessel from Ocean Transport Corporation to Escambia County; and
  - B. Approving, and authorizing the Chairman to execute, the Indemnity Agreement from Ocean Transport Corporation relating to an unresolved claim of lien held by Southwestern Barge Fleet Services, Inc.

ITEMS ADDED TO THE AGENDA – None.

ANNOUNCEMENTS – None.

ADJOURNMENT

There being no further business to come before the Board, Chairman Barry declared the Regular Meeting of the Board of County Commissioners adjourned at 6:27 p.m.

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

ATTEST: 

Pam Childers  
Clerk of the Circuit Court & Comptroller

By: \_\_\_\_\_  
Steven Barry, Chairman

\_\_\_\_\_  
Deputy Clerk

Approved: June 25, 2015