Present: Commissioner Lumon J. May, Chairman, District 3
Commissioner Steven L. Barry, Vice Chairman, District 5
Commissioner Robert D. Bender, District 4
Commissioner Jeffrey W. Bergosh, District 1
Commissioner Douglas B. Underhill, District 2
Honorable Pam Childers, Clerk of the Circuit Court and Comptroller
Janice Gilley, County Administrator
Alison Rogers, County Attorney
DeLana Allen-Busbee, Administrative Specialist, Clerk and Comptroller's Office
Shamara Jernigan, Agenda Program Coordinator, County Administrator's Office

Location: Ernie Lee Magaha Government Building, Board Chambers, First Floor
221 Palafox Place, Pensacola, Florida

Report prepared by: DeLana Allen-Busbee

AGENDA ITEMS

1. Call to Order

   Chairman May called the Committee of the Whole (C/W) Workshop to order at 1:00 p.m.

2. Was the Meeting Properly Advertised?

   The C/W was advised that the Clerk’s office did not receive the proof of publication for the C/W Workshop.
AGENDA ITEMS – Continued

3. FDOT Pensacola Bay Bridge Update

A. Board Discussion – The C/W viewed and discussed a PowerPoint presentation presented by Heather Baril, FDOT (Florida Department of Transportation) Construction Program Manager, Jack Harrison, FDOT Construction Project Manager, and Brett Pielstick, P.E., Eisman & Russo, CEI Program Director, and the C/W:

(1) Heard an outline of the Pensacola Bay Bridge Replacement Project from Mr. Pielstick, including the following points:

- The project began in the spring of 2017 and the first bridge opening and traffic shift is expected to occur on July 20, 2019
- The final project is expected to be completed in the summer of 2021
- The original cost was $398.5 million, but the current cost is $427.4 million due to the addition of 17th Avenue and other features
- The project includes two parallel bridges, with 102 typical spans each 150 feet long with an 18'-9" clearance
- There will be separate pedestrian bridges with a shared substructure, a 10-foot-wide multi-use path, six shade structures, eight lookouts, and informational plaques

(2) Heard an overview of the progress of the project, how traffic flow will be managed as it is diverted onto the new bridge, and safety features, such as an emergency access lane in the center set off by tubular traffic structures, which will have a 24 hour road ranger patrolling;

(3) Heard information regarding the travel time management system, public information and community outreach, and endangered species monitoring, as well as an overview of value-added features and aesthetic features added to the project;

(4) Upon inquiry from Commissioner Bender, was advised by Mr. Harrison that drivers can expect the transition to take approximately five days and that it could impact the transition at 17th avenue temporarily;

(5) Was advised by Commissioner Underhill that he would like to see a cost benefit analysis and data on having the road ranger; and

(6) After discussion between Commissioners Bergosh and Bender, asked the presenters to look into the distance between the tubular safety structures, which is currently at 25 feet, to ensure that is sufficient; and

B. Board Direction – None.
4. **A Resolution Imposing and Collecting a User Fee for Cremation Authorization Services Rendered by the District One Medical Examiner**

**A. Board Discussion – The C/W:**

(1) Was advised by County Attorney Rogers that Resolution 2012-72 authorized the county to collect $40 per cremation, the Medical Examiner has been unwilling to collect the fee, she recommends a new Resolution to revamp the system, there are $57,000 in fees collected this year that have not been submitted to the County, and that this is separate from the County’s indigent cremation program;

(2) Upon inquiry form Commissioner Underhill, County Attorney Rogers explained that the Medical Examiner must sign off on cremations, the County covers part of the costs of the Medical Examiner, and that the funds can be used to offset costs of the Medical Examiner;

(3) Was advised by County Administrator Gilley that she recommends the Board consider the Resolution as it could help offset the substantial costs of the Medical Examiner; and

(4) Was advised by the Honorable Pam Childers that she has called funeral homes to discuss the cremation fees and what the funeral offices are doing with the funds they are holding, and that staff and the funeral homes would appreciate the Board’s consideration of the Resolution; and

**B. Board Direction – The C/W recommends that the Board take a straw vote to approve the verbiage that is in the backup and to place it on the agenda for final approval at the next regularly scheduled meeting.**

**Recommended 5-0**
5. **2020 Census Discussion**

   **A. Board Discussion** – The C/W viewed and discussed a PowerPoint presentation presented by Victor Cora, Partnership Specialist, Atlanta Regional Census Office, which outlined the importance and benefits of the census, the new initiatives for Census 2020 including collecting data via phone or internet, and the recommendation to adopt a Resolution forming a Complete Count Committee, and the C/W:

   (1) Discussed working with staff and the City of Pensacola on forming a Census Committee;

   (2) Was advised by County Administrator Gilley and Commissioner May that they have met with Mayor Robinson and there is interest in working together on local support for the census;

   (3) Discussed the Response Outreach Area Mapper Web Application, which identifies areas that typically have low response rates to censuses and surveys, and heard comments about how staff could potentially use the system from Charlie Gonzalez, GIS Division Manager;

   (4) Heard an outline of the timeline of the 2020 census from Mr. Cora;

   (5) Upon inquiry from Ms. Gilley, was advised by Mr. Cora that Alachua and Gainesville came together and each pledged $125,000 to help with the local census message and that some communities are seeking financial help from philanthropic sources; and

   (6) Was advised by Commissioner May that the County Administrator and staff would work out details, discuss the information, and be in contact; and

   **B. Board Direction** – None.
AGENDA ITEMS – Continued

6. Mass Transit Advisory Committee (MTAC) Bylaw Modification

A. Board Discussion – The C/W:

(1) Was advised by Tonya Ellis, Interim Mass Transit Director, of the makeup and purpose of MTAC, and heard the request to change the Committee's bylaws to define a quorum as the majority of appointed members instead of the current language of seven members;

(2) Was advised by Commissioner Underhill that he supports doing away with MTAC;

(3) Was advised by Megan Walters, MTAC Chair, that she asked to dissolve MTAC in February, but since that time there are new people on board that are trying to make a difference so she supports the bylaw change instead of dissolving;

(4) Heard comments from Commissioners Barry, Bergosh, and May supporting the change in language to at least 50% of members appointed at that time, as there are currently vacant positions, and that number can grow or shrink depending on how many positions are filled and still constitute the majority;

(5) Was advised by Ms. Gilley that she has asked all directors to review committees they oversee to determine if there are issues with participation; and

(6) Was advised by County Attorney Rogers that a Resolution will be brought back for approval by the Board reflecting the change and that MTAC will need to amend their bylaws to reflect the same; and

B. Board Direction – None.
7. Bus Operator Protection Barrier Enclosures

A. Board Discussion – The C/W viewed and discussed a PowerPoint presentation, which was also provided in hard copy, entitled *Bus Operator Protection Barrier Enclosures*, presented by Tonya Ellis, Interim Mass Transit Director, Vincent Barnes, Safety and Security Manager, and Jim Belcher, Fleet Maintenance Program Manager, and the C/W:

(1) Was advised by Ms. Ellis that:

(a) Due to a recent attack on a bus driver in Tampa, discussions on driver and passenger safety have occurred and a new bill is being considered entitled *Transit Worker & Pedestrian Protection Act*;

(b) At ECAT (Escambia County Area Transit), there have been incidents leading to employee injury, but no major employee assaults reported since 2017;

(c) Current ECAT Safety and Security measures include Federal and State Guidance Requirements, including safety plans, and internal measures such as a rider code of conduct, bus and facility video surveillance, local law enforcement coordination, monthly mandatory employee safety meetings, and an internal employee safety committee;

(d) There have been discussions regarding how to mitigate situations involving a passenger assaulting an operator and ECAT will be instituting the deescalating conflict safety training at the next safety meeting for all employees; and

(e) Protection barrier enclosure costs are estimated to be approximately $178,164, which does not include installation;

(2) Was advised by Commissioner Underhill that he does not feel compelled to provide a physical barrier and that staff is already taking proactive measures;

(3) Heard comments from Commissioner Bergosh concerning the effectiveness of the barriers presented in ensuring driver safety;

(4) Was advised by Ms. Ellis that currently five of the 31 transit agencies are using physical barriers and that, in her opinion, it is not necessary at this time;

(Continued on Page 7)
7. Continued…

A. Continued…

(5) Discussed the idea of drivers who are licensed to carry concealed weapons carrying them at work, and was advised by County Attorney Rogers that employees cannot concealed carry by policy and that drivers are legally allowed to carry concealed weapons on buses if they are licensed;

(6) Was advised by Commissioner Underhill that he is supportive of de-escalation training, and that he is interested in whether grant money earmarked for safety could be used for ADA modifications;

(7) Was advised by Ms. Ellis that staff is looking into grant money for ADA compliance and, upon inquiry from Commissioner May, was advised by Ms. Ellis and Mr. Barnes that there have been no acts of violence on operators, but there have been passenger to passenger assaults;

(8) Was advised by Commissioner May that he wants to see the data on any assaults, whether to operators or between passengers;

(9) Heard verbal examples of driver assaults from Mike Lowery, president of the local Amalgamated Transit Union (ATU), and was advised by Mr. Lowery that the data staff is providing is incorrect and the ATU was told they could not participate in the current presentation by staff;

(10) Was advised by Commissioner May that he wants to see the incident reports of the assaults that Mr. Lowery referred to;

(11) Was advised by Commissioner Underhill that staff has stated that there was no violence and he has not heard of these incidents either, and that employees have a right to feel safe at work and an obligation to report incidents where an employee does not feel safe; and

(12) Heard Commissioner May’s request that staff bring back the barrier system Mr. Lowery mentioned, the installation costs of the barrier systems, and any other options that may work, and heard Commissioner Bergosh’s request to see a system that fully encapsulates the driver; and

B. Board Direction – None.
AGENDA ITEMS – Continued

8. RESTORE Pot 1 Cycle 2 Discussion

A. Board Discussion – The C/W viewed and discussed a PowerPoint presentation entitled *Restore Pot 1 Cycle 2 Project Discussion*, presented by Chips Kirschenfeld, Natural Resources Management Director, Matt Posner, RESTORE Program Manager, and Tim Day, Environment Programs Manager, and the C/W:

(1) Heard an update from Mr. Posner on the RESTORE Pot 1 Cycle 1 projects, a financial update on the remaining allocation available, which is $12,893,836.86, and the information that Escambia County receives an annual deposit of $4,036,089.36 each April through 2031;

(2) Discussed the 8 month Treasury Department approval process and eligible RESTORE Pot 1 activities;

(3) Upon inquiry from Commissioner Bender on whether the implementation of Project Universal Access should be added, was advised by Director Kirschenfeld that the goal for staff is to leverage funds from Pot 1 to help with implementation;

(4) Was advised by Commissioner Underhill that maximizing funds is a high priority for him, in Cycle 2 he would like to see about $2 million in execution money for the Perdido Key multi-use path, and District 2 projects for the future include the Beach Haven septic to sewer conversion and the Bayou Chico restoration;

(5) Was advised by Mr. Kirschenfeld that the Cycle 2 projects he is conversationally aware of include the execution of the Perdido Key multi-use path, a master plan for the Beulah area, and the Bob Sikes bridge fishing pier;

(6) Heard clarification from staff that for the purposes of RESTORE, additional funding allocations constitute “new projects,” and that the approval process is faster now because the process has been established by staff, whereas initially staff was “inventing the wheel”;

(7) Was advised by Commissioner Underhill that when projects were put forth it was with the intent on seeing them through to completion;

(8) Was advised by Director Kirschenfeld that stormwater projects can be RESTORE projects;

(Continued on Page 9)
AGENDA ITEMS – Continued

8. Continued…

A. Continued…

(9) Upon inquiry from Ms. Gilley regarding how realistic it would be to count on leveraging outside funding for the implementation of projects, was advised by Director Kirschenfeld that so far, his department has been able to find outside funding for every project;

(10) Agreed to meet with staff individually to identify projects to be brought back to the Board for approval; and

B. Board Direction – None.

9. New Escambia County Correctional Facility Progress Report

A. Board Discussion – The C/W viewed and discussed a PowerPoint presentation, which was also provided in hard copy, entitled New Escambia County Correctional Facility Progress Update, presented by Steve Jernigan, Bay Design, and Bob Dye, Interim Facilities Director, and the C/W:

(1) Was advised by Mr. Jernigan of the following key points:

- **Construction:**
  - Completed precast panels at the double elevator in Area B
  - Roof of Area A completed, reinforcement and concrete at level 2, Area A complete, levels 3 and 4 in the corridor complete
  - Hydronic piping, overhead ductwork, storm water piping installed
  - Chillers 1 – 4 set in the Mechanical Room
  - Sprinkler piping at Areas D level 2, Area A level 3 and 4
  - Installed cells at level 3 Area C and cells wall panels at level 2 of Area D Pod M
  - Installing dayroom frames level 4 of Area C Pod I
  - Insulation and lightweight concrete installed on the low roof of Area D

(2) Was advised by Mr. Dye that the substantial completion date has been pushed back about thirty days, but that they are hoping to gain it back; and

B. Board Direction – None.
10. Midtown Commerce Park

A. Board Discussion – The C/W:

(1) Heard a brief background on Midtown Commerce Park from Chips Kirschenfeld, Natural Resources Management Director;

(2) Was advised by County Attorney Rogers that:

   (a) The County can legally sell the parcels in the Clarinda and Herman Street areas around the Midtown Commerce Park, but cannot keep the proceeds;

   (b) The three most legal and efficient options for the parcels include leasing to the highest bidder, which can have strings attached; using home rule economic development power to directly approach tenants who the Board feels would create economic development; or, by Resolution, find that it serves a public purpose to provide a tenancy to a charitable organization;

(3) Was advised by Commissioner Barry that he does not support leasing to the highest bidder unless it is a parcel that has no interest from partners, but does support either of the other two options;

(4) Was advised by Commissioner May that he supports tying job creation to the leases and putting a timetable on development;

(5) Prompted by Commissioner Barry, discussed how the parcels might potentially affect the TIF (Tax Increment Financing) district;

(6) Was advised by Commissioner Underhill that the proposed master development area, as well as the tax delinquent areas are the targeted area for development, he would like to know if any county or government responsibilities could be met by the parcels in the Herman/Clarinda parcels, he is fine with selling the properties because the properties would go back in the tax roll, and alternatively he would support discussing leases;

(7) Was advised by Commissioner Bender that in discussions with staff, parcel “7” could be a potential location for the future Advanced Traffic Management System building and it could meet some of the financial obligation for the project from the County; and

(8) Agreed to ask staff to bring back information on County priorities and small business priorities to discuss before providing any further direction to Parkside Partners; and

B. Board Direction – None.
AGENDA ITEMS – Continued

FOR INFORMATION: The Board heard an update on potential tropical cyclone Barry from John Dosh, Interim Public Safety Director, was advised that impacts should be minimal inland, with five to seven inches of rain and high surf on the cast, and discussed Jones Swamp drainage and Forest Creek apartments.

11. Adjourn

Chairman May declared the C/W Workshop adjourned at 3:38 p.m.