

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

CHAMBER RULES

1. IF YOU WISH TO SPEAK, YOU WILL BE HEARD.
2. YOU MUST SIGN UP TO SPEAK. SIGN-UP SHEETS ARE AVAILABLE AT THE BACK OF THE ROOM.
3. YOU ARE REQUESTED TO KEEP YOUR REMARKS BRIEF AND FACTUAL.
4. BOTH SIDES ON AN ISSUE WILL BE GRANTED UNIFORM/MAXIMUM TIME TO SPEAK.
5. DURING QUASI-JUDICIAL HEARINGS (I.E., REZONINGS), CONDUCT IS VERY FORMAL AND REGULATED BY SUPREME COURT DECISIONS.

PLEASE NOTE THAT ALL BCC MEETINGS ARE RECORDED AND TELEVISED

AGENDA

Board of County Commissioners

Regular Meeting – April 6, 2017 – 5:30 p.m.

Ernie Lee Magaha Government Building – First Floor

1. Call to Order.

Please turn your cell phone to the vibrate, silence, or off setting.

The Board of County Commissioners allows any person to speak regarding an item on the Agenda. The speaker is limited to three (3) minutes, unless otherwise determined by the Chairman, to allow sufficient time for all speakers. Speakers shall refrain from abusive or profane remarks, disruptive outbursts, protests, or other conduct which interferes with the orderly conduct of the meeting. Upon completion of the Public comment period, discussion is limited to Board members and questions raised by the Board.

2. Invocation – Commissioner Bergosh.
3. Pledge of Allegiance to the Flag.
4. Are there any items to be added to the agenda?

Recommendation: That the Board adopt the agenda as prepared **(or duly amended)**.

5. Commissioners' Forum.
6. Proclamations.

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

A. Adopt the Proclamation commending and congratulating James "Jimbo" E. Horan, Sr., a Building Inspector in the Building Services Department, on his selection as "Employee of the Month" for April 2017;

B. Adopt the Proclamation proclaiming the Board's support of the "Fishing for AHERO Recreational Fishing Rodeo" Event to be held May 27-28, 2017, for the purpose of raising funds to cover transportation and lodging for wounded and injured military service members and veterans to attend the August 2017 "Warrior Hook-Up" Events in Escambia County;

C. Ratify the Proclamation dated March 21, 2017, proclaiming the month of April 2017 as "DONATE LIFE MONTH" in Escambia County, encouraging all Florida residents to consider giving life through organ donation and to sign up on Florida's Organ and Tissue Donor Registry, by visiting www.DonateLifeFlorida.org or to make the designation when renewing their driver's license or State identification card, and further proclaiming Friday,

April 21 as "National Blue & Green Day" and encouraging everyone to wear blue and green to help promote organ, eye, and tissue donation; and

D. Ratify the Proclamation dated March 24, 2017, proclaiming April 4, 2017, as "THE COUNTY'S DAY OF RECOGNITION FOR COMMUNITY VOLUNTEERS," encouraging residents to recognize the positive impact of volunteer service in our County, and thanking those who serve and find ways to give back to their communities.

7. Retirement Proclamations.

Recommendation: That the Board adopt the following retirement Proclamations:

A. The Proclamation commending and congratulating Vanessa J. Bourque, Emergency Communications Dispatcher, Public Safety Department, on 32 years of dedicated service;

B. The Proclamation commending and congratulating Angela K. Hattaway, EMS Paramedic Supervisor, Public Safety Department, on 21 years of dedicated service; and

C. The Proclamation commending and congratulating Earl Rich, Emergency Medical Services Quality Specialist, Public Safety Department, on 26 years of dedicated service.

8. Written Communication:

- A. February 9, 2017 - Communication request from Howard Elliott, Fidelis Ministries, asking for relief on the two MSBUs (Municipal Services Benefit Units) that will be attached to their 2017 tax bills for clean ups conducted on the properties located at 2100 Block W Town Street and 2111 W Town Street.

Recommendation: That the Board review and consider relief request made by Howard Fidelis concerning two MSBUs which will be attached to the owner's 2017 tax bills.

- B. March 16, 2017 - Communication from William A. Nelson regarding his desire to subdivide his property located at 3340 Dunaway Lane; Pensacola, Florida; Property Reference Number 14-1S-31-4302-000-004.

9. Did the Clerk's Office receive the proofs of publication for the Public Hearing(s) on the agenda and the Board's Weekly Meeting Schedule?

Recommendation: That the Board waive the reading of the legal advertisement(s) and accept, for filing with the Board's Minutes, the certified affidavit(s) establishing proof of publication for the Public Hearing(s) on the agenda, and the Board of County Commissioners – Escambia County, Florida, Meeting Schedule.

10. 5:31 p.m. Public Hearing to consider the Petition to Vacate a portion of Rawson Lane.

Recommendation: That the Board take the following action concerning the Petition to Vacate a portion of Rawson Lane:

A. Approve or deny the Petition to Vacate a portion of Rawson Lane as petitioned by Pensacola Christian College, Inc.;

B. Accept the Hold/Harmless Agreement;

C. Adopt the Resolution to Vacate; and

D. Authorize the Chairman or Vice Chairman to accept the documents as of the day of delivery of the documents to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to execute them at that time.

11. 5:32 p.m. Public Hearing concerning Fiscal Year 2017 Grant Application for Federal Transit Administration Flex Funding for Capital Preventive Maintenance.

Recommendation: That the Board take the following action concerning the Fiscal Year 2017 Grant Application for Federal Transit Administration Flex Funding for Capital Preventive Maintenance for Mass Transit in Escambia County, in the amount of \$300,000:

A. Conduct the Public Hearing for the purpose of receiving comments from the general public on the Grant Application by Escambia County Area Transit (ECAT) for \$300,000 in Federal Assistance for Capital Preventive Maintenance;

B. Approve, or amend and approve, the Grant Application after receiving comments at the Public Hearing;

C. Adopt the Resolution authorizing the Chairman and/or County Administrator to execute all appropriate documents for the processing and receipt of federal funds from the Federal Transit Administration; and

D. Authorize the Escambia County Area Transit (ECAT) General Manager to file the Grant Application via the Federal Transportation Award Management System (TrAMS).

[Funding: The Grant Application is for a total of \$300,000. A required match of \$75,000 will be covered by Florida State Toll Revenue Credits; therefore, all local funds expended on this project will be reimbursed 100% up to the maximum of \$300,000]

12. 5:33 p.m. Public Hearing concerning Fiscal Year 2017 Grant Application for Federal Transit Administration Section 5339 - Bus and Bus Facilities.

Recommendation: That the Board take the following action concerning the Fiscal Year 2017 Grant Application for Federal Transit Administration (FTA) Section 5339:

A. Conduct the Public Hearing for the purpose of receiving comments from the general public on the Grant Application by Escambia County Area Transit (ECAT) for \$183,316 in Federal Assistance for Capital Projects;

B. Approve, or amend and approve, the Grant Application, after receiving comments at the Public Hearing;

C. Adopt the Resolution authorizing the Chairman and/or County Administrator to execute all appropriate documents for the processing and receipt of Federal funds from FTA; and

D. Authorize the ECAT General Manager to file the Grant Application via the Federal Transportation Award Management System (TrAMS).

[Budgetary Impact: Capital Project funds require an 80/20 match. The local match will be funded by State of Florida Toll Revenue Credits. Therefore, 100% will be reimbursed up to the maximum allowed \$183,316]

13. 5:34 p.m. Public Hearing to consider adopting an Ordinance creating Section 70-71, relating to Street Lighting Municipal Services Benefits Units.

Recommendation: That the Board adopt an Ordinance creating Volume I, Chapter 70, Article VIII, Division 1, Section 70-71, of the Escambia County Code of Ordinances, for the purpose of formally codifying previously enacted Ordinances establishing Municipal Service Benefit Units providing street lighting districts in certain unincorporated areas of Escambia County, Florida.

14. 5:35 p.m. Public Hearing to consider adopting an Ordinance amending provisions of the Leave No Trace Ordinance.

Recommendation: That the Board adopt an Ordinance amending Chapter 42, Article X, Section 42-419, relating to permits issued in accordance with the Leave No Trace Ordinance and Section 42-421 relating to penalties for violations of the Leave No Trace Ordinance.

15. 5:36 p.m. Public Hearing to consider adopting an Ordinance amending the Escambia County Code of Ordinances, Volume 1, Chapter 46, Article II, Division 3, Section 46-102, of the County Purchasing Ordinance, relating to suspension and debarment of a vendor.

Recommendation: That the Board adopt an Ordinance amending Volume 1, Chapter 46, Article II, Division 3, Section 46-102, of the County Purchasing Ordinance, relating to the suspension and debarment of a vendor.

16. Reports:

CLERK & COMPTROLLER'S REPORT

Backup Not Included With The Clerk's Report Is Available For Review In
The Office Of The Clerk To The Board
Ernie Lee Magaha Government Building, Suite 130

I. Consent Agenda

1. Recommendation Concerning Acceptance of the February 28, 2017 Investment Report

That the Board accept, for filing with the Board's Minutes, the Investment Portfolio Summary Report for the month ended February 28, 2017, as required by Ordinance Number 95-13; on February 28, 2017, the portfolio market value was \$294,094,032 and portfolio earnings totaled \$221,953 for the month; the short-term portfolio yield was 0.66%, which should be compared to the S&P Government Index Pool Index 30 Day benchmark of 0.59%; the long-term CORE portfolio achieved a yield of 1.35%, which should be compared to the Merrill Lynch 1-5 Year Treasury Index benchmark of 1.40%.

2. Recommendation Concerning Acceptance of Documents Provided to the Clerk to the Board's Office

That the Board accept, for filing with the Board's Minutes, the following documents provided to the Clerk to the Board's Office:

A. *The Escambia County Health Facilities Authority, Pensacola, Florida, Financial Statements, September 30, 2016 and 2015*, provided by Paula G. Drummond, Executive Director/General Counsel, Escambia County Health Facilities Authority;

B. *The Escambia County, Florida, Schedule of Activity for the Landfill Management Escrow Cash Account for the Year ended September 30, 2016*, and the *Financial Statements and Required Supplementary Information, Escambia County, Florida, Detention/Jail Commissary Fund, September 30, 2016*, provided by Kristen McAllister, CPA, CGFM, Senior Manager - Audit Department, Warren Averett CPAs and Advisors; and

C. *Amendment One to Agreement between Florida Department of Economic Opportunity and Escambia County, Florida*, executed by the Chairman on February 16, 2017, based on the Board's action of September 3, 2015, authorizing the Chairman to sign any subsequent Agreement-related documents relating to Agreement Number F1128, without further action from the Board.

3. Recommendation Concerning Minutes and Reports Prepared by the Clerk to the Board's Office

That the Board take the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:

A. Approve the Minutes of the Joint Meeting between the Escambia County Board of

County Commissioners and the Escambia County School Board held March 7, 2017;

B. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held March 9, 2017;

C. Approve the Minutes of the Special Joint Meeting of the Emerald Coast Utilities Authority Board and the Escambia County Board of County Commissioners held March 13, 2017;

D. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held March 16, 2017;

E. Approve the Minutes of the Attorney-Client Session held March 16, 2017; and

F. Approve the Minutes of the Regular Board Meeting held March 16, 2017.

GROWTH MANAGEMENT REPORT

I. Public Hearing

1. Recommendation Concerning the Review of the Rezoning Case Heard by the Planning Board on March 7, 2017

That the Board take the following action concerning the rezoning case heard by the Planning Board on March 7, 2017:

- A. Review and either adopt, modify, or reject the Planning Board's recommendation for Rezoning Case Z-2017-01 or remand the case back to the Planning Board; and
- B. Authorize the Chairman to sign the Orders of the Escambia County Board of County Commissioners for the rezoning case that was reviewed.

1. Case No.: Z-2017-01

Address: 8600 Block Lillian Highway

Property Reference No.: 12-2S-31-3110-000-000

No.:

Property Size: 1.43 (+/-) acres

From: HDMU, High Density Mixed-use district (25 du/acre)

To: HC/LI, Heavy Commercial and Light Industrial district (25 du/acre, lodging unit density not limited by zoning)

FLU Category: MU-U, Mixed-Use Urban

Commissioner District: 2

District:

Requested by: Tom Hammond, Agent for Sterling Tree Service, Inc., Owner

Planning Board Recommendation: Approval

Speakers:

Tom Hammond

2. 5:45 p.m. - A Public Hearing for Consideration for Adopting an Ordinance Amending the Official Zoning Map

That the Board adopt an Ordinance to amend the Official Zoning Map to include the rezoning case heard by the Planning Board on March 7, 2017, and approved during the previous agenda item and to provide for severability, inclusion in the code, and an effective date.

3. 5:46 p.m. - A Public Hearing Concerning the Review of Russo Subdivision, a Planned Unit Development

That the Board of County Commissioners (BCC) take the following action regarding the development plan for Russo subdivision, a proposed 78-lot residential Planned Unit Development (PUD), on a 26 (+/-) acre parcel site along the west side of Beulah Road and east side of Rebel Road (property reference numbers: 06-1S-31-1102-000-001, 06-1S-31-1102-000-000, 06-1S-31-1102-000-003, 06-1S-31-1101006-001) which was recommended for approval at the March 7, 2017, Planning Board Meeting:

- A. Adopt, as findings of fact, the statements set forth in the PUD criteria worksheet, as adopted by the Planning Board;

- B. Expressly find that the project under review complies with each of the criteria set forth in Section 2-6.8 of the Land Development Code;
- C. Expressly find that the project under review complies with the concurrency requirements of the Land Development Code;
- D. Approve the Planned Unit Development plan; and
- E. Authorize the Chairman to endorse two (2) copies of the approved Planned Unit Development.

4. 5:47 p.m. - A Public Hearing Concerning the Review of an Ordinance Amending Chapter 3, Article 2, Section 3-2.5, Site and Building Requirements, Lot Widths

That the Board of County Commissioners (BCC) review and adopt, an Ordinance to the Land Development Code (LDC) Chapter 3, Article 2, Section 3-2.5 "Low Density Residential District (LDR)," to modify "Site And Building Requirements; Lot Width".

II. Action Item

1. A Public Hearing Concerning Construction of a Pier on County Right-of-Way

That the Board review and approve the application of David and Alyssa Brandeberry for permitting of a dock on right-of-way located at 2125 Bainbridge Avenue, Pensacola, FL 32507, Parcel I.D. # 35-2S-31-1000-015-035, that has been dedicated to the public, but not yet opened, maintained, or otherwise accepted by the County per the Land Development Code (LDC) 3-1(g).

III. Consent Agenda

1. Recommendation Concerning the Scheduling of Public Hearings

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

A. April 20, 2017

1. 5:45 p.m. - A Public Hearing - Large Scale Map Amendment 2016-04 - McDonalds Property (second of two public hearings)

Summary: Large Scale Map Amendment changing the Future Land Use from Mixed-Use Urban and Commercial to Public.

2. 5:46 p.m. - A Public Hearing to amend the Official Zoning Map to include the following Rezoning Case heard by the Planning Board on January 3, 2017.

Case No.: Z-2016-15

Address: 1800 St. Mary Street, 2816 N. Pace Boulevard, 3080 N. Pace Boulevard, 1807 W. Fairfield Drive

Property Reference No.: 17-2S-30-5015-000-002, 5015-000-009, 5015-002-001, 5015-003-001

From: HDR, High Density Residential district (18 du/acre);

HC/LI, Heavy Commercial and Light Industrial district
 (25 du/acre, lodging unit density not limited by zoning)
 To: Pub, Public district (du density limited to vested
 residential development)
 FLU P, Public
 Category:
 Commissioner 3
 District:
 Requested Escambia County, Owner
 by:

B. May 4, 2017

1. 5:45 p.m. - A Public Hearing to amend the Official Zoning Map to include the following Rezoning Cases heard by the Planning Board on April 4, 2017.

a. Case No.: Z-2016-13

Address: 6013 Hilburn Road

Property Reference No.: 29-1S-30-1504-000-000

No.:

From: HDR, High Density Residential district (18 du/acre)

To: Com, Commercial district (25 du/acre, lodging unit density not limited by zoning)

FLU MU-U, Mixed-Use Urban

Category:

Commissioner 3

District:

Requested by: Wiley C. "Buddy" Page, Agent for Shaun Romero, Owner

b. Case No.: Z-2017-02

Address: 1300 Block Blue Angel Parkway

Property Reference No.: 12-2S-31-3404-000-000

No.:

From: MDR, Medium Density Residential district (10 du/acre)

To: HDMU, High Density Mixed-use district (25 du/acre)

FLU MU-S, Mixed-Use Suburban

Category:

Commissioner 1

District:

Requested by: Joseph Dhaiti, Agent for Katia Lamothe, Owner

c. Case No.: Z-2017-03

Address: 101 Beverly Parkway

Property Reference No.: 46-1S-30-2001-024-018

No.:

No.:

From: HDMU, High Density Mixed-use district (25 du/acre)

To: HC/LI-NA, Heavy Commercial and Light Industrial district, prohibiting the subsequent establishment of any microbreweries, microdistilleries, microwineries, bars, nightclubs, or adult entertainment uses (25 du/acre, lodging unit density not limited by zoning)

FLU MU-U, Mixed-Use Urban

Category:

Commissioner 3

District:

Requested by: Wiley C. "Buddy" Page, Agent for Ali Ramzan, Owner

2. 5:46 p.m. - A Public Hearing - Armored Shoreline Ordinance

Summary: The LDC requirements for armored shorelines are designed to address the impacts associated with the construction of new armored shorelines. The current code language does not address replacing this type of structure given that the impacts are already in place.

3. 5:47 p.m. - A Public Hearing - Coastal High Hazard Areas Ordinance

Summary: Designating specific areas of Perdido Key, fronting the Gulf of Mexico, as Coastal High Hazard Areas, a requirement for all new proposed development to use velocity zone (V zone) construction standards, regardless of FEMA flood zone designation. V zone construction standards application will result in enhanced protection for the citizens, business and structures on Perdido Key by providing for the reduction of effects derived from reflection and channelization of flow thus minimizing erosion and scour around the structure and mitigating impacts to adjacent properties; it may also result on improved flood insurance rates for property owners.

4. 5:48 p.m. - A Public Hearing - Vested Rights Determination 2017-01 - 9300 Block Gibson Road

Summary: The Applicant is seeking to be vested with development rights for a non-conforming, 5 acre parcel in Ag zoning.

5. 5:49 p.m. - A Public Hearing - Lots Divided by Right of Way Ordinance

Summary: Amendment to clarify application of site and building requirements to lots created through division of a lot of record by public right-of-way.

6. 5:50 p.m. - A Public Hearing - Scenic Highway Overlay Ordinance

Summary: The Scenic Highway Overlay District was adopted in 1999 (Ord. 99-12) and has served to protect the unique scenic vista along the Scenic Highway corridor. Staff has been directed to review and modify this LDC section as needed to address concerns that have arisen since that time. This proposed change will strengthen the protections in place by refining the setback for structures along the right-of-way.

7. 5:51 p.m. - A Public Hearing - CPA-2016-03 - Limited Ag Uses Definition (second of two public hearings)

Summary: Including the definition for limited agricultural uses in the Comprehensive Plan is the result of a technical recommendation received from DEO staff to ensure the Future Land Use agricultural allowances are specifically described within the definitions chapter.

COUNTY ADMINISTRATOR'S REPORT

I. Technical/Public Service Consent Agenda

1. Recommendation Concerning the Volume Licensing Agreement with Microsoft Corporation - Shawn P. Fletcher, Information Technology Department Director

That the Board take the following action concerning the Volume Licensing Agreement with Microsoft Corporation:

A. Approve the Microsoft Volume Licensing Agreement Number 01E73902 for the Board of County Commissioners (BCC), which includes the Amendment to Contract Documents for the Enterprise Enrollment Yammer for GCC Amendment ID M318 Enrollment Number 83277094, 000-shaylari-0021; and

B. Authorize the Chairman to execute all documents related to the acceptance of the Volume Licensing Agreement, which includes the Amendment to Contract Documents Enterprise Enrollment Yammer for GCC, Amendment ID M318, with Microsoft Corporation, without further action of the Board.

[Funding: No Charge]

2. Recommendation Concerning the Request for Disposition of Property for the Information Technology Department - Shawn Fletcher, Information Technology Department Director

That the Board approve the seven Request for Disposition of Property Forms for the Information Technology Department for all items of equipment, which are described and listed on the Request Forms, with reasons for disposition stated. The items are to be auctioned as surplus or disposed of properly.

3. Recommendation Concerning the Limited Waiver of the Escambia County Noise Abatement Ordinance for the Outdoor "Mullet Toss" Event to be Held Behind the Flora-Bama Lounge, Gulf Side on Perdido Key Drive - Tim Tolbert, Building Official/Department Director

That the Board review and approve the "Special Event Permit Application" for a limited waiver of the noise restrictions imposed by the Escambia County Noise Abatement Ordinance, allowing the number of sound decibels to exceed 70 dbA (sound level measured by taking four sound readings over a continuous 15 minute period, with the four readings taken at approximately equal intervals at or within the property boundary of the receiving land use) for the outdoor "Mullet Toss" Event to be held behind the Flora-Bama Lounge, Gulf side on Perdido Key Drive, from 9:00 a.m., through 10:00 p.m., beginning Friday, April 28, 2017, through Sunday, April 30, 2017.

4. Recommendation Concerning a Limited Waiver of the Escambia County Noise Abatement Ordinance for a Fireworks Exhibition for an Outdoor Wedding Reception to Be Held at the Pensacola Country Club - Tim Tolbert, Building Official/Department Director

That the Board review and approve the "Special Event Permit Application" for a limited waiver of the noise restrictions imposed by the Escambia County Noise Abatement Ordinance, extending the ending time from 10:00 p.m., to 10:15 p.m., for a fireworks exhibition for an outdoor wedding reception to be held at the Pensacola Country Club on Saturday, April 29, 2017.

5. Recommendation Concerning the CareerSource Escarosa (Formerly Workforce Escarosa, Inc.) Re-Designation of the Local Workforce Development Area - Tonya Gant, Neighborhood & Human Services Department Director

That the Board approve and authorize the Chairman to sign the CareerSource Escarosa (Formerly Workforce Escarosa, Inc.) Re-designation of the Local Workforce Development Area (LWDA) 1 to serve as a jurisdiction for the administration of workforce development activities using Adult, Dislocated Worker and Youth funds allocated by the State and to coordinate efforts related to the other core programs at the community level.

6. Recommendation Concerning the Scheduling of a Public Hearing to Consider Adopting an Ordinance Relating to Solid Waste, Amending Definitions Related to Land Clearing Debris and Yard Trash - Patrick T. Johnson, Waste Services Department Director

That the Board authorize the scheduling of a Public Hearing on Thursday, April 20, 2017, at 5:31 p.m., to consider adopting an Ordinance amending Chapter 82, Article I, Sections 82-1, 82-167, and 82-225 of the Escambia County Code of Ordinances relating to Solid Waste, amending definitions related to Land Clearing Debris and Yard Trash.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Revisions to the Description of the RESTORE Program Manager Position - J. Taylor "Chips" Kirschenfeld, Director, Natural Resources Management Department

That the Board approve revisions to the description of the RESTORE Program Manager Position that was approved by the Board at its March 17, 2016, meeting.

NOTE: The current duties of the RESTORE Program Manager are different than they were when the description, duties, and qualifications were written more than a year ago. The primary duties will be to manage the County's Multiyear Implementation Plan, and seek to maximize funding opportunities for the County by leveraging the various potential funding sources.

[Funding: Fund 118, Gulf Restoration Fund, Cost Center 222030]

2. Recommendation Concerning Amendment #1 to the Agreement for Emergency Solutions Grant Program with The EscaRosa Coalition on the Homeless, Inc. - Tonya Gant, Neighborhood & Human Services Department Director

That the Board take the following action concerning Amendment #1 to the Agreement for Emergency Solutions Grant (ESG) Program with The EscaRosa Coalition on the Homeless, Inc. (ECOH):

A. Approve Amendment #1 to the Agreement for Emergency Solutions Grant Program with ECOH, providing an additional \$10,000 for homeless prevention and rapid rehousing support for individuals at or below 50% area median income, for a total amount of \$48,444, for direct service delivery and case management services to ESG eligible clients in Escambia County; and

B. Authorize the Chairman or Vice Chairman to execute the Amendment and all related forms or documents as may be required to fully implement the Amendment.

[Funding: Fund 110, Other Grants & Projects Fund, HUD Emergency Emergency Shelter Grant, Cost Center 370292 and Fund 124, Escambia Affordable Housing, Cost Center 370290]

3. Recommendation Concerning the Amendment to Miscellaneous Appropriations Agreement between Escambia County and Visit Pensacola, Inc. - Amy Lovoy, Assistant County Administrator

That the Board take the following action concerning the Fiscal Year 2016/2017 Amendment to Miscellaneous Appropriations Agreement between Escambia County and Visit Pensacola, Inc.:

A. Approve allocating the remaining available balances in the Tourist Promotion Fund, Fund 108, to Visit Pensacola, Inc., from Cost Center 360101, in the amount of \$1,281,764, and from Cost Center 360105, in the amount of \$1,204,234, for a combined total of \$2,485,998;

B. Approve the Amendment to Miscellaneous Appropriations Agreement, amending Section 3, increasing the allocation by \$2,485,998, for a total allocation of \$7,994,410, to be paid from the Tourist Promotion Fund (108), Cost Centers 360101 and 360105, Account 58201;

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

D. Authorize the execution of the necessary Change Order.

4. Recommendation Concerning the Wellness Incentive - Paulette Stallworth, Interim Human Resources Department Director

That the Board take the following action concerning Wellness Incentives in regard to the health screenings:

A. Authorize \$50 cash incentive to employees eligible for the County's health coverage for participating in both the biometric screening and the completion of the personal health assessment (PHA) - \$25 will be rewarded for completion of the biometric screening and \$25 for completion of the personal health assessment;

B. Authorize employees who have waived County healthcare coverage to participate in the program and receive the cash incentive. For these employees, there is a \$39 per employee fee to participate, which will be paid by the County; and

C. Approve and authorize the County Administrator to sign the Form known as the Florida Blue Buy Up Options Form.

[Funding Source: Fund 501, Internal Service Fund; Cost Center 150111, Object Code 55201]

5. Recommendation Concerning a Change Order to Drug Free Workplaces, USA, LLC, for Community Corrections Program Participants' Court Ordered Drug Screening - Tammy Jarvis, Corrections Department Director

That the Board approve and authorize the County Administrator to execute the following Change Order 1 adding funds for Community Corrections program participants' court-ordered drug screening:

Department:	Corrections
Division:	Community Corrections
Type:	Addition
Amount:	\$18,000
Vendor:	Drug Free Workplaces, USA, LLC
Purchase Order:	170182
Change Order:	1
Original Award Amount:	\$84,000
Cumulative Amount of Change Orders Through This Change Order:	\$18,000
New Purchase Order Total:	\$102,000

[Funding Source: Fund 001, General Fund, Cost Center 290307, Object Code 53101]

6. Recommendation Concerning a Change Order to Charles Neely Corporation, DBA PR Chemical and Paper Supply for Detergent, Chemicals and Other Inmate-Related Items Covered by PD 13-14.046 - Tammy Jarvis, Corrections Department Director

That the Board approve and authorize the County Administrator to execute the following Change Order 1 adding funds for detergent, chemicals and other inmate-related items covered by PD 13-14.046:

Department:	Corrections
Division:	Jail
Type:	Addition
Amount:	\$26,200
Vendor:	Charles Neely Corporation, DBA PR Chemical & Paper Supply
Purchase Order:	170144
Change Order:	1
Original Award Amount:	\$80,000
Cumulative Amount of Change Orders Through This Change Order:	\$26,200
New Purchase Order Total:	\$106,200

[Funding Source: Fund 001, General Fund, Cost Center 290401, Object Code 55201]

7. Recommendation Concerning the Extension to the Agreement for Financial Advisor, PD 12-13.017 - Amy Lovoy, Assistant County Administrator

That the Board approve the final 12-month extension of the Agreement for Financial Advisor, PD 12-13.017, to First Southwest Company, effective March 21, 2017, per the terms of the Agreement for the performance of financial advisory services with no change in the fee structure approved on March 21, 2013:

- First \$10 million dollars of debt issuance - \$1.25 per \$1,000
- Amounts over \$10 million - \$0.75 per \$1,000
- Minimum fee - \$15,000

8. Recommendation Concerning an Agreement with Gulf Coast Kid's House, Inc., for Child Protection Team Services - Stephan Hall, Budget Manger, Management and Budget Services

That the Board take the following action concerning an Agreement to provide required medical examinations of allegedly abused, abandoned, or neglected children:

A. Approve the Agreement between Escambia County, Florida and Gulf Coast Kid's House, Inc., for Child Protection Team Services, a Florida Department of Health designated Child Protection Team Provider, effective upon the date last executed by the parties and expiring on September 30, 2017, for a lump-sum payment of the remaining Fiscal Year 2016-2017 allocation of \$15,100, if this lump sum allocation is exhausted additional necessary exams will be documented at a rate of \$300 per exam, pursuant to Florida Statute 39.304(5);

B. Authorize the Chairman to sign the Agreement;

C. Approve the necessary Purchase Order; and

D. Authorize the County Administrator to sign a Notice of Termination letter, effective February 17, 2017, for the Agreement with Northwest Florida Comprehensive Services for Children, Inc., the previous Florida Department of Health designated Child Protection Team Provider.

[Funding: General Fund, Fund 001, Cost Center 110201, Account 58234]

9. Recommendation Concerning Supplemental Budget Amendment #092 - Stephan Hall, Budget Manager, Management and Budget Services

That the Board adopt the Resolution approving Supplemental Budget Amendment #092, Other Grants and Projects Fund (110), in the amount of \$7,650 to recognize Grant proceeds from the Florida Fish and Wildlife Conservation Commission (FWC) for FWC #16175 - Derelict Vessel Grant to remove and dispose of two eligible derelict vessels. The \$2,550 cash match will be from Vessel Registration Fees.

10. Recommendation Concerning Supplemental Budget Amendment #103 - Stephan Hall, Budget Manager, Management and Budget Services

That the Board adopt the Resolution approving Supplemental Budget Amendment #103, Transportation Trust Fund (175), in the amount of \$22,202, to recognize insurance proceeds received for damage to a traffic signal at Fairfield Drive and Palafox Street, and to appropriate these funds into the Traffic Operations Cost Center from where repair costs were expended.

11. Recommendation Concerning Supplemental Budget Amendment #104 - Stephan Hall, Budget Manager, Management and Budget Services Department

That the Board adopt the Resolution approving Supplemental Budget Amendment #104, Local Option Sales Tax Fund III (352), in the amount of \$451,430, to recognize proceeds from the Santa Rosa Island Authority (SRIA), and to appropriate these funds for design and construction of a public restroom facility and boardwalk with observation platform across County Road 399 from the Portofino Condominiums.

12. Recommendation Concerning Reallocation of Funds - Local Option Sales Tax (Fund 352) for Personnel Services for Fiscal Year 2016/2017 - Joy D. Blackmon, P.E., Public Works Department Director

That the Board approve transferring project funds within the Local Option Sales Tax III (Fund 352), in the amount of \$1,326,730, reallocating various Local Option Sales Tax (LOST) Transportation and Drainage Project funds to be placed in Project Management (Project #12EN1898), to account for the salaries of LOST project employees in project accounting, in the amount of \$994,317.

This recommendation also allocates project salaries for the Design Team, in the amount of \$332,413, in project accounting. This action aligns project accounting to match fund accounting as part of the Adopted Fiscal Year 2016/2017 Budget.

13. Recommendation Concerning a Change Order on Contract PD 11-12.030 for the Beach Haven Northeast Drainage and Sanitary Sewer Project - Joy D. Blackmon, P.E., Public Works Department Director

That the Board approve and authorize the County Administrator to execute the following Change Order on Contract PD 11-12.030 for the Beach Haven Northeast Drainage and Sanitary Sewer Project, to Jehle-Halstead, Inc.:

Department:	Public Works
Division:	Engineering
Type:	Addition
Amount:	\$80,845
Vendor:	Jehle-Halstead, Inc.
Project Name:	Beach Haven Northeast Drainage and Sanitary Sewer Project
Contract:	PD 11-12.030
PO No.:	121406
CO No.:	3
Original Award Amount:	\$999,430
Cumulative Amount of Change Orders through this CO:	\$99,845
New Contract Total:	\$1,099,275

[Funding Source: Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project #08EN0272. This Change Order is for CEI services; Emerald Coast Utilities Authority (ECUA) will reimburse 40% of the cost]

14. Recommendation Concerning a Speed Limit Reduction on Suntan Circle - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action concerning the filing of traffic restrictions - speed reduction - 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:

A. Adopt the Resolution establishing the speed limit for the reduction in speed on Suntan Circle, from 30 miles per hour to 25 miles per hour, from Saufley Field Road to Suntan Circle; and

B. Authorize the Chairman to sign the Resolution.

[Funding: Fund 175, Transportation Trust Fund, Cost Center 211201, Object Code 53401, for Sign Installations]

Suntan Circle is in District 1, and the Commissioner's Office has been notified.

15. Recommendation Concerning the Design and Construction of a Public Restroom Facility and Boardwalk with Observation Platform Across County Road 399 from the Portofino Condominiums on Pensacola Beach, Florida - Joy D. Blackmon, P.E., Public Works Department Director

That the Board approve and authorize the Chairman to sign the First Amendment to Interlocal Agreement between Escambia County, Florida and the Santa Rosa Island Authority (SRIA) Relating to the Design and Construction of a Public Restroom Facility and Boardwalk with Observation Platform Across County Road 399 from the Portofino Condominiums on Pensacola Beach, Florida.

[Funding: **All previous funds for this project, and the additional requested funds come from the Portofino Island Improvement Fund (PIIF).** The SRIA agrees to contribute additional Island Improvement Funds to Escambia County in an amount not to exceed \$451,430 for the project. Such funds will be deposited into Fund 352 "LOST III," Cost Center 110274/56301/Project #16PF3614]

16. Recommendation Concerning the Acceptance of a Portion of Real Property for Magaha Lane Right-of-Way - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action concerning the acceptance of the donation of a portion of real property for Magaha Lane right-of-way, from Bright-Meyers-Sasser Westside, LLC:

A. Accept the Special Warranty Deed, from Bright-Meyers-Sasser Westside, LLC, donating a portion of real property along Magaha Lane for right-of-way; and

B. Authorize the Chairman or Vice Chairman to accept the Special Warranty Deed as of the day of delivery of the Special Warranty Deed to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time.

[Funds associated with the recording of this document are available in the Engineering Escrow Account]

17. Recommendation Concerning the Acceptance of a Drainage and Access Easement for Graystone Estates - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action concerning the acceptance of a Drainage and Access Easement (approximately 0.74 acres) Northern Gulf Nowak, LLC, for Graystone Estates from:

A. Accept the donation of a Drainage & Access Easement (approximately 0.74 acres) from Northern Gulf Nowak, LLC, for Greystone Estate ;

B. Authorize the payment of incidental expenditures associated with the recording of documents; and

C. Authorize the Chairman or Vice Chairman to accept the Easement, as of the day of delivery of the Easement to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time.

[Funding: Funds for incidental expenses associated with recording of documents are available in an Engineering Escrow Account accessed by the Escambia County Clerk's Office]

18. Recommendation Concerning Issuance of a Purchase Order to Ingram Signalization, Inc., on Contract PD 15-16.088, "Traffic Signal Response Maintenance" - Joy D. Blackmon, P.E., Public Works Department Director

That the Board approve issuing a Purchase Order in the amount of \$52,105.21 to Ingram Signalization, Inc., on Contract PD 15-16.088, "Traffic Signal Response Maintenance," to perform repair and maintenance on County-owned signals only.

[Funding: Fund 175, Transportation Trust Fund, Cost Center 211201, Object Code 54601]

19. Recommendation Concerning the Acceptance of Two Drainage Easements for the Beulah Road Drainage Improvement Project - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action concerning the acceptance of the donation of two drainage easements for the Beulah Road Drainage Improvement Project:

A. Accept the donation of the following two drainage easements located in the Beulah area for the Beulah Road Drainage Improvement Project:

Property Owner	Parcel Reference Number	Area
Paul H. & Sarah E. Morgan	08-1S-31-3203-000-000	0.46 acre
Paul V. & Bonnie K. Schaefer	08-1S-31-3203-000-001	0.11 acre

B. Authorize the payment of documentary stamps because the properties are being donated for governmental use, which is for drainage improvements, and the County benefits from the acceptance of these properties, which enhances the safety and well-being of the citizens of Escambia County;

C. Authorize the payment of incidental expenditures associated with the recording of documents; and

D. Authorize the Chair or Vice Chair to accept the Easements as of the day of delivery of the Easements, and for the Chair or Vice Chair to acknowledge the Board's acceptance at that time.

[Funding: Funds for incidental expenses associated with recording of documents are available in an Engineering Escrow Account accessed by the Escambia County Clerk's Office]

20. Recommendation Concerning the Acceptance of a Portion of a Parcel of Real Property Located on Havburg Drive for Roadway and Drainage Improvements - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action concerning the acceptance of the donation of a portion of a parcel of real property located on Havburg Drive, from property owners Havburg Terrace, for roadway and drainage improvements:

A. Authorize staff to negotiate and resolve any matters related to, or associated with, the acceptance of the donation of a portion of real property, via donation, for roadway and drainage improvements located on Havburg Drive, from property owners Havburg Terrace;

B. Authorize the payment of documentary stamps because the property is being donated for governmental use, which is for roadway and drainage improvements, and the county benefits from the acceptance of the property because it facilitates the construction and maintenance of paving and drainage systems for use by the citizens of Escambia County;

C. Authorize the payment of incidental expenditures associated with recordings of documents; and

D. Authorize the Chairman or Vice Chairman to accept the Quitclaim Deeds as of the day of delivery of the Quitclaim Deeds to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time.

[Funding: Funds for incidental expenses associated with recording of documents are available in an Engineering Escrow Account accessed by the Escambia County Clerk's Office]

21. Recommendation Concerning Montclair Sidewalks Phase 2, Medford Avenue & Montclair Road Contract - Tonya Gant, Neighborhood & Human Services Director

That the Board amend its action taken on October 20, 2016, CAR II-7, approving and authorizing the County Administrator to sign, the Agreement between Escambia County, Florida, and Roads, Inc. of NWF, per the terms and conditions of PD 15-16.098, Montclair Sidewalks, Phase 2, Medford Avenue & Montclair Road, for a lump sum of \$529,579.45, to correct, due to a scrivener's error, funding from 2014 CDBG, Cost Center 370220 to 2014 CDBG, Cost Center 370221 .

[Funding (corrected): Fund 129, 2015 CDBG, Cost Center 370224 - \$161,144.45; 2014 CDBG, Cost Center 370221 - \$149,751; 2013 CDBG, Cost Center 370218 - \$80,305; and 2012 CDBG, Cost Center 370211]

III. For Discussion

1. Recommendation Concerning the Donation of a 1998 Chevrolet Step Van, Asset Number 60538, to Lower Alabama Search and Rescue, Inc. - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action concerning the donation of a 1998 Chevrolet Step Van, Asset Number 60538, to Lower Alabama Search and Rescue, Inc.:

A. Adopt the Resolution authorizing the Donation of a 1998 Chevrolet Step Van, Asset Number 60538, to Lower Alabama Search and Rescue, Inc.; and

B. Authorize the Chairman to sign the Resolution.

2. Recommendation Concerning the Acquisition of Real Property Located at 9980 Bristol Park Road for the Bristol Park - Ashbury Hills Area Project - Joy D. Blackmon, P.E., Public Works Department Director

That the Board either approve or deny:

A. The purchase of real property located at 9980 Bristol Park Road, for the Bristol Park - Ashbury Hills Area Project, from James & Sandra Riddell, for the average of the County's appraised values of \$247,000 and \$257,000, and the owner's provided appraisal of \$275,000, which equals \$259,666;

B. Authorize county staff to draft the Contract for Sale and Purchase for the acquisition of real property (approximately 0.88 acres) located at 9980 Bristol Park Road, from James & Sandra Riddell, and to bring the executed Contract back before the Board; and

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

[Funding Source: Fund 352, "LOST III," Cost Center 210120, Object Code 56101, Project #16EN3595]

3. Recommendation Concerning Real Property Located at 14777 Perdido Key Drive - Joy D. Blackmon, P.E., Public Works Department Director

That the Board authorize and direct staff to obtain appraisals, environmental site assessments, surveys, and title insurance commitments, and to complete all other requirements in Section 46-139, Escambia County Code of Ordinances, in accordance with Board of County Commissioners (BCC) Policy dated June 2, 2011, regarding Real Property Acquisitions, in anticipation of purchasing real property (with no improvements). The parcel, located at 14777 Perdido Key Drive and owned by Fred Donham, could be utilized by the public for additional beach access.

[Funds for meeting the requirements of Section 46-139, Escambia County Code of Ordinances, are available in Funding Source: Fund 352, LOST III, Cost Center 210107, Transportation and Drainage (T&D) LOST]

COUNTY ATTORNEY'S REPORT

I. For Action

1. Recommendation Concerning Settlement of Local Option Fuel Tax (LOFT) Appeal in the Matter of the City of Pensacola, Florida vs. The Board of County Commissioners of Escambia County, Florida, Case No.:17-0627

That the Board take the following action:

- A. Authorize the Chairman to execute the proposed Stipulated Settlement Agreement, a copy of which is attached; and
 - B. Adopt the proposed Resolution, a copy of which is attached; and
 - C. Authorize written notice to The Office of the General Counsel, State of Florida Department of Revenue that the Board and City have settled the appeal and stating the new distribution percentages as set forth in the proposed Resolution adopted by the Board.
2. Recommendation Concerning Request for an Attorney General's Opinion Concerning the Operation of a Correctional Facility Located Within the Jurisdictional Boundaries of an Adjoining County

That the Board authorize the County Attorney's Office to request an Attorney General's Opinion concerning the following questions:

1. May Escambia County operate a correctional facility on property that is located in an adjoining county with Escambia County Correctional Officers having the same limited authority to perform their duties, as defined in §943.10(2), Florida Statutes?
 2. If no, may Escambia County enter into an Interlocal Agreement with the county and the designated chief correctional officer where the facility is located to authorize the County to operate a correctional facility in the adjoining county and grant Escambia County Correctional Officers the limited authority to perform their duties, as defined in §943.10(2), Florida Statutes?
3. Recommendation Concerning the Proposed Senate Bill for the Escambia County Fee Simple Lease Transfer Act

At the request of Commissioner Grover Robinson, that the Board approve the attached Senate Bill's new language as sponsored by Senator Marco Rubio for the Santa Rosa Island fee simple bill cited as the "Escambia County Fee Simple Lease Transfer Act."

4. Recommendation Concerning SC 25 Express Scanner Lease Agreement for the Escambia County Development Services Department

That the Board take the following action:

- A. Rescind the Board's prior action on August 18, 2016, awarding a Purchase Order for a 63 month lease to Harris Business Machines for the Development Services Department to lease an SC 25 Express Scanner in an annual amount of \$1,579.08, in

accordance with the Escambia County Code of Ordinances;

B. Approve the Lease Agreement (Number 25413793) with De Lage Landen Financial Services, Inc. for the Development Services Department to lease an SC 25 Express Scanner a 63 month term commencing on October 12, 2016, and authorize the County Administrator to execute the Agreement; and

C. Approve the issuance of a Purchase Order to De Lage Landen Financial Services, Inc. for the Development Services Department to lease an SC 25 Express Scanner for a 63 month term commencing on October 12, 2016, in an annual amount of \$1,579.08 (\$131.59) per month.

5. Recommendation Concerning Scheduling an Attorney/Client Session on April 13, 2017 at 8:30 a.m. to Discuss Pending Litigation in The Estate of James Brumley v. Escambia County, Florida, Case No. 2015 CA 001814

That the Board take the following action:

A. Schedule a private meeting with its attorneys to discuss pending litigation, in accordance with Section 286.01 (8), Florida Statutes, for Thursday, April 13, 2017 at 8:30 a.m.; and

B. Approve the public notice printed below to be published in the *Pensacola News Journal* on Saturday, April 8, 2017.

PUBLIC NOTICE

IT IS THE INTENTION of the Board of County Commissioners of Escambia County, Florida, to hold a private meeting with its attorneys to discuss pending litigation in The Estate of James Brumley v. Escambia County, Florida, Case No. 2015 CA 001814, in accordance with Section 286.01(8), Florida Statutes. Such attorney/client session will be held at 8:30 a.m., on Thursday, April 13, 2017, in the Ernie Lee Magaha Government Building, Board Chambers, 221 Palafox Place, Pensacola, Florida. Commissioners Douglas B. Underhill, Jeff Bergosh, Lumon J. May, Grover C. Robinson, IV, and Steven L. Barry, County Administrator Jack R. Brown, County Attorney Alison P. Rogers, Deputy County Attorney Charles V. Pepler, and Scott Seagle, of the firm of Coppins, Monroe, Adkins & Dincman, P.A., attorneys representing Escambia County in the foregoing litigation. A certified court reporter will attend and report the attorney/client session.

6. Recommendation Concerning Scheduling a Public Hearing to Consider an Ordinance Amending Section 6-4(f) Relating to Alcoholic Beverages in Public Areas on Pensacola Beach to Extend the Sunset Provision

That the Board authorize the scheduling of a Public Hearing on Thursday, April 20, 2017, at 5:32 p.m. to consider adopting an Ordinance amending Volume 1, Chapter 6, Article I, Section 6-4(f) of the Escambia County Code of Ordinances relating to prohibiting the consumption of alcoholic beverages or the possession of alcoholic beverages in an open container on or upon public areas in the commercial district of Pensacola Beach to extend the sunset provision.

17. Items added to the agenda.

18. Announcements.

19. Adjournment.