

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.
6. SEE ORDERLY CONDUCT OF MEETINGS. POLICY.

PLEASE NOTE THAT ALL BCC MEETINGS ARE RECORDED AND TELEVISED

AGENDA

Board of County Commissioners

Regular Meeting – August 9, 2012 – 5:30 p.m.

Governmental Complex – 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 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 Valentino.
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:

A. Recommendation: That the Board adopt following two Proclamations:

A. The Proclamation recognizing and honoring all Marines, Sailors, Soldiers, and Airmen who have made the ultimate sacrifice while serving their country in or with Marine Aviation; and

B. The Proclamation extending appreciation to the "Pirate Paddlers" and encouraging all citizens to dedicate themselves to the protection and conservation of our priceless waterways.

B. Recommendation: That the Board adopt the Proclamation commending and congratulating Dianne Simpson, Program Coordinator, for the County Attorney's Office and Assistant to the County Attorney, on 25 years of service to Escambia County.

7. Written Communication:

May 11, 2012 - Communication from Richard Sjolander requesting waiver of penalties and interest, in the amount of \$1,319.45, accrued from failure to pay the MSBU Assessments on 110 Ariola Drive for the period of years following the purchase of the leasehold on the property in 2005.

8. 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.

9. 5:31 p.m. **First** Public Hearing concerning an Ordinance amending LDC Articles 2, 3, and 6, Community Redevelopment Agency and Overlay Districts.

Recommendation: That the Board take the following action concerning an Ordinance to the Land Development Code (LDC):

- A. Hold the **first** of two Public Hearings to receive input on the proposed amendment to the LDC; and
- B. Approve the scheduling and advertising of the second of two Public Hearings for August 23, 2012, at 5:31 p.m., to consider an Ordinance to the Land Development Code (LDC) amending Article 2 "Administration," to include language defining the purpose of the Community Redevelopment Agency, and to include general standards for the Community Redevelopment District; amending Article 3 "Definitions," to add a definition for "overlay district;" and amending Article 6 "Zoning Districts," to delete the RA-1(OL) Barrancas Redevelopment Overlay District, the C-3(OL) Warrington Commercial Overlay District, and the C-4(OL) Brownsville-Mobile Highway and "T" Street commercial overlay district; and create the Warrington, Barrancas, Brownsville, Englewood and Palafox Overlay Districts for sound economic development and efficient growth management of the Community Redevelopment Districts, and amend the Scenic Highway Overlay District by simply relocating it within the Ordinance for clarity purposes.

10. 5:33 p.m. Public Hearing for consideration of adopting an Ordinance creating the Deerfield Estates Subdivision Sewage and Lift Station Improvement MSBU.

Recommendation: That the Board take the following action concerning adopting an Ordinance creating the Deerfield Estates Subdivision Sewage and Lift Station Improvement MSBU:

A. Ratify the scheduling of the August 9, 2012, 5:33 p.m. Public Hearing, for consideration of adopting an Ordinance creating the Deerfield Estates Subdivision Sewage and Lift Station Improvement Municipal Services Benefit Unit (MSBU); and

B. Adopt, and authorize the Chairman to sign, the Ordinance creating the Deerfield Estates Subdivision Sewage and Lift Station Improvement MSBU, and all related documents, and make the following findings of fact:

1. Lots in the District are specially benefited since improvements increase the market value of an individual lot, and the ability of lot owners to develop their land;
2. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and
3. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment.

11. 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
Escambia County Governmental Complex, Suite 130

I. Consent Agenda

1. Recommendation Concerning Acceptance of Reports Prepared by the Clerk of the Circuit Court & Comptroller's Finance Department

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

A. Payroll Expenditures for Pay Date August 3, 2012, in the amount of \$2,117,108.37;

B. The following two Disbursement of Funds:

(1) July 19, 2012, to July 25, 2012, in the amount of \$5,321,723.40; and

(2) July 26, 2012, to August 1, 2012, in the amount of \$10,345,252.87; and

C. Tourist Development Tax Collections Data for the June 2012 returns received in the month of July 2012; this is the tenth month of collection in Fiscal Year 2012; total collected for the June 2012 returns was \$1,168,527, which is a 23.65% increase over the June 2011 returns; overall collections of \$5,208,120 for the ten (10) months of returns in Fiscal Year 2012 are 12.08% higher than this same period last Fiscal Year; collections to date are 95.85% of the total budgeted amount for Fiscal Year 2012.

2. Recommendation Concerning the Pensacola Museum of Art Internal Audit Report

That the Board accept, for filing with the Board's Minutes, the Pensacola Museum of Art (PMA) Internal Audit Report, as prepared by the Clerk and Comptroller's Office; the scope of the audit was limited mainly to the review of PMA's use of County's funding; staff has reviewed the records for the Fiscal Year 2012.

The report outlines a number of findings for the PMA; staff has made several recommendations for improvement; Patty Sheldon, Administrator of Financial Services, has spoken with Ms. Sonya Davis, Executive Director and Chief Curator for the PMA, regarding the audit, and Ms. Davis has provided a written response to the Internal Audit indicating recommendations are being implemented.

3. Recommendation Concerning Approval of the Minutes of the Quarterly Meeting of the County Investment Advisory Committee

That the Board approve the Minutes of the Quarterly Meeting of the County Investment Advisory Committee (CIAC) held April 27, 2012, as prepared by Doris Harris, Clerk to the Board's Office, and approved by the CIAC on July 27, 2012.

4. Recommendation Concerning Voluntary Annexation of Properties

That the Board accept, for filing with the Board's Minutes, the July 25, 2012, letter from Ericka L. Burnett, City Clerk, and copies of Ordinance No. 15-12 and Ordinance No. 16-12, each entitled, "An Ordinance incorporating a certain area contiguous and adjacent to the City of Pensacola into the City of Pensacola, and declaring said area to be a part of the City of Pensacola; repealing clause, and providing an effective date," relative to the City's annexation of multiple parcels of property located partially within the City Limits and partially within unincorporated Escambia County, Florida, as adopted by the Pensacola City Council on July 19, 2012, and received in the Clerk to the Board's Office on August 1, 2012.

5. 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. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held July 26, 2012; and

B. Approve the Minutes of the Regular Board Meeting held July 26, 2012.

GROWTH MANAGEMENT REPORT

I. Public Hearings

1. Recommendation Concerning the Review of the Rezoning Case(s) heard by the Planning Board on July 9, 2012

That the Board take the following action concerning the rezoning cases heard by the Planning Board on July 9, 2012:

- A. Review and either adopt, modify, or overturn the Planning Board's recommendations for Rezoning Cases Z-2012-13, Z-2012-14 and Z-2012-15 or remand the cases 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 cases that were reviewed.

1. Case No.: **Z-2012-13**
Address: Rockey Branch Rd
Property Reference No.: 24-2N-31-1302-000-000
Property Size: 20.24(+/-) acres
From: P, Public District
To: VAG-1, Village Agriculture District
FLU Category: REC, Recreation
Commissioner District: 5
Requested by: Escambia County
Planning Board Approval
Recommendation:
Speakers: Patsy Lewis

2. Case No.: **Z-2012-14**
Address: Black Road
Property Reference No.: 43-4N-31-1005-001-002
43-4N-31-1005-002-002
43-4N-31-1005-000-001
Property Size: 14. 83 (+/-) acres
From: VAG-1, Village Agriculture District
To: VR-1, Villages Rural Residential District
FLU Category: RC, Rural Community
Commissioner District: 5
Requested by: Jim Cowling, Agent for Bonnie Cowling, Cassie Brown and Tara Webb, Owners
Planning Board Approval
Recommendation:
Speakers: Jim Cowling

3. Case No.: **Z-2012-15**
Address: Quintette Road
Property Reference No.: 26-2N-31-4230-000-001
26-2N-31-4230-000-000
Property Size: 95.0 (+/-) acres
From: VAG-1, Villages Agriculture District
To: ID-2, General Industrial District
FLU Category: I, Industrial
Commissioner District: 5
Requested by: William H. Joseph, Agent for Panhandle Holdings,
LLC and Triple L. Farms, Inc., Owners
**Planning Board
Recommendation:** Approval
Speakers: William Joseph, Agent

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

That the Board adopt an Ordinance to amend the Official Zoning Map to include the rezoning cases heard by the Planning Board on July 9, 2012, 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 an LDC Ordinance Article 13 -"Piers, Basins and Marinas"

That the Board of County Commissioners (BCC) review and adopt an Ordinance amending the Escambia County Land Development Code (LDC), amending Article 13, "Piers, Basins and Marinas."

4. 5:48 p.m. - A Public Hearing- Concerning the Review to Repeal & Replace Comprehensive Plan Ordinance 2012-18

That the Board of County Commissioners review and approve for transmittal to the Department of Economic Opportunity (DEO) Ordinance 2012-18 in its entirety.

5. 5:49 p.m. - A Public Hearing Concerning the Review of an Ordinance for Comprehensive Plan Text Amendment (OBJ FLU 5.5, Policy FLU 5.5.2)

That the Board of County Commissioners (BCC) review and approve for transmittal to the Department of Economic Opportunity (DEO) an Ordinance amending Comprehensive Plan OBJ FLU 5.5, Policy FLU 5.5.2, regarding the locational criteria for traditional urban neighborhoods, new suburban neighborhoods, and conservation neighborhoods in specific area plans.

6. 5:50 p.m. - A Public Hearing Concerning the Review of an LDC Ordinance Article 3, Definitions - Criteria for Local Roadways

That the Board of County Commissioners (BCC) review and adopt an Ordinance amending the Escambia County Land Development Code (LDC), amending Article 3, Definitions, to define street collector and to add criteria for local roadways.

7. 5:51 p.m. - A Public Hearing Concerning the Review of an LDC Ordinance Article 13, "Floodplain Management on Pensacola Beach"

That the Board of County Commissioners review and adopt an Ordinance amending the Escambia County Land Development Code (LDC), amending Article 13, "Floodplain Management on Pensacola Beach," concerning the standards for Flood Hazard reduction, prepared by the Santa Rosa Island Authority.

II. Consent Agenda

1. Recommendation Concerning the Scheduling of Public Hearings

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

A. **Thursday, August 23, 2012**

1. 5:45 p.m. - A Public Hearing to amend the official zoning map to include the following Rezoning Case to be heard by the Planning Board on August 13, 2012:

Case No.:	Z-2012-12
Address:	Hanks Rd
Property Reference No.:	14-5N-32-2301-000-000
Property Size:	7.01 (+/-) acres
From:	P, Public
To:	VAG-1, Villages Agriculture District
FLU Category:	REC, Recreational
Commissioner District:	5
Requested by:	Kale and Donna Schneider, Owners

2. 5:46 p.m. - A Public Hearing - Vested Rights Determination VRD-2012-01-Universal Fabricators, Inc.

3. 5:47 p.m. - A Public Hearing - Small Scale Comprehensive Plan Amendment SSA- 2012-02

4. 5:48 p.m. - A Public Hearing - Large Scale Comprehensive Plan Amendment CPA- 2012-02

B. **Thursday, September 6, 2012**

1. 5:45 p.m. - A Public Hearing to amend the official zoning map to include the following Rezoning Cases to be heard by the Planning Board on August 13, 2012:

a. Case No.:	Z-2012-09
Address:	2006 Border St
Property Reference No.:	16-2S-30-2300-001-023
Property Size:	2.23(+/-) acres
From:	R-5, Urban Residential/Limited Office District,(cumulative) High Density

To: ID-1, Light Industrial District (cumulative) (no residential uses allowed)
FLU Category: MU-U, Mixed Use Urban
Commissioner District: 3
Requested by: Wiley C. "Buddy" Page, Agent for Rick Evans of Evans Contracting, Inc.

b. Case No.: Z-2012-17

Address: 3840 Navy Blvd
Property Reference No.: 38-2S-30-1000-003-004
Property Size: .44 (+/-) acres
From: R-2, Single Family District (cumulative), Low-Medium Density
To: C-1, Retail Commercial District (cumulative)
FLU Category: MU-U, Mixed Use Urban
Commissioner District: 2
Requested by: Stephanie Lowry, Agent for Gary Lowry, Owner

2. 5:46 p.m. - A Public Hearing - Comp Plan Text Amendment - HB 503
3. 5:47 p.m. - a Public Hearing - LDC Ordinance- Consistent with HB 503

COUNTY ADMINISTRATOR'S REPORT

I. Technical/Public Service Consent Agenda

1. Recommendation Concerning the Request for Disposition of Property for the Escambia County Health Department - John J. Lanza, MD, PhD, MPH, FAAP, CHD Director

That the Board approve the Request for Disposition of Surplus Property Form for the Escambia County Health Department for property to be auctioned as surplus or properly disposed of, all of which is described and listed on the Disposition Form.

2. Recommendation Concerning the Third Amendment to Antenna Mounting Space Lease with New Cingular Wireless PCS, LLC - Michael D. Weaver, Public Safety Department Director

That the Board take the following action concerning the Third Amendment to Antenna Mounting Space Lease with New Cingular Wireless PCS, LLC (Lessee):

A. Approve the Amendment allowing for the installation and operation of additional antennas, associated cables and equipment, adjusting the rent in conjunction with the modifications, updating the Lessee's notice address, and permitting Lessee to maintain equipment to ensure compliance with any mandated application; and

B. Authorize the Chairman to sign the document.

3. Recommendation Concerning the Community Center License and Management Agreement for Marie K. Young Wedgewood Community Center and Park - Marilyn D. Wesley, Community Affairs Department Director

That the Board approve and authorize the Chairman to sign the Community Center License and Management Agreement between the County and Wedgewood Community Center Group, Inc., for the Marie K. Young Wedgewood Community Center and Park, with an effective date of August 10, 2012.

4. Recommendation Concerning Assignment of Agreement for Marie Ella Davis Community Center - Marilyn D. Wesley, Community Affairs Department Director

That the Board approve and authorize the Chairman to sign the Assignment of Agreement between the County and the Warrington Community Homeowners Association & Neighborhood Watch, Inc., to the Warrington Neighborhood Watch Corporation, for the Marie Ella Davis Community Center, with an effective date of August 9, 2012.

5. Recommendation Concerning the Scheduling a Public Hearing to Consider the Petition to Vacate a Portion of Allerton Avenue - Joy D. Blackmon, P.E., Public Works Department Director

That the Board approve the scheduling of a Public Hearing for September 6, 2012, at 5:31 p.m., to consider the Petition to Vacate a portion of Allerton Avenue (approximately 0.07 acres), as petitioned by Scott Carlson, Denise Carlson, and Ramzan Ali, as Trustee of the Ramzan Ali Trust dated July 21, 2008.

The petitioners, Scott Carlson, Denise Carlson, and Ramzan Ali own property in the Brentwood Park Subdivision as recorded in Plat Book 1, at Page 11, 11A, 11B, and 11C of the Public Records of Escambia County, Florida. A portion of Allerton Avenue (Park Avenue) was previously vacated in 2001 as evidenced by a Resolution recorded in Official Records Book 4677, at Page 180. The petitioners are asking the Board to vacate any interest they may have in the remaining portion of Allerton Avenue, formally known as Park Street, lying East of "W" Street and South of Yoakum Court (approximately 0.07 acres) abutting their property. Staff has made no representations to the Petitioner that Board approval of this request operates to confirm the vesting or return of title to the land in the Petitioner or any other interested party.

6. Recommendation Concerning a Request for Disposition of Property for the Public Works Department - Joy D. Blackmon, P.E., Public Works Department Director

That the Board approve the Request for Disposition of Property Form indicating one item to be properly disposed of, which is described and listed on the Request Form, with reason for disposition stated.

The surplus property listed on the Request for Disposition of Property Form has been checked and declared surplus, to be sold or disposed of as listed on the supporting documentation. The Request Form has been signed by all applicable authorities, including the Division Manager, as designee for the Department Director, and the County Administrator.

7. Recommendation Concerning an Appointment to the Investment Advisory Committee - Charles R. "Randy" Oliver, County Administrator

That the Board approve the appointment of Ms. Cecilia Nanni to the Investment Advisory Committee for a three-year term, effective August 22, 2012, through August 21, 2015, to replace Mr. Robert Beargie, whose term expires August 21, 2012.

8. Recommendation Concerning an Appointment to the Escambia-Pensacola Human Relations Commission - Charles R. "Randy" Oliver, County Administrator

That the Board appoint Pastor Sylvia E. Tisdale to the Escambia-Pensacola Human Relations Commission, for a two-year term, to fill the vacant position, effective August 9, 2012, through August 8, 2014, as requested by Rebecca Hale, Interim Executive Director, Escambia-Pensacola Human Relations Commission.

9. Recommendation Concerning Rescheduling Three Board Meetings - Charles R. "Randy" Oliver, County Administrator

That the Board approve rescheduling the following three Board of County Commissioners' Meetings:

- Committee of the Whole Workshop from 9:00 a.m., on Thursday, August 16, 2012, to Monday, August 13, 2012, at 9:00 a.m.
- Regular Board of County Commissioners' Meeting, from 5:30 p.m., on Thursday, September 20, 2012, to Monday, September 17, 2012, at 5:30 p.m. (Agenda Review will take place at 9:00 a.m., and Public Forum will be held at 4:30 p.m.)
- Committee of the Whole Workshop from 9:00 a.m., on Thursday, December 13, 2012, to Tuesday, December 11, 2012, at 9:00 a.m.

Commissioner Gene M. Valentino and Commissioner Grover C. Robinson, IV, will be attending meetings related to their positions on the Florida Association of Counties Board of Directors along with the Production Room going down for renovations from December 12, 2012, until January 3, 2013.

10. Recommendation Concerning the Request for Disposition of Property for the Clerk and Comptrollers Office - Cynthia Rhodes, Clerk and Comptrollers Office Administrator

That the Board approve the Request for Disposition of Property Form for the Clerk and Comptrollers Office, for property which is described and listed on the Request Form, with reason for disposition stated. The plat copier is to be auctioned as surplus equipment through the Escambia County Recycling Program.

11. Recommendation Concerning Scheduling a Public Hearing to Adopt an Ordinance Amending the Palafox, Englewood, Brownsville, Warrington, and Barrancas Trust Funds' Tax Increment - Amy Lovoy, Management & Budget Services Department Director

That the Board approve the scheduling of a Public Hearing at 5:32 p.m., on August 23, 2012, to consider the adoption of an Ordinance amending the Palafox, Englewood, Brownsville, Warrington, and Barrancas Trust Funds' Tax Increment.

12. Recommendation Concerning a Resolution Supporting the Beulah I-10 Interchange - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action concerning the Beulah I-10 Interchange:

A. Adopt the Resolution supporting the Beulah I-10 Interchange as a priority with the FL-AL and Northwest Florida Regional Transportation Planning Organizations (TPO and RTPO); and

B. Authorize the Chairman to sign the Resolution.

The Beulah I-10 Interchange Project includes plans to enhance connectivity between Escambia County and Santa Rosa County. The beltway is proposed to originate at I-10, extend north to intersect with US Highway 29 and an existing east-west corridor, which leads into Santa Rosa County. This will accommodate present and future growth, and will function as a hurricane evacuation route for both counties. When complete, the Beulah I-10 Interchange will greatly enhance economic development within Escambia County by providing interstate access to industrial property, retail establishments, educational institutions, and health care facilities, and will create a vital additional evacuation route.

Adding the Beulah I-10 Interchange project to the FL-AL TPO Priority Project List entitles Escambia County to request additional State funding.

13. Recommendation Concerning a Resolution Concerning Perdido Key Drive Roadway Expansion - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action concerning Perdido Key Drive (SR 292):

- A. Adopt the Resolution requesting U.S. Senator Bill Nelson to engage the United States Fish and Wildlife Service (USFWS) for approval of a cross-section of the Perdido Key Drive (SR 292) Roadway Expansion Project addressing safety and capacity issues, for mitigation of the Perdido Key Beach Mouse (PKBM); and
- B. Authorize the Chairman to sign the Resolution.

Escambia County and the Florida Department of Transportation (FDOT) have proposed the expansion of a portion of Perdido Key Drive (SR 292) in order to address current and future traffic safety and capacity issues. Perdido Key Drive has an average of one crash every 13 days. In 2006 Escambia County and FDOT entered into a Transportation Regional Incentive Program Agreement (TRIP) to fund a Project Development and Environmental (PD&E) study of Perdido Key Drive. As part of the PD&E, the County and FDOT prepared a Biological Assessment detailing the purpose of this project, assessing any potential impacts related to the natural environment, and proposing conservation measures intended to mitigate such impacts.

The County has agreed to implement the conservation measures set forth in one of the 20 cross-sections provided to offset potential environmental impacts arising out of the project. This project has been extraordinarily delayed through the environmental review process, with no decision from USFWS rendered to date.

II. Budget/Finance Consent Agenda

1. Recommendation Concerning Supplemental Budget Amendment #206 - Amy Lovoy, Management and Budget Services Department Director

That the Board adopt the Resolution approving Supplemental Budget Amendment #206, Fire Services Fund (143) in the amount of \$56,440, to recognize insurance reimbursements for equipment damage and proceeds from an auction of old disposed of equipment, and to appropriate these funds back to Fire Services.

2. Recommendation Concerning Supplemental Budget Amendment #212 - Amy Lovoy, Management and Budget Services Department Director

That the Board adopt the Resolution approving Supplemental Budget Amendment #212, Local Option Sales Tax (LOST) III Fund (352) in the amount of \$102,610, to recognize proceeds from the auction of older vehicles, and to appropriate these funds back into the Sheriff's LOST allocation for new vehicle purchases.

3. Recommendation Concerning Budget Amendment #213 - Amy Lovoy, Management and Budget Services Department Director

That the Board approve Budget Amendment #213, General Fund (001) in the amount of \$41,100 to cover the personnel costs associated with an employee accepting the retirement incentive and funding for a downgraded administrative position for the remainder of the current fiscal year.

4. Recommendation Concerning Supplemental Budget Amendment #214 - Amy Lovoy, Management and Budget Services Department Director

That the Board adopt the Resolution approving Supplemental Budget Amendment #214, Escambia County Restricted Fund (101) in the amount of \$3,190, to recognize donations to deploy a memorial reef.

5. Recommendation Concerning Supplemental Budget Amendment #217 - Amy Lovoy, Management and Budget Services Department Director

That the Board adopt the Resolution approving Supplemental Budget Amendment #217, SHIP Fund (120) in the amount of \$104,602, to recognize program income generated through the SHIP Program, and to appropriate these funds for the 2011 SHIP Program.

6. Recommendation Concerning Budget Amendment #219 - Amy Lovoy, Management and Budget Services Department Director

That the Board approve Budget Amendment #219, Bob Sikes Toll Fund (167) in the amount of \$18,800, to appropriate personnel funds for an employee who will be overseeing functions at the Bob Sikes Toll Bridge.

7. Recommendation Concerning an Agreement with the State of Florida's Agency for Health Care Administration on Behalf of Escambia Community Clinics - Amy Lovoy, Management and Budget Services Department Director

That the Board take the following action concerning the Agency for Health Care Administration (AHCA) Agreement:

A. Approve the Letter of Agreement between AHCA and Escambia County, in the amount of \$79,674, allowing the County to participate in the Low Income Pool, which will provide matching dollars to the Escambia Community Clinics (ECC);

B. Decrease the Fiscal Year 2011/2012 allocation to ECC by \$19,920 and increase the allocation to AHCA by the same amount; and

C. Decrease the Fiscal Year 2012/2013 allocation to ECC by \$59,754 and increase the allocation to AHCA by the same amount.

8. Recommendation Concerning the Agreement between Escambia County and Nabors, Giblin & Nickerson, P.A., Relating to Legal Services as Disclosure Counsel-PD 11-12.020 - Amy Lovoy, Management and Budget Department Director

That the Board approve the Agreement between Escambia County and Nabors, Giblin & Nickerson, P.A., Relating to Legal Services as Disclosure Counsel-PD 11-12.020, for a term of five years with an option to renew for one additional five-year term, effective August 9, 2012. Compensation for duties and fees for Conduit Bonds shall be in accordance with Chapter 46, Article VII, Section 46-303, et seq., of the Escambia County Code of Ordinances. Compensation for County Bonds shall be subject to 80% of the following:

Amount of Issue/County Bonds Fee

Up to \$10,000,000
Flat Fee of \$17,500

From \$10,000,000 to \$40,000,000
Fee per \$1,000 of \$.85 per \$1,000

Over \$40,000,000
Fee per \$1,000 of \$.55 per \$1,000

[Primary funding from bond proceeds. Additional funding, if required, Fund 001, General Fund (Legal Counsel), Cost Center 110601, Object Code 53101]

9. Recommendation Concerning the Agreement between Escambia County and McGuire Woods, LLP, Relating to Legal Services as Bond Counsel-PD 11-12.022 - Amy Lovoy, Management and Budget Services Department Director

That the Board approve the Agreement between Escambia County and McGuire Woods, LLP, Relating to Legal Services as Bond Counsel-PD 11-12.022, for five years with one option to renew for an additional five years, effective August 9, 2012. Compensation for duties and fees for Conduit Bonds shall be in accordance with Chapter 46, Article VII, Section 46-303, et seq., of the Escambia County Code of Ordinances. Compensation for County Bonds shall be subject to the following:

Amount of Issue/County Bonds Fee

Up to \$10,000,000
Flat Fee of \$17,500

From \$10,000,000 to \$40,000,000
Fee per \$1,000 of \$.85 per \$1,000

Over \$40,000,000
Fee per \$1,000 of \$.55 per \$1,000

[Primary funding from bond proceeds. Additional funding, if required, Fund 001, General Fund (Legal Counsel), Cost Center 110601, Object Code 53101]

10. Recommendation Concerning the Acquisition of Property Located on Guidy Lane from Hillcrest Baptist Church of Pensacola, Inc., for Drainage Improvements - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action concerning the acceptance of property on Guidy Lane from Hillcrest Baptist Church of Pensacola, Inc. (Hillcrest), for road and drainage improvements:

A. Authorize Staff to negotiate and resolve any matters related to or associated with the acceptance of two parcels of property (1.0 acre pond parcel and 0.16 acres road right-of-way for a total of 1.16 acres) from Hillcrest Baptist Church of Pensacola, Inc., for the Guidy Lane Drainage Project, and to gather information and conduct inspections as needed to allow the Board's acceptance of the real property;

B. Authorize payment of \$15,534.20 as reimbursement to Hillcrest Baptist Church of Pensacola, Inc., for their documented costs for recent upgrades and improvements to the retention pond parcel;

C. Authorize payment of incidental expenditures and documentary stamps because these properties are being acquired for governmental use, which is for road right-of-way and stormwater retention purposes, and the County benefits from these acquisitions because they facilitate the installation of road and drainage improvements which will result in a more safe and efficient roadway, enhancing the quality of life for the citizens of Escambia County; and

D. Authorize Staff to prepare and the Chairman or Vice Chairman to accept the Deed as of the day of delivery and to acknowledge the Board's acceptance at that time, subject to Legal review and sign-off, necessary to complete the acquisition without further action of the Board.

[Funding Source: Fund 352, "LOST III", Cost Center 210107, Object Code 56101/56301, Project #12EN2055 "Guidy Lane"]

The area of Guidy Lane north of Nine Mile Road has a history of stormwater drainage problems, due in part to not having adequate retention areas. The County has a project in design to alleviate some of the problems, which will require the acquisition of property for retention pond purposes and additional right-of-way. Hillcrest owns property on both sides of Guidy Lane. One parcel of property, located at the northeast corner of the intersection of Guidy Lane and Nine Mile Road, is being utilized as a retention pond. The County has identified a need for this property to facilitate the drainage project, as the property has sufficient footage to expand the existing pond area. The pond was not functioning properly until recently, when Hillcrest completed upgrades and improvements to bring the retention pond into compliance with Florida Department of Environmental Protection (FDEP) regulations.

Prior to and during the pond upgrade work, several discussions were held between County Engineering staff and Hillcrest concerning this property. During those discussions, Hillcrest indicated that they would agree to convey the pond property and any additional right-of-way to the County if the County would reimburse the documented costs of \$15,534.20 for bringing the pond into compliance.

11. Recommendation Concerning a Change Order to Atkins North Florida, Inc. (formerly PBS&J), on Contract PD 08-09.027 "Professional Services for a New Interchange in the Vicinity of I10/Beulah Road Study" - Joy D. Blackmon, P.E., Public Works Department Director

That the Board approve and authorize the County Administrator to execute the following Change Order:

Department:	Public Works
Division:	Engineering/Infrastructure Division
Type:	Addition
Amount:	\$2,699,611.25
Vendor:	Atkins North Florida, Inc. (formerly PBS&J)
Project Name:	I10/Beulah Interchange
Contract:	Contract PD 08-09.027, "Professional Services for a New Interchange in the Vicinity of I10/Beulah Road Study"
PO No.:	291417
CO No.:	4
Original Award Amount:	\$ 665,261.17
Cumulative Amount of Change Orders through this CO:	\$2,699,611.25
New Contract Total:	\$3,364,872.42

Meeting in regular session on May 5, 2009, the Board approved awarding a Task Order Contract, PD 08-09.027, "Professional Services for a New Interchange in the Vicinity of I10/Beulah Road Study", per terms and conditions of Contract PD 02-03.79, Professional Services, as Governed by Florida Statute 287.055, to Atkins North Florida, Inc. (formerly PBS&J), for a lump sum amount of \$665,261.17.

This Change Order will be issued for Consulting Engineering Services for the Professional Design & Engineering (PD&E) Study, Phase I and Phase II, for a proposed new interchange in the vicinity of I-10 near Beulah Road, including a proposed new roadway from US 90 (Mobile Highway) to US 29. The new roadway, referred to as the Escambia County Beltway, would be approximately 10.6 miles in length and would connect directly to the proposed interchange. The study will be conducted in two phases. Phase I will consist of developing and evaluating alternative beltway corridors with the objective of recommending corridors in which to locate alternative alignments. Typical section alternative development will begin in Phase I, and will conclude in Phase II with the development of the typical section package. Phase I will also

evaluate the multiple interchange alternatives developed as part of the I-10/Beulah Preliminary Interchange Proposal Study in relation to the various Beltway corridors. Alternative alignments within the preferred/selected corridor will be developed and evaluated in Phase II of the PD&E Study. Also during Phase II, the consultant will finalize development of a typical section for a four-lane, controlled access highway (expressway) without bicycle and sidewalk facilities. This Contract states that Optional Services (PD&E Study) shall be negotiated in accordance with the terms and method of compensation for a fair, competitive and reasonable cost, considering the scope and complexity of the project. It is undetermined at this time if the Florida Department of Transportation (FDOT) will reimburse any costs associated with this project.

Change Order #1 was for additional time due to additional information requested by the Florida Highway Administration (FHWA) for the project final approval. Change Order #2 was an administrative Change Order to adjust the costs associated with Local Option Sales Tax (LOST) and Grant funding, and Change Order #3 was for time only, to allow time for agencies to review the justification report and offer comments, as well as to allow for the PD&E stage to be initiated.

[Funding Source: Fund 352, "Local Option Sales Tax III", Cost Center 210107, Object Code 56301, Project #12EN1728, "I10 Beulah Interchange". \$157K was transferred from Pinestead/Longleaf project to supplement costs for this project.]

12. Recommendation Concerning Sale of the County's Brownfields Voluntary Cleanup Tax Credits (VCTC) to IGT, a Nevada Corporation - Keith Wilkins, REP, Community & Environment Department Director

That the Board take the following actions concerning the sale of the County's VCTC:

A. Approving and authorizing the Chairman to execute the Purchase Agreement for State Tax Credits to sell the County's Brownfields Voluntary Cleanup Tax Credits to IGT, a Nevada Corporation; and

B. Authorizing the Chairman to sign the Agreement for Reissuance and Transfer of Voluntary Cleanup Tax Credit Certificate and Indemnification.

[Funding Source: All funds will be deposited in Fund 129, CDBG Entitlement.]

13. Recommendation Concerning Approval of the Escambia Consortium 2012 Annual Action Plan and Analysis of Impediments to Fair Housing Choice - Keith Wilkins, REP, Community & Environment Department Director

That the Board take the following action concerning approval of the Escambia Consortium 2012 Annual Action Plan and Analysis of Impediments to Fair Housing Choice:

A. Approve the Escambia Consortium 2012 Annual Action Plan for Housing and Community Development, including the Escambia County 2012 Annual Plan, detailing use of 2012 Community Development Block Grant (CDBG) funds, in the amount of \$1,685,274; 2012 HOME Investment Partnerships Act (HOME) funds, in the amount of \$1,020,957; and 2012 Emergency Solutions Grant Program (ESG) funds, in the amount of \$163,087;

B. Acknowledge the receipt of the updated Analysis of Impediments (AI) to Fair Housing Choice and approve the AI as part of the Escambia Consortium Consolidated Plan; and

C. Authorize the County Administrator to execute all 2012 Annual Action Plan Forms, Certifications and related documents, as required to submit the Plans to the U.S. Department of Housing and Urban Development (HUD), and authorize the County Administrator or Chairman, as appropriate, to execute documents required to receive and implement the 2012 CDBG, 2012 HOME, and 2012 ESG Programs.

[Funding: Fund 129/CDBG, Fund 147/HOME, and Fund 110/ESG - Cost Centers to be assigned]

(A complete copy of the entire Annual Action Plan is available for review in the County Administrator's Office or on the County's website at

http://www.myescambia.com/Bureaus/CommunityServices/Plans_Reports.html.)

14. Recommendation Concerning Issuance of a Task Order to Atkins North America, Inc., for the Mahogany Mill Boat Ramp Project - Keith Wilkins, REP, Community & Environment Department Director

That the Board approve the issuance and authorize the County Administrator to execute a Task Order to Atkins North America, Inc., for the Mahogany Mill Boat Ramp Project, for a not-to-exceed amount of \$84,784.16, on Contract PD 02-03.79, "Professional Services", for construction, engineering, inspection (CEI), and project management services.

[Funding Source: Fund 001, General Fund, Cost Center 220101, Admin Neighborhood & Environment, Object Code 56301, Project NRDA1201]

15. Recommendation Concerning Change Order Number 2 to Purchase Order 120016 to Ward International Trucks, LLC, for Public Safety's Ambulance Fleet Repair and Maintenance - Michael D. Weaver, Public Safety Department Director

That the Board approve and authorize the County Administrator to execute the following Change Order Number 2 adding funds for the repair and maintenance of the Public Safety Department's ambulance fleet through the balance of the Fiscal Year:

Department:	Public Safety
Division:	Emergency Medical Services
Type:	Addition
Amount:	\$70,000.00
Vendor:	Ward International Trucks, LLC
Project Name:	N/A
Contract:	N/A
PO No.:	120016
CO No.:	2
Original Award Amount:	\$ 97,000.00
Cumulative Amount of Change Orders through this CO:	\$ 88,000.00
New P.O. Total	\$185,000.00

[Funding Source: Fund 408, Emergency Medical Services, Cost Center 330302, EMS Operations]

16. Recommendation Concerning Purchase Orders in Excess of \$50,000 - Gordon C. Pike, Corrections Department Director

That the Board approve the issuance of a Purchase Order to Gulf Coast Office Products and a Purchase Order to Innerspaice Architectural Interiors, the totals of which exceed \$50,000, as provided below:

<u>Vendor/Contractor</u>	<u>Amount</u>
A. Gulf Coast Office Products Vendor # 072702 Fund: 114 Cost Center: 290301	\$150,000
B. Innerspaice Architectural Interiors Vendor # 090663 Fund: 114 Cost Center: 290301	\$150,000

REPLACEMENT RECOMMENDATION TO BE SUBMITTED PRIOR TO MEETING.

17. Recommendation Concerning Federal Elections Activities Grant Funding for the Office of the Supervisor of Elections - David H. Stafford, Supervisor of Elections

That the Board take the following action concerning Federal Elections Activities Grant Funds from the Department of State:

- A. Certify that the County will match State Grant funds with \$7,937.95 from the Supervisor of Elections' Budget; and
- B. Authorize the Chairman to sign the Certificate Regarding Matching Funds.

In order to receive the Federal Elections Activities funds, the Legislature has required that the Chairman of the Board of County Commissioners certify that the County will match the State funds with a 15% County match. Both the State funds and the County matching funds must be held in a separate account to be used solely for activities relating to Federal Elections. The required match for this Grant is \$7,937.95. The match is included in the Supervisor of Elections' Fiscal Year 2011/2012 Budget under Cost Center 550101 and various Object Codes.

18. Recommendation Concerning the Issuance of Purchase Orders in Excess of \$50,000 for Fiscal Year 2011-2012 to Christopher C. Bargaineer Concrete Construction, Inc., for Americans with Disabilities Act (ADA) Related to Concrete Work Associated with County Parks - Michael Rhodes, Parks and Recreation Department

That the Board authorize the issuance of Purchase Orders in excess of \$50,000, for Fiscal Year 2011-2012 to Christopher C. Bargaineer Concrete Construction, Inc., to provide concrete construction work for County Parks and Recreation, as required to meet the Americans with Disabilities Act (ADA) requirements.

Escambia County Parks and Recreation Department must comply with ADA requirements by installing sidewalks and other accessibility aids. This action will finance completion of accessibility improvements to various County park facilities in order to comply with the requirements of the ADA.

[Funding Source: Fund 129, "CDBG HUD Entitlement Fund", CDBG 2010, Cost Center 220435, Object Code 56301]

19. Recommendation Concerning Out-of-County Travel - 35th Joint Meeting of the Japan-U.S. Southeast and Southwest Associations' "In Harmony with Tradition and Innovation" Economic Development Trip - Charles R. "Randy" Oliver, County Administrator

That the Board authorize out-of-County travel for Wilson B. Robertson, Chairman, to attend the 35th Joint Meeting of the Japan-U.S. Southeast and Southwest Associations' "In Harmony with Tradition and Innovation" Economic Development Trip on September 13-15, 2012, in Tokyo, Japan.

20. Recommendation Concerning the Acquisition of Property for a Public Boat Ramp Facility on Mobile Highway - Joy D. Blackmon, P.E. Public Works Department Director

That the Board take the following action regarding the acquisition of real property for a Public Boat Ramp Facility on Mobile Highway:

A. Authorize staff to make an offer to Ricky and Traci Herndon to purchase a parcel of real property (0.52 acres with a residential structure consisting of approximately 1100 square feet) located at 11794 Mobile Highway for the appraised amount of \$165,000, subject to the owner retaining and removing the structure from the property and subject to completion of the due diligence process;

B. Authorize staff to make an offer to Michael R. Monsour to purchase a parcel of real property (0.52 acres with a residential structure consisting of approximately 1100 square feet) located at 11790 Mobile Highway for the appraised amount of \$190,000, and subject to completion of the due diligence process; and

C. Authorize the County Attorney to prepare and the Chairman or Vice Chairman to execute any documents necessary to complete the acquisition of these properties.

"The acquisition of these properties is funded by the Florida Boating Improvement Program and Local Option Sales Tax (LOST). Current planned improvements at the Perdido River Ramp (English property) are being funded by National Resource Damage Assessment (NRDA); future further improvements to Perdido or Lillian will require Grant funding or future LOST funds.

[Funding Source: Fund 352, Lost III, Cost Center 220102, NESD Capitol Projects, Project 08NE0018, Boat Ramps]

III. For Discussion

1. Recommendation Concerning the Escambia County Health Facilities Authority Appointment - Charles R. "Randy" Oliver, County Administrator

That the Board approve appointing one of the following nominees to the Escambia County Health Facilities Authority for a four-year term, effective August 22, 2012, through August 21, 2016, to replace Ms. Patricia M. Pennewill, whose term will expire August 21, 2012. Ms. Pennewill is not seeking reappointment:

A. Commander Michael S. Kohler;

OR

B. Mr. Rufus E. Harris, III.

2. Recommendation Concerning the Pensacola-Escambia Development Commission - Charles R. "Randy" Oliver, County Administrator

That the Board take the following action concerning a reappointment/appointment to the Pensacola-Escambia Development Commission:

A. Waive the Board's Policy, Section I, Part B 1. (D), Appointment Policy and Procedures; and

B. Reappoint Steven Barry for another two-year term, effective August 16, 2012, through August 15, 2014;

OR

C. Appoint Rufus E. Harris, III, for a two-year term, effective August 16, 2012, through August 15, 2014.

COUNTY ATTORNEY'S REPORT

I. For Action

1. Recommendation Concerning Wireless Communications Tower Site Lease with Navy Federal Credit Union

That the Board authorize the Chairman to execute the Wireless Communications Tower Site Lease with Navy Federal Credit Union attached to the recommendation.

12. Items added to the agenda.
13. Announcements.
14. Adjournment.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3030

Proclamations 6. A.

BCC Regular Meeting

Meeting Date: 08/09/2012

Issue: Adoption of Proclamations

From: Charles R. (Randy) Oliver, County Administrator

Organization: County Administrator's Office

CAO Approval:

RECOMMENDATION:

Recommendation: That the Board adopt following two Proclamations:

A. The Proclamation recognizing and honoring all Marines, Sailors, Soldiers, and Airmen who have made the ultimate sacrifice while serving their country in or with Marine Aviation; and

B. The Proclamation extending appreciation to the "Pirate Paddlers" and encouraging all citizens to dedicate themselves to the protection and conservation of our priceless waterways.

BACKGROUND:

Various departments, outside agencies, special interest groups, civic and religious organizations in recognition of specific events, occasions, people, etc., request Proclamations.

Information provided on the Proclamation is furnished by the requesting party and placed in the proper acceptable format for BCC approval by the County Administration staff. Board approval is required by Board Policy Section I, A (6).

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

N/A

Attachments

Proclamations 8-9-2012

PROCLAMATION

WHEREAS, Lt. Alfred A. Cunningham reported to Annapolis on May 22, 1912, which is recognized as the Birthday of Marine Corps Aviation. On August 20, 1912, Lt. Cunningham flew his first solo flight as a United States Marine; and

WHEREAS, the Marine Corps Aviation Association (MCAA) McCutcheon Squadron stood up on May 5, 2006, on MCAS New River, Jacksonville, North Carolina; and

WHEREAS, the MCAA McCutcheon Squadron was named after highly decorated Marine aviator, General Keith B. McCutcheon, whose members honor the past, salute the present, and inspire the future of all Marines in Marine Aviation; and

WHEREAS, the MCAA McCutcheon Squadron recognized the importance of honoring during the Centennial Year of Marine Aviation all Marines that have served in or with Marine Aviation over the past 100 years; and

WHEREAS, all Marines in the aviation warfare fields receive their foundational training in the greater Pensacola Bay area prior to transferring to operational forces. The MCAA McCutcheon Squadron will station only the third National Memorial to America's Marines known as the Marine Aviation Memorial Tower at Veterans Memorial Park in Pensacola, Florida, on August 19, 2012; and

WHEREAS, the Memorial will honor Aviation Marines who have fallen in defense of our nation. The bronze bell centerpiece of the tower specifically pays tribute to Marines who sacrificed their lives in the execution of the Casualty Evacuation and Medical Evacuation missions throughout the history of Marine Aviation.

NOW, THEREFORE, BE IT PROCLAIMED, that the Board of County Commissioners of Escambia County, Florida, does hereby recognize and honor all Marines, Sailors, Soldiers, and Airmen that have made the ultimate sacrifice while serving their country in or with Marine Aviation.

**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

*Wilson B. Robertson, Chairman
District One*

*Gene M. Valentino, Vice Chairman
District Two*

Marie Young, District Three

Grover C. Robinson, IV, District Four

Kevin W. White, District Five

ATTEST: *Ernie Lee Magaha
Clerk of the Circuit Court*

Deputy Clerk

Adopted: August 9, 2012

PROCLAMATION

WHEREAS, Escambia County recognizes clean and healthy bays and estuaries are vital to our economic well-being and quality of life; and

WHEREAS, Escambia County recognizes clean and healthy bays support several key water-based industries and contribute millions of dollars to the local economy with recreational fishing, commercial fishing, shell fishing, and the nature tourism industry; and

WHEREAS, Escambia County is committed to preserving this delicate, rich, and productive ecosystem that serves as the "nursery ground" for many of our commercial fish and keeps our waters fishable and swimmable; and

WHEREAS, large quantities of trash remained in Little Sabine Bay after the July 2012 Blue Angels Air Show; and

WHEREAS, a group of local citizens and surfers, known as the "Pirate Paddlers" conducted a volunteer cleanup of the trash from Little Sabine Bay.

NOW, THEREFORE, BE IT PROCLAIMED, that the Board of County Commissioners of Escambia County, Florida, hereby extends its appreciation to the "Pirate Paddlers" and encourages all citizens to dedicate themselves to the protection and conservation of our priceless waterways.

**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

*Wilson B. Robertson, Chairman
District One*

*Gene M. Valentino, Vice Chairman
District Two*

Marie Young, District Three

Grover C. Robinson, IV, District Four

Kevin W. White, District Five

ATTEST: *Ernie Lee Magaha
Clerk of the Circuit Court*

Deputy Clerk

Adopted: August 9, 2012



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3034

Proclamations 6. B.

BCC Regular Meeting

Meeting Date: 08/09/2012

Issue: Adopt of Proclamation

From: Charles R. (Randy) Oliver, County Administrator

Organization: County Administrator's Office

CAO Approval:

RECOMMENDATION:

Recommendation: That the Board adopt the Proclamation commending and congratulating Dianne Simpson, Program Coordinator, for the County Attorney's Office and Assistant to the County Attorney, on 25 years of service to Escambia County.

BACKGROUND:

Various departments, outside agencies, special interest groups, civic and religious organizations in recognition of specific events, occasions, people, etc., request Proclamations.

Information provided on the Proclamation is furnished by the requesting party and placed in the proper acceptable format for BCC approval by the County Administration staff. Board approval is required by Board Policy Section I, A (6).

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

N/A

Attachments

Proclamation

PROCLAMATION

WHEREAS, Dianne Simpson began her employment with Escambia County on August 17, 1987, as receptionist for the County Attorney's Office; and

WHEREAS, Dianne has portrayed a standard of excellence in the performance of her duties; and

WHEREAS, through hard work and dedication Dianne has moved up through the ranks and serves as Program Coordinator for the County Attorney's Office and Assistant to the County Attorney; and

WHEREAS, Dianne personifies the spirit, enthusiasm, loyalty, and professionalism that lends so much to the day-to-day operations of the County Attorney's Office; and

WHEREAS, her quest for knowledge and dedication to her position have made her a valuable asset to the County Attorney's Office; and

WHEREAS, her people skills, diplomacy, commitment, enthusiasm, and historical experience proclaim her a vital member of the County Attorney's Office.

NOW, THEREFORE, BE IT PROCLAIMED, that the Board of County Commissioners of Escambia County, Florida, recognizes, commends and congratulates Dianne Simpson on 25 years of service to Escambia County.

**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

*Wilson B. Robertson, Chairman
District One*

*Gene M. Valentino, Vice Chairman
District Two*

Marie Young, District Three

Grover C. Robinson, IV, District Four

Kevin W. White, District Five

ATTEST: *Ernie Lee Magaha
Clerk of the Circuit Court*

Deputy Clerk

Adopted: August 9, 2012



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3009

Written Communication 7.

BCC Regular Meeting

Meeting Date: 08/09/2012

Issue: Written Communication - Richard & Elsa Sjolander

From: Charles R. (Randy) Oliver, County Administrator

Organization: County Administrator's Office

CAO Approval:

RECOMMENDATION:

May 11, 2012 - Communication from Richard Sjolander requesting waiver of penalties and interest, in the amount of \$1,319.45, accrued from failure to pay the MSBU Assessments on 110 Ariola Drive for the period of years following the purchase of the leasehold on the property in 2005.

BACKGROUND:

N/A

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

Escambia County Ordinance 2012-10 adopted by the Board of County Commissioners on April 5, 2012, provides a process for applicants to request relief from penalties and interest on delinquent ad valorem special assessments against property located on Santa Rosa Island.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

Written Communication Request - Sjolander



RECEIVED
MAY 15 2012
County Administrator's Office

Richard & Elsa Sjolander
1421 N. Baylen St.
Pensacola, Fl 32501
Tel. 850 435-8382
Fax. 850 435-8382 (press send/fax after call is received)
Cell: 850 529-2058
Email: Richard.Sjolander@gmail.com

May 11, 2012

C. Randy Oliver, Escambia County Administrator
221 Palafox Place, Suite 420
Pensacola, Fl. 32502

Dear Mr. Oliver:

REQUEST FOR WAIVER OF PENALTIES AND INTEREST ON DELINQUENT MSBU ASSESSMENTS

I am writing this letter to request waiver of penalties and interest that accrued from my failure to pay the MSBU Assessments on 110 Ariola drive for period of years following my purchase of the leasehold on this property in 2005. More specifically I request the waiver of penalties and interest for

the years:	Interest	Penalties
2006-2007	\$372.15	\$40.00
2007-2008	\$297.72	\$40.00
2008-2009	\$223.29	\$41.00
2009-2010	\$148.86	\$41.00
2010-2011	\$74.43	\$41.00
Subtotal	\$1,116.45	\$203

TOTAL

Waiver Request: \$1,319.45

The reason for this request for relief is the fact that I have not received any MSBU bills since my purchase of the lease from a MS. Beverly A. Seiple on April 18, 2005. My first awareness of due or delinquent MSBU assessments came via a letter from the Board of County Commissioners here in Escambia County dated April 3, 2012 (attachment 1). This letter informed me that the county was preparing a lawsuit to recover the outstanding amount of the liens on my property. I immediately contacted the county to find out what the problem was, April 5, 2012, and was informed that there was a series of liens on my leasehold for the above referenced years (attachment 2). These charges were paid on the same date (attachment 3).

Subsequent review of the liens shows that the liens were placed on the Estate of Avie Hatton at the address of 1212 Poppy Ave, Pensacola, FL 32507. I can only assume that the bills for the MSBU Assessments were also sent to this person at the above mentioned address. They were not sent to me

Ms. Avie H. Hatton and her husband are listed on the SRIA Residential Lease as the original Leaseholders on a document dated March 10, 1952. The 1212 Poppy Ave. address is the one listed on the original lease. I am unaware of how long she was the leaseholder, but found through an internet search that she died on July 6, 1981.

I contacted Ms. Jayne Bell, Director of Administration at the SRIA and was told that the SRIA handles the tax roll data base for Escambia County and sends updates every year before Labor Day to the Escambia County Budget Office, which handles the MSBU assessments. She has copies of notes that the data base was sent to the county signed of by 2 county employees from 2005. She told me that that 2005 data base correctly showed me as the leaseholder for the property known as 110 Ariola. And, that the data bases for the years following 2005 also show me as the leaseholder of the property. The SRIA sends me bills for my lease fee on this property each year and these are paid in full, as are my newly instituted property taxes.

The only bill that has not been received and paid by me is the MSBU assessment. This leads me to the conclusion that there must have occurred some error in communication between the SRIA and the County Budget Office. My failure to pay my MSBU assessment in a timely fashion was due to extraordinary circumstances.

Therefore, I am appealing to you for relief from the penalties and interest as enumerated above in the amount of \$1,319.45 to be sent to me at: 1421 N. Baylen St., Pensacola, Fl. 32501.

With Regards,



Richard Sjolander

P.C.: Mr. Grover Robinson, IV, County Commissioner, District 4

Attachments:

(1) Letter from from the Board of County Commissioners here in Escambia County dated April 3, 2012

(2) Liens on my leasehold for the above referenced years

(3) Charges for delinquent annual MSBU assessments paid on April 5, 2012

**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

**221 PALAFOX PLACE
PENSACOLA, FLORIDA 32502**



*WP rec'd
plus on
4-4-12*

Date: April 3, 2012

To: Richard J. & Elsa M. Sjolander
1421 N. Baylen Street
Pensacola, FL 32501

Richard J. & Elsa M. Sjolander
110 Ariola Drive
Pensacola Beach, FL 32561

Re: Tax Account Number 99-0000-611

Please note that the real property corresponding to the above-referenced tax account number is encumbered by at least one unpaid Municipal Services Benefit Unit (MSBU) special assessment lien. Shortly, Escambia County will begin preparing a lawsuit to recover the outstanding amount of these liens. In the course of preparing the lawsuit, Escambia County will incur significant costs, which may be added to the amount of these liens. You may avoid these costs by paying off the liens as soon as possible.

You can obtain payment information from the Clerk of the Court, Official Records Department, 221 Palafox Place, Suite 110, Pensacola, FL 32502; telephone (850) 595-3930.

595-4960

Attachment #2

NOTICE OF LIEN
SANTA ROSA ISLAND MSBU

STATE OF FLORIDA
COUNTY OF ESCAMBIA

ACCOUNT NO. 99-0000-611
PRRF NO. 282S26-1800-006-014

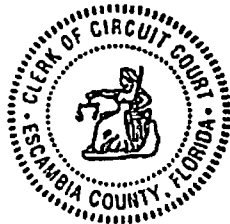
RE: HATTON AVIE EST OF
1212 POPPY AVE
PENSACOLA FL
32507

THIS NOTICE OF LIEN is hereby filed pursuant to Section 46.212 of the Escambia County, Florida Code of Ordinances for delinquent annual assessments (fire protection and island assessments) for fiscal year 2006-2007 plus interest at 18 percent (18%) per year, calculated monthly, against a leasehold, more particularly described as:

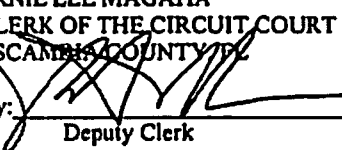
LT 6 BLK 14 VILLA PRIMERA
PB 2 P 78
OR 1370 P 980 SHEET 9

vested in lessee pursuant to that certain document vesting title to the leasehold in the lessee filed in the public records of Escambia County. This claim of lien was included in the list of outstanding and uncollected annual assessments delivered to the Board of County Commissioners and shall remain and constitute a lien against the leasehold identified until satisfied by payment to the Clerk of the Circuit Court of the lien, as follows: Fire Protection \$201.38, and Island MSBU \$212.12 for the total amount of \$413.50 plus interest at the rate of 18 percent (18%) per year, calculated monthly (one and one-half percent per month) on the total amount (\$413.50) assessed per annum, accrued from the delinquent date of April 1, 2007, until said assessment and penalties are paid. Evidence of discharge and satisfaction of this lien shall be recorded in the public records of Escambia County, Florida, by the Clerk of the Circuit Court.

This lien shall not be assigned to any person. Until fully satisfied by payment, discharged or barred by law, this lien shall remain equal in rank and dignity with the liens of all state, county, district or municipal taxes and special assessments and superior in rank and dignity to all other subsequently filed liens, encumbrances, titles and claims in, to, or against the leasehold. This lien may be enforced at any time by the Board of County Commissioners subsequent to the date of recording of this Notice of Lien for the amount due under the recorded lien, including all penalties, plus costs and a reasonable attorney's fee by proceedings in a court of equity to foreclose liens in the manner in which a mortgage lien is foreclosed or under the provisions of Chapter 173, Florida Statutes or the collection and enforcement of payment thereof may be accomplished by any other method authorized by law.



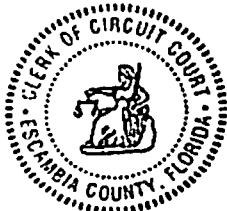
ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FL

By: 
Deputy Clerk

STATE OF FLORIDA
COUNTY OF ESCAMBIA

Before the undersigned deputy clerk, personally appeared Brenda Robinson, personally known to me and known to me to be the individual described by said name who executed the foregoing as Deputy Clerk to Ernie Lee Magaha, Clerk of the Circuit Court and Comptroller, and acknowledged before me that she executed the same for the uses and purposes therein set forth.

Given under my hand and official seal this 10th day of June, A.D., 2007.



ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

By: 
Deputy Clerk

NOTICE OF LIEN
SANTA ROSA ISLAND MSBU

STATE OF FLORIDA
COUNTY OF ESCAMBIA

ACCOUNT NO.: 99-0000-611
PRRF NO.: 282526-1800-006-014

RE: HATTON AVIE EST OF
1212 POPPY AVE
PENSACOLA FL 32507

THIS NOTICE OF LIEN is hereby filed pursuant to Section 46.212 of the Escambia County, Florida Code of Ordinances for delinquent annual assessments (fire protection and island assessments) for fiscal year 2007-2008 plus interest at 18 percent (18%) per year, calculated monthly, against a leasehold, more particularly described as:

LT 6 BLK 14 VILLA PRIMERA
PB 2 P 78 OR 1370 P 980 SHEET 9

vested in lessee pursuant to that certain document vesting title to the leasehold in the lessee filed in the public records of Escambia County. This claim of lien was included in the list of outstanding and uncollected annual assessments delivered to the Board of County Commissioners and shall remain and constitute a lien against the leasehold identified until satisfied by payment to the Clerk of the Circuit Court of the lien, as follows: Fire Protection \$201.38, and Island MSBU \$212.12 for the total amount of \$413.50 plus interest at the rate of 18 percent (18%) per year, calculated monthly (one and one-half percent per month) on the total amount (\$413.50) assessed per annum, accrued from the delinquent date of April 1, 2008, until said assessment and penalties are paid. Evidence of discharge and satisfaction of this lien shall be recorded in the public records of Escambia County, Florida, by the Clerk of the Circuit Court.

This lien shall not be assigned to any person. Until fully satisfied by payment, discharged or barred by law, this lien shall remain equal in rank and dignity with the liens of all state, county, district or municipal taxes and special assessments and superior in rank and dignity to all other subsequently filed liens, encumbrances, titles and claims in, to, or against the leasehold. This lien may be enforced at any time by the Board of County Commissioners subsequent to the date of recording of this Notice of Lien for the amount due under the recorded lien, including all penalties, plus costs and a reasonable attorney's fee by proceedings in a court of equity to foreclose liens in the manner in which a mortgage lien is foreclosed or under the provisions of Chapter 173, Florida Statutes or the collection and enforcement of payment thereof may be accomplished by any other method authorized by law.



ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FL

By: 
Deputy Clerk

STATE OF FLORIDA
COUNTY OF ESCAMBIA

Before the undersigned deputy clerk, personally appeared Brenda Robinson, personally known to me and known to me to be the individual described by said name who executed the foregoing as Deputy Clerk to Ernie Lee Magaha, Clerk of the Circuit Court and Comptroller, and acknowledged before me that she executed the same for the uses and purposes therein set forth.

Given under my hand and official seal this 3rd day of June, A.D., 2008.



ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

By: 
Deputy Clerk

**NOTICE OF LIEN
SANTA ROSA ISLAND MSBU**

STATE OF FLORIDA
COUNTY OF ESCAMBIA

ACCOUNT NO. 99-0000-611
PRRF NO. 282S26-1800-006-014

RE: HATTON AVIE EST OF
1212 POPPY AVE
PENSACOLA FL
32507

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PB 2 P 78
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ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FL

By: 
Deputy Clerk



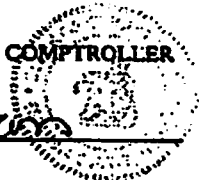
STATE OF FLORIDA
COUNTY OF ESCAMBIA

Before the undersigned deputy clerk, personally appeared Brenda Robinson, personally known to me and known to me to be the individual described by said name who executed the foregoing as Deputy Clerk to Ernie Lee Magaha, Clerk of the Circuit Court and Comptroller, and acknowledged before me that she executed the same for the uses and purposes therein set forth.

Given under my hand and official seal this 2nd day of June, A.D., 2009.

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

By: 
Deputy Clerk



**NOTICE OF LIEN
SANTA ROSA ISLAND MSBU**

STATE OF FLORIDA
COUNTY OF ESCAMBIA

ACCOUNT NO. 99-0000-611
PRRF NO. 282526-1800-006-014

RE: HATTON AVIE EST OF
1212 POPPY AVE
PENSACOLA FL 32507

THIS NOTICE OF LIEN is hereby filed pursuant to Section 46.212 of the Escambia County, Florida Code of Ordinances for delinquent annual assessments (fire protection and island assessments) for fiscal year 2009-2010 plus interest at 18 percent (18%) per year, calculated monthly, against a leasehold, more particularly described as:

**LT 6 BLK 14 VILLA PRIMERA PB 2 P 78
OR 1370 P 980 SHEET 9**

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ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FL

By: 
Deputy Clerk



STATE OF FLORIDA
COUNTY OF ESCAMBIA

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Given under my hand and official seal this 2nd day of June, A.D., 2010.

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

By: 
Deputy Clerk



**NOTICE OF LIEN
SANTA ROSA ISLAND MSBU**

STATE OF FLORIDA
COUNTY OF ESCAMBIA

ACCOUNT NO. 99-0000-611
PRRF NO. 282526-1800-006-014

RE: HATTON AVIE EST OF
1212 POPPY AVE
PENSACOLA FL 32507

THIS NOTICE OF LIEN is hereby filed pursuant to Section 46.212 of the Escambia County, Florida Code of Ordinances for delinquent annual assessments (fire protection and island assessments) for fiscal year 2010-2011 plus interest at 18 percent (18%) per year, calculated monthly, against a leasehold, more particularly described as:

**LT 6 BLK 14 VILLA PRIMERA
PB 2 P 78 OR 1370 P 980 SHEET 9**

vested in lessee pursuant to that certain document vesting title to the leasehold in the lessee filed in the public records of Escambia County. This claim of lien was included in the list of outstanding and uncollected annual assessments delivered to the Board of County Commissioners and shall remain and constitute a lien against the leasehold identified until satisfied by payment to the Clerk of the Circuit Court of the lien, as follows: Fire Protection \$212.12, and Island MSBU \$201.38 for the total amount of \$413.50 plus interest at the rate of 18 percent (18%) per year, calculated monthly (one and one-half percent per month) on the total amount (\$413.50) assessed per annum, accrued from the delinquent date of April 1, 2011, until said assessment and penalties are paid. Evidence of discharge and satisfaction of this lien shall be recorded in the public records of Escambia County, Florida, by the Clerk of the Circuit Court.

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ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FL

By: 
Deputy Clerk

STATE OF FLORIDA
COUNTY OF ESCAMBIA

Before the undersigned deputy clerk, personally appeared Brenda Robinson, personally known to me and known to me to be the individual described by said name who executed the foregoing as Deputy Clerk to Ernie Lee Magaha, Clerk of the Circuit Court and Comptroller, and acknowledged before me that she executed the same for the uses and purposes therein set forth.

Given under my hand and official seal this 15th day of June, A.D., 2011.



ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

By: 
Deputy Clerk

Attachment #3



**ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT
ESCAMBIA COUNTY, FLORIDA
SRI PAYOFF CALCULATIONS**

Account: 99-0000-611 Instrument: 2007054946

*M SBII
Taxes
w/ Penalties
Pd. 4-5-12*

Year Of Lien	1998
	1999
	2000
	2001
	2002
	2003
	2004
	2005
	2006
	2007
	2008
	2009

OFFICIAL RECORDS
P.O. Box 333
Pensacola, FL 32591-0333
Check payable to Ernie Lee Magaha,
Clerk Of The Circuit Court

Escambia County Governmental Complex
221 Palafox Place, Suite 110
Pensacola, FL 32501-5844
850-595-3930
FAX 850-595-4827

Official Records Book: Page:

Foreclosure

Original Principal Date Of Payoff

Year	Original Principal	Months Accrued from 04/01/2007	Interest Due	Preparing Fee For Lien	Recording Fee For Lien	Recording Fee For Cancellation	Preparing Fee For Cancellation	Preparation Fee for Payoff Quote	Total Due
2007	\$413.5	60	\$372.15	\$6.00	\$10.00	\$10.00	\$7.00	\$7.00	\$825.65



**ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT
ESCAMBIA COUNTY, FLORIDA
SRI PAYOFF CALCULATIONS**

Account: 99-0000-611 Instrument: 2008042324

Year Of Lien

1998
1999
2000
2001
2002
2003
2004
2005
2006
2007
2008
2009

OFFICIAL RECORDS
P.O. Box 333
Pensacola, FL 32591-0333
Check payable to Ernie Lee Magaha,
Clerk Of The Circuit Court

Escambia County Governmental Complex
221 Palafox Place, Suite 110
Pensacola, FL 32501-5844
850-595-3930
FAX 850-595-4827

Official Records Book: Page:

Foreclosure

Original Principal Date Of Payoff

Year	Original Principal	Months Accrued from 04/01/2008	Interest Due	Preparing Fee For Lien	Recording Fee For Lien	Recording Fee For Cancellation	Preparing Fee For Cancellation	Preparation Fee for Payoff Quote	Total Due
2008	\$413.5	48	\$297.72	\$6.00	\$10.00	\$10.00	\$7.00	\$7.00	\$751.22



**ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT
ESCAMBIA COUNTY, FLORIDA
SRI PAYOFF CALCULATIONS**

Account: 99-0000-611 Instrument: 2009036508

Year Of Lien

- 1998
- 1999
- 2000
- 2001
- 2002
- 2003
- 2004
- 2005
- 2006
- 2007
- 2008
- 2009

OFFICIAL RECORDS
P.O. Box 333
Pensacola, FL 32591-0333
Check payable to Ernie Lee Magaha,
Clerk Of The Circuit Court

Escambia County Governmental Complex
221 Palafox Place, Suite 110
Pensacola, FL 32501-5844
850-595-3930
FAX 850-595-4827

Official Records Book: Page:

Foreclosure

Original Principal Date Of Payoff

Year	Original Principal	Months Accrued from 04/01/2009	Interest Due	Preparing Fee For Lien	Recording Fee For Lien	Recording Fee For Cancellation	Preparing Fee For Cancellation	Preparation Fee for Payoff Quote	Total Due
2009	\$413.5	36	\$223.29	\$7.00	\$10.00	\$10.00	\$7.00	\$7.00	\$677.79



**ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT
ESCAMBIA COUNTY, FLORIDA
SRI PAYOFF CALCULATIONS**

Account: 990000611 Instrument: 2010035281

Year Of Lien

- 1999
- 2000
- 2001
- 2002
- 2003
- 2004
- 2005
- 2006
- 2007
- 2008
- 2009
- 2010

**OFFICIAL RECORDS
P.O. Box 333
Pensacola, FL 32591-0333
Check payable to Ernie Lee Magaha,
Clerk Of The Circuit Court**

**Escambia County Governmental Complex
221 Palafox Place, Suite 110
Pensacola, FL 32501-5844
850-595-3930
FAX 850-595-4827**

Official Records Book: Page:

Foreclosure

Original Principal Date Of Payoff

Year	Original Principal	Months Accrued from 04/01/2010	Interest Due	Preparing Fee For Lien	Recording Fee For Lien	Recording Fee For Cancellation	Preparing Fee For Cancellation	Preparation Fee for Payoff Quote	Total Due
2010	\$413.50	24	\$148.86	\$7.00	\$10.00	\$10.00	\$7.00	\$7.00	\$603.36



**ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT
ESCAMBIA COUNTY, FLORIDA
SRI PAYOFF CALCULATIONS**

Account: 99-0000-611 Instrument: 2011036869

Year Of Lien
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2009
2010
2011

OFFICIAL RECORDS
P.O. Box 333
Pensacola, FL 32591-0333
Check payable to Ernie Lee Magaha,
Clerk Of The Circuit Court

Escambia County Governmental Complex
221 Palafox Place, Suite 110
Pensacola, FL 32501-5844
850-595-3930
FAX 850-595-4827

Official Records Book: 6726 Page: 1321

Foreclosure

Original Principal \$413.50 Date Of Payoff 04/05/2012

Year	Original Principal	Months Accrued from 04/01/2011	Interest Due	Preparing Fee For Lien	Recording Fee For Lien	Recording Fee For Cancellation	Preparing Fee For Cancellation	Preparation Fee for Payoff Quote	Total Due
2011	\$413.50	12	\$74.43	\$7.00	\$10.00	\$10.00	\$7.00	\$7.00	\$528.93



BOARD OF COUNTY COMMISSIONERS

Escambia County, Florida

AI-2993

Public Hearings 9.

BCC Regular Meeting

Meeting Date: 08/09/2012

Issue: 5:31 p.m. – First of Two Public Hearings – Articles 2, 3 & 6 “Community Redevelopment Agency and Overlay Districts”

From: Keith Wilkins, REP, Department Director

Organization: Community & Environment

CAO Approval:

RECOMMENDATION:

5:31 p.m. **First** Public Hearing concerning an Ordinance amending LDC Articles 2, 3, and 6, Community Redevelopment Agency and Overlay Districts.

Recommendation: That the Board take the following action concerning an Ordinance to the Land Development Code (LDC):

- A. Hold the **first** of two Public Hearings to receive input on the proposed amendment to the LDC; and
- B. Approve the scheduling and advertising of the second of two Public Hearings for August 23, 2012, at 5:31 p.m., to consider an Ordinance to the Land Development Code (LDC) amending Article 2 “Administration,” to include language defining the purpose of the Community Redevelopment Agency, and to include general standards for the Community Redevelopment District; amending Article 3 “Definitions,” to add a definition for “overlay district;” and amending Article 6 “Zoning Districts,” to delete the RA-1(OL) Barrancas Redevelopment Overlay District, the C-3(OL) Warrington Commercial Overlay District, and the C-4(OL) Brownsville-Mobile Highway and "T" Street commercial overlay district; and create the Warrington, Barrancas, Brownsville, Englewood and Palafox Overlay Districts for sound economic development and efficient growth management of the Community Redevelopment Districts, and amend the Scenic Highway Overlay District by simply relocating it within the Ordinance for clarity purposes.

BACKGROUND:

After tremendous demand from CRA District residents and business owners, CRA staff has developed the proposed Ordinance to help guide future development and redevelopment of properties within the Community Redevelopment Districts by addressing inconsistencies evident between the current overlay districts.

The Planning Board reviewed and recommended approval of the Ordinance at its July 9, 2012 meeting. Subsequently, the CRA Board reviewed and recommended approval of the Ordinance at its July 26, 2012 meeting.

BUDGETARY IMPACT:

The building and performance standards detailed in the Ordinance will help revitalize the properties located within the Community Redevelopment Districts. The increased look and quality of the properties will help raise property values, which increases the ad valorem tax base for the County.

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached ordinance was reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any suggested legal comments are attached herein with the respective ordinance to which they pertain.

PERSONNEL:

No additional personnel are anticipated for the implementation of this Ordinance.

POLICY/REQUIREMENT FOR BOARD ACTION:

The proposed Ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities."

IMPLEMENTATION/COORDINATION:

Implementation of this Ordinance will consist of an amendment to the LDC and distribution of a copy of the adopted Ordinance to appropriate staff and interested citizens. The proposed Ordinance was prepared in cooperation with the Community & Environment Department, the County Attorney's Office and interested citizens. The Community & Environment Department/Community Redevelopment Agency will ensure proper advertisement.

Attachments

LDC Ordinance

Legal Approval

ORDINANCE NUMBER 2012 - _____

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AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES (1999), THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING ARTICLE 2, "ADMINISTRATION," CREATING SECTION 2.14.00, TO INCLUDE LANGUAGE DEFINING THE COMMUNITY REDEVELOPMENT AGENCY, AND TO INCLUDE GENERAL STANDARDS FOR THE COMMUNITY REDEVELOPMENT DISTRICTS; AMENDING ARTICLE 3, "DEFINITIONS," SECTION 3.02.00 CREATING THE DEFINITION OF AN OVERLAY DISTRICT; AMENDING ARTICLE 6, "ZONING DISTRICTS," SECTION 6.07.00, TO DELETE THE RA-1(OL) BARRANCAS REDEVELOPMENT OVERLAY DISTRICT, THE C-3(OL) WARRINGTON COMMERCIAL OVERLAY DISTRICT, AND THE C-4(OL) BROWNSVILLE-MOBILE HIGHWAY AND "T" STREET COMMERCIAL OVERLAY DISTRICT, AND CREATE THE WARRINGTON, BARRANCAS, BROWNSVILLE, ENGLEWOOD AND PALAFOX OVERLAY DISTRICTS; AND TO AMEND THE SCENIC HIGHWAY OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the intent of this Ordinance is to include language defining the purpose of the Community Redevelopment Agency, and to include general standards for the Community Redevelopment District;

WHEREAS, this Ordinance creates a definition for "overlay district;"

WHEREAS, this Ordinance deletes the RA-1(OL) Barrancas Redevelopment Overlay District, the C-3(OL) Warrington Commercial Overlay District, and the C-4(OL) Brownsville-Mobile Highway and "T" Street commercial overlay district; and,

WHEREAS, this Ordinance creates the Warrington, Barrancas, Brownsville, Englewood and Palafox Overlay Districts for sound economic development and efficient growth management of the Community Redevelopment Districts, and amends the Scenic Highway Overlay District by simply relocating within the Ordinance for clarity purposes.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

Section 1. Part III of the Escambia County Code of Ordinances (1999) the Land Development Code of Escambia County, Article 2, "Administration" Section 2.14.00 is hereby created as follows:

2.14.00. Community Redevelopment Agency.

1 This article implements the goals, objectives and policies set forth in the Comprehensive
2 Plan related to community redevelopment in Escambia County.

3
4 2.14.01. *Legislative intent for the Community Redevelopment Agency.* The Escambia
5 County Community Redevelopment Agency (CRA) refers to the public entity created
6 by the Board of County Commissioners through the 1995 Community Redevelopment
7 Strategy and functions within the County government. The strategy was developed in
8 response to the State of Florida’s Community Redevelopment Act enacted in 1969
9 (Chapter 163, Part III, Florida Statutes).

10
11 The Florida Legislature amended the Community Redevelopment Act on July 1, 1977,
12 to allow governments to use tax increment financing (TIF) funding as a tool for
13 redevelopment. The BCC has adopted individual TIF funds for each designated
14 Palafox, Englewood, Brownsville, Warrington, Barrancas community redevelopment
15 districts to utilize the revenues from the sale of tax increment bonds for specific
16 projects aimed at redeveloping areas defined as eligible under the community
17 redevelopment regulations.

18
19 2.14.02 *Implementation of CRA Plans and Overlay Districts.* The CRA and all other
20 County divisions shall implement the recommendations of the Palafox, Englewood,
21 Brownsville, Warrington, Barrancas and Cantonment Redevelopment Plans, in which
22 the plans drive the enhancement efforts for each individual community redevelopment
23 district. These plans provide guidance enhancing the district’s quality of life,
24 encouraging private sector reinvestment, promoting sound economic development
25 principles and providing recommendations for public sector enhancement
26 opportunities such as capital improvement projects. The CRA shall determine
27 compliance with the overlay regulations particularly as it pertains to the uses as well
28 as the site and building requirements, and determine whether exceptions to the
29 overlay district standards may be granted.

30
31 **Section 2.** Part III of the Escambia County Code of Ordinances (1999) the Land
32 Development Code of Escambia County, Article 3, “Definitions”, Section 3.02.00 is
33 hereby amended as follows:

34
35 **3.02.00. Terms defined.**

36
37 *Overlay district.* An overlay district is a professionally accepted planning tool for
38 establishing development restrictions on land within a defined geographic area or
39 characterized by specific physical features or site conditions. Overlay districts are
40 typically superimposed over one or more underlying conventional zoning districts in
41 order to address areas of community interest that warrant special consideration such as
42 historic preservation, area enhancement, or protection of a particular resource(s);
43 however, overlay districts may also be used as stand-alone regulations to manage
44 development in desired areas of the community.

45
46 **Section 3.** Part III of the Escambia County Code of Ordinances (1999) the Land
47 Development Code of Escambia County, Article 6, “Zoning Districts”, Section 6.07.00 is
48 hereby amended as follows:

1 **6.07.00. Overlay districts (general).**
2

3 *Intent and purpose of district.* This special overlay section is intended to provide an
4 enhanced level of protection for land areas which provide primary access (gateways) to
5 (1) major military installations, (2) redevelopment area commercial corridors, and (3) the
6 unique scenic vista and environmental resources of the county.
7

8 *6.07.01. C-3(OL) Warrington commercial overlay district.*

9 *A. Intent and purpose of district.* This special performance district is intended to
10 provide an enhanced level of protection for land uses in those commercial
11 corridors which (1) are located within the Warrington Redevelopment Area, and
12 (2) provide primary access (gateways) to the two major military installations.
13 This is an overlay district and the regulations herein expand upon the existing
14 C-1 and/or C-2 zoning district regulations otherwise imposed on individual
15 parcels within the commercial corridor.
16

17 *B. Applicability.* This overlay district applies to all C-1 or C-2 zoned properties
18 indicated on the zoning map as C-3OL. A generalized map of the C-4(OL)
19 District is depicted in Figure 1; however, it is not the official zoning map and
20 should be used only for preliminary determination of the application of the
21 overlay zone.

22 *C-3(OL) Warrington Commercial Overlay District*

23 *C. Relationship to underlying zoning.* All of the use listings and site design
24 requirements of the underlying C-1 and C-2 commercial districts shall continue
25 to apply. This C-3(OL) district adds one prohibited use and adds to the list of
26 uses that shall require conditional use review and approval by the board of
27 adjustment. The conditional use review shall require a finding of fact on both
28 those performance standards listed in section 2.05.03 of this Code and the
29 additional performance standards listed in F., G., and H. below.
30

31 *D. Prohibited uses.* Portable food vendors.
32

33 *E. Use requiring special conditional use review.*

- 34
35 1. Convenience stores.
36 2. Retail sale of alcohol for off-premises consumption.
37 3. Bars and nightclubs.
38 4. Tattoo parlors.
39 5. Pawn shops and check-cashing services.
40 6. Commercial amusement arcades, including billiard parlors and game
41 machine arcades.

- 7. Automotive uses (including car sales, automobile rental agencies, car washes, auto repair facilities, tire sales, etc.).
- 8. Truck, utility trailer, and RV rental service or facility.

F. Performance standards.

1. Building and sign design. The choice of building materials, colors and building signage shall be compatible with the intent of this district and shall not have an adverse visual impact on surrounding properties of the two nearby Navy installations.

2. Color and materials. Colors shall be compatible with the general pattern existing on the commercial corridors within the Warrington area.

G. Conditional use performance standards. The department of growth management urban design planner or community redevelopment agency redevelopment specialist shall provide a staff assessment for the board of adjustment (BOA) based upon the following criteria, and the BOA shall make findings of fact relative to the following conditional use standards in addition to those in F.1. above and article 2 of this Code:

1. Distance. At least 500 feet shall separate any two uses of the same kind or, for automotive uses, of a similar kind as listed in E. above. For example, a car wash shall be separated from any other car wash by a distance of at least 500 feet. This shall be measured from the closest point of the building facade of the use.

2. Freestanding on premises signs. There shall be only one such sign per parcel and it shall not exceed 100 square feet per sign face and 25 feet in height; in the case of multiuse parcels, the sign shall not exceed 200 square feet. The sign face shall have colors, materials and lighting that are compatible with the general pattern existing on the commercial corridors within the Warrington area.

3. Management plan. The applicant shall submit a management plan that addresses the following:

- a. Proposed hours of operations.
- b. Other similar properties managed by the applicant, now or in the past.
- c. Explanation of any franchise agreement.

1
2 H. ~~C-2 performance standards.~~ Any project within this overlay district which is
3 zoned C-2 General Commercial shall be subject to the following special design
4 standards.

5
6 1. ~~Landscaping.~~ For developments subject to section ~~7.01.00 a~~
7 minimum ten-foot wide landscaped strip shall be required on all roadway
8 frontages, and shall contain one tree and ten shrubs for every 35 linear
9 feet of frontage. Preservation of existing plant communities within the
10 required landscaped areas can be used to satisfy this requirement.
11 Buffers required adjacent to residential districts shall include a minimum
12 of two trees and 15 shrubs for every 35 linear feet of required buffer
13 area.

14
15 2. ~~Vehicular use areas.~~ Areas other than public rights-of-way, designed
16 to be used for parking, storage of vehicles for rent or sales, or
17 movement of vehicular traffic, shall be separated by a five-foot
18 landscaped strip from any boundary of the property on which the
19 vehicular use area is located. This landscaped strip shall consist of
20 shrubs or ground covers with a minimum mature height of 24 inches and
21 a maximum height of 30 inches. Plant material shall be spaced 18
22 inches to 24 inches apart, depending on their mature size.

23
24 3. ~~Parking lots.~~ Interior parking areas shall have one landscape island
25 containing at least one tree and shrubs or ground covers as per the
26 above specifications, for every eight continuous spaces.

27
28 4. ~~Irrigation system.~~

29
30 a. An irrigation system shall be installed for all landscaped areas
31 of the site.

32
33 b. All irrigation materials used shall be ASTM approved.

34
35 c. All irrigation systems shall include rain sensors.

36
37 5. ~~Existing development.~~ Notwithstanding section ~~7.00.01.B.~~, any C-2
38 change of use that applies for approval within this overlay district must
39 meet the above standards as well as those of section ~~7.01.05.~~

40
41 ~~6.07.02. Scenic highway overlay district.~~

42 ~~A. Intent, boundaries and purpose of the district.~~ This district is intended to
43 protect the unique scenic vista and environmental resources of the Scenic
44 Highway Corridor and adjacent Escambia Bay shoreline. This is an overlay

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1 district and the regulations herein expand upon existing R-1, R-2, R-3, R-6, C-1,
2 and/or ID-1 zoning district regulations otherwise imposed on individual parcels
3 within the corridor. The district overlays all parcels adjacent to the Pensacola
4 Scenic Bluffs Highway corridor on the west side of the highway and all of the
5 property between the Pensacola Scenic Bluffs Highway and the Escambia Bay
6 on the east side of the highway, for approximately five miles from the city limit
7 of Pensacola along Scenic Highway continuing along Highway 90 to the bridge
8 over the Escambia River at the Santa Rosa County line. A generalized map of
9 the Scenic Highway Overlay district is depicted in Figure 2; however, it is not
10 the official zoning map and should be used only for preliminary determination of
11 the application of the overlay zone. The purpose of the district is to alleviate
12 harmful effects of on-site generated erosion and runoff caused by clearing
13 natural vegetation and changing existing contours of the land, and to ensure the
14 preservation of the bluffs, wetland areas and scenic views along the bay and
15 assure continued public access to the views along the corridor. Views are an
16 amenity and human appreciation of views is reflected in both private property
17 values and the overall general welfare of the community.

18
19 *B. Permitted uses.* See underlay zoning districts.

20
21 *C. Lot coverage.* Maximum area land coverage by all structures, parking areas,
22 driveways and all other impervious surfaces shall not exceed 50 percent of the
23 gross site area.

24
25 *D. Setback.* All structures shall be located a minimum of 50 feet from the Scenic
26 Highway right-of-way unless precluded by lot configuration or topography.

27
28 *E. Building separation.* The minimum distance between structures shall be 15
29 feet and there shall be at least 100 feet between a multifamily structure
30 (including hotels and motels) and single-family dwellings.

31
32 *F. Pedestrian-bicycle.* The intent of the corridor management plan is to provide
33 a multiuse path on the east side of Scenic Highway the full length of the corridor
34 at the maximum distance possible from the roadway pavement, within the right-
35 of-way. During the site review process the staff will work with the applicant to
36 maximize the innovative integration of a path extension, into the project, outside
37 of the right-of-way on public property or on easements donated by private
38 property owners.

39
40 *G. Building heights.* Buildings between the Scenic Highway and Escambia Bay
41 shall have a maximum height of 35 feet as measured at the average finished
42 grade elevation of the lot above mean sea level (MSL). Nonresidential uses can
43 exceed the height limit only with conditional use approval by the board of
44 adjustment. In addition to the other conditional use criteria, the requested height
45 must be found not to interfere with the scenic attractiveness of the location as
46 viewed from any plausible direction. In addition, for structures over 35 feet in

1 height, for every two feet in height over 35 feet, there shall be an additional one
2 foot of front and side setback at the ground level.

3
4 *H. Tree protection.*

5
6 1. A canopy road tree protection zone is hereby established for all land
7 within 20 feet of the right of way of Scenic Highway and Highway 90 to
8 the Santa Rosa County line. No person or agency shall cut, remove,
9 trim or in any way damage any tree in any canopy tree protection zone
10 without a permit. Except in unique cases, such pruning shall not remove
11 more than 30 percent of the existing tree material. Utility companies are
12 not permitted to prune more than 30 percent of the existing tree canopy.

13
14 2. Heritage Oak trees shall be prescribed.

15
16 3. Clearing of natural vegetation within the corridor shall require a land
17 disturbing permit and is generally prohibited except for the minimum
18 area needed for construction of allowable structures or view
19 enhancement.

20
21 *I. Landscaping.*

22
23 1. For developments subject to section 7.01.00, a minimum ten-foot
24 wide landscaped strip shall be required along the Scenic Highway
25 frontage, and shall contain one tree for every 35 linear feet of frontage.
26 The trees shall be tall enough so that a six-foot view shed exists at
27 planting. Preservation of existing plant communities within the required
28 landscaped areas can be used to satisfy this requirement.

29
30 2. Orientation of commercial buildings shall be away from residential
31 development within or adjacent to the district. Layout of parking and
32 service areas, access, landscaping, yards, courts, walls, signs, lighting
33 and control of noise and other potentially adverse influences shall be
34 such as to promote protection of such residential development, and will
35 include adequate buffering.

36
37 *J. Fences.* See section 7.04.00. No fence may be solid. No chain link fence
38 shall be located between Scenic Highway and the principal building. Any other
39 type of fence in this area shall not exceed three feet. Where single story
40 structures are higher than the roadbed, there should be no wall, fence, structure
41 or plant material located between the front building line and the roadbed that
42 will obstruct the view from automobiles on the scenic route.

43
44 *K. Structure location.* Whether a conditional use or site planning review, all
45 structures will be reviewed to assure conformance with the following criteria:

1
2 1. The location shall afford maximum views of the bay from the street
3 right-of-way.

4
5 2. The location shall minimize impact on the natural bluff and plant
6 material (other than pruning to enhance views).

7
8 3. Provide underground utilities.
9

10 ~~6.07.03. C-4(OL) Brownsville-Mobile Highway and "T" Street commercial overlay~~
11 ~~district.~~

12 ~~A. Intent and purpose of district. This special performance district is intended to~~
13 ~~provide an enhanced level of protection to the prime commercial corridor of the~~
14 ~~Brownsville Redevelopment Area thereby furthering the objectives of the~~
15 ~~redevelopment plan. This is an overlay and the regulations herein expand upon~~
16 ~~existing R-6, C-1 and/or C-2 zoning district regulations otherwise imposed on~~
17 ~~individual parcels within the commercial corridor.~~

18
19 ~~B. Applicability. This overlay district applies to all R-6, C-1, C-2, or ID-1 zoned~~
20 ~~properties along the Mobile Highway corridor approximately between "W" Street~~
21 ~~and Seaton Lane and to all C-2 zoned properties along the "T" Street corridor~~
22 ~~bounded on the north by Fairfield Drive, on the east by "S" Street, on the south~~
23 ~~by Blount Street, and on the west by "V" Street indicated on the "Exhibit 1: C-~~
24 ~~4(OL) zoning map" and incorporated by reference herein. A generalized map of~~
25 ~~the C-4(OL) District is depicted in Figure 3; however, it is not the official zoning~~
26 ~~map and should be used only for preliminary determination of the application of~~
27 ~~the overlay zone.~~

28
29 ~~C. Relationship to underlying zoning. All of the use listings and site design~~
30 ~~requirements of the underlying R-6, C-1, C-2, and ID-1 commercial or industrial~~
31 ~~districts shall continue to apply. This C-4(OL) district adds one prohibited use~~
32 ~~and adds to the list of uses that shall require conditional use review and~~
33 ~~approval by the Board of Adjustment. The conditional use review shall require a~~
34 ~~finding of fact on both those performance standards listed in section 2.05.03 of~~
35 ~~the Code and the additional performance standards listed in F. and G. below.~~

36
37 ~~D. Prohibited uses. Off-premises [signs].~~

38
39 ~~E. Uses requiring special conditional use review.~~

40
41 1. ~~Convenience stores.~~

42
43 2. ~~Retail sale of alcohol for off-premises consumption.~~

1
2 ~~3. Bars and nightclubs.~~

3
4 ~~4. Pawn shops and check cashing services.~~

5
6 ~~5. Commercial amusement arcades, including billiard parlors and game~~
7 ~~machine arcades.~~

8
9 ~~6. Automotive uses (including used car sales, automobile rental~~
10 ~~agencies, car washes, auto repair facilities, tire sales, etc.).~~

11
12 ~~7. Truck, utility trailer, and RV rental service or facility.~~

13
14 ~~8. Portable food vendors.~~

15
16 ~~9. Any new building that is more than 15 percent taller than any~~
17 ~~building on an adjacent parcel.~~

18
19 ~~10. Tattoo parlors.~~

20
21 ~~11. Welding shops located in C-1 zoning districts prior to March 1, 2004.~~

22
23 ~~F. Performance standards.~~

24
25 ~~1. Building and sign design. The choice of building materials, colors and~~
26 ~~building signage shall be compatible with the intent of this district.~~
27 ~~Buildings shall incorporate "human scale" design. Such design is~~
28 ~~proportioned to reflect pedestrian scale and movement, and to~~
29 ~~encourage interest at the street level.~~

30
31 ~~a. Orientation. Wherever feasible, buildings shall be "street-~~
32 ~~oriented" to create a desirable pedestrian environment between~~
33 ~~the building and the street. Street orientation should include~~
34 ~~entrances, storefronts, and display windows facing Mobile~~
35 ~~Highway, Cervantes Street, or "T" Street. If the rear of the~~
36 ~~building any of these streets, the rear of the building must have a~~
37 ~~pseudo-storefront.~~

38
39 ~~b. Color and materials. Colors shall be compatible with the~~
40 ~~general pattern existing on the Mobile Highway and "T" Street~~
41 ~~commercial corridors.~~

1 ~~c. *Setback.* New construction shall be setback from Mobile~~
2 ~~Highway, Cervantes Street, or "T" Street a distance similar to~~
3 ~~adjacent buildings unless customer parking is provided adjacent~~
4 ~~to any of these streets in support of Crime Prevention Through~~
5 ~~Environmental Design (CPTED).~~

6
7 ~~G. *Conditional use performance standards.* The department of growth~~
8 ~~management urban design planner or community redevelopment agency~~
9 ~~redevelopment specialist shall provide a staff assessment for the board of~~
10 ~~adjustment (BOA) based upon the following criteria, and the BOA shall make~~
11 ~~findings of fact relative to the following conditional use standards in addition to~~
12 ~~those in F.1.a., b., and c. cited above and article 2 of this Code:~~

13
14 ~~1. *Distance.* At least 500 feet shall separate any two uses of the same~~
15 ~~kind or, for automotive uses, of a similar kind as listed in E. above. For~~
16 ~~example, a car wash shall be separated from any other car wash by a~~
17 ~~distance of least 500 feet. This shall be measured from the closest point~~
18 ~~on the building facade of the use.~~

19
20 ~~2. *Freestanding on premises signs.* There shall be only one such sign~~
21 ~~per parcel and it shall not exceed 100 square feet per sign face and 25~~
22 ~~feet in height; in the case of multiuse parcels, the sign shall not exceed~~
23 ~~200 square feet. The sign face shall have colors, materials and lighting~~
24 ~~that are compatible with the general pattern existing on the Mobile~~
25 ~~Highway and "T" Street commercial corridors.~~

26
27 ~~3. *Management plan.* The applicant shall submit a management plan the~~
28 ~~addresses the following:~~

29
30 ~~a. Proposed hours of operations.~~

31
32 ~~b. Other similar properties managed by the applicant, now or in~~
33 ~~the past.~~

34
35 ~~c. Explanation of any franchise agreement.~~

36
37 ~~6.07.04. RA-1(OL) Barrancas Redevelopment Area Overlay District.~~

38
39 ~~A. *Intent and purpose of the district.* This district is intended to provide an~~
40 ~~enhanced level of protection for land uses, which are located in the Barrancas~~
41 ~~Redevelopment Area, and to protect the unique environmental resources of~~
42 ~~Bayou Chico. This is an overlay district and the regulations herein expand upon~~
43 ~~the existing R-1, R-2, R-3, R-4, R-6, C-1, and WMU underlying districts~~
44 ~~otherwise imposed on individual parcels within the Redevelopment Area. The~~
45 ~~purpose of this district is to (1) alleviate the harmful effects of industrial~~

1 pollutants entering and degrading the quality of Bayou Chico and (2) enhance
2 the character of the area, which has been changed by the realignment of
3 Barrancas Avenue, through appropriate land use controls.

4
5 *B. Applicability.* This overlay district applies to all R-1, R-2, R-3, R-4, R-6, C-1,
6 and WMU-zoned properties indicated on "Exhibit 1, RA-1(OL) Barrancas
7 Redevelopment Area Overlay District" zoning map, which is incorporated by
8 reference herein and is reflected in the official zoning maps. A generalized map
9 of the RA-1(OL) District is depicted in Figure 4 attached to Ordinance No. 2006-
10 _____; however, it is not the official zoning map and should be used
11 only for preliminary determination of the application of the overlay zone.

12
13 *C. Relationship to underlying zoning.* All of the use listings and site design
14 requirements of the underlying R-1, R-2, R-3, R-4, R-6, C-1 and WMU districts
15 shall continue to apply unless modified by the following:

16
17 *D. Permitted uses.*

- 18
19 1. Antique shops allowed in R-6 and C-1 underlying zoning districts.
- 20
21 2. Bed and breakfast inns, as licensed under F.S. ch. 509, allowed in R-
22 4, R-6, C-1, and WMU underlying zoning districts.
- 23
24 3. Multifamily residential developments, allowed in R-4, R-6, C-1, and
25 WMU underlying zoning districts, consisting of three (3) or more
26 attached units are required to be condominium developments pursuant
27 to the Condominium Act, F.S. ch. 718. This does not apply to single-
28 family attached homes such as duplexes, townhomes, or rowhouses.

29
30 *E. Conditional uses.*

- 31
32 1. Private clubs and lodges.
- 33
34 2. Automobile repair shops, including indoor repair and restoration (not
35 including painting) for ignition, fuel, brake and suspension systems or
36 similar uses and sale of related products necessary for automobile
37 repair, gross floor area not to exceed 6,000 square feet. Outside repair
38 and/or storage and automotive painting is prohibited.

39
40 *F. Prohibited uses.*

- 41
42 1. Automobile service stations that include the sale of gasoline. Outside
43 repair and/or storage and automotive painting is prohibited.

2. ~~Boarding and lodging houses, or other similar uses.~~
3. ~~Commercial boat storage, except in the underlying WMU district.~~
4. ~~Commercial RV Storage.~~
5. ~~Campgrounds.~~
6. ~~Carnival type amusements and amusement arcades.~~
7. ~~Fortune tellers, palm readers, psychics, etc.~~
8. ~~Mini-warehouses.~~
9. ~~Mobile homes and manufactured homes.~~
10. ~~Off-premises signs, billboards and other sign structures erected, located and maintained as provided for in article 8 of this Code.~~
11. ~~Pawn shops.~~
12. ~~Used clothing deposit box.~~
13. ~~Wholesale and/or distribution warehousing except in WMU underlying zoning district.~~

~~G. Site and building requirements.~~

1. ~~*Building height.* Except for properties within the WMU zoning district, no building or structure shall exceed 45 feet in height as defined in section 3.00.01 of this Code. Height for buildings with pitched roofs shall be measured to the bottom of the eaves. If a lower height is specified in an underlying zoning district, the lower height shall prevail.~~

2. ~~*Building design.*~~

a. ~~The choice of building materials and colors shall be compatible with the intent of this district and shall not have an adverse visual impact on surrounding properties.~~

b. ~~For R-3 and R-4 zoning districts buildings shall be "street-oriented" to create a desirable pedestrian environment between the building and the street. Street orientation is defined as~~

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1 having a clear and visible orientation to the street. Street
2 orientation should include:

3
4 (1) ~~Garages. For residential uses, there shall be no front~~
5 ~~facing garages unless they are setback an additional ten~~
6 ~~feet from the primary front facade and do not exceed 25~~
7 ~~percent of the street facing building facade. If the lot~~
8 ~~width is forty feet or less, the 25 percent requirement~~
9 ~~shall not apply. All other garages must face the side or~~
10 ~~rear of the parcel.~~

11
12 (2) ~~Front entry. The front facade shall include the primary~~
13 ~~entry door, be street facing, and include a porch or stoop.~~

14
15 (a) ~~Front porches. Front porches shall be a~~
16 ~~minimum six feet deep and ten feet wide. The~~
17 ~~scale of the front porch should be in scale with the~~
18 ~~primary facade.~~

19
20 (b) ~~Stoops. Stoops provide connections to~~
21 ~~building entrances or porches where residential~~
22 ~~buildings are elevated above grade. Stoops shall~~
23 ~~be a minimum of five feet wide.~~

24
25 (3) ~~Off-street parking. All off-street parking shall be~~
26 ~~located in the rear of the building that faces the public~~
27 ~~street or within a garage. For single-family detached~~
28 ~~housing, off street parking can be located in a carport,~~
29 ~~driveway or garage.~~

30
31 c. ~~For R-6 and C-1 zoning districts buildings shall be "street-~~
32 ~~oriented" to create a desirable pedestrian environment between~~
33 ~~the building and the street. Street orientation is defined as~~
34 ~~having a clear and visible orientation to the street. Street~~
35 ~~orientation should include:~~

36
37 (1) ~~Front and side setback lines should be consistent with~~
38 ~~adjacent structures. Rear setbacks shall be as required~~
39 ~~by the underlying zoning district. Where setback lines are~~
40 ~~not clearly established, buildings shall be built to within~~
41 ~~ten (10) feet of property lines.~~

42
43 (2) ~~Buildings shall be oriented so that the principal facade~~
44 ~~is parallel or nearly parallel to the streets they face. On~~
45 ~~corner sites, buildings shall occupy the corner.~~

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~~(3) Walkways that lead to front doors, separate from the driveway are encouraged.~~

~~(4) Entrances shall be well lit, visible from the street and easily accessible.~~

~~(5) Off-street parking.~~

~~(a) For residential uses, all off-street parking shall be located in the rear of the building that faces the public street or within a garage. For single-family detached housing, off-street parking can be located in a carport, driveway or garage. There shall be no front-facing garages unless they are setback an additional ten feet from the primary front facade and do not exceed 25 percent of the street-facing building facade. If the lot width is forty feet or less, the 25-percent requirement shall not apply.~~

~~(b) For commercial uses, off-street parking areas shall be located on the side or rear of the building unless a shared central parking facility is developed through an easement or common ownership among contiguous properties. Curbcuts shall be limited to one 20-foot access point for a shared central parking facility. Liner buildings or landscaping shall be used to screen parking from the street.~~

~~(c) Walkways shall be included in off-street parking areas.~~

~~(6) Buildings shall incorporate "human scale" design. That is, designed in proportions to reflect human pedestrian scale and movement, and to encourage interest at the street level. "Human scale" is best achieved when the street-to-building height ratio is 1:2 and does not exceed 1:3. (e.g. if the street is 24 feet wide, building height should not exceed 72 feet)~~

~~(7) All service and loading areas shall be entirely screened from view.~~

1 ~~(8) Sidewalk sales and/or tent sales with temporary~~
2 ~~displays shall be permitted immediately adjacent to the~~
3 ~~business for no more than fourteen days in any one~~
4 ~~calendar year provided that all required permits are~~
5 ~~obtained and a traffic management and parking plan are~~
6 ~~presented to, and approved by, the traffic engineering~~
7 ~~department prior to events.~~

8
9 ~~(9) Outdoor dining. Outdoor dining and seating shall be~~
10 ~~permitted. Dining areas shall be properly designated and~~
11 ~~appropriately separated from public walkways and streets~~
12 ~~using attractive materials such as railings, opaque~~
13 ~~wrought iron fences, landscaping, or other suitable~~
14 ~~material. Designated outdoor dining areas adjacent to~~
15 ~~public right-of-way shall allow a minimum unobstructed~~
16 ~~sidewalk of six feet along the public right-of-way.~~

17
18 ~~3. Landscaping.~~

19
20 ~~a. See section 7.01.00 of this Code.~~

21
22 ~~b. It is the proposed intent of this ordinance to encourage water~~
23 ~~conservation through proper plant selection, installation and~~
24 ~~maintenance practices. All commercial and industrial projects~~
25 ~~shall submit a landscape plan as part of the development review~~
26 ~~criteria. The plan will include plant species proposed, location of~~
27 ~~all plant material, including areas proposed for sod, areas of~~
28 ~~natural vegetation to be protected, and an irrigation plan. Native~~
29 ~~plant species are required. Sabal palm is considered a native~~
30 ~~plant species.~~

31
32 ~~4. Buffers and screening of outdoor storage. See section 7.01.06 of this~~
33 ~~Code except the following revisions shall be applied to the RA-1(OL)~~
34 ~~Barrancas Redevelopment Area Overlay District.~~

35
36 ~~a. Section 7.01.06.D.2. *Type*. Only fencing (may or may not be~~
37 ~~opaque) or walls made of concrete or stucco may supplement~~
38 ~~buffers. Specifically, old garage doors and pieces of tin do not~~
39 ~~qualify for fencing or wall materials; and~~

40
41 ~~b. Section 7.01.06.E. *Screening of outdoor storage*. Opaque~~
42 ~~fencing shall mean chain link fence with slats, privacy wooden~~
43 ~~fence, or privacy PVC/vinyl fence. A six-foot concrete or stucco~~
44 ~~wall may also be used to screen outdoor storage.~~

1 ~~5. *Natural features.* Natural features shall be protected and integrated~~
2 ~~into site design/development where possible. The applicant shall~~
3 ~~demonstrate how the development protects and incorporates existing~~
4 ~~vegetation.~~

5
6 ~~6. *Crime prevention through environmental design.* Crime Prevention~~
7 ~~Through Environmental Design (CPTED) principles shall be used when~~
8 ~~designing any element within the RA-1(OL) District, including but not~~
9 ~~limited to site design, buildings, street design, signs, landscaping and~~
10 ~~parking. The following CPTED guidelines should be considered when~~
11 ~~designing any element within the RA-1(OL) District.~~

12
13 ~~a. *Territoriality.* All building entrances, parking areas, pathways~~
14 ~~and other elements should incorporate appropriate features that~~
15 ~~express ownership. The use of these features shall not conflict~~
16 ~~with the need for natural surveillance.~~

17
18 ~~b. *Natural surveillance.* The site layout, building and landscape~~
19 ~~design shall promote the principles of natural surveillance.~~
20 ~~Physical features and activities should be oriented and designed~~
21 ~~in ways that maximize the ability to see throughout the site.~~

22
23 ~~c. *Activity support.* The site layout and building design should~~
24 ~~encourage legitimate activity in public spaces.~~

25
26 ~~d. *Access control.* To discourage crime, entrances and exits~~
27 ~~should be located and designed in a manner that incorporates~~
28 ~~natural surveillance techniques and area control measures.~~

29
30 ~~7. *Signs.*~~

31
32 ~~a. See article 8 of this Code.~~

33
34 ~~b. The choice of building signage shall be compatible with the~~
35 ~~intent of this district and shall not have an adverse visual impact~~
36 ~~on surrounding properties.~~

37
38 ~~c. Free-standing on-premises signs shall be "human scaled".~~
39 ~~There shall be only one such sign per parcel and it shall not~~
40 ~~exceed 100 square feet per sign face and 12 feet in height; in~~
41 ~~the case of multi-use parcels, the sign shall not exceed 299~~
42 ~~square feet. The sign face shall have colors, materials and~~
43 ~~lighting that are compatible with the general pattern existing in~~
44 ~~the Barrancas Redevelopment Area Overlay District.~~
45 ~~Freestanding signs shall be limited to monument signs. Attached~~

1 ~~signs or shingles may be permitted for individual businesses in a~~
2 ~~multi-use building. Such signs shall not exceed 20 square feet~~
3 ~~per sign face.~~

4
5 ~~d. Billboards or pole signs are not permitted in this overlay~~
6 ~~district.~~

7
8 ~~8. Locational criteria. See section 7.20.02 of this Code.~~

9
10 6.07.01. Warrington Overlay District.

11
12 A. The intent and purpose. The Warrington Overlay District is intended to provide
13 an enhanced level of protection for land uses and provide primary access
14 (gateways) to the two major military installations located within the Warrington
15 Community Redevelopment District. This is a zoning overlay district and the
16 regulations herein expand upon the existing zoning district regulations otherwise
17 imposed on individual parcels within the Warrington Community Redevelopment
18 District.

19
20 B. Applicability. This zoning overlay district applies to all zoned properties located
21 in the Warrington Community Redevelopment District.

22
23 C. Relationship to underlying zoning. All of the use listings and site design
24 requirements of the underlying zoning districts shall continue to apply unless
25 modified by the following:

26
27 D. Permitted uses. Mixed-use developments, defined as where non-residential
28 and residential uses occupy the same building. The non-residential use(s) shall
29 contain the first or bottom floor and the residential use(s) contain the second or
30 upper floor(s).

31
32 E. Prohibited uses.

33
34 1. Portable food vendors.

35
36 2. Mobile homes and manufactured homes. (This does not prohibit the
37 construction of modular homes; see Article 3 of this code.)

38
39 3. Mobile home/manufactured home parks.

40
41 F. Uses requiring management plan submittal. The following uses shall require
42 submission of a management plan to the CRA prior to development approval.
43 The CRA must be notified of any amendments to a submitted management plan.

44
45 1. Convenience stores.

46
47 2. Tattoo Parlors.
48

1 3. Retail sale of alcohol for off-premises consumption.

2
3 4. Bars and nightclubs.

4
5 5. Pawn shops and check cashing services.

6
7 6. Commercial amusement arcades, including billiard parlors and game
8 machine arcades.

9
10 7. Automotive uses (including car sales, automobile rental agencies, car
11 washes, auto repair facilities, tire sales, etc.).

12
13 8. Truck, utility trailer, and RV rental service or facility.

14
15 G. Management plan. The applicant shall submit a management plan that
16 addresses the following:

17
18 1. Proposed hours of operations.

19
20 2. Other similar properties managed by the applicant, if applicable.

21
22 3. Explanation of any franchise agreement.

23
24 H. Rezoning. The following rezoning requests shall be prohibited:

25
26 1. Rezoning of C-1 properties to a more intense zoning district if located
27 on an arterial roadway.

28
29 2. Surrounding uses, whether conforming or non-conforming should not
30 be taken into consideration for the rezoning rationale.

31
32 I. Non-residential site and building requirements.

33
34 1. Building height. New buildings, additions and redeveloped buildings
35 shall complement the existing pattern of building heights. Buildings in the
36 overlay district may not exceed 45 feet in height.

37
38 2. Building design.

39
40 a. Setbacks. New construction must maintain the existing
41 alignment of facades along the street front. Exceptions may be
42 granted if the setback is pedestrian oriented and contributes to the
43 quality and character of the streetscape.

44
45 b. Facades. A building more than 80 feet in width shall be divided
46 into increments by incorporation of one of the following
47 techniques, but not limited to:

48
49 (1). Divisions or breaks in materials

1
2 (2). Bay windows or the like

3
4 (3). Building setbacks

5
6 c. Rear façade. A minimum of 15 feet of the building's rear façade
7 facing a public right of way, parking area, or open space shall
8 consist of transparent materials. Reflective glass is prohibited as a
9 transparent material.

10
11 d. Materials and detailing. New buildings and structures, additions
12 and renovations shall be constructed to be long lasting and use
13 materials and detailing that maintain the distinct character and
14 harmony of the Warrington Community Redevelopment District.
15 Aluminum, vinyl or metal material siding is prohibited on the
16 primary facades of buildings adjacent to public right of ways.

17
18 e. Awnings. Awnings are encouraged to enhance the character of
19 Warrington while providing sun protection for display windows,
20 shelter for pedestrians, and a sign panel for businesses.

21
22 3. Accessory Structures. All accessory structures shall be located in the
23 rear or side area and be a minimum of 5 feet inside the property
24 boundary. All accessory structures shall meet the County landscaping,
25 buffering, and screening requirements and shall use the same materials,
26 color, and/or style of the primary façade if visible to the public from any
27 road, driveway, right-of-way, or similar.

28
29 4. Natural features. Natural features shall be protected and integrated into
30 site design/development where possible. The applicant shall demonstrate
31 how the development protects and incorporates existing vegetation.

32
33 5. Crime prevention through environmental design. Crime Prevention
34 Through Environmental Design (CPTED) principles shall be used when
35 designing any element within the district, including but not limited to site
36 design, buildings, street design, signs, landscaping and parking. The
37 following CPTED guidelines shall be considered when designing any
38 element within the district.

39
40 a. Territoriality. All building entrances, parking areas, pathways
41 and other elements should incorporate appropriate features that
42 express ownership. The use of these features shall not conflict
43 with the need for natural surveillance.

44
45 b. Natural surveillance. The site layout, building and landscape
46 design shall promote the principles of natural surveillance.
47 Physical features and activities should be oriented and designed
48 in ways that maximize the ability to see throughout the site.

1 c. Activity support. The site layout and building design should
2 encourage legitimate activity in public spaces.

3
4 d. Access control. To discourage crime, entrances and exits
5 should be located and designed in a manner that incorporates
6 natural surveillance techniques and area control measures.

7
8 6. Signs.

9
10 a. See Article 8.

11
12 b. The choice of building signage shall be compatible with the
13 intent of this district and shall not have an adverse visual impact
14 on surrounding properties.

15
16 c. Free-standing on-premises signs shall be "human scaled".
17 There shall be only one such sign per parcel and it shall not
18 exceed 100 square feet per sign face and 12 feet in height; in the
19 case of multi-use parcels, the sign shall not exceed 299 square
20 feet. The sign face shall have colors, materials and lighting that
21 are compatible with the general pattern existing in the Warrington
22 Redevelopment Area Overlay District. Freestanding signs shall be
23 limited to monument signs. Attached signs or shingles may be
24 permitted for individual businesses in a multi-use building. Such
25 signs shall not exceed 20 square feet per sign face.

26
27 d. Signs cannot block or obstruct design details, windows, or
28 cornices of the building upon which they are placed.

29
30 7. Lighting. Lighting in the overlay district should serve to illuminate
31 facades entrances and signage to provide an adequate level of personal
32 safety while enhancing the aesthetic appeal of the buildings. Building and
33 signage lighting must be indirect, with the light source(s) hidden from
34 direct pedestrian and motorist view.

35
36 8. Parking. Parking in the overlay district must adequately serve the
37 users without detracting from the compact design that makes it a
38 successful commercial center.

39
40 9. Off-street parking. Off-street parking must be located in the rear. If the
41 lot orientation cannot accommodate adequate rear parking, parking on
42 the side would then be permitted.

43
44 10. Landscaping.

45
46 a. See Section 7.01.00.

47
48 b. It is the proposed intent of this ordinance to encourage water
49 conservation through proper plant selection, installation and

1 maintenance practices. All commercial and industrial projects shall
2 submit a landscape plan as part of the development review
3 criteria. The plan will include plant species proposed, location of
4 all plant material, including areas proposed for sod, areas of
5 natural vegetation to be protected, and an irrigation plan. Native
6 plant species are required.

7
8 11. *Buffers and screening of outdoor storage.* The screening of outside
9 storage must use the same materials, color, and/or style as the primary
10 building in order to be architecturally compatible with the primary building
11 and the building it is adjacent to. All outside storage must be screened
12 from public view. If the outside storage area is separate from the building
13 it serves the following shall apply:

14
15 a. Section 7.01.06.D.2. *Type.* Only fencing (may or may not be
16 opaque) or walls made of concrete or stucco may supplement
17 buffers. Specifically, old garage doors and pieces of tin do not
18 qualify for fencing or wall materials; and

19
20 b. Section 7.01.06.E. *Screening of outdoor storage.* Opaque
21 fencing shall mean chain link fence with slats, privacy wooden
22 fence, or privacy PVC/vinyl fence. A six-foot concrete or stucco
23 wall may also be used to screen outdoor storage.

24
25 12. *Exceptions.* Financial hardship alone is not a basis to grant an
26 exception; however, it is recognized that there may be circumstances that
27 require a departure from the requirements in this overlay district in order
28 to be feasible. Possible grounds to be considered for granting exceptions
29 to the ordinance include, but not limited to:

30
31 a. Safety

32
33 b. Unique site or building characteristics

34
35 c. Standards would have a negative effect on the use of the
36 property

37
38 d. Public benefit

39
40 J. *C-2 performance standards.* Any project within this overlay district that is
41 zoned C-2 General Commercial shall be subject to the following design
42 standards.

43
44 1. *Landscaping.* For developments subject to section 7.01.00 a minimum
45 ten-foot wide landscaped strip shall be required on all roadway frontages,
46 and shall contain one tree and ten shrubs for every 35 linear feet of
47 frontage. Preservation of existing plant communities within the required
48 landscaped areas can be used to satisfy this requirement. Buffers

1 required adjacent to residential districts shall include a minimum of two
2 trees and 15 shrubs for every 35 linear feet of required buffer area.

3
4 2. Vehicular use areas. Areas other than public rights-of-way, designed to
5 be used for parking, storage of vehicles for rent or sales, or movement of
6 vehicular traffic, shall be separated by a five-foot landscaped strip from
7 any boundary of the property on which the vehicular use area is located.
8 This landscaped strip shall consist of shrubs or ground covers with a
9 minimum mature height of 24 inches and a maximum height of 30 inches.
10 Plant material shall be spaced 18 inches to 24 inches apart, depending
11 on their mature size.

12
13 3. Parking lots. Interior parking areas shall have one landscape island
14 containing at least one tree and shrubs or ground covers as per the
15 above specifications, for every eight contiguous spaces.

16
17 4. Irrigation system.

18
19 a. An irrigation system shall be installed for all landscaped areas
20 of the site.

21
22 b. All irrigation materials used shall be ASTM approved.

23
24 c. All irrigation systems shall include rain sensors.

25
26 5. Existing development. Notwithstanding Section 7.00.01.B, any C-2
27 change of use that applies for approval within this zoning overlay district
28 must meet the above standards as well as those of Section 7.01.05.

29
30 **GRAPHIC LINK: Warrington Overlay District**

31
32 **6.07.02. Barrancas Overlay District**

33
34 A. Intent and purpose of the district. The Barrancas Overlay District is intended to
35 provide an enhanced level of protection for land uses that are located in the
36 Barrancas Community Redevelopment District, and to protect the unique
37 environmental resources of Bayou Chico. This is a zoning overlay district and the
38 regulations herein expand upon the existing zoning district's regulations
39 otherwise imposed on individual parcels within the Barrancas Community
40 Redevelopment District. The purpose of this district is to alleviate the harmful
41 effects of industrial pollutants entering and degrading the quality of Bayou Chico
42 and enhance the character of the area, which has been changed by the
43 realignment of Barrancas Avenue, through appropriate land use controls.

44
45 B. Applicability. This zoning overlay district applies to all existing zoning districts
46 located in the Barrancas Community Redevelopment District.
47

1 C. Relationship to underlying zoning. All of the use listings and site design
2 requirements of the underlying zoning districts shall continue to apply unless
3 modified by the following:

4
5 D. Permitted uses.

- 6
7 1. Antique shops allowed in R-6 and C-1 underlying zoning districts.
8
9 2. Bed and breakfast inns, as licensed under F.S. Ch. 509, allowed in R-
10 4, R-6, C-1, and WMU underlying zoning districts.
11
12 3. Multifamily residential developments, allowed in R-4, R-6, C-1, and
13 WMU underlying zoning districts, consisting of three (3) or more attached
14 units are required to be condominium developments pursuant to the
15 Condominium Act, F.S. Ch. 718. This does not apply to single-family
16 attached homes such as duplexes, townhomes, or row houses.
17
18 4. Mixed-use developments, defined as where non-residential and
19 residential uses occupy the same building. The non-residential use(s)
20 shall contain the first or bottom floor and the residential use(s) contain the
21 second or upper floor(s).

22
23 E. Uses requiring management plan submittal. The following uses shall require
24 submission of a management plan to the CRA prior to development approval.
25 The CRA must be notified of any amendments to a submitted management plan.

- 26
27 1. Private clubs and lodges.
28
29 2. Automobile repair shops, including indoor repair and restoration (not
30 including painting) for ignition, fuel, brake and suspension systems or
31 similar uses and sale of related products necessary for automobile repair,
32 gross floor area not to exceed 6,000 square feet. Outside repair and/or
33 storage and automotive painting is prohibited.

34
35 F. Management plan. The applicant shall submit a management plan that
36 addresses the following:

- 37
38 1. Proposed hours of operations.
39
40 2. Other similar properties managed by the applicant, if applicable.
41
42 3. Explanation of any franchise agreement.

43
44 G. Prohibited uses.

- 45
46 1. Automobile service stations that include the sale of gasoline. Outside
47 repair and/or storage and automotive painting is prohibited.
48
49 2. Boarding and lodging houses, or other similar uses.

- 1
- 2 3. Commercial boat storage, except in the underlying WMU district.
- 3
- 4 4. Commercial RV Storage.
- 5
- 6 5. Campgrounds.
- 7
- 8 6. Carnival-type amusements and amusement arcades.
- 9
- 10 7. Fortune tellers, palm readers, psychics, etc.
- 11
- 12 8. Mini-warehouses.
- 13
- 14 9. Mobile homes and manufactured homes. (This does not prohibit the
15 construction of modular homes; see Article 3 of this code.)
- 16
- 17 10. Mobile home/manufactured home parks.
- 18
- 19 11. Off-premises signs, billboards and other sign structures erected,
20 located and maintained as provided for in Article 8 of this Code.
- 21
- 22 12. Pawn shops.
- 23
- 24 13. Used clothing deposit box.
- 25
- 26 14. Wholesale and/or distribution warehousing except in WMU underlying
27 zoning district.

28
29 H. Rezoning. Surrounding uses, whether conforming or non-conforming should
30 not be taken into consideration for the rezoning rationale.

31
32 I. Site and building requirements.

33
34 1. Building height. Except for properties within the WMU zoning district,
35 no building or structure shall exceed 45 feet in height as defined in
36 Section 3.02.00. Height for buildings with pitched roofs shall be measured
37 to the bottom of the eaves. If a lower height is specified in an underlying
38 zoning district, the lower height shall prevail.

39
40 2. Building design.

41
42 a. The choice of building materials and colors shall be compatible
43 with the intent of this district and shall not have an adverse visual
44 impact on surrounding properties.

45
46 b. For R-3 and R-4 zoning districts buildings shall be "street-
47 oriented" to create a desirable pedestrian environment between
48 the building and the street. Street orientation is defined as having

1 a clear and visible orientation to the street. Street orientation
2 should include:
3

4 (1) Garages. For residential uses, there shall be no front
5 facing garages unless they are setback an additional eight
6 feet from the primary front facade and do not exceed 25
7 percent of the street facing building facade. If the lot width
8 is forty feet or less, the 25 percent requirement shall not
9 apply. All other garages must face the side or rear of the
10 parcel.

11
12 (2) Front entry. The front facade shall include the primary
13 entry door, be street facing, and include a porch or stoop.

14
15 (a) Front porches. Front porches shall be a
16 minimum six feet deep and ten feet wide. The scale
17 of the front porch should be in scale with the
18 primary facade.

19
20 (b) Stoops. Stoops provide connections to building
21 entrances or porches where residential buildings
22 are elevated above grade. Stoops shall be a
23 minimum of five feet wide.

24
25 (3) Off-street parking. All off-street parking shall be located
26 in the rear of the building that faces the public street or
27 within a garage. For single-family detached residential
28 dwelling, off street parking can be located in a carport,
29 driveway or garage.

30
31 c. For R-6 and C-1 zoning districts buildings shall be "street-
32 oriented" to create a desirable pedestrian environment between
33 the building and the street. Street orientation is defined as having
34 a clear and visible orientation to the street. Street orientation
35 should include:
36

37 (1) Front and side setback lines should be consistent with
38 adjacent structures. Rear setbacks shall be as required by
39 the underlying zoning district. Where setback lines are not
40 clearly established, buildings shall be built to within ten
41 (10) feet of property lines.

42
43 (2) Buildings shall be oriented so that the principal facade
44 is parallel or nearly parallel to the streets they face. On
45 corner sites, buildings shall occupy the corner.

46
47 (3) Walkways that lead to front doors, separate from the
48 driveway, are encouraged.
49

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1 (4) Entrances shall be well lit, visible from the street and
2 easily accessible.

3
4 (5) Off-street parking.

5
6 (a) For residential uses, all off-street parking shall
7 be located in the rear of the building that faces the
8 public street or within a garage. For single-family
9 detached housing, off street parking can be located
10 in a carport, driveway or garage. There shall be no
11 front facing garages unless they are setback an
12 additional ten feet from the primary front facade
13 and do not exceed 25 percent of the street facing
14 building facade. If the lot width is forty feet or less,
15 the 25 percent requirement shall not apply.

16
17 (b) For commercial uses, off-street parking areas
18 shall be located on the side or rear of the building
19 unless a shared central parking facility is developed
20 through an easement or common ownership among
21 contiguous properties. Curb cuts shall be limited to
22 one 20-foot access point for a shared central
23 parking facility. Liner buildings or landscaping shall
24 be used to screen parking from the street.

25
26 (c) Walkways shall be included in off-street parking
27 areas.

28
29 (6) Buildings shall incorporate "human scale" design. That
30 is, designed in proportions to reflect human pedestrian
31 scale and movement, and to encourage interest at the
32 street level. "Human scale" is best achieved when the
33 street-to-building height ratio is 1:2 and does not exceed
34 1:3. (e.g. if the street is 24 feet wide, building height should
35 not exceed 72 feet)

36
37 (7) All service and loading areas shall be entirely screened
38 from view.

39
40 (8) Sidewalk sales and/or tent sales with temporary
41 displays shall be permitted immediately adjacent to the
42 business for no more than fourteen days in any one
43 calendar year provided that all required permits are
44 obtained and a traffic management and parking plan are
45 presented to, and approved by, the traffic engineering
46 department prior to events.

47
48 (9) Outdoor dining. Outdoor dining and seating shall be
49 permitted. Dining areas shall be properly designated and

1 appropriately separated from public walkways and streets
2 using attractive materials such as railings, opaque wrought
3 iron fences, landscaping, or other suitable material.
4 Designated outdoor dining areas adjacent to public right-
5 of-way shall allow a minimum unobstructed sidewalk of six
6 feet along the public right-of-way.

7
8 3. Accessory Structures. All accessory structures shall be located in the
9 rear or side area and be a minimum of 5 feet inside the property
10 boundary. All accessory structures shall meet the County landscaping,
11 buffering, and screening requirements and shall use the same materials,
12 color, and/or style of the primary façade if visible to the public from any
13 road, driveway, right-of-way, or similar.

14
15 4. Landscaping.

16
17 a. See Section 7.01.00.

18
19 b. It is the proposed intent of this ordinance to encourage water
20 conservation through proper plant selection, installation and
21 maintenance practices. All commercial and industrial projects shall
22 submit a landscape plan as part of the development review
23 criteria. The plan will include plant species proposed, location of
24 all plant material, including areas proposed for sod, areas of
25 natural vegetation to be protected, and an irrigation plan. Native
26 plant species are required. Sabal palm is considered a native
27 plant species.

28
29 5. Buffers and screening of outdoor storage. See section 7.01.06 of this
30 Code except the following revisions shall be applied to the Barrancas
31 Redevelopment Area Overlay District.

32
33 a. Section 7.01.06.D.2. Type. Only fencing (may or may not be
34 opaque) or walls made of concrete or stucco may supplement
35 buffers. Specifically, old garage doors and pieces of tin do not
36 qualify for fencing or wall materials; and

37
38 b. Section 7.01.06.E. Screening of outdoor storage. Opaque
39 fencing shall mean chain link fence with slats, privacy wooden
40 fence, or privacy PVC/vinyl fence. A six-foot concrete or stucco
41 wall may also be used to screen outdoor storage.

42
43 6. Natural features. Natural features shall be protected and integrated into
44 site design/development where possible. The applicant shall demonstrate
45 how the development protects and incorporates existing vegetation.

46
47 7. Crime prevention through environmental design. Crime Prevention
48 Through Environmental Design (CPTED) principles shall be used when
49 designing any element within the district, including but not limited to site

1 design, buildings, street design, signs, landscaping and parking. The
2 following CPTED guidelines shall be considered when designing any
3 element within the district.

4
5 a. *Territoriality.* All building entrances, parking areas, pathways
6 and other elements should incorporate appropriate features that
7 express ownership. The use of these features shall not conflict
8 with the need for natural surveillance.

9
10 b. *Natural surveillance.* The site layout, building and landscape
11 design shall promote the principles of natural surveillance.
12 Physical features and activities should be oriented and designed
13 in ways that maximize the ability to see throughout the site.

14
15 c. *Activity support.* The site layout and building design should
16 encourage legitimate activity in public spaces.

17
18 d. *Access control.* To discourage crime, entrances and exits
19 should be located and designed in a manner that incorporates
20 natural surveillance techniques and area control measures.

21 8. *Signs.*

22
23
24 a. See Article 8.

25
26 b. The choice of building signage shall be compatible with the
27 intent of this district and shall not have an adverse visual impact
28 on surrounding properties.

29
30 c. Free-standing on-premises signs shall be "human scaled".
31 There shall be only one such sign per parcel and it shall not
32 exceed 100 square feet per sign face and 12 feet in height; in the
33 case of multi-use parcels, the sign shall not exceed 299 square
34 feet. The sign face shall have colors, materials and lighting that
35 are compatible with the general pattern existing in the Barrancas
36 Redevelopment Area Overlay District. Freestanding signs shall be
37 limited to monument signs. Attached signs or shingles may be
38 permitted for individual businesses in a multi-use building. Such
39 signs shall not exceed 20 square feet per sign face.

40
41 d. Billboards or pole signs are not permitted in this overlay district.

42 9. *Locational criteria.* See Section 7.20.02.

43
44
45 10. *Exceptions.* Financial hardship alone is not a basis to grant an
46 exception; however, it is recognized that there may be circumstances that
47 require a departure from the requirements in this overlay district in order
48 to be feasible. Possible grounds to be considered for granting exceptions
49 to the ordinance include, but not limited to:

1
2 a. Safety

3
4 b. Unique site or building characteristics

5
6 c. Standards would have a negative effect on the use of the
7 property

8
9 d. Public benefit

10
11 **GRAPHIC LINK: Barrancas Overlay District**

12
13 6.07.03. Brownsville Overlay District

14
15 A. Intent and purpose of district. The Brownsville Overlay District is intended to
16 provide an enhanced level of protection to the unique and historic character of
17 the Brownsville Community Redevelopment District thereby furthering the
18 objectives of the Brownsville Community Redevelopment Plan. This is a zoning
19 overlay and the regulations herein expand upon the existing zoning district
20 regulations otherwise imposed on individual parcels within the district.

21
22 B. Applicability. This zoning overlay district applies to all zoned properties within
23 the Brownsville Community Redevelopment District.

24
25 C. Relationship to underlying zoning. All of the use listings and site design
26 requirements of the underlying zoning districts shall continue to apply.

27
28 D. Permitted uses. Mixed-use developments, defined as where non-residential
29 and residential uses occupy the same building. The non-residential use(s) shall
30 contain the first or bottom floor and the residential use(s) contain the second or
31 upper floor(s).

32
33 E. Prohibited uses.

34
35 1. Off-premises signs.

36
37 2. Mobile homes and manufactured homes. (This does not prohibit the
38 construction of modular homes; see Article 3 of this code.)

39
40 3. Mobile home/manufactured home parks.

41
42 F. Uses requiring management plan submittal. The following uses shall require
43 submission of a management plan to the CRA prior to development approval.
44 The CRA must be notified of any amendments to a submitted management plan.

45
46 1. Retail sale of alcohol for off-premises consumption.

47
48 2. Bars and nightclubs.

1
2 3. Pawn shops and check cashing services.

3
4 4. Commercial amusement arcades, including billiard parlors and game
5 machine arcades.

6
7 5. Automotive uses (including car sales, automobile rental agencies, car
8 washes, auto repair facilities, tire sales, etc.).

9
10 6. Truck, utility trailer, and RV rental service or facility.

11
12 7. Portable food vendors.

13
14 8. Tattoo parlors.

15
16 9. Welding shops located in C-1 zoning districts.

17
18 G. Management plan. The applicant shall submit a management plan that
19 addresses the following:

20
21 1. Proposed hours of operations.

22
23 2. Other similar properties managed by the applicant, if applicable.

24
25 3. Explanation of any franchise agreement.

26
27 H. Rezoning. Surrounding uses, whether conforming or non-conforming should
28 not be taken into consideration for the rezoning rationale.

29
30 I. Non-residential site and building requirements.

31
32 1. Building height. New buildings, additions and redeveloped buildings
33 shall complement the existing pattern of building heights. Buildings in the
34 overlay district may not exceed 45 feet in height.

35
36 2. Building design.

37
38 a. Setbacks. New construction shall be setback from Mobile
39 Highway and Cervantes Street a distance similar to adjacent
40 buildings unless customer parking is provided adjacent to any of
41 these streets in support of Crime Prevention through
42 Environmental Design (CPTED). Exceptions may be granted if the
43 setback is pedestrian oriented and contributes to the quality and
44 character of the streetscape.

45
46 b. Facades. A building more than 80 feet in width shall be divided
47 into increments by incorporation of one of the following
48 techniques, but not limited to:

1 (1). Divisions or breaks in materials

2
3 (2). Bay windows or the like

4
5 (3). Building setbacks

6
7 c. *Rear façade.* A minimum of 15 feet of the building's rear façade
8 facing a public right of way, parking area, or open space shall
9 consist of transparent materials. Reflective glass is prohibited as a
10 transparent material.

11
12 d. *Materials and detailing.* New buildings and structures, additions
13 and renovations shall be constructed to be long lasting and use
14 materials and detailing that maintain the distinct character and
15 harmony of the Brownsville Community Redevelopment District.
16 Aluminum, vinyl or metal material siding is prohibited on the
17 primary facades of buildings adjacent to public right of ways.

18
19 3. *Accessory Structures.* All accessory structures shall be located in the
20 rear or side area and be a minimum of 5 feet inside the property
21 boundary. All accessory structures shall meet the County landscaping,
22 buffering, and screening requirements and shall use the same materials,
23 color, and/or style of the primary façade if visible to the public from any
24 road, driveway, right-of-way, or similar.

25
26 4. *Natural features.* Natural features shall be protected and integrated into
27 site design/development where possible. The applicant shall demonstrate
28 how the development protects and incorporates existing vegetation.

29
30 5. *Crime prevention through environmental design.* Crime Prevention
31 Through Environmental Design (CPTED) principles shall be used when
32 designing any element within the district, including but not limited to site
33 design, buildings, street design, signs, landscaping and parking. The
34 following CPTED guidelines shall be considered when designing any
35 element within the district.

36
37 a. *Territoriality.* All building entrances, parking areas, pathways
38 and other elements should incorporate appropriate features that
39 express ownership. The use of these features shall not conflict
40 with the need for natural surveillance.

41
42 b. *Natural surveillance.* The site layout, building and landscape
43 design shall promote the principles of natural surveillance.
44 Physical features and activities should be oriented and designed
45 in ways that maximize the ability to see throughout the site.

46
47 c. *Activity support.* The site layout and building design should
48 encourage legitimate activity in public spaces.

1 d. Access control. To discourage crime, entrances and exits
2 should be located and designed in a manner that incorporates
3 natural surveillance techniques and area control measures.

4
5 6. Signs.

6
7 a. See Article 8.

8
9 b. The choice of building signage shall be compatible with the
10 intent of this district and shall not have an adverse visual impact
11 on surrounding properties.

12
13 c. Free-standing on-premises signs shall be "human scaled".
14 There shall be only one such sign per parcel and it shall not
15 exceed 100 square feet per sign face and 12 feet in height; in the
16 case of multi-use parcels, the sign shall not exceed 299 square
17 feet. The sign face shall have colors, materials and lighting that
18 are compatible with the general pattern existing in the Brownsville
19 Redevelopment Area Overlay District. Freestanding signs shall be
20 limited to monument signs. Attached signs or shingles may be
21 permitted for individual businesses in a multi-use building. Such
22 signs shall not exceed 20 square feet per sign face.

23
24 d. Signs cannot block or obstruct design details, windows, or
25 cornices of the building upon which they are placed.

26
27 7. Lighting. Lighting in the overlay district should serve to illuminate
28 facades entrances and signage to provide an adequate level of personal
29 safety while enhancing the aesthetic appeal of the buildings. Building and
30 signage lighting must be indirect, with the light source(s) hidden from
31 direct pedestrian and motorist view.

32
33 8. Parking. Parking in the overlay district must adequately serve the
34 users without detracting from the compact design that makes it a
35 successful commercial center

36
37 9. Off-street parking. Off-street parking must be located in the rear. If the
38 lot orientation cannot accommodate adequate rear parking, parking on
39 the side would then be permitted.

40
41 10. Landscaping.

42
43 a. See Section 7.01.00.

44
45 b. It is the proposed intent of this ordinance to encourage water
46 conservation through proper plant selection, installation and
47 maintenance practices. All commercial and industrial projects shall
48 submit a landscape plan as part of the development review
49 criteria. The plan will include plant species proposed, location of

1 all plant material, including areas proposed for sod, areas of
2 natural vegetation to be protected, and an irrigation plan. Native
3 plant species are required.
4

5 11. *Buffers and screening of outdoor storage.* The screening of outside
6 storage must use the same materials, color, and/or style as the primary
7 building in order to be architecturally compatible with the primary building
8 and the building it is adjacent to. All outside storage must be screened
9 from public view. If the outside storage area is separate from the building
10 it serves the following shall apply:
11

12 a. Section 7.01.06.D.2. *Type.* Only fencing (may or may not be
13 opaque) or walls made of concrete or stucco may supplement
14 buffers. Specifically, old garage doors and pieces of tin do not
15 qualify for fencing or wall materials; and
16

17 b. Section 7.01.06.E. *Screening of outdoor storage.* Opaque
18 fencing shall mean chain link fence with slats, privacy wooden
19 fence, or privacy PVC/vinyl fence. A six-foot concrete or stucco
20 wall may also be used to screen outdoor storage.
21

22 12. *Exceptions.* Financial hardship alone is not a basis to grant an
23 exception; however, it is recognized that there may be circumstances that
24 require a departure from the requirements in this overlay district in order
25 to be feasible. Possible grounds to be considered for granting exceptions
26 to the ordinance include, but not limited to:
27

28 a. *Safety*
29

30 b. *Unique site or building characteristics*
31

32 c. *Standards would have a negative effect on the use of the*
33 *property*
34

35 d. *Public benefit*
36

37 **GRAPHIC LINK: Brownsville Overlay District**

38 6.07.04. Englewood Overlay District

39
40
41 A. *Intent and purpose of district.* The Englewood Overlay District is intended to
42 provide an enhanced level of protection to the unique and historic character of
43 the Englewood Community Redevelopment District thereby furthering the
44 objectives of the Englewood Community Redevelopment Plan. This is a zoning
45 overlay and the regulations herein expand upon the existing zoning district
46 regulations otherwise imposed on individual parcels within the district.
47

1 B. Applicability. This zoning overlay district applies to all zoned properties within
2 the Englewood Community Redevelopment District.
3

4 C. Relationship to underlying zoning. All of the use listings and site design
5 requirements of the underlying zoning districts shall continue to apply.
6

7 D. Permitted uses. Mixed-use developments, defined as where non-residential
8 and residential uses occupy the same building. The non-residential use(s) shall
9 contain the first or bottom floor and the residential use(s) contain the second or
10 upper floor(s).
11

12 E. Prohibited uses.

- 13 1. Off-premises signs.
- 14 2. Mobile homes and manufactured homes. (This does not prohibit the
15 construction of modular homes; see Article 3 of this code.)
- 16 3. Mobile home/manufactured home parks.

17
18
19
20
21 F. Uses requiring management plan submittal. The following uses shall require
22 submission of a management plan to the CRA prior to development approval.
23 The CRA must be notified of any amendments to a submitted management plan.
24

- 25 1. Retail sale of alcohol for off-premises consumption.
- 26 2. Bars and nightclubs.
- 27 3. Pawn shops and check cashing services.
- 28 4. Commercial amusement arcades, including billiard parlors and game
29 machine arcades.
- 30 5. Automotive uses (including car sales, automobile rental agencies, car
31 washes, auto repair facilities, tire sales, etc.).
- 32 6. Truck, utility trailer, and RV rental service or facility.
- 33 7. Portable food vendors.
- 34 8. Tattoo parlors.
- 35 9. Welding shops located in C-1 zoning districts.

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43
44
45 G. Management plan. The applicant shall submit a management plan that
46 addresses the following:
47

- 48 1. Proposed hours of operations.
- 49

2. Other similar properties managed by the applicant, if applicable.

3. Explanation of any franchise agreement.

H. Rezoning. Surrounding uses, whether conforming or non-conforming should not be taken into consideration for the rezoning rationale.

I. Non-residential site and building requirements.

1. Building height. New buildings, additions and redeveloped buildings shall complement the existing pattern of building heights. Buildings in the overlay district may not exceed 45 feet in height.

2. Building design.

a. Setbacks. New construction shall be setback from a distance similar to adjacent buildings unless customer parking is provided adjacent to any of these streets in support of Crime Prevention through Environmental Design (CPTED). Exceptions may be granted if the setback is pedestrian oriented and contributes to the quality and character of the streetscape.

b. Facades. A building more than 80 feet in width shall be divided into increments by incorporation of one of the following techniques, but not limited to:

(1). Divisions or breaks in materials

(2). Bay windows or the like

(3). Building setbacks

c. Rear façade. A minimum of 15 feet of the buildings rear façade facing a public right of way, parking area, or open space shall consist of transparent materials. Reflective glass is prohibited as a transparent material.

d. Materials and detailing. New buildings and structures, additions and renovations shall be constructed to be long lasting and use materials and detailing that maintain the distinct character and harmony of the Englewood Community Redevelopment District. Aluminum, vinyl or metal material siding is prohibited on the primary facades of buildings adjacent to public right of ways.

3. Accessory Structures. All accessory structures shall be located in the rear or side area and be a minimum of 5 feet inside the property boundary. All accessory structures shall meet the County landscaping, buffering, and screening requirements and shall use the same materials,

1 color, and/or style of the primary façade if visible to the public from any
2 road, driveway, right-of-way, or similar.

3
4 4. *Natural features.* Natural features shall be protected and integrated into
5 site design/development where possible. The applicant shall demonstrate
6 how the development protects and incorporates existing vegetation.

7
8 5. *Crime prevention through environmental design.* Crime Prevention
9 Through Environmental Design (CPTED) principles shall be used when
10 designing any element within the district, including but not limited to site
11 design, buildings, street design, signs, landscaping and parking. The
12 following CPTED guidelines shall be considered when designing any
13 element within the district.

14
15 a. *Territoriality.* All building entrances, parking areas, pathways
16 and other elements should incorporate appropriate features that
17 express ownership. The use of these features shall not conflict
18 with the need for natural surveillance.

19
20 b. *Natural surveillance.* The site layout, building and landscape
21 design shall promote the principles of natural surveillance.
22 Physical features and activities should be oriented and designed
23 in ways that maximize the ability to see throughout the site.

24
25 c. *Activity support.* The site layout and building design should
26 encourage legitimate activity in public spaces.

27
28 d. *Access control.* To discourage crime, entrances and exits
29 should be located and designed in a manner that incorporates
30 natural surveillance techniques and area control measures.

31
32 6. *Signs.*

33
34 a. See Article 8.

35
36 b. The choice of building signage shall be compatible with the
37 intent of this district and shall not have an adverse visual impact
38 on surrounding properties.

39
40 c. Free-standing on-premises signs shall be "human scaled".
41 There shall be only one such sign per parcel and it shall not
42 exceed 100 square feet per sign face and 12 feet in height; in the
43 case of multi-use parcels, the sign shall not exceed 299 square
44 feet. The sign face shall have colors, materials and lighting that
45 are compatible with the general pattern existing in the Englewood
46 Redevelopment Area Overlay District. Freestanding signs shall be
47 limited to monument signs. Attached signs or shingles may be
48 permitted for individual businesses in a multi-use building. Such
49 signs shall not exceed 20 square feet per sign face.

1
2 d. Signs cannot block or obstruct design details, windows, or
3 cornices of the building upon which they are placed.
4

5 7. Lighting. Lighting in the overlay district should serve to illuminate
6 facades entrances and signage to provide an adequate level of personal
7 safety while enhancing the aesthetic appeal of the buildings. Building and
8 signage lighting must be indirect, with the light source(s) hidden from
9 direct pedestrian and motorist view.

10
11 8. Parking. Parking in the overlay district must adequately serve the
12 users without detracting from the compact design that makes it a
13 successful commercial center
14

15 9. Off-street parking. Off-street parking must be located in the rear. If the
16 lot orientation cannot accommodate adequate rear parking, parking on
17 the side would then be permitted.
18

19 10. Landscaping.
20

21 a. See Section 7.01.00.
22

23 b. It is the proposed intent of this ordinance to encourage water
24 conservation through proper plant selection, installation and
25 maintenance practices. All commercial and industrial projects shall
26 submit a landscape plan as part of the development review
27 criteria. The plan will include plant species proposed, location of
28 all plant material, including areas proposed for sod, areas of
29 natural vegetation to be protected, and an irrigation plan. Native
30 plant species are required.
31

32 11. Buffers and screening of outdoor storage. The screening of outside
33 storage must use the same materials, color, and/or style as the primary
34 building in order to be architecturally compatible with the primary building
35 and the building it is adjacent to. All outside storage must be screened
36 from public view. If the outside storage area is separate from the building
37 it serves the following shall apply:
38

39 a. Section 7.01.06.D.2. Type. Only fencing (may or may not be
40 opaque) or walls made of concrete or stucco may supplement
41 buffers. Specifically, old garage doors and pieces of tin do not
42 qualify for fencing or wall materials; and
43

44 b. Section 7.01.06.E. Screening of outdoor storage. Opaque
45 fencing shall mean chain link fence with slats, privacy wooden
46 fence, or privacy PVC/vinyl fence. A six-foot concrete or stucco
47 wall may also be used to screen outdoor storage.
48

1 12. Exceptions. Financial hardship alone is not a basis to grant an
2 exception; however, it is recognized that there may be circumstances that
3 require a departure from the requirements in this overlay district in order
4 to be feasible. Possible grounds to be considered for granting exceptions
5 to the ordinance include, but not limited to:

6
7 a. Safety

8
9 b. Unique site or building characteristics

10
11 c. Standards would have a negative effect on the use of the
12 property

13
14 d. Public benefit

15
16 **GRAPHIC LINK: Englewood Overlay District**

17
18 6.07.05. Palafox Overlay District

19
20 A. Intent and purpose of district. The Palafox Overlay District is intended to
21 provide an enhanced level of protection to the mixed use character of the Palafox
22 Community Redevelopment District thereby furthering the objectives of the
23 Palafox Community Redevelopment Plan. The Palafox Overlay District is rather
24 diverse with the amount of commercially and industrially zoned properties
25 blended with isolated neighborhood-type residentially zoned properties. This is a
26 zoning overlay and the regulations herein expand upon the existing zoning
27 district regulations otherwise imposed on individual parcels within the district.

28
29 B. Applicability. This zoning overlay district applies to all zoned properties within
30 the Palafox Community Redevelopment District.

31
32 C. Relationship to underlying zoning. All of the use listings and site design
33 requirements of the underlying zoning districts shall continue to apply.

34
35 D. Permitted uses. Mixed-use developments, defined as where non-residential
36 and residential uses occupy the same building. The non-residential use(s) shall
37 contain the first or bottom floor and the residential use(s) contain the second or
38 upper floor(s).

39
40 E. Prohibited uses.

41
42 1. Mobile homes and manufactured homes. (This does not prohibit the
43 construction of modular homes; see Article 3 of this code.)

44
45 2. Mobile home/manufactured home parks.
46

1 F. Uses requiring management plan submittal. The following uses shall submit a
2 management plan to the CRA prior to development approval. The CRA must be
3 notified of any amendments to a submitted management plan.
4

5 1. Retail sale of alcohol for off-premises consumption.

6
7 2. Bars and nightclubs.

8
9 3. Pawn shops and check cashing services.

10
11 4. Commercial amusement arcades, including billiard parlors and game
12 machine arcades.

13
14 5. Automotive uses (including car sales, automobile rental agencies, car
15 washes, auto repair facilities, tire sales, etc.).

16
17 6. Truck, utility trailer, and RV rental service or facility.

18
19 7. Portable food vendors.

20
21 8. Welding shops located in C-1 zoning districts.

22
23 G. Management plan. The applicant shall submit a management plan that
24 addresses the following:

25
26 1. Proposed hours of operations.

27
28 2. Other similar properties managed by the applicant, if applicable.

29
30 3. Explanation of any franchise agreement.

31
32 H. Rezoning. Surrounding uses, whether conforming or non-conforming should
33 not be taken into consideration for the rezoning rationale.

34
35 I. Non-residential site and building requirements.

36
37 1. Building height. New buildings, additions and redeveloped buildings
38 shall complement the existing pattern of building heights. Buildings in the
39 overlay district may not exceed 45 feet in height.

40
41 2. Building design.

42
43 a. Setbacks. New construction shall be setback from a distance
44 similar to adjacent buildings unless customer parking is provided
45 adjacent to any of these streets in support of Crime Prevention
46 through Environmental Design (CPTED). Exceptions may be
47 granted if the setback is pedestrian oriented and contributes to the
48 quality and character of the streetscape.
49

1 b. Facades. A building more than 80 feet in width shall be divided
2 into increments by incorporation of one of the following
3 techniques, but not limited to:

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5 (1). Divisions or breaks in materials

6
7 (2). Bay windows or the like

8
9 (3). Building setbacks

10
11 c. Rear façade. A minimum of 15 feet of the buildings rear façade
12 facing a public right of way, parking area, or open space shall
13 consist of transparent materials. Reflective glass is prohibited as a
14 transparent material.

15
16 d. Materials and detailing. New buildings and structures, additions
17 and renovations shall be constructed to be long lasting and use
18 materials and detailing that maintain the distinct character and
19 harmony of the Palafox Community Redevelopment District.
20 Aluminum, vinyl or metal material siding is prohibited on the
21 primary facades of buildings adjacent to public right of ways.

22
23 3. Accessory Structures. All accessory structures shall be located in the
24 rear or side area and be a minimum of 5 feet inside the property
25 boundary. All accessory structures shall meet the County landscaping,
26 buffering, and screening requirements and shall use the same materials,
27 color, and/or style of the primary façade if visible to the public from any
28 road, driveway, right-of-way, or similar.

29
30 4. Natural features. Natural features shall be protected and integrated into
31 site design/development where possible. The applicant shall demonstrate
32 how the development protects and incorporates existing vegetation.

33
34 5. Crime prevention through environmental design. Crime Prevention
35 Through Environmental Design (CPTED) principles shall be used when
36 designing any element within the district, including but not limited to site
37 design, buildings, street design, signs, landscaping and parking. The
38 following CPTED guidelines shall be considered when designing any
39 element within the district.

40
41 a. Territoriality. All building entrances, parking areas, pathways
42 and other elements should incorporate appropriate features that
43 express ownership. The use of these features shall not conflict
44 with the need for natural surveillance.

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46 b. Natural surveillance. The site layout, building and landscape
47 design shall promote the principles of natural surveillance.
48 Physical features and activities should be oriented and designed
49 in ways that maximize the ability to see throughout the site.

1
2 c. Activity support. The site layout and building design should
3 encourage legitimate activity in public spaces.

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5 d. Access control. To discourage crime, entrances and exits
6 should be located and designed in a manner that incorporates
7 natural surveillance techniques and area control measures.

8
9 6. Signs.

10
11 a. See Article 8.

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13 b. The choice of building signage shall be compatible with the
14 intent of this district and shall not have an adverse visual impact
15 on surrounding properties.

16
17 c. Free-standing on-premises signs shall be "human scaled".
18 There shall be only one such sign per parcel and it shall not
19 exceed 100 square feet per sign face and 12 feet in height; in the
20 case of multi-use parcels, the sign shall not exceed 299 square
21 feet. The sign face shall have colors, materials and lighting that
22 are compatible with the general pattern existing in the Palafox
23 Redevelopment Area Overlay District. Freestanding signs shall be
24 limited to monument signs. Attached signs or shingles may be
25 permitted for individual businesses in a multi-use building. Such
26 signs shall not exceed 20 square feet per sign face.

27
28 d. Signs cannot block or obstruct design details, windows, or
29 cornices of the building upon which they are placed.

30
31 7. Lighting. Lighting in the overlay district should serve to illuminate
32 facades entrances and signage to provide an adequate level of personal
33 safety while enhancing the aesthetic appeal of the buildings. Building and
34 signage lighting must be indirect, with the light source(s) hidden from
35 direct pedestrian and motorist view.

36
37 8. Parking. Parking in the overlay district must adequately serve the
38 users without detracting from the compact design that makes it a
39 successful commercial center

40
41 9. Off-street parking. Off-street parking must be located in the rear. If the
42 lot orientation cannot accommodate for adequate rear parking, parking on
43 the side would then be permitted.

44
45 10. Landscaping.

46
47 a. See Section 7.01.00.

1 b. It is the proposed intent of this ordinance to encourage water
2 conservation through proper plant selection, installation and
3 maintenance practices. All commercial and industrial projects shall
4 submit a landscape plan as part of the development review
5 criteria. The plan will include plant species proposed, location of
6 all plant material, including areas proposed for sod, areas of
7 natural vegetation to be protected, and an irrigation plan. Native
8 plant species are required.
9

10 11. *Buffers and screening of outdoor storage.* The screening of outside
11 storage must use the same materials, color, and/or style as the primary
12 building in order to be architecturally compatible with the primary building
13 and the building it is adjacent to. All outside storage must be screened
14 from public view. If the outside storage area is separate from the building
15 it serves the following shall apply:
16

17 a. Section 7.01.06.D.2. *Type.* Only fencing (may or may not be
18 opaque) or walls made of concrete or stucco may supplement
19 buffers. Specifically, old garage doors and pieces of tin do not
20 qualify for fencing or wall materials; and
21

22 b. Section 7.01.06.E. *Screening of outdoor storage.* Opaque
23 fencing shall mean chain link fence with slats, privacy wooden
24 fence, or privacy PVC/vinyl fence. A six-foot concrete or stucco
25 wall may also be used to screen outdoor storage.
26

27 12. *Exceptions.* Financial hardship alone is not a basis to grant an
28 exception; however, it is recognized that there may be circumstances that
29 require a departure from the requirements in this overlay district in order
30 to be feasible. Possible grounds to be considered for granting exceptions
31 to the ordinance include, but not limited to:
32

33 a. Safety

34 b. Unique site or building characteristics

35 c. Standards would have a negative effect on the use of the
36 property

37 d. Public benefit
38
39
40
41

42 **GRAPHIC LINK: Palafox Overlay District**

43 6.07.026. *Scenic Highway Overlay District.*

44 *A. Intent, boundaries and purpose of the district.* This district is intended to
45 protect the unique scenic vista and environmental resources of the Scenic
46 Highway Corridor and adjacent Escambia Bay shoreline. This is an overlay
47 district and the regulations herein expand upon existing R-1, R-2, R-3, R-6, C-1,
48 and
49

1 and/or ID-1 zoning district regulations otherwise imposed on individual parcels
2 within the corridor. The district overlays all parcels adjacent to the Pensacola
3 Scenic Bluffs Highway corridor on the west side of the highway and all of the
4 property between the Pensacola Scenic Bluffs Highway and the Escambia Bay
5 on the east side of the highway, for approximately five miles from the city limit of
6 Pensacola along Scenic Highway continuing along Highway 90 to the bridge over
7 the Escambia River at the Santa Rosa County line. A generalized map of the
8 Scenic Highway Overlay district is depicted in Figure 2; however, it is not the
9 official zoning map and should be used only for preliminary determination of the
10 application of the overlay zone. The purpose of the district is to alleviate harmful
11 effects of on-site generated erosion and runoff caused by clearing natural
12 vegetation and changing existing contours of the land, and to ensure the
13 preservation of the bluffs, wetland areas and scenic views along the bay and
14 assure continued public access to the views along the corridor. Views are an
15 amenity and human appreciation of views is reflected in both private property
16 values and the overall general welfare of the community.

17
18 B. *Permitted uses.* See underlay zoning districts.

19
20 C. *Lot coverage.* Maximum area land coverage by all structures, parking areas,
21 driveways and all other impervious surfaces shall not exceed 50 percent of the
22 gross site area.

23
24 D. *Setback.* All structures shall be located a minimum of 50 feet from the Scenic
25 Highway right-of-way unless precluded by lot configuration or topography.

26
27 E. *Building separation.* The minimum distance between structures shall be 15
28 feet and there shall be at least 100 feet between a multifamily structure (including
29 hotels and motels) and single-family dwellings.

30
31 F. *Pedestrian-bicycle.* The intent of the corridor management plan is to provide a
32 multiuse path on the east side of Scenic Highway the full length of the corridor at
33 the maximum distance possible from the roadway pavement, within the right-of-
34 way. During the site review process the staff will work with the applicant to
35 maximize the innovative integration of a path extension, into the project, outside
36 of the right-of-way on public property or on easements donated by private
37 property owners.

38
39 G. *Building heights.* Buildings between the Scenic Highway and Escambia Bay
40 shall have a maximum height of 35 feet as measured at the average finished
41 grade elevation of the lot above mean sea level (MSL). Nonresidential uses can
42 exceed the height limit only with conditional use approval by the board of
43 adjustment. In addition to the other conditional use criteria, the requested height
44 must be found not to interfere with the scenic attractiveness of the location as
45 viewed from any plausible direction. In addition, for structures over 35 feet in
46 height, for every two feet in height over 35 feet, there shall be an additional one
47 foot of front and side setback at the ground level.

48
49 H. *Tree protection.*

1
2 1. A canopy road tree protection zone is hereby established for all land
3 within 20 feet of the right of way of Scenic Highway and Highway 90 to
4 the Santa Rosa County line. No person or agency shall cut, remove, trim
5 or in any way damage any tree in any canopy tree protection zone without
6 a permit. Except in unique cases, such pruning shall not remove more
7 than 30 percent of the existing tree material. Utility companies are not
8 permitted to prune more than 30 percent of the existing tree canopy.
9

10 2. Heritage Oak trees shall be prescribed.

11
12 3. Clearing of natural vegetation within the corridor shall require a land
13 disturbing permit and is generally prohibited except for the minimum area
14 needed for construction of allowable structures or view enhancement.
15

16 I. Landscaping.

17
18 1. For developments subject to section 7.01.00, a minimum ten-foot wide
19 landscaped strip shall be required along the Scenic Highway frontage,
20 and shall contain one tree for every 35 linear feet of frontage. The trees
21 shall be tall enough so that a six-foot view shed exists at planting.
22 Preservation of existing plant communities within the required landscaped
23 areas can be used to satisfy this requirement.
24

25 2. Orientation of commercial buildings shall be away from residential
26 development within or adjacent to the district. Layout of parking and
27 service areas, access, landscaping, yards, courts, walls, signs, lighting
28 and control of noise and other potentially adverse influences shall be
29 such as to promote protection of such residential development, and will
30 include adequate buffering.
31

32 J. Fences. See section 7.04.00. No fence may be solid. No chain link fence shall
33 be located between Scenic Highway and the principal building. Any other type of
34 fence in this area shall not exceed three feet. Where single story structures are
35 higher than the roadbed, there should be no wall, fence, structure or plant
36 material located between the front building line and the roadbed that will obstruct
37 the view from automobiles on the scenic route.
38

39 K. Structure location. Whether a conditional use or site planning review, all
40 structures will be reviewed to assure conformance with the following criteria:
41

42 1. The location shall afford maximum views of the bay from the street
43 right-of-way.
44

45 2. The location shall minimize impact on the natural bluff and plant
46 material (other than pruning to enhance views).
47

48 3. Provide underground utilities.
49

GRAPHIC LINK: Scenic Highway Overlay District

Section 4. Severability.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 5. Inclusion in Code.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by 125.68, Fla. Stat. (2012); and that the sections, subsections and other provisions of this Ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 6. Effective Date.

This Ordinance shall become effective upon filing with the Department of State.

DONE AND ENACTED this _____ day of _____, 2012.

**BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA**

**By: _____
Wilson B. Robertson, Chairman**

**ATTEST: ERNIE LEE MAGAHA
Clerk of the Circuit Court**

**By: _____
Deputy Clerk**

(SEAL)

ENACTED:

FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE:

H:\Community & Environment Bureau\Divisions\Community Redevelopment Agency\Projects\ LDC Ordinances\CRA Overlays Ordinance\BCC 08-09-12\Art. 2, 3 & 6 Community Redevelopment Ordinance Draft 3A

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Art. 2, 3 & 6 'Comm. Red. and Overlay Districts' LDC Ordinance Draft 3A

Date: 07/10/2012

Date requested back by: 07/18/2012

Requested by: David Forte

Phone Number: 595-3595



(LEGAL USE ONLY)

Legal Review by 

Date Received: 07/10/12

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3001

Public Hearings 10.

BCC Regular Meeting

Meeting Date: 08/09/2012

Issue: 5:33 p.m. Public Hearing to Adopt the Deerfield Estates Subdivision Sewage and Lift Station Improvement MSBU Ordinance

From: Amy Lovoy, Department Head

Organization: OMB

CAO Approval:

RECOMMENDATION:

5:33 p.m. Public Hearing for consideration of adopting an Ordinance creating the Deerfield Estates Subdivision Sewage and Lift Station Improvement MSBU.

Recommendation: That the Board take the following action concerning adopting an Ordinance creating the Deerfield Estates Subdivision Sewage and Lift Station Improvement MSBU:

A. Ratify the scheduling of the August 9, 2012, 5:33 p.m. Public Hearing, for consideration of adopting an Ordinance creating the Deerfield Estates Subdivision Sewage and Lift Station Improvement Municipal Services Benefit Unit (MSBU); and

B. Adopt, and authorize the Chairman to sign, the Ordinance creating the Deerfield Estates Subdivision Sewage and Lift Station Improvement MSBU, and all related documents, and make the following findings of fact:

1. Lots in the District are specially benefited since improvements increase the market value of an individual lot, and the ability of lot owners to develop their land;

2. The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the cost of the special benefit received by each lot and do not represent a fair share of the cost of general governmental service provided to residents in the unincorporated areas of Escambia County; and

3. Lots which do not receive a special benefit have been and shall be excluded from the non-ad valorem special assessment.

BACKGROUND:

The owners of the property contained in Deerfield Estates Subdivision have met the petitioning criteria established by the Board of County Commissioners for an MSBU, and the Board has reaffirmed its intent to use the uniform method of collection of non-ad valorem special assessments levied. Now the property owners wish to establish the MSBU for the purpose of providing improvements to the district.

Petitions for creating the MSBU district were circulated in the subdivision. There are an

estimated 61 properties, and of these, approximately 80% of the property owners signed the petition in favor. This meets the 66% approval requirement specified in the MSBU Guidelines and Procedures. The estimated annual cost per residential lot will be \$626.26 for a period of 20 years.

BUDGETARY IMPACT:

The MSBU will generate revenues for the purpose of providing sewage and lift station improvements, as well as administrative fees.

LEGAL CONSIDERATIONS/SIGN-OFF:

This ordinance has been reviewed by the County Attorney's Office and found to be legally sufficient.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

The Board of County Commissioners must approve the scheduling of public hearings and adopt all ordinances.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

Deerfield Estates MSBU Ordinance

ORDINANCE 2012-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA CREATING CHAPTER 70, ARTICLE VIII RELATING TO SEWAGE AND LIFT STATION IMPROVEMENT MUNICIPAL SERVICE BENEFIT UNITS; CREATING THE DEERFIELD ESTATES SUBDIVISION SEWAGE AND LIFT STATION IMPROVEMENT MUNICIPAL SERVICE BENEFIT UNIT FOR THE PURPOSE OF REENGINEERING AND RECONSTRUCTING THE SEWAGE AND LIFT STATION CONTAINED IN THE DISTRICT; DEFINING THE BOUNDARIES OF SAID DISTRICT; PROVIDING FOR THE GOVERNING OF SAID DISTRICT BY THE BOARD OF COUNTY COMMISSIONERS; PROVIDING FOR LEGISLATIVE FINDINGS, AUTHORIZING THE USE OF A NON-AD VALOREM SPECIAL ASSESSMENT TO DEFRAY THE COSTS OF REENGINEERING AND RECONSTRUCTING THE SEWAGE AND LIFT STATION IMPROVEMENT IN THE DISTRICT BASED ON A FAIR AND REASONABLE APPORTIONMENT OF THE COST TO SPECIALLY BENEFITTED PROPERTIES; PROVIDING FOR THE USE OF THE UNIFORM METHOD OF COLLECTION PRESCRIBED BY SECTION 197.3632, FLORIDA STATUTES; PROVIDING FOR NO EXEMPTIONS TO THE LEVY; IDENTIFYING THE DUTIES OF THE ESCAMBIA COUNTY CLERK OF THE CIRCUIT COURT, TAX COLLECTOR, AND PROPERTY APPRAISER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES OF ESCAMBIA COUNTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners of Escambia County, Florida has the authority to establish a Municipal Service Benefit Unit ("MSBU") pursuant to Chapter 125, Florida Statutes; and

WHEREAS, the Board of County Commissioners has adopted administrative procedures for the establishment of such a municipal service benefit unit, and

WHEREAS, by Resolution R2011-174, the Board of County Commissioners reaffirmed its intent to use the uniform method of collection of non-ad valorem special assessments levied for sewer services; and

WHEREAS, the property owners wish to establish such an MSBU for the purpose of providing sewage and lift station improvements in this district; and

WHEREAS, there are an estimated 61 properties in this proposed district and the property owners in Deerfield Estates Subdivision have submitted a petition to the Board

of County Commissioners which contains greater than 66% of the total of such owners; and

WHEREAS, this total meets the 66% requirement specified in the MSBU Guidelines and Procedures adopted by the Board of County Commissioners; and

WHEREAS, following completion of said sewage and lift station improvements funded by the proposed MSBU, Emerald Coast Utilities Authority shall assume responsibility for the operation and maintenance of the sewage and lift station facilities in the Deerfield Estates Subdivision.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY:

Section 1: Part I, Chapter 70, Article VIII, Division 1, Sections 70-801 through 70-815 of the Escambia County Code of Ordinances are hereby created to read as follows:

Division 1. – GENERALLY

Secs. 70-801 – 70-815 – Reserved.

Section 2: Part I, Chapter 70, Article VIII, Division 2, Sections 70-816 through 70-823 of the Escambia County Code of Ordinances are hereby created to read as follows:

Division 2. – DEERFIELD ESTATES SUBDIVISION

Sec. 70-816. AUTHORITY; PURPOSE; SCOPE. This Ordinance is enacted under authority of Article VIII, Section 1 (f) of the Constitution of the State of Florida; Chapter 125, Florida Statutes; for the purpose of providing for a sewage and lift station improvement district in certain unincorporated areas in Escambia County, Florida as described herein, not lying within the corporate boundaries of any municipality.

Sec. 70-817. SHORT TITLE. This Ordinance shall be known and referred to as the Deerfield Estates Subdivision Sewage and Lift Station Improvement Municipal Service Benefit Unit Ordinance.

Sec. 70-818. DEFINITIONS. When used in this Ordinance, the following terms shall be defined to mean:

(A) *Annual Installment* shall mean one twentieth (1/20) of the total Cost of the sewage and lift station improvement, a four percent (4%) interest charge on the remaining Cost and accrued interest compounded annually, plus any statutory administrative fees payable to the Tax Collector and the Property Appraiser.

(B) *Board* shall mean the Board of County Commissioners of Escambia County, Florida.

(C) *Costs* shall mean the total cost of engineering and construction associated with improving the sewage and lift station contained in the District. These costs for sewage and lift station improvements may include, but are not limited, to the costs of construction, labor, materials, plans and specifications, surveys and engineering services.

(D) *County or Escambia County* shall mean all those geographical territories of Escambia County, a political subdivision of the State of Florida, which territories are not now within the corporate limits of any municipality.

(E) *District* shall mean that geographical area of the Deerfield Estates Subdivision described as Lots 1 through 30, Block "A" and Lots 1 through 30, Block "B" located in Section 17, Township 1 South, Range 31 West as shown on the plat of Deerfield Estates Subdivision recorded in Plat Book 16, Page 36 of the Property Appraiser's records, excluding holding ponds, wetland/drainage easements, designated wetlands, or buffer zones, and including two additional lots adjacent to Deerfield Estates lots with property reference numbers 17-1S-31-1102-001-002 and 17-1S-31-1102-000-001.

(F) *Fiscal Year* shall mean the period of time between October 1st and September 30th.

(G) *Improvements* shall mean all sewage and lift station improvement materials presently located or to be located within or added to the District.

(H) *Lot* shall mean a developed or proposed single-family residential parcel or a multi-family residential parcel identified with a unique property identification number by the Property Appraiser.

(I) *Person* shall mean individuals, children, firms, associations, ventures, partnerships, estates, trusts, business trusts, syndicates, fiduciaries, corporations, and all other groups and legal entities or combinations thereof.

(J) Words used in the masculine gender include the feminine and neuter; the singular number include the plural and the plural the singular.

Sec. 70-819. DISTRICT CREATED. There is hereby created within Escambia County the Deerfield Estates Subdivision Sewage and Lift Station Improvement Municipal Service Benefit Unit for the purpose of reengineering and reconstructing the sewage and lift station within the District.

The aforementioned Deerfield Estates Subdivision Sewage and Lift Station Improvement District shall include all Lots which benefit from the improvements.

Sec. 70-820. GOVERNANCE OF THE DISTRICT. The District shall be governed by the Board of County Commissioners of Escambia County. The Board shall have the following powers and duties:

(A) To authorize and provide for the collection of non-ad valorem special assessments to defray the Costs associated with the improvement of sewage and lift station within the District.

(B) To provide for or contract for the reengineering and reconstruction of the sewage and lift station improvement within the District.

(C) To buy, lease, or rent any and all real or personal property necessary to implement this Ordinance.

(D) To fairly and reasonably apportion the Cost of the sewage and lift station improvements among all specially benefited Lots.

(E) To prepare and adopt an annual budget for the District.

(F) To make legislative findings related to the special benefits provided to Lots located in the District.

(G) To otherwise act or satisfy its duties and responsibilities under this Ordinance.

(H) To adopt by resolution, rules and regulations regarding fiscal management of the District.

Sec. 70-821. LEGISLATIVE FINDINGS.

(A) Lots in the District are specially benefited since improvements increase the market value of an individual Lot, and increase the ability of Lot owners to develop their land.

(B) The non-ad valorem special assessments levied represent a fair and reasonable apportionment of the Cost of the special benefit received by each Lot and do not represent the cost of general governmental service provided to residents in the unincorporated areas of Escambia County.

Sec. 70-822. NON-AD VALOREM SPECIAL ASSESSMENT COLLECTION.

(A) The Board shall authorize the levy of a non-ad valorem special assessment for sewage and lift station improvements on Lots located within the District the first year following completion of the improvements. This non-ad valorem special assessment for sewage and lift station improvements shall be levied following the preparation and adoption of a budget by the Board as provided by law each Fiscal Year.

(B) All special non-ad valorem special assessments shall be levied and collected by the uniform method of collection as adopted by the Escambia County Board of County Commissioners pursuant to Section 197.3632, Florida Statutes. All non-ad valorem special assessments shall become a lien upon the land so assessed, prior in dignity to all other liens and assessments against said lands, save and except county taxes, and those liens and encumbrances of record prior to and on the effective date of this Ordinance, until said non-ad valorem special assessments are paid.

(C) The Tax Collector of Escambia County shall be entitled to receive a commission for the collection of non-ad valorem special assessments as provided in Section 197.3632 (2), Florida Statutes.

(D) The amount of non ad-valorem special assessment to be assessed and levied against each Lot shall be determined based on the special benefit received by each Lot. The non-ad valorem special assessment for sewage and lift station improvements shall be fairly and reasonably apportioned among the benefited Lots by dividing the Cost of the improvements by the number of residential Lots in the District at the time of completion of the improvements.

(E) Said non-ad valorem special assessment may be paid in one lump sum payment or may be amortized over a twenty (20) year period at four percent (4%) interest compounded annually plus any applicable statutory administrative fees payable to the Tax Collector and Property Appraiser. No discount shall be applied to early payment of the total outstanding non-ad valorem special assessment due. Property owners may prepay any outstanding non-ad valorem special assessment in whole or in part without penalty. Any partial prepayment received shall be applied to the outstanding non-ad valorem special assessment balance and shall not postpone the date of any subsequent payment due or waive any future applicable interest or statutory administrative fees payable to the Tax Collector or Property Appraiser.

(F) A certified copy of this Ordinance shall be recorded in the public records of Escambia County after filing with the Secretary of State.

Sec. 70-823. APPEAL PROCESS.

(A) Any Lot owner may contest the amount of non-ad valorem special assessment levied upon Lots located in the District or any of the annual installments

paid on the outstanding non-ad valorem special assessment by notifying the Clerk of the Circuit Court in writing that the owner's Lot has been erroneously assessed within 30 days of receiving the non-ad valorem special assessment or any of the notices for payment of the annual installment. The Clerk of the Circuit Court shall review the request and determine within ten (10) business days whether an error of the owner's Lot exists based on the information provided by the Lot owner and the information provided by the records of the Escambia County Property Appraiser's Office, or other records or information made available to the Board. The Clerk of the Circuit Court shall be authorized to correct facial errors based on these information sources. The Clerk of the Circuit Court shall also be authorized to make any necessary adjustment to the amount of the Lot owner's non-ad valorem special assessment due or any of the annual installments as a result of the identification error, with notice to the Board.

(B) In the event the Clerk of the Circuit Court is unable to determine whether a property owner's Lot has been erroneously assessed or believes the non-ad valorem special assessment or any annual installment is correct, the Clerk of the Circuit Court shall forward the Lot owner's written notice to the County Administrator or designee. The County Administrator or designee shall review and investigate the alleged error and determine, within a reasonable period of time based on the circumstances, whether the non-ad valorem special assessment or any annual installment should or should not be adjusted.

(C) In the event the County Administrator or designee finds the Lot owner has been erroneously assessed, the County Administrator or designee shall correct such errors on the non-ad valorem special assessment roll and shall make any necessary adjustment to the amount of the owner's non-ad valorem special assessment due or any annual installment owing as a result of the identified error, with notice to the Board.

(D) In the event the County Administrator or designee finds the Lot owner has been correctly assessed, the County Administrator or designee shall notify the owner and advise the owner of his or her right to petition for review of the alleged assessment error by the Board of County Commissioners within thirty (30) days. The Petition for Assessment Review shall state the owner's name, a description of the real property, and the facts underlying the Lot owner's petition. The burden shall be on the Lot owner to demonstrate by competent and substantial evidence to the Board of County Commissioners the Lot has been erroneously assessed on the non-ad valorem special assessment roll or that the annual installment has been erroneously calculated.

(E) At the next available meeting, the Board of County Commissioners shall either 1) direct the County Administrator or designee to adjust the non-ad valorem special assessment due or the annual installment; or 2) advise the property owner the Board finds no error in the assessment of the owner's real property and the property owner may appeal the Board's decision to the circuit court within thirty (30) days.

(F) The Board of County Commissioners may at its discretion create an independent board to review any Petition for Assessment Review filed. In addition, the Board is authorized to establish by resolution and collect at the time a petition is filed an administrative fee for processing of the petition.

The Board of County Commissioners may also by resolution identify circumstances in which a refund of the administrative fee for processing the appeal is available.

Section 3. SEVERABILITY. If any section, paragraph, sentence or clause of this Ordinance or the application thereof to any person or circumstance is held void, invalid, unlawful or unconstitutional by a court of competent jurisdiction, it is the intent of the Board that such section, invalidity, paragraph, sentence or clause shall be deemed a separate, distinct, independent and severable and shall not otherwise affect application of this Ordinance which can be given effect without the invalid provision or application.

Section 4. INCLUSION IN THE CODE. It is the intent of the Board that the provisions of this Ordinance shall become and be made part of the Escambia County Code and the word Ordinance may be changed to section, article, or other appropriate word or phrase and the sections of this Ordinance may be renumbered to accomplish such intention.

Section 5. EFFECTIVE DATE. This Ordinance shall take effect upon receipt of official acknowledgment of the Clerk of the Board of County Commissioners from the Department of State that this Ordinance has been filed with the Department of State.

DONE AND ENACTED THIS ___ DAY OF _____, 2012.

**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

**ATTEST: ERNIE LEE MAGAHA
Clerk to the Circuit Court**

Wilson B. Robertson, Chairman

Deputy Clerk

(Seal)

**Enacted:
Filed with Department of State:
Effective:**

This document approved as to form and legal sufficiency.

By: *Justin Hud*

Title: ACA

Date: 7/26/12



ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

◆ AUDITOR ◆ ACCOUNTANT ◆ EX-OFFICIO CLERK TO THE BOARD ◆ CUSTODIAN OF COUNTY FUNDS ◆

AI-2982 **Clerk & Comptroller's Report** **11. 1.**

BCC Regular Meeting

Meeting Date: 08/09/2012

Issue: Acceptance of Reports

From: Doris Harris

Organization: Clerk & Comptroller's Office

Recommendation:

Recommendation Concerning Acceptance of Reports Prepared by the Clerk of the Circuit Court & Comptroller's Finance Department

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

A. Payroll Expenditures for Pay Date August 3, 2012, in the amount of \$2,117,108.37;

B. The following two Disbursement of Funds:

(1) July 19, 2012, to July 25, 2012, in the amount of \$5,321,723.40; and

(2) July 26, 2012, to August 1, 2012, in the amount of \$10,345,252.87; and

C. Tourist Development Tax Collections Data for the June 2012 returns received in the month of July 2012; this is the tenth month of collection in Fiscal Year 2012; total collected for the June 2012 returns was \$1,168,527, which is a 23.65% increase over the June 2011 returns; overall collections of \$5,208,120 for the ten (10) months of returns in Fiscal Year 2012 are 12.08% higher than this same period last Fiscal Year; collections to date are 95.85% of the total budgeted amount for Fiscal Year 2012.

Attachments

CR I-1



EXECUTIVE ADMINISTRATION/LEGAL DIVISION
 ACCOUNTING DIVISION
 APPEALS DIVISION
 ARCHIVES AND RECORDS
 CENTURY DIVISION
 CHILD SUPPORT
 CLERK TO THE BOARD
 COUNTY CIVIL
 COUNTY CRIMINAL
 COURT DIVISION
 CIRCUIT CIVIL
 CIRCUIT CRIMINAL
 DOMESTIC RELATIONS
 FAMILY LAW

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT & COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

◊ AUDITOR ◊ ACCOUNTANT ◊ EX-OFFICIO CLERK TO THE BOARD ◊ CUSTODIAN OF COUNTY FUNDS ◊

FINANCE
 JURY ASSEMBLY
 GUARDIANSHIP
 HUMAN RESOURCES
 JUVENILE DIVISION
 MARRIAGE
 MENTAL HEALTH
 MANAGEMENT INFORMATION SYSTEMS
 OFFICIAL RECORDS
 OPERATIONAL SERVICES
 PROBATE DIVISION
 TRAFFIC DIVISION
 TREASURY

Escambia County, Florida
 Payroll Expenditures of the
 Board of County Commissioners

Pay Date: August 3, 2012

Check No:	\$0.00
Direct Deposits:	\$1,122,182.85
Total Deductions and Matching Costs:	\$994,925.52
Total Expenditures:	\$2,117,108.37

ERNIE LEE MAGAHA
 CLERK OF CIRCUIT COURT
 ESCAMBIA COUNTY, FL.
 2012 AUG - 1 A 9: 03
 F THE BOARD OF
 COUNTY COMMISSIONERS



EXECUTIVE ADMINISTRATION/LEGAL DIVISION
 ACCOUNTING DIVISION
 APPEALS DIVISION
 ARCHIVES AND RECORDS
 CENTURY DIVISION
 CHILD SUPPORT
 CLERK TO THE BOARD
 COUNTY CIVIL
 COUNTY CRIMINAL
 COURT DIVISION
 CIRCUIT CIVIL
 CIRCUIT CRIMINAL
 DOMESTIC RELATIONS
 FAMILY LAW

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT & COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

♦ AUDITOR ♦ ACCOUNTANT ♦ EX-OFFICIO CLERK TO THE BOARD ♦ CUSTODIAN OF COUNTY FUNDS ♦

FINANCE
 JURY ASSEMBLY
 GUARDIANSHIP
 HUMAN RESOURCES
 JUVENILE DIVISION
 MARRIAGE
 MENTAL HEALTH
 MANAGEMENT INFORMATION SYSTEMS
 OFFICIAL RECORDS
 OPERATIONAL SERVICES
 PROBATE DIVISION
 TRAFFIC DIVISION
 TREASURY

Escambia County, Florida
 Disbursement of Funds From:

07/19/12 to 07/25/12

DISBURSEMENTS

Computer check run of

<u>07/25/12</u>	\$ <u>5,085,784.11</u>
<u>L-Vendor</u>	\$ <u>150,297.47</u>

Hand-Typed Checks:

\$ 0.00

Disbursement By Wire:

Preferred Governmental Claims	\$ <u>47,919.24</u>
Credit Card Purchases	\$ <u>37,722.58</u>

Total Disbursement by Wire

\$ 85,641.82

TOTAL DISBURSEMENTS

\$ 5,321,723.40

The detailed backup to this Report is available for review in the Clerk's Finance Department. If you have any questions, please call Cheryl Maher, Clerk's Finance Division at (850) 595-4841

Pursuant to Chapter 136.06 (1), Florida Statutes, the Disbursement Report will be filed with the Board's Minutes

FILED
 CLERK OF THE BOARD OF
 COUNTY COMMISSIONERS
 2012 JUL 25 P 2:07
 ERNIE LEE MAGAHA
 CLERK OF THE CIRCUIT COURT
 ESCAMBIA COUNTY, FL



EXECUTIVE ADMINISTRATION/LEGAL DIVISION
 ACCOUNTING DIVISION
 APPEALS DIVISION
 ARCHIVES AND RECORDS
 CENTURY DIVISION
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 COUNTY CIVIL
 COUNTY CRIMINAL
 COURT DIVISION
 CIRCUIT CIVIL
 CIRCUIT CRIMINAL
 DOMESTIC RELATIONS
 FAMILY LAW

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT & COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

♦ AUDITOR ♦ ACCOUNTANT ♦ EX-OFFICIO CLERK TO THE BOARD ♦ CUSTODIAN OF COUNTY FUNDS ♦

FINANCE
 JURY ASSEMBLY
 GUARDIANSHIP
 HUMAN RESOURCES
 JUVENILE DIVISION
 MARRIAGE
 MENTAL HEALTH
 MANAGEMENT INFORMATION SYSTEMS
 OFFICIAL RECORDS
 OPERATIONAL SERVICES
 PROBATE DIVISION
 TRAFFIC DIVISION
 TREASURY

Escambia County, Florida
 Disbursement of Funds From:

07/26/12 to 08/01/12

DISBURSEMENTS

Computer check run of:			
	<u>08/01/12</u>		\$ <u>2,573,682.51</u>
	<u>L-Vendor</u>		\$ <u>0.00</u>
Hand-Typed Checks/ACH Checks:			\$ <u>21,000.00</u>
Disbursement By Wire:			
Debt Service Payment		\$ <u>758,158.33</u>	
Elected Official		\$ <u>6,945,617.25</u>	
Preferred Governmental Claims		\$ <u>32,177.23</u>	
Credit Card Purchases		\$ <u>14,617.55</u>	
Total Disbursement by Wire			\$ <u>7,750,570.36</u>
TOTAL DISBURSEMENTS			\$ <u>10,345,252.87</u>

The detailed backup to this Report is available for review in the Clerk's Finance Department. If you have any questions, please call Cheryl Maher, Clerk's Finance Division at (850) 595-4841.

Pursuant to Chapter 136.06 (1), Florida Statutes, the Disbursement Report will be filed with the Board's Minutes.

ERNIE LEE MAGAHA
 CLERK OF CIRCUIT COURT
 ESCAMBIA COUNTY, FL
 2012 AUG - 2 A 7: 59
 THE BOARD OF
 COUNTY COMMISSIONERS



EXECUTIVE ADMINISTRATION/LEGAL DIVISION
ACCOUNTING DIVISION
APPEALS DIVISION
ARCHIVES AND RECORDS
CENTURY DIVISION
CHILD SUPPORT
CLERK TO THE BOARD
COUNTY CIVIL
COUNTY CRIMINAL
COURT DIVISION
CIRCUIT CIVIL
CIRCUIT CRIMINAL
DOMESTIC RELATIONS
FAMILY LAW

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

• AUDITOR • ACCOUNTANT • EX-OFFICIO CLERK TO THE BOARD • CUSTODIAN OF COUNTY FUNDS •

FINANCE
JURY MANAGEMENT
GUARDIANSHIP
HUMAN RESOURCES
JUVENILE DIVISION
MARRIAGE
MENTAL HEALTH
MANAGEMENT INFORMATION SYSTEMS
OFFICIAL RECORDS
ONE STOP
OPERATIONAL SERVICES
PROBATE DIVISION
TRAFFIC DIVISION
TREASURY

MEMORANDUM

TO: Honorable Board of County Commissioners

FROM: Ernie Lee Magaha
Clerk of the Circuit Court and Comptroller

By: *Patricia L. Sheldon*
Patricia L. Sheldon, CPA, CGFO, CPFO, CPFIM
Administrator for Financial Services
Clerk of the Circuit Court and Comptroller

DATE: August 2, 2012

SUBJECT: Tourist Development Tax (TDT) Collections

RECOMMENDATION:

That the Board accepts, for filing with the Board's Minutes, the Tourist Development Tax (TDT) Collections Data for the June 2012 returns received in the month of July 2012, as prepared by the Finance Department of the Clerk and Comptroller's Office. This is the tenth (10th) month of collection in fiscal year 2012.

- ✓ Total collected for the June 2012 returns was \$1,168,527. This is a 23.65% increase over the June 2011 returns.
- ✓ Overall collections of \$5,208,120 for the ten (10) months of returns in fiscal 2012 are 12.08% higher than this same time period last fiscal year.
- ✓ Collections to date have reached 95.85% of the total budgeted amount for the fiscal year.

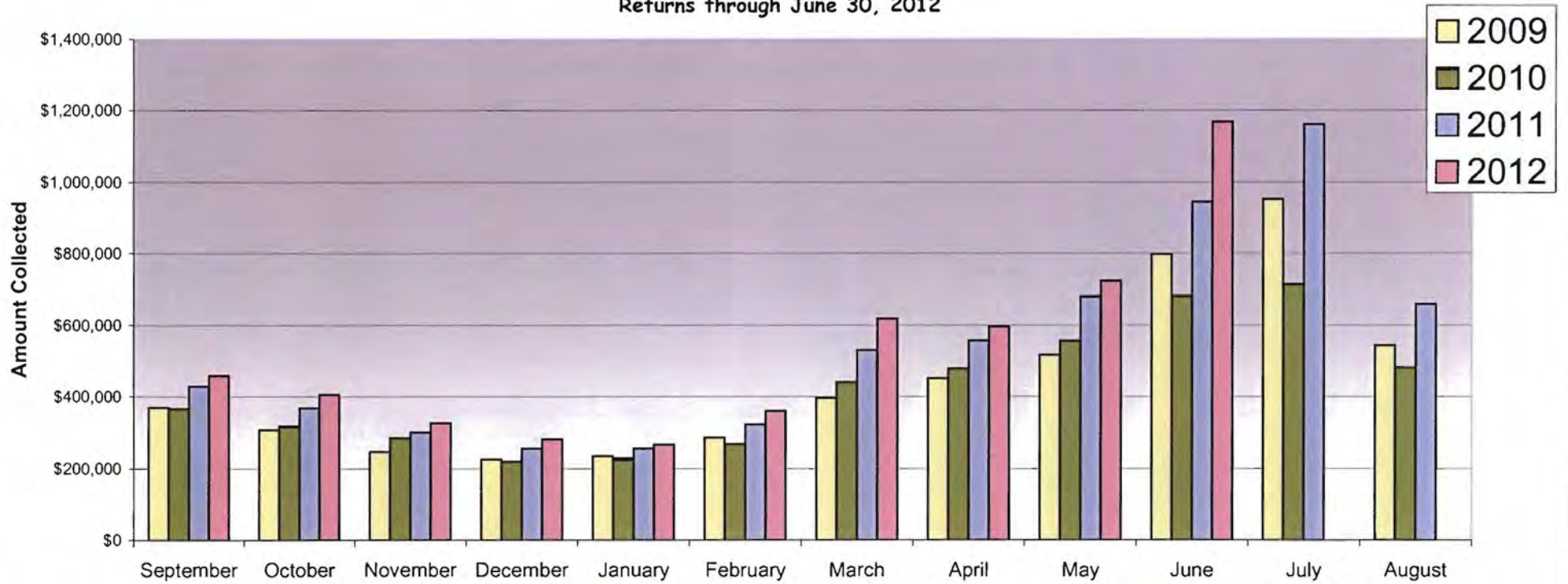
Please feel free to call me if you have any questions.

PLS/nac

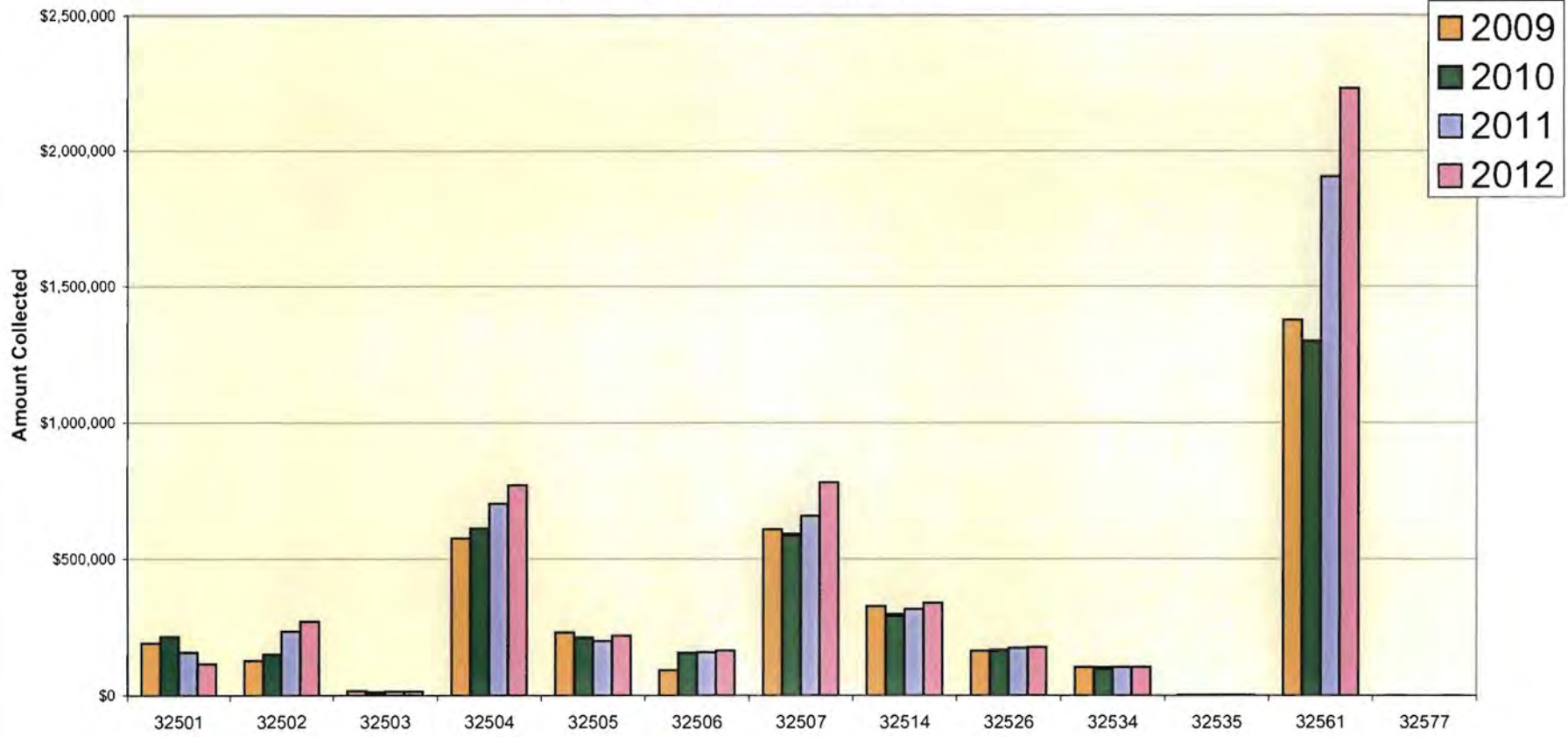
FOUR PERCENT TOURIST DEVELOPMENT TAX COLLECTION DATA
 REPORTED IN FISCAL YEAR FORMAT
 ESCAMBIA COUNTY FLORIDA
 AS OF JULY 31, 2012

Zip Code	Fiscal Year 2012	Fiscal Year 2011	Difference	% Change
	YTD Collected	YTD Collected		
32501	116,636	158,894	(42,258)	-27%
32502	273,110	236,594	36,516	15%
32503	15,737	15,713	24	0%
32504	772,632	703,580	69,052	10%
32505	221,750	201,527	20,224	10%
32506	166,197	160,501	5,696	4%
32507	782,417	659,580	122,837	19%
32514	341,664	318,742	22,922	7%
32526	178,418	175,937	2,481	1%
32534	105,096	105,747	(651)	-1%
32535	1,578	1,945	(368)	-19%
32561	2,232,027	1,907,847	324,179	17%
32562	-	-	-	0%
32577	858	220	637	100%
Total	\$ 5,208,120	\$ 4,646,828	\$ 561,291	12%

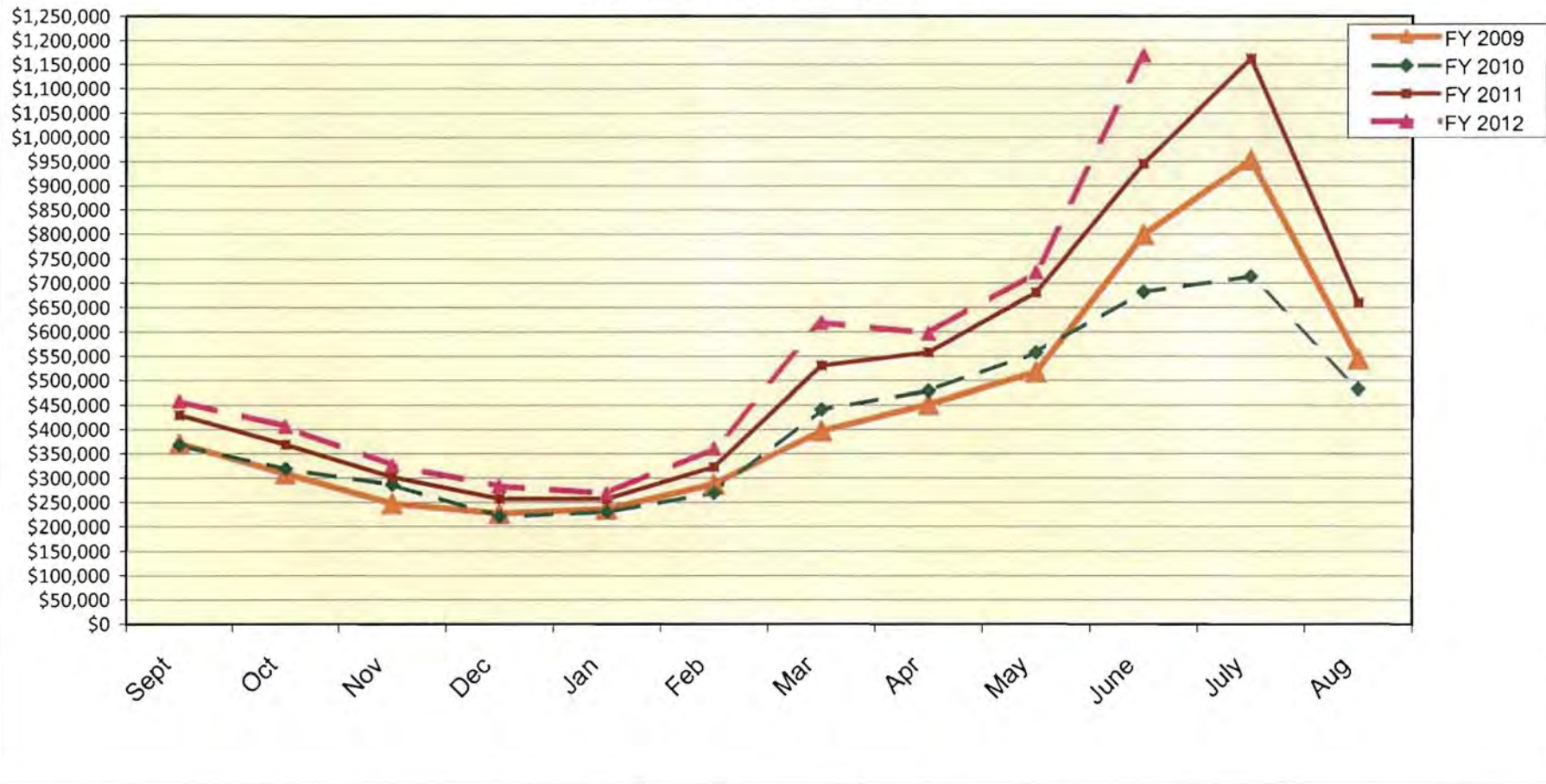
Tourist Development Tax Collections
Fiscal Year 2012
Returns through June 30, 2012



Tourist Development Tax Collections
 Comparison on a Monthly Basis
 Cumulative for September through June Returns



TOURIST DEVELOPMENT TAX
 4 YEAR TRENDLINE
 FY 2009 - FY 2012
 Returns through June 30, 2012



FOUR PERCENT TOURIST DEVELOPMENT TAX COLLECTION DATA
 ESCAMBIA COUNTY FLORIDA
 FISCAL YEAR 2012
 AS OF JULY 31, 2012

Month of Collection	Zip Code									
	32501		32502		32503		32504		32505	
	Downtown Area	% OF Total	Other Downtown Area	% OF Total	Cordova Mall & South Area	% OF Total	Davis & Scenic Hwy South of I-10 including Airport Area	% OF Total	South of Michigan Av East of Mobile Hwy West of Pace Blvd	% OF Total
10/11	10,252	2%	21,587	5%	1,621	0%	66,469	15%	18,229	4%
11/11	11,569	3%	26,077	6%	1,654	0%	67,517	17%	13,639	3%
12/11	10,117	3%	23,673	7%	1,669	1%	65,599	20%	16,934	5%
01/12	8,427	3%	17,418	6%	780	0%	57,653	20%	13,662	5%
02/12	9,900	4%	19,812	7%	1,322	0%	61,237	23%	15,166	6%
03/12	11,129	3%	23,863	7%	1,153	0%	70,802	20%	26,666	7%
04/12	13,857	2%	32,868	5%	2,001	0%	96,476	16%	32,046	5%
05/12	11,446	2%	30,890	5%	1,898	0%	87,760	15%	23,364	4%
06/12	13,511	2%	37,245	5%	2,392	0%	95,111	13%	27,430	4%
07/12	16,426	1%	39,677	3%	1,248	0%	104,008	9%	34,613	3%
Total	\$ 116,636	2%	273,110	5%	\$ 15,737	0%	\$ 772,632	15%	\$ 221,750	4%

Month of Collection	Zip Code									
	32506		32507		32514		32526		32534	
	Lillian Hwy & Highway 98 Area	% OF Total	Bayou Chico to Perdido Key South of Sorrento Area	% OF Total	Palafox & Scenic Hwy North of I-10 Area	% OF Total	Mobile Hwy North of Michigan Avenue Area	% OF Total	I-10 & Pensacola Blvd North Area	% OF Total
10/11	18,032	4%	68,744	15%	29,674	6%	15,323	3%	8,636	2%
11/11	15,074	4%	45,371	11%	30,181	7%	15,055	4%	8,914	2%
12/11	14,538	4%	27,295	8%	29,083	9%	15,684	5%	8,510	3%
01/12	11,748	4%	26,916	10%	27,933	10%	17,104	6%	8,774	3%
02/12	12,784	5%	26,494	10%	24,125	9%	13,587	5%	7,496	3%
03/12	13,278	4%	37,429	10%	32,590	9%	15,693	4%	10,609	3%
04/12	23,616	4%	85,566	14%	44,393	7%	22,592	4%	14,619	2%
05/12	17,818	3%	83,272	14%	37,655	6%	14,260	2%	12,006	2%
06/12	15,949	2%	103,024	14%	36,924	5%	24,174	3%	11,625	2%
07/12	23,360	2%	278,306	24%	49,106	4%	24,946	2%	13,905	1%
Total	\$ 166,197	3%	\$ 782,417	15%	\$ 341,664	7%	\$ 178,418	3%	\$ 105,096	2%

Month of Collection	Zip Code								Total Month	% OF Total
	32535		32561		32562		32577			
	Century (Other) Area	% OF Total	Pensacola Beach Area	% OF Total	Other	% OF Total	Molino Area	% OF Total		
10/11	162	0%	199,210	43%	-	0%	244	0%	458,182	100%
11/11	359	0%	170,514	42%	-	0%	180	0%	406,106	100%
12/11	141	0%	113,216	35%	-	0%	1	0%	326,460	100%
01/12	70	0%	92,299	33%	-	0%	100	0%	282,885	100%
02/12	-	0%	75,867	28%	-	0%	-	0%	267,790	100%
03/12	242	0%	116,748	32%	-	0%	100	0%	360,302	100%
04/12	186	0%	250,450	40%	-	0%	-	0%	618,669	100%
05/12	136	0%	275,830	46%	-	0%	133	0%	596,467	100%
06/12	145	0%	355,150	49%	-	0%	50	0%	722,731	100%
07/12	138	0%	582,744	50%	-	0%	50	0%	1,168,527	100%
Total	\$ 1,578	0%	\$ 2,232,027	43%	\$ -	0%	\$ 858	0%	\$ 5,208,120	100%

FOUR PERCENT TOURIST DEVELOPMENT TAX COLLECTION DATA
 ESCAMBIA COUNTY FLORIDA
 FISCAL YEAR 2011
 AS OF JUNE 30, 2011

Month of Collection	Zip Code									
	32501		32502		32503		32504		32505	
	Downtown Area	% OF Total	Other Downtown Area	% OF Total	Cordova Mall & South Area	% OF Total	Davis & Scenic Hwy South of I-10 including Airport Area	% OF Total	South of Michigan Av East of Mobile Hwy West of Pace Blvd	% OF Total
10/10	21,896	5%	17,684	4%	1,722	0%	70,447	16%	18,874	4%
11/10	23,789	6%	14,335	4%	1,948	1%	69,705	19%	18,057	5%
12/10	21,317	7%	15,137	5%	1,569	1%	57,187	19%	12,376	4%
01/11	17,711	7%	11,472	4%	743	0%	51,025	20%	13,312	5%
02/11	9,918	4%	19,443	8%	1,169	0%	57,730	23%	13,236	5%
03/11	9,794	3%	22,764	7%	1,248	0%	59,147	18%	23,956	7%
04/11	12,775	2%	30,643	6%	2,107	0%	85,200	16%	26,271	5%
05/11	12,961	2%	34,719	6%	1,969	0%	77,667	14%	24,272	4%
06/11	13,476	2%	36,680	5%	1,984	0%	85,383	13%	27,840	4%
07/11	15,257	2%	33,717	4%	1,256	0%	90,089	10%	23,333	2%
Total	\$ 158,894	3%	\$ 236,594	5%	\$ 15,713	0%	\$ 703,580	15%	\$ 201,527	4%

Month of Collection	Zip Code									
	32506		32507		32514		32526		32534	
	Lillian Hwy & Highway 98 Area	% OF Total	Bayou Chico to Perdido Key South of Sorrento Area	% OF Total	Palafox & Scenic Hwy North of I-10 Area	% OF Total	Mobile Hwy North of Michigan Avenue Area	% OF Total	I-10 & Pensacola Blvd North Area	% OF Total
10/10	11,393	3%	60,796	14%	30,769	7%	16,363	4%	9,402	2%
11/10	11,703	3%	41,428	11%	29,710	8%	11,481	3%	9,788	3%
12/10	14,069	5%	30,736	10%	24,728	8%	20,226	7%	7,346	2%
01/11	10,477	4%	28,256	11%	25,345	10%	16,739	7%	9,937	4%
02/11	14,348	6%	26,609	10%	25,237	10%	14,356	6%	9,025	4%
03/11	15,671	5%	33,293	10%	30,339	9%	15,549	5%	11,994	4%
04/11	18,916	4%	68,184	13%	36,272	7%	20,874	4%	13,202	2%
05/11	20,086	4%	70,097	13%	37,541	7%	18,498	3%	11,374	2%
06/11	23,015	3%	91,993	14%	37,466	6%	12,526	2%	11,664	2%
07/11	20,822	2%	208,188	22%	41,336	4%	29,326	3%	12,017	1%
Total	\$ 160,501	3%	\$ 659,580	14%	\$ 318,742	7%	\$ 175,937	4%	\$ 105,747	2%

Month of Collection	Zip Code								Total Month	% OF Total
	32535		32561		32562		32577			
	Century (Other) Area	% OF Total	Pensacola Beach Area	% OF Total	Other	% OF Total	Molino Area	% OF Total		
10/10	220	0%	169,567	40%	-	0%	-	0%	429,133	100%
11/10	257	0%	136,086	37%	-	0%	-	0%	368,286	100%
12/10	234	0%	97,021	32%	-	0%	-	0%	301,946	100%
01/11	67	0%	71,643	28%	-	0%	-	0%	256,727	100%
02/11	124	0%	65,154	25%	-	0%	-	0%	256,349	100%
03/11	128	0%	98,212	30%	-	0%	-	0%	322,095	100%
04/11	242	0%	215,548	41%	-	0%	20	0%	530,253	100%
05/11	260	0%	247,533	44%	-	0%	-	0%	556,977	100%
06/11	272	0%	337,654	50%	-	0%	100	0%	680,051	100%
07/11	140	0%	469,430	50%	-	0%	100	0%	945,010	100%
Total	\$ 1,945	0%	\$ 1,907,847	41%	-	0%	\$ 220	0%	\$ 4,646,828	100%

Tourist Development Tax Collection Data
Reported in Fiscal Year Format
Escambia County Florida

		THREE (3%) PERCENT TOURIST TAX DOLLARS COLLECTED 2003-2012									
Month Of Collection	For The Month Of										
		2003*	2004*	2005*	2006*	2007*	2008*	2009*	2010*	2011*	2012*
OCT	SEP	193,564	224,446	248,504	302,728	245,125	288,077	277,444	274,902	321,850	343,637
NOV	OCT	190,161	211,517	232,619	262,261	224,646	238,591	231,361	238,423	276,214	304,579
DEC	NOV	156,742	182,428	214,278	229,491	212,939	206,205	185,367	214,475	226,459	244,845
JAN	DEC	129,124	143,891	208,669	198,766	179,798	163,665	169,734	164,750	192,546	212,164
FEB	JAN	150,788	142,928	201,031	205,121	179,184	180,694	176,773	171,885	192,262	200,843
MAR	FEB	180,228	221,737	205,903	225,806	212,686	227,362	215,131	201,473	241,571	270,226
APR	MAR	278,843	313,139	261,605	312,491	328,479	344,151	297,195	330,261	397,690	464,002
MAY	APR	293,130	338,856	259,188	288,754	315,555	303,720	338,268	358,871	417,733	447,350
JUN	MAY	323,467	346,125	295,677	343,616	387,614	474,863	387,513	417,285	510,038	542,048
JUL	JUN	461,018	502,598	332,603	426,840	590,236	605,739	598,667	510,928	708,757	876,396
TOTAL		2,357,064	2,627,664	2,460,078	2,795,874	2,876,262	3,033,066	2,877,453	2,883,253	3,485,121	3,906,089

Source: Spreadsheet entitled "Revenue Calculations", line 6 for the current month.

TOURIST DEVELOPMENT TAX COLLECTION DATA
 REPORTED IN FISCAL YEAR FORMAT
 ESCAMBIA COUNTY, FLORIDA

		ADDITIONAL ONE (1%) PERCENT TOURIST TAX DOLLARS COLLECTED 2003-2012									
Month Of Collection	For The Month Of										
		2003	2004	2005	2006	2007	2008	2009	2010	2011	2012
OCT	SEP	61,683	72,025	80,772	100,760	81,708	96,026	92,482	91,634	107,283	114,546
NOV	OCT	61,914	68,243	77,125	87,266	74,882	79,530	77,120	79,474	92,072	101,528
DEC	NOV	51,137	59,544	71,106	76,287	70,980	68,735	61,789	71,492	75,487	81,615
JAN	DEC	41,904	46,802	69,486	65,960	59,933	54,555	56,578	54,917	64,182	70,721
FEB	JAN	48,987	46,458	66,731	67,836	59,728	60,231	58,924	57,295	64,087	66,948
MAR	FEB	58,194	71,404	68,324	74,453	70,895	75,787	71,710	67,158	80,524	90,075
APR	MAR	89,840	100,682	86,518	103,411	109,493	114,717	99,065	110,087	132,563	154,667
MAY	APR	93,398	107,864	85,729	94,971	105,185	101,240	112,756	119,624	139,244	149,117
JUN	MAY	104,959	115,334	96,938	113,025	129,205	158,288	129,171	139,095	170,013	180,683
JUL	JUN	153,673	167,533	107,972	142,210	196,745	201,913	199,556	170,309	236,252	292,132
TOTAL		765,688	855,888	810,700	926,179	958,754	1,011,022	959,151	961,084	1,161,707	1,302,030

Source: Spreadsheet entitled "Revenue Calculations", line 5 for the current month.



ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

◆ AUDITOR ◆ ACCOUNTANT ◆ EX-OFFICIO CLERK TO THE BOARD ◆ CUSTODIAN OF COUNTY FUNDS ◆

AI-3035 **Clerk & Comptroller's Report** **11. 2.**

BCC Regular Meeting

Meeting Date: 08/09/2012

Issue: Pensacola Museum of Art Internal Audit Report

From: Doris Harris

Organization: Clerk & Comptroller's Office

Recommendation:

Recommendation Concerning the Pensacola Museum of Art Internal Audit Report

That the Board accept, for filing with the Board's Minutes, the Pensacola Museum of Art (PMA) Internal Audit Report, as prepared by the Clerk and Comptroller's Office; the scope of the audit was limited mainly to the review of PMA's use of County's funding; staff has reviewed the records for the Fiscal Year 2012.

The report outlines a number of findings for the PMA; staff has made several recommendations for improvement; Patty Sheldon, Administrator of Financial Services, has spoken with Ms. Sonya Davis, Executive Director and Chief Curator for the PMA, regarding the audit, and Ms. Davis has provided a written response to the Internal Audit indicating recommendations are being implemented.

Attachments

CR I-2



EXECUTIVE ADMINISTRATION/LEGAL DIVISION
 ACCOUNTING DIVISION
 APPEALS DIVISION
 ARCHIVES AND RECORDS
 CENTURY DIVISION
 CHILD SUPPORT
 CLERK TO THE BOARD
 COUNTY CIVIL
 COUNTY CRIMINAL
 COURT DIVISION
 CIRCUIT CIVIL
 CIRCUIT CRIMINAL
 DOMESTIC RELATIONS
 FAMILY LAW

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

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FINANCE
 JURY MANAGEMENT
 GUARDIANSHIP
 HUMAN RESOURCES
 JUVENILE DIVISION
 MARRIAGE
 MENTAL HEALTH
 MANAGEMENT INFORMATION SYSTEMS
 OFFICIAL RECORDS
 ONE STOP
 OPERATIONAL SERVICES
 PROBATE DIVISION
 TRAFFIC DIVISION
 TREASURY

MEMORANDUM

TO: Honorable Board of County Commissioners

FROM: Honorable Ernie Lee Magaha
 Clerk of the Circuit Court & Comptroller

By: Patricia L. Sheldon
 Patricia L. Sheldon, CPA, CGFO, CPFO, CPFIM
 Administrator for Financial Services
 Clerk of the Circuit Court & Comptroller

DATE: July 31, 2012

SUBJECT: Pensacola Museum of Art Internal Audit Report

RECOMMENDATION:

That the Board accepts, for filing with the Board's Minutes, the Pensacola Museum of Art (PMA) Internal Audit Report, as prepared by the Clerk and Comptroller's Office. The scope of the audit was limited mainly to the review of PMA's use of County's funding. We reviewed the records for the fiscal year 2012.

The report outlines a number of findings for the PMA. We have made several recommendations for improvement. I have spoken with Ms. Sonya Davis, Executive Director, and Chief Curator for the PMA, regarding the audit and Ms. Davis has provided a written response to the Internal Audit indicating they are implementing the recommendations.

ERNIE LEE MAGAHA
 CLERK OF CIRCUIT COURT
 ESCAMBIA COUNTY, FL.
 2012 JUL 31 P 3:51
 THE BOARD OF
 COUNTY COMMISSIONERS



EXECUTIVE ADMINISTRATION/LEGAL DIVISION
ACCOUNTING DIVISION
APPEALS DIVISION
ARCHIVES AND RECORDS
CENTURY DIVISION
CHILD SUPPORT
CLERK TO THE BOARD
COUNTY CIVIL
COUNTY CRIMINAL
COURT DIVISION
CIRCUIT CIVIL
CIRCUIT CRIMINAL
DOMESTIC RELATIONS
FAMILY LAW

ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

• AUDITOR • ACCOUNTANT • EX-OFFICIO CLERK TO THE BOARD • CUSTODIAN OF COUNTY FUNDS •

FINANCE
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JUVENILE DIVISION
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MENTAL HEALTH
MANAGEMENT INFORMATION SYSTEMS
OFFICIAL RECORDS
ONE STOP
OPERATIONAL SERVICES
PROBATE DIVISION
TRAFFIC DIVISION
TREASURY

July 31, 2012

Charles R. "Randy" Oliver, CPA
Escambia County Administrator
221 Palafox Place, Suite 400
Pensacola, FL 32502

Dear Mr. Oliver,

At the request of your office, the Clerk and Comptroller's (Clerk's) Finance Department conducted a limited review of the fiscal year 2012 expenditures of the Pensacola Museum of Art (PMA). The County funds PMA in two ways: 1) via a direct appropriation to PMA of \$15,000 for the purpose of marketing and 2) via an appropriation administered by Arts, Cultural, & Entertainment, Inc. (ACE) of \$38,525 for the purpose of general operating activities.

Sonya Davis, the Executive Director was interviewed, and provided a list of questions to respond to for the review. The review was limited in scope to the County's funding, however, as the public funding is helping to support general operating activities, it was considered to be our purview to include a minimal review of the PMA's financial statements that were provided to ACE as part their grant approval process. We express no opinion on PMA's financial statements, however the use of public funds invites a certain level of public interest in the entity receiving the funding and how it is using the funding from the public coffers.

As it relates to the County's direct appropriation of \$15,000, documentation is sent to the Clerk's Finance Department monthly from PMA showing the expenses for marketing. Staff pre-audits the documentation and reimburses PMA as allowable. There have been no discrepancies to date in the expenditures documentation provided by PMA.

The grant PMA receives via ACE is handled differently on a monthly basis. ACE does not require PMA (or any of its other grantees) to provide detailed documentation of expenditures. In other words, ACE does not handle its grants on a reimbursable basis in the same manner that the County does. In light of this procedure, we asked PMA to provide the appropriate documentation for how the County dollars have been spent to date in support of carrying out the mission they described in their grant request of ACE. PMA's grant request stated the grant would assist them in carrying out the mission of "providing an array of stimulating exhibitions

within our historic structure; collecting and preserving works from the 20th and 21st centuries with an emphasis on modern and contemporary art; and implementing age-specific educational programs to inspire and encourage an appreciation of the arts.”

Inquiry #1: Please provide appropriate documentation for how the County dollars have been spent to date in support of carrying out your mission as defined in your grant proposal cover letter.

Finding: In reviewing the expenditure documentation provided by PMA, we found that of the \$29,775.28 received to date, 3.39% has been spent on educational art supplies, such as canvas and paint, and 96.61% has been spent on general operating support such as insurance, phone service, electricity, and a copier lease.

Inquiry #2 and #3: Please provide copies of any and all Performance Reports you have provided to ACE in support of the funding you have received. Provide copies of the most recent financial statement.

Finding: PMA performance reports were reviewed, which included monthly financial statements. Some items to note in the financial statements as of May 31, 2012 are as follows:

- The ratio of current assets to current liabilities is 1.086. Commonly referred to as the *quick ratio*, it measures the ability of a company to use its near cash or quick assets to extinguish or retire its current liabilities. Quick assets include those current assets that presumably can be quickly converted to cash at or near their book values. The industry standard for a quick ratio is 1.00, therefore, PMA is slightly higher than the standard at this point in time.
- The endowment line item fluctuates each month by interest earned and transfers in/out. No further inquiries were made regarding the endowment, as that is beyond the purview and scope of the County’s funding.
- Accounts Receivables (AR) and Grant Receivables equal close to \$90,000. We inquired as to PMA’s policy/process on AR collections. Ms. Davis stated that they do actively pursue collection on the outstanding AR. Some AR accounts were recently written off during a current review process when it was determined that the amounts should not have been billed.
- Grant income appears to be approximately 28% of total income.
- Net Income to date is less than \$1,000.
- Retained earnings are over \$500,000.
- Significant budget departures are as follows:
 - Special Event Income is significantly over-budget
 - Annual giving is under budget. One component of this category is membership revenue. Although aggregate membership revenue is virtually at the same level as last year, the budgeted expectation was for increased membership. Individual

- memberships have decreased, while other categories of membership giving have increased. See Inquiry #8 for a more detailed explanation on membership levels.
- Sponsorship Revenue is under budget
 - Utilities and Marketing expenses are over budget
 - General Administrative and Payroll costs are under budget
- Balance Sheets are reported for two (2) months comparatively at a time. It was noted that amounts reported at the end of one month do not always equal the same amount as reported the following month, in the comparative column. For example, the ending balance sheet amounts for the February 29, 2012 Balance Sheet did not equal the reported balances for February on the March 31, 2012 Balance Sheet. PMA's Finance Director, Jessica Hyche, explained that month-end adjustments are made after the financials are reviewed by the Finance Committee, therefore the ending balance may change. PMA explained that they may not have submitted the "final" balance sheets for this review and that they would check on this. No further documentation has been received at this time.

Recommendation: Once published, balances reported one month in the financial statements should not change from month to month. Adjustments made after the close of a period and publishing of the financial statements should be absorbed in the current month and reported as such.

Inquiry #4: Are you accounting for the County's dollars separately or are they co-mingled? The County's direct funding is to be spent only on advertising and marketing.

Finding: Ms. Davis indicates that the marketing and advertising line items are coded separately in their accounting system. "Marketing Expenses" do appear as a separate line item on the Profit & Loss Statement.

Inquiry #5: What is the status of the Audit Committee and their tasks as outlined on page 11 of the Grant Proposal? Per the proposal, the Audit Committee was to select an audit firm to perform a review/audit.

Finding: Per Ms. Davis, there are no minutes of the meeting held by the Audit Committee; however the Committee has sent a Request for Proposal (RFP) to seven (7) local firms requesting a review. Three responses were received from which a firm was selected on June 28, 2012 and began on July 9, 2012.

Recommendation: We request the PMA provide to the County a copy of that audit/review within 15 days of its release. If PMA does not comply with this request, it is recommended that the County funding be held in abeyance until the report is received.

Inquiry #6: What does your Finance Committee do and how often do they meet?

Finding: Per Ms. Davis, the PMA's Bylaws establish the Finance Committee work with the Treasurer to create the annual budget and prepare for the annual audit. The Finance Committee meets monthly to review financial reports.

Recommendation: Based on their receipt of county funding, it is recommended and the Clerk's Office highly encourages the PMA to keep minutes of both the Audit Committee Meetings and the Finance Committee Meetings to document actions taken.

Inquiry #7: What is PMA's status in meeting its 2012 fundraising goal of \$40,000 (page 15 of the Grant Proposal)?

Finding: According to the FY 2012 Grant Proposal submitted to ACE, the PMA established a goal of raising \$40,000 during FY 2012. According to the May 31, 2012 Profit & Loss Statement, the PMA has indeed exceeded that goal.

Inquiry #8: Have memberships increased as projected on page 15 of the grant proposal (projected increase of 72%)?

Finding: Per Sonya Davis, Membership has increased only 1.43%, well below what was expected. PMA is working now through their current Annual Members' Exhibition to improve their membership numbers by year end. PMA is working on filling the vacated position of Board Membership Chair and it will be part of this person's goals to recruit individual and corporate memberships.

Inquiry #9: No County dollars should be used on the Chicago "friend-raising trip" (see page 16 of the Grant Proposal) as that effort pertains to the function of raising private donations and memberships outside the scope of programmatic activity.

Finding: Per Ms. Davis, the Chicago trip sponsored by the Museum was paid for individually by the travelers. No Museum funds were used to support this trip.

Inquiry #10: Please provide documentation of the economic impact of the Museum as indicated is available on the grant application checklist. What quantifiable evidence do you have of improving economic development through tourism by putting "heads in beds"?

Finding: PMA supplied the list of out-of-town visitor locations that were registered in their guest book. Travelers have come from 39 States and 16 different countries. Examples include California, Connecticut, Massachusetts, New Mexico, Texas, Washington, Brazil, China, Germany, England, Holland, and Russia to name a few. Although the PMA does not collect lodging data on these guests, it is certain that they are staying in local hotels and other various transient rental accommodations, satisfying the requirement that the County

grant money be used to “put heads in beds”. There appears to be a definite impact on the local economy with tourism dollars spent on lodging, food and other services.

Overall, the review went smoothly. Ms. Davis is knowledgeable and was willing to answer all questions asked of her. Based on our limited review, no discrepancies in the County funding was noted. Attached you will find an e-mail response from Ms. Davis on behalf of PMA. She indicates that some recommendations have been brought to the attention of the Audit and Finance Committees and are in the process of being implemented.

Sincerely,

Ernie Lee Magaha, Clerk of Court and Comptroller

By: *Patricia L. Sheldon*
Patricia L. Sheldon, CPA, CGFO, CPFO, CPFIM
Administrator for Financial Services

cc: Sonya Davis, Executive Director, PMA

From: Sonya Davis [mailto:sonya@pensacolamuseumofart.org]
Sent: Monday, July 30, 2012 2:40 PM
To: 'Patty Sheldon'
Subject: RE: PMA Audit Report draft -- comments

Patty,

Thank you again for your willingness to give me a chance to review and respond to your report. I have a couple things I'd like to ask you to consider noting, changing or including.

Might you consider that while we have not increased as hoped, the aggregate membership revenue (total membership dollars) is the same as last year per the information I sent you?

Since the Finance Director creates the reports, would it be appropriate to say the Finance Director rather than PMA as far as the explanation of the difference in the end of the previous month and the beginning of the next month in February and March? I don't know if this makes any difference. In the meantime, this has been brought to the attention of the Finance Committee and the recommendation will be implemented.

In my response to Inquiry #5, seven firms were approached but several had conflicts of interest therefore 3 firms sent proposals. Again, I don't know if that makes any difference. I just want my responses to be accurate.

Regarding recommendations related to Inquiry #6, I have advised the Audit and Finance Committees to keep minutes to document their actions and recommendations to the full Board. This process will be in place forthcoming.

Thank you again for your willingness to let me review and respond. Please call me if there are any other questions I can answer.

Best,

Sonya

Sonya Davis
Executive Director, Chief Curator
Pensacola Museum of Art
407 South Jefferson Street
Pensacola, Florida 32502
850.432.6247 phone
850.469.1532 fax



ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

◆ AUDITOR ◆ ACCOUNTANT ◆ EX-OFFICIO CLERK TO THE BOARD ◆ CUSTODIAN OF COUNTY FUNDS ◆

AI-2986

Clerk & Comptroller's Report 11. 3.

BCC Regular Meeting

Meeting Date: 08/09/2012

Issue: Approval of CIAC Minutes

From: Doris Harris

Organization: Clerk & Comptroller's Office

Recommendation:

Recommendation Concerning Approval of the Minutes of the Quarterly Meeting of the County Investment Advisory Committee

That the Board approve the Minutes of the Quarterly Meeting of the County Investment Advisory Committee (CIAC) held April 27, 2012, as prepared by Doris Harris, Clerk to the Board's Office, and approved by the CIAC on July 27, 2012.

Attachments

CR I-3

MINUTES OF THE QUARTERLY MEETING OF THE
COUNTY INVESTMENT ADVISORY COMMITTEE
HELD APRIL 27, 2012
M. C. BLANCHARD JUDICIAL BUILDING
EXECUTIVE ADMINISTRATION CONFERENCE ROOM, SECOND FLOOR
190 GOVERNMENTAL CENTER, PENSACOLA, FLORIDA
(9:07 a.m. – 9:34 a.m.)

Present: Robert A. Beargie, Chairman, Board of County Commissioners' Appointee
Bob Alft, Vice Chairman, Clerk of the Circuit Court and Comptroller's Appointee
Lisa N. Bernau, Chief Deputy Clerk
Stephan Hall, representing Amy Lovoy, County Administrator's Designee

Others

Present: Patricia L. Sheldon, Clerk & Comptroller's Administrator of Financial Services
Cheryl Maher, Senior Accounting Supervisor, Clerk and Comptroller's Office
Brenda Chestnutt, Tax Collector's Office
Doris Harris, Clerk to the Board's Office

Absent: M. Blaise Adams, Board of County Commissioners' Appointee
Gene M. Valentino, BCC Oversight Representative

AGENDA NUMBER

1-2. Call to Order/Roll Call

Mr. Alft called the County Investment Advisory Committee (CIAC) Quarterly Meeting to order at 9:07 a.m., and Mrs. Harris conducted the Roll Call, with a quorum present.

3. Invocation

Mrs. Bernau delivered the Invocation.

4. Legal Advertisement

The CIAC was advised by Mrs. Harris that the Meeting was advertised in the Pensacola News Journal on April 21, 2012, in the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule April 23- April 27, 2012, Legal No. 1560862.*

MINUTES OF THE CIAC MEETING – Continued

AGENDA NUMBER – Continued

5. Approval of Minutes

Motion made by Mrs. Bernau, seconded by Mr. Hall, and carried 3-0, with Mr. Adams absent and Mr. Beargie not yet present, approving the Minutes of the Quarterly Meeting of the CIAC held January 20, 2012, as prepared by Doris Harris, Clerk to the Board's Office.

6. Review of Investment Reports for January, February, and March 2012

Mrs. Sheldon reviewed the Investment Reports for January, February, and March 2012, which reflect short-term portfolio balances of \$134,721,846 as of January 31, 2012, \$126,397,909, as of February 29, 2012, and \$117,796,464 as March 31, 2012, with Year-to-Date earnings of \$103,336 for the short-term portfolio and \$903,831 for the long-term portfolio.

7. Portfolio Review and Market Update

The CIAC heard a review by David Jang, Senior Managing Consultant, PFM Asset Management, LLC, of the *Escambia County Clerk of Court, Florida – Investment Performance Review – Quarter Ended March 31, 2012*, which includes an Executive Summary that reflects the following:

- The County's Long Term Portfolio is of high credit quality and invested in U.S. Treasury, Federal Agency, high quality corporate and municipal securities.
- In the first quarter, the so called "risk-on" trade benefited investors across the board – and to a general extent, the riskier the asset, the better the performance. As risk aversion waned in the first quarter, spreads narrowed considerably. As a result, spread product, such as corporates, performed exceptionally well. Because rates rose in the quarter, most U.S. Treasuries indices posted negative returns, making them the poorest performing sector and ending the three quarter streak in which Treasuries outperformed Agencies.

(Continued on Page 3)

MINUTES OF THE CIAC MEETING – Continued

AGENDA NUMBER – Continued

7. Continued...

- For most of the first quarter, Treasury yields stayed within the established ranges they had been in since August 2011. However, in mid-March, yields moved sharply higher to 8-month highs. Despite the move higher, PFM concluded that this did not represent a fundamental change in the marketplace nor did it warrant a significant change in strategy. The Fed has committed to keep low rates through late 2014 and economic conditions continue to reflect only moderate growth. PFM used higher rates as an opportunity to modestly extend the Long Term Portfolio's duration to 2.63 from 2.49.
- In an environment of range bound yields, performance can be enhanced by holding longer maturities, which have higher initial yields and benefit from "roll down," and by extending in credit sectors, which captures both the value of the yield curve and wider credit spreads. PFM employed both strategies, rolling Treasury and Agencies with shorter maturities into longer, higher yielding maturities, and opportunistically increasing corporate allocations. The Long Term Portfolio realized over \$176,000 in gains on sales during the quarter as a result of active management.
- The combination of careful duration management, pro-active sector rotation, and active management trading led to excellent results for the first quarter. The portfolio's performance was 0.32%, outperforming the benchmark's performance of -0.19% by 0.51%.
- Several months of stronger economic news has improved the outlook for the U.S. economy, but PFM expects interest rates to remain range-bound due to the Fed's loose monetary policy, lingering worries about Europe and China, and moderate levels of inflation in core prices. In particular, the fed funds target rate - set at 0.00% to 0.25% since December 2008 – creates a strong anchor holding down short and intermediate-term rates for the foreseeable future.

(Continued on Page 4)

MINUTES OF THE CIAC MEETING – Continued

AGENDA NUMBER – Continued

7. Continued...

- Most of the excess value in corporate bonds that resulted from the spread-widening in the second half of 2011 is now gone, and there are fewer corporate names that are attractively priced currently. PFM favored financials in 2009-10, industrials in 2011, and currently favor holding both for 2012, although PFM will not be adding aggressively to positions at current spreads. Corporate fundamentals remain strong, although PFM recognizes that ratings for banks and finance companies are likely to continue to face downgrades as ratings agency implement revised ratings methodologies.
- As always, PFM strives to maintain the safety of principal, while at the same time seeking opportunities to add value. PFM's strategy will remain flexible and may change in response to changes in interest rates, economic data, market outlook or specific opportunities that arise.

8. Adjourn

Mr. Alft adjourned the CIAC Meeting at 9:34 a.m.



ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

◆ AUDITOR ◆ ACCOUNTANT ◆ EX-OFFICIO CLERK TO THE BOARD ◆ CUSTODIAN OF COUNTY FUNDS ◆

AI-2984

Clerk & Comptroller's Report 11. 4.

BCC Regular Meeting

Meeting Date: 08/09/2012

Issue: Voluntary Annexation of Properties

From: Doris Harris

Organization: Clerk & Comptroller's Office

Recommendation:

Recommendation Concerning Voluntary Annexation of Properties

That the Board accept, for filing with the Board's Minutes, the July 25, 2012, letter from Ericka L. Burnett, City Clerk, and copies of Ordinance No. 15-12 and Ordinance No. 16-12, each entitled, "An Ordinance incorporating a certain area contiguous and adjacent to the City of Pensacola into the City of Pensacola, and declaring said area to be a part of the City of Pensacola; repealing clause, and providing an effective date," relative to the City's annexation of multiple parcels of property located partially within the City Limits and partially within unincorporated Escambia County, Florida, as adopted by the Pensacola City Council on July 19, 2012, and received in the Clerk to the Board's Office on August 1, 2012.

Attachments

CR I-4

Planning Services 435-1670
Inspection Services 436-5600
Neighborhood & Economic Development 436-5655

Community Development Department

City of
Pensacola



America's First Settlement
And Most Historic City

July 25, 2012

Honorable Ernie Lee Magaha Clerk to the Board
Escambia County
221 Palafox Place Suite 130
Pensacola, FL 32502

RE: Voluntary Annexation of Properties

Dear Sir or Madam:

Please be advised that on July 19, 2012 the Pensacola City Council approved annexation of multiple parcels located partially within the City Limits and partially within unincorporated Escambia County, Florida into the City of Pensacola.

I am enclosing herewith a certified copy of Ordinance Number 15-12 and 16-12 which contains a complete legal description of the annexation.

Should you require additional information in regard to this annexation, please contact Sherry Morris, Planning Services Administrator with the Planning Services Department at 435-1670.

Thank you for your attention to this matter.

Sincerely,

Ericka L. Burnett
City Clerk

Enclosures
See attached list

ERNEE LEE MAGAHA
CLERK OF CIRCUIT COURT
ESCAMBIA COUNTY, FL
2012 AUG - 1 P 3: 48
CLERK OF THE BOARD OF
COUNTY COMMISSIONERS

PROPOSED
ORDINANCE NO. 16-12

ORDINANCE NO. 15-12

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE INCORPORATING A CERTAIN AREA CONTIGUOUS AND ADJACENT TO THE CITY OF PENSACOLA INTO THE CITY OF PENSACOLA, AND DECLARING SAID AREA TO BE A PART OF THE CITY OF PENSACOLA; REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of Pensacola has found that the property described below is contiguous to the City of Pensacola and reasonably compact in nature; and

WHEREAS, the City Council of the City of Pensacola hereby determines that the petition for annexation is a voluntary action of the owner of property in the area proposed to be annexed; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the City of Pensacola hereby finds and declares that all proceedings by the owner of the hereinafter described area, in compliance with §171.044, *Florida Statutes*, for the purpose of integrating and annexing said area into the City of Pensacola, are regular and qualify pursuant to the requirements of §171.044, and that the City of Pensacola does hereby accept into the City of Pensacola the following described properties which are being integrated and annexed by the City of Pensacola and made a part and portion of the City of Pensacola, lying within and hereby incorporated into the City of Pensacola, to-wit:

A TRACT OF LAND IN SECTION 35, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA, DESCRIBED AS FOLLOWS:

COMMENCE AT THE NORTHEAST CORNER OF FONTANEL PLACE AS RECORDED IN PLAT BOOK 1 PAGE 34 OF THE PUBLIC RECORDS OF SAID COUNTY; THENCE NORTH 26° WEST ALONG THE NORTHERLY EXTENSION OF THE EAST LINE OF THE SAID FONTANEL PLACE (THE SAID EAST LINE BEING IDENTICAL WITH THE WEST LINE OF THE MARY E. BAARS PROPERTY AS RECORDED IN DEED BOOK 83 PAGE 1-3 OF THE AFORESAID PUBLIC RECORDS) A DISTANCE OF 2400 FEET MORE OR LESS TO THE EAST RIGHT-

OF-WAY LINE OF FERRY PASS HIGHWAY(40' EAST OF THE CENTER LINE, THEREOF); THENCE NORTH 17°45' EAST ALONG THE SAID EAST RIGHT-OF-WAY LINE A DISTANCE OF 266 FEET TO A CONCRETE MONUMENT ON THE NORTH SIDE OF A COUNTY RIGHT-OF-WAY DESCRIBED IN DEED BOOK 520 PAGE 382 OF THE AFORESAID PUBLIC RECORDS AND THE POINT OF BEGINNING; THENCE DEFLECTING 90°00'00" RIGHT GO EASTERLY ALONG THE NORTHERLY LINE OF THE AFORESAID COUNTY RIGHT-OF-WAY A DISTANCE OF 300 FEET; THENCE DEFLECTING 90° LEFT GO NORTHERLY A DISTANCE OF 200 FEET; THENCE DEFLECTING 90°LEFT GO WESTERLY A DISTANCE OF 301 FEET MORE OR LESS TO THE EASTERLY LINE OF THE AFORESAID FERRY PASS HIGHWAY; THENCE SOUTHERLY ALONG THE SAID EASTERLY LINE OF FERRY PASS HIGHWAY A DISTANCE OF 200 FEET MORE OR LESS TO THE POINT OF BEGINNING;

Located within Escambia County Florida

A map depicting the areas to be annexed is attached hereto as Exhibit A.

SECTION 2. The owner of the above described property has complied with the requirements of said §171.044, the certification of the City Engineer has been attached to the plat and legal description on file in the office of the City Clerk, and the above referenced area shall become a part of the City of Pensacola.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect immediately upon its passage by the City Council.

Passed: July 19, 2012

Approved: s/Sam Hall
President of City Council

Attest:

s/Ericka L. Burnett
City Clerk

Legal in form and valid as drawn:

s/James M. Messer
City Attorney

I, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL THEREOF ON FILE IN MY OFFICE. WITNESS MY HAND AND THE CORPORATE SEAL OF THE CITY OF PENSACOLA, FLORIDA THIS THE 30th DAY OF July 2012
Ericka L. Burnett
CITY CLERK
CITY OF PENSACOLA, FLORIDA

PROPOSED
ORDINANCE NO. 17-12

ORDINANCE NO. 16-12

AN ORDINANCE
TO BE ENTITLED:

AN ORDINANCE INCORPORATING A CERTAIN AREA CONTIGUOUS AND ADJACENT TO THE CITY OF PENSACOLA INTO THE CITY OF PENSACOLA, AND DECLARING SAID AREA TO BE A PART OF THE CITY OF PENSACOLA; REPEALING CLAUSE, AND PROVIDING AN AFFECTIVE DATE.

WHEREAS, the City Council of the City of Pensacola has found that the property described below is contiguous to the City of Pensacola and reasonably compact in nature; and

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SECTION 1. That the City of Pensacola hereby finds and declares that all proceedings by the owner of the hereinafter described area, in compliance with §171.044, Florida Statutes, for the purpose of integrating and annexing said area into the City of Pensacola, are regular and qualify pursuant to the requirements of §171.044, and that the City of Pensacola does hereby accept into the City of Pensacola the following described properties which are being integrated and annexed by the City of Pensacola and made a part and portion of the City of Pensacola, lying within and hereby incorporated into the City of Pensacola, to-wit:

COMMENCING AT WESTMOST CORNER OF LOT 1, BLOCK "C", KENSINGTON, 5TH ADDITION, PB 10, P 59, AND THE POINT OF BEGINNING; THENCE S61°03'46"E, A DISTANCE OF 108.36 FEET TO THE NORTHERLY RIGHT-OF-WAY OF LANGLEY AVENUE; THENCE S66°44'55"E, ALONG SAID RIGHT-OF-WAY A DISTANCE OF 62.35 FEET; THENCE N25°58'38"W, A DISTANCE OF 85.70 FEET TO THE POINT OF BEGINNING

Address of 3201 Cape Trafalgar Court Account Number

AND ALSO:

BEGINNING AT THE SOUTHWEST CORNER LOT 1, BLOCK "E", NORTH HILL RE-SUB, SAID POINT BEING THE POINT OF BEGINNING; THENCE N04°28'36"E, ALONG THE EAST RIGHT-OF-WAY OF NORTH "B" STREET A DISTANCE OF 75.00 FEET; THENCE S85°31'23"E, A DISTANCE OF 133.94 FEET; THENCE S04°28'37"W, A DISTANCE OF 57.71 FEET TO THE CITY LIMIT; THENCE S49°13'44"W, A DISTANCE OF 24.35 FEET TO THE SOUTH LINE OF SAID LOT 1; THENCE N85°31'21"W, A DISTANCE OF 116.80 FEET TO THE POINT OF BEGINNING.

Address of 2020 North B Street Account Number 132596000

AND ALSO:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2, BLOCK "E", NORTH HILL RE-SUBDIVISION, PB 1, PG 62; THENCE S85°31'20"E, ALONG THE NORTH LINES OF LOTS 2, 28, AND 27 A DISTANCE OF 110.94 FEET TO THE EAST LINE OF THE WEST 23' OF LOT 27, BLOCK 7, NORTH HIGHLANDS, PLAT DB 54, P 606; AND THE POINT OF BEGINNING; THENCE CONTINUE S85°31'36"E, A DISTANCE OF 5.86 FEET TO THE CITY LIMIT; THENCE S49°06'01"W, A DISTANCE OF 8.34 FEET; THENCE N04°29'21"E, A DISTANCE OF 5.93 FEET TO THE POINT OF BEGINNING.

Address of 410 West Hernandez Street Account Number 132601500

AND ALSO:

COMMENCING AT A POINT ON THE EAST RIGHT-OF-WAY OF "U" STREET BEING THE NORTHWEST CORNER OF LOT 12, BLOCK 206, EAST KING TRACT; THENCE S86°18'00"E, A DISTANCE OF 119.48 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE ALONG THE NORTH LINE OF SAID LOT S86°18'13"E, A DISTANCE OF 30.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 12; THENCE S04°10'34"W, ALONG THE EAST LINE OF SAID LOT A DISTANCE OF 27.50 FEET TO THE SOUTHEAST CORNER OF SAID LOT 12; THENCE N85°42'52"W, A DISTANCE OF 30.00 FEET; THENCE N04°10'34"E, A DISTANCE OF 27.19 FEET TO THE POINT OF BEGINNING

Address of 2601 West Cervantes Street Account Number 151715501

AND ALSO:

COMMENCING AT THE NORTHWEST CORNER OF LOT 15, BLOCK 135, BELMONT

TRACT, SAID POINT BEING THE POINT OF BEGINNING; THENCE N80°17'33"E, ALONG THE SOUTH RIGHT-OF-WAY OF WEST YONGE STREET A DISTANCE OF 74.00 FEET; THENCE S48°39'42"W, A DISTANCE OF 86.67 FEET TO THE WEST LINE OF SAID LOT 15; THENCE N09°57'42"W, A DISTANCE OF 45.45 FEET TO THE POINT OF BEGINNING
Address of 2369 North Palafox Street Account Number 132233750

AND ALSO:

COMMENCING AT THE SOUTHWEST CORNER LOT 23, BLOCK 93, FIRST ADDITION TO NORTH HILL HIGHLANDS, PLAT DB 64, PAGE 572; THENCE S85°15'52"E, ALONG THE NORTH RIGHT-OF-WAY LINE OF WEST LLOYD STREET A DISTANCE OF 50.00 FEET TO A POINT ON THE WEST LINE OF THE EAST 10' OF LOT 22 AND THE POINT OF BEGINNING; THENCE N04°18'25"E, A DISTANCE OF 151.44* FEET TO A TO THE APPARENT CENTERLINE OF A VACATED ALLEYWAY; THENCE S85°24'00"E, A DISTANCE OF 50.00 FEET; THENCE S04°18'24"W, A DISTANCE OF 106.28 FEET TO A POINT ON THE CITY LIMIT; THENCE S49°35'06"W, A DISTANCE OF 63.86 FEET TO THE NORTH RIGHT-OF WAY LINE OF WEST LLOYD STREET; THENCE N85°16'02"W, A DISTANCE OF 4.62 FEET TO THE POINT OF BEGINNING
Address of 1310 West Lloyd Street Account Number 144234100

AND ALSO:

COMMENCING AT THE SOUTHEAST CORNER OF LOT 24, BLOCK 194, WEST KING TRACT, SAID POINT BEING THE POINT OF BEGINNING; THENCE N85°47'26"W, ALONG THE SOUTH RIGHT-OF WAY OF WEST JACKSON STREET A DISTANCE OF 25.00 FEET TO THE SOUTHWEST CORNER OF SAID LOT 24; THENCE N04°09'27"E, A DISTANCE OF 154.14 FEET TO THE NORTHWEST CORNER OF SAID LOT 24; THENCE S85°42'13"E, A DISTANCE OF 25.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 24; THENCE S04°09'29"W, A DISTANCE OF 154.11 FEET TO THE POINT OF BEGINNING.
Address of 2510 West Jackson Street Account Number 151618100

AND ALSO:

COMMENCING AT THE NORTHWEST CORNER LOT 39, BLOCK "A", GANT II, PB 12, P 23, AND THE POINT OF BEGINNING; THENCE S74°36'52"E, A DISTANCE OF 9.48 FEET; THENCE S25°25'22"W, A DISTANCE OF 25.96 FEET TO THE CITY LIMIT; THENCE S58°00'53"W, A DISTANCE OF 77.17 FEET A POINT ON A CURVE ON THE NORTHERLY RIGHT-OF-WAY OF MEREITH DRIVE (60' R/W); THENCE ALONG SAID NON-TANGENT CURVE TO THE RIGHT, WITH A RADIUS OF 56.81 FEET, A CENTRAL ANGLE OF 23°52'40" (CHORD BEARING DISTANCE = N 33°24'43" W; 23.50 FEET) AN

ARC DISTANCE OF 23.68 FEET; THENCE N21°28'23"W, ALONG SAID NORTHERLY RIGHT-OF WAY A DISTANCE OF 27.09 FEET; THENCE N76°18'28"E, A DISTANCE OF 92.96 FEET TO THE POINT OF BEGINNING.
Address of 2990 Meredith Drive Account Number 012330187

AND ALSO:

COMMENCING AT THE NORTHEAST CORNER LOT 11, BLOCK "C" THE GANT, PB 12, P 23, AND THE POINT OF BEGINNING; THENCE S23°24'07"W, ALONG THE EAST LINE OF LOT 11, A DISTANCE OF 5.26 FEET TO THE CITY LIMIT; THENCE N03°47'23"E, A DISTANCE OF 5.56 FEET TO THE SOUTH RIGHT-OF-WAY OF MEREDITH DRIVE (60' R/W); THENCE S67°09'29"E, A DISTANCE OF 1.87 FEET TO THE POINT OF BEGINNING
Address of 2995 Meredith Drive Account Number 012330423

AND ALSO:

COMMENCING AT THE WESTMOST CORNER LOT 18, BLOCK "C" LA CHATEAU, PB 12, P 87, AND THE POINT OF BEGINNING; THENCE N68°36'24"E, A DISTANCE OF 110.68 FEET TO THE CITY LIMIT AND THE WEST RIGHT OF WAY LINE OF CHABLIS LANE (60' R/W); THENCE S57°38'05"W, A DISTANCE OF 98.90 FEET TO THE BOUNDARY OF PENSACOLA INTERNATIONAL AIRPORT BEING A POINT ON A CURVE; THENCE ALONG SAID NON-TANGENT CURVE TO THE RIGHT, WITH A RADIUS OF 1659.19 FEET, A CENTRAL ANGLE OF 0°48'05" (CHORD BEARING DISTANCE= N 57°12'12" W ; 23.21 FEET) AN ARC DISTANCE OF 23.21 FEET TO THE POINT OF BEGINNING;
Address of 6101 Chablis Lane Account Number 012329575

AND ALSO

COMMENCING AT THE NORTHWEST CORNER OF LOT 13, BLOCK 72, FIRST ADDITION TO NORTHHILL HIGHLANDS, PLAT DB 64, PG 752, SAID POINT BEING THE POINT OF BEGINNING; THENCE S84°54'51"E ALONG THE SOUTH RIGHT-OF-WAY LINE OF WEST LEE STREET, A DISTANCE OF 30.00 FEET TO THE NORTHEAST CORNER OF SAID LOT 13; THENCE S52°38'17"W, A DISTANCE OF 40.29 FEET TO THE INTERSECTION OF THE CITY LIMIT AND THE WEST LINE OF SAID LOT 13; THENCE N04°30'27"E, ALONG SAID WEST A DISTANCE OF 27.19 FEET TO THE POINT OF BEGINNING
Address of 1217 West Lee Street Account Number 144159500

AND ALSO

COMMENCING AT THE NORTHWEST CORNER OF LOT 2, BLOCK "G", NORTHHILL RESUB, PB1, PG 62, SAID POINT BEING THE POINT OF BEGINNING; THENCE S86°06'42"E, A DISTANCE OF 58.00 FEET TO A

NORTHEAST CORNER LOT 2; THENCE S86°06'46"E, A DISTANCE OF 10.04*FEET TO A EAST LINE OF THE WEST 10 FEET OF LOT 1; THENCE S04°34'33"W, A DISTANCE OF 13.18*FEET TO A CITY LIMIT; THENCE S49°13'47"W, A DISTANCE OF 96.80*FEET*TO A WEST LINE OF SAID LOT 2; THENCE N04°34'34"E, A DISTANCE OF 81.22*FEET TO THE POINT OF BEGINNING.

Address of 611 West Hernandez Street Account Number 062505250

AND ALSO

COMMENCING AT THE NORTHWEST CORNER OF LOT 62, BLOCK "F", CHARTER OAKS, UNIT 3, PB 12, P 19, AND THE POINT OF BEGINNING; THENCE S85°41'48"E, ALONG THE NORTH LINE OF SAID LOT 62, A DISTANCE OF 38.57 FEET TO THE CITY LIMIT; THENCE S03°05'57"W, A DISTANCE OF 79.09 FEET TO THE SOUTH LINE OF SAID LOT 62; THENCE N69°02'23"W, ALONG SAID SOUTH LINE A DISTANCE OF 56.35FEET TO SOUTHWEST CORNER OF SAID LOT 62, A POINT ON A CURVE ON THE RIGHT-OF-WAY OF DESERT STREET (60' R/W); THENCE ALOND A CURVE CONCAVED LEFT HAVING A RADIUS OF 150', A CENTRAL ANGLE OF 22°55'05", THROUGH AN ARC DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING

Address of 3257 Desert Street Account Number 022492716

AND ALSO

COMMENCING AT THE SOUTHWEST CORNER OF LOT 65, AND THE POINT OF BEGINNING; THENCE N03°22'23"E, ALONG THE EAST RIGHT-OF-WAY LINE OF DESERT STREET (60' R/W), A DISTANCE OF 89.01 FEET TO A POINT OF CURVATURE; THENCE NORTHERLY, A DISTANCE OF 48.02 FEET ALONG A NON TANGENT CURVE TO THE RIGHT OF WHICH THE RADIUS POINT LIES S81°49'31"E, A RADIUS OF 127.14 FEET, AND HAVING A CENTRAL ANGLE OF 21°38'31", TO A POINT ON SOUTHERLY RIGHT-OF-WAY LINE OF RAINES STREET(60' R/W); THENCE S57°11'34"E, ALONG THE SAID SOUTHERLY RIGHT-OF-WAY AND ITS WESTERN EXTENSION A DISTANCE OF 28.12 FEET TO THE CITY LIMIT; THENCE S03°03'32"W, A DISTANCE OF 121.79 FEET TO THE SOUTH LINE OF SAID LOT 65; THENCE N85°41'38"W, A DISTANCE OF 38.02 FEET TO THE POINT OF BEGINNING.

Address of 3269 Desert Street Account Number 022492730

AND ALSO

COMMENCING AT THE NORTHMOST CORNER OF LOT 61, BLOCK "F", CHARTER OAKS, UNIT 3, PB 12, P 19, AND THE POINT OF BEGINNING; THENCE S69°02'23"E, ALONG THE NORTH LINE OF SAID LOT 61, A DISTANCE OF 56.35 FEET TO THE CITY LIMIT; THENCE S03°05'57"W, A DISTANCE OF 117.97 FEET TO THE SOUTH LINE OF SAID LOT 61; THENCE

N41°50'05"W, ALONG SAID SOUTH LINE A DISTANCE OF 125.52 FEET TO SOUTHEASTERLY RIGHT-OF-WAY OF DESERT STREET (60' R/W) AND A POINT ON A CURVE CONCAVED LEFT HAVING A RADIUS OF 150 FEET, A CENTRAL ANGLE OF 22°55'05", THROUGH AN ARC DISTANCE OF 60.00 FEET TO THE POINT OF BEGINNING

Address of 3253 Desert Street Account Number 022492711

AND ALSO

BEGINNING AT THE NORTHEAST CORNER OF LOT 1, BLOCK 163, PETERSON ADDITION, SAID POINT BEING THE POINT OF BEGINNING; THENCE S04°20'27"W, A DISTANCE OF 12.84 FEET TO THE CITY LIMIT; THENCE S49°10'45"W, A DISTANCE OF 277.50 FEET TO A POINT ON THE NORTH SHORE OF MAGGIES BAYOU HEREIN AFTER REFFERED TO AS POINT "A"; THENCE RETURNING TO THE POINT OF BEGINNING GO N 04°20'27"E A DISTANCE OF 25.00 FEET; THENCE N85°41'21"W, A DISTANCE OF 321.99 FEET TO A POINT ON THE CENTERLINE OF "U" STREET (50' R/W); THENCE S04°21'12"W, ALONG THE CENTERLINE OF SAID "U" STREET A DISTANCE OF 212.39 FEET TO A POINT ON THE NORTH SHORE OF MAGGIES BAYOU WHICH BEARS N75°45'37"W A DISTANCE OF 128.27 FEET FROM POINT "A"; THENCE ALONG THE NORTH SHORE OF SAID BAYOU APPROXIMATELY 130 FEET TO POINT "A"; THENCE N49°10'45"E, ALONG SAID CITY LIMIT A DISTANCE OF 277.50 FEET TO THE EAST LINE OF SAID LOT 1; THENCE N04°20'27"E, ALONG SAID LOT 1 A DISTANCE OF 12.84 FEET TO THE POINT OF BEGINNING.

Address of 2603 West Wright Street Account Number 154068510

AND ALSO

COMMENCING AT THE NORTHWEST CORNER OF LOT 9, BLOCK 90, FIRST ADDITION TO NORTH HILL HIGHLANDS, PLAT DB. 64, PAGE 572; THENCE S85°13'52"E, ALONG THE SOUTH RIGHT-OF WAY OF WEST LLOYD STREET TO A POINT ON THE WEST LINE OF THE EAST 10 FEET OF LOT 10, A DISTANCE OF 50.00 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE S85°13'49"E, ALONG SAID RIGHT-OF-WAY A DISTANCE OF 50.00 FEET TO THE EAST LINE OF THE WEST 10 FEET OF LOT 12; THENCE S04°04'41"W, ALONG SAID EAST LINE A DISTANCE OF 24.02 FEET TO THE CITY LIMIT; THENCE S49°35'03"W, ALONG SAID CITY LIMIT A DISTANCE OF 70.10 FEET TO SAID WEST LINE; THENCE N04°04'42"E, A DISTANCE OF 73.75 FEET TO THE POINT OF BEGINNING

Address of 1341 Lloyd Street Account Number 144224100

AND ALSO

COMMENCING AT THE SOUTHEAST CORNER LOT 17, BLOCK 195, FERRIS

S/D, WEST KING TRACT, SAID POINT BEING THE POINT OF BEGINNING;
THENCE N85°41'56"W, A DISTANCE OF 15.00 FEET TO THE SOUTHWEST
CORNER OF THE EAST HALF OF LOT 17; THENCE N04°09'29"E, A
DISTANCE OF 125.87 FEET TO THE NORTHWEST CORNER OF THE EAST HALF
OF SAID LOT 17; THENCE S85°42'35"E, A DISTANCE OF 15.00 FEET TO
THE NORTHEAST CORNER OF SAID LOT 17; THENCE S04°09'25"W, A
DISTANCE OF 125.87 FEET TO THE POINT OF BEGINNING
Address of 2514 West Gadsden Street Account Number 151628100

AND ALSO

COMMENCING AT THE NORTHWEST CORNER LOT 1, BLOCK "G", NORTHHILL
RE-SUBDIVISION, PB 1, PG 62; THENCE S86°06'43"E ALONG THE SOUTH
RIGHT-OF-WAY OF WEST HERNANDEZ STREET, A DISTANCE OF 10.04 FEET
TO THE POINT OF BEGINNING; THENCE CONTINUE S86°06'43"E, A
DISTANCE OF 13.18 FEET TO THE CITY LIMIT; THENCE S49°14'02"W, A
DISTANCE OF 18.75 FEET; THENCE N04°34'33"E, A DISTANCE OF 13.18
FEET TO THE POINT OF BEGINNING.
Address of 601 West Hernandez Street Account Number 062504500

AND ALSO

COMMENCING AT THE SOUTHWEST CORNER LOT 24, BLOCK 159, MCMILLIAN
S/D, WEST KING TRACT, AND THE POINT OF BEGINNING; THENCE
N04°02'31"E, ALONG THE EAST RIGHT-OF-WAY OF NORTH "Q" STREET A
DISTANCE OF 30.63 FEET TO THE NORTHWEST CORNER SAID LOT 24;
THENCE S85°45'36"E, A DISTANCE OF 149.78 FEET TO THE NORTHEAST
CORNER SAID LOT 24; THENCE S04°25'21"W, A DISTANCE OF 30.63 FEET
TO THE SOUTHEAST CORNER SAID LOT 24; THENCE N85°45'34"W, A
DISTANCE OF 149.57 FEET TO THE POINT OF BEGINNING.
Address of 808 North Q Street Account Number 151418100

AND ALSO

COMMENCING AT THE SOUTHWEST CORNER OF LOT 6, BLOCK 175, WEST
KING TRACT, AND THE POINT OF BEGINNING; THENCE N04°17'44"E,
ALONG THE EAST RIGHT-OF-WAY OF NORTH "R" STREET A DISTANCE OF
30.6 FEET TO THE NORTHWEST CORNER SAID LOT 6; THENCE
S85°44'00"E, A DISTANCE OF 125.57 FEET TO THE NORTHEAST CORNER
OF SAID LOT 6; THENCE S04°25'24"W, A DISTANCE OF 30.60 FEET TO A
SOUTHEAST CORNER OF SAID LOT 6; THENCE N85°44'00"W, A DISTANCE
OF 125.50 FEET TO THE POINT OF BEGINNING
Address of 920 North R Street Account Number 151507100

AND ALSO:

COMMENCING AT THE SOUTHEAST CORNER LOT 3, BLOCK 3, FERRY PASS HEIGHTS, PB 1, P 60, AND THE POINT OF BEGINNING; THENCE N87°17'40"W, ALONG THE SOUTH LINE OF SAID LOT 3 A DISTANCE OF 95.00 FEET; THENCE N02°33'36"W, A DISTANCE OF 15.00 FEET; THENCE S87°17'43"E, A DISTANCE OF 95.00 FEET; THENCE S02°33'08"E, A DISTANCE OF 15.00 FEET TO THE POINT OF BEGINNING.
Address of 860 Burgess Road Account Number 032222100

AND ALSO:

COMMENCING AT THE NORTHWEST CORNER LOT 98, 1ST ADDITION TO OAKHURST, PB 3, P 5, AND THE POINT OF BEGINNING; THENCE S86°18'47"E, ALONG THE SOUTH RIGHT-OF-WAY LINE OF FAIRCHILD STREET (66' R/W) A DISTANCE OF 195.97 FEET TO THE CITY LIMIT AND THE NORTHEAST CORNER OF SAID LOT 98; THENCE S03°23'02"W, A DISTANCE OF 612.81 FEET TO THE SOUTHEAST CORNER OF SAID LOT 98; THENCE N87°08'11"W, A DISTANCE OF 194.51 FEET TO THE SOUTHWEST CORNER OF SAID LOT 98; THENCE N03°14'49"E, A DISTANCE OF 615.61 FEET TO THE POINT OF BEGINNING.
Address of 1900 Block of Fairchild Drive Account Number 032465100

AND ALSO:

COMMENCING AT THE SOUTHEAST CORNER LOT 1, BLOCK 31, NORTH PENSACOLA, UNIT 4, PB 2, PG 57, SAID POINT BEING THE POINT OF BEGINNING; THENCE S81°43'13"W, ALONG THE NORTH RIGHT-OF-WAY OF TEXAR DRIVE, A DISTANCE OF 98.09 FEET; THENCE N08°31'34"W, A DISTANCE OF 15.00 FEET; THENCE N69°00'31"W, A DISTANCE OF 22.99*FEET; THENCE N08°31'56"W, ALONG THE WEST LINES OF LOT 4, AND LOTS 25 THROUGH 42, OF SAID BLOCK 31, A DISTANCE OF 616.50 FEET TO THE HISTORIC SOUTHERLY RIGHT-OF WAY OF GUILLEMARD STREET (66' R/W); THENCE N54°00'23"E, ALONG SAID SOUTHERLY RIGHT-OF-WAY A DISTANCE OF 132.98 FEET TO THE NORTHEAST CORNER LOT 25, SAID BLOCK 31; THENCE S08°32'23"E, ALONG THE WESTERLY RIGHT-OF-WAY LINE OF NORTH MILLER STREET A DISTANCE OF 704.58 FEET TO THE POINT OF BEGINNING
Address of 100 East Texar Drive Account Number 050735500

AND ALSO:

COMMENCING AT THE NORTHEAST CORNER LOT 42, BLOCK 18, NORTH

PENSACOLA, UNIT NO.2, PB 2, PG 6; THENCE S07°44'18"E, ALONG THE EAST RIGHT-OF WAY OF NORTH GUILLEMARD STREET A DISTANCE OF 94.88 FEET TO THE WESTWARD EXTENSION OF THE NORTH RIGHT-OF-WAY OF EAST ANDERSON STREET AND THE POINT OF BEGINNING; THENCE CONTINUE S07°30'56"E, ALONG SAID EAST RIGHT-OF-WAY A DISTANCE OF 214.25 FEET; THENCE S82°45'25"W, A DISTANCE OF 120.00 FEET TO THE EAST SIDE OF A GULF POWER EASEMENT; THENCE N37°46'18"W ALONG SAID EASEMENT, A DISTANCE OF 22.02 FEET; THENCE N05°56'53"W, A DISTANCE OF 193.33 FEET TO SAID NORTH EXTENDED RIGHT-OF-WAY; THENCE N81°50'51"E, A DISTANCE OF 125.82 FEET TO THE POINT OF BEGINNING

Address of 3000 Block of North Guillemard Street Account Number 051043050

AND ALSO:

COMMENCING AT THE NORTHEAST CORNER LOT 42, BLOCK 18, NORTH PENSACOLA, PB2, PG 6; THENCE S54°39'08"W, ALONG THE NORTH LINE OF SAID LOT 42, A DISTANCE OF 249.14 FEET TO THE POINT OF BEGINNING; THENCE CONTINUE SOUTHWESTERLY ALONG SAID LINE, A DISTANCE OF 45.26 FEET TO THE EASTERLY RIGHT-OF-WAY OF THE L&N RAILROAD; THENCE N22°43'29"W, ALONG SAID RAILROAD A DISTANCE OF 40.82 FEET; THENCE N81°48'34"E, A DISTANCE OF 50.67 FEET; THENCE S07°42'48"E, A DISTANCE OF 18.86 FEET TO THE POINT OF BEGINNING.

Account Number 051266501

AND ALSO:

COMMENCING AT THE NORTHEAST CORNER OF LOT 2, BLOCK "B", ROSA PARKS SUB, PB 18, PG 99; THENCE N03°43'31"E, A DISTANCE OF 6.89 FEET; THENCE S87°37'19"E, A DISTANCE OF 52.98 FEET; THENCE S03°14'32"W, A DISTANCE OF 6.89 FEET TO THE POINT OF BEGINNING; THENCE S87°35'04"E, A DISTANCE OF 337.85 FEET; THENCE S03°20'43"W, A DISTANCE OF 52.81 FEET; THENCE S86°49'18"E, A DISTANCE OF 18.41 FEET; THENCE S03°19'28"W, A DISTANCE OF 112.27 FEET; THENCE N87°35'04"W, A DISTANCE OF 355.86 FEET; THENCE N03°11'41"E, A DISTANCE OF 165.31 FEET TO THE POINT OF BEGINNING.

Address of 2507 North B Street Account Number 062453000

AND ALSO:

COMMENCING AT A SOUTHEAST CORNER OF LOT 11, BLOCK 35, ENGLEWOOD HEIGHTS, PLAT DB 59, PG 107; THENCE S87°53'18"E, A DISTANCE OF 33.69 FEET TO THE INTERSECTION OF THE EAST RIGHT-OF-WAY OF "D"

STREET AND THE SOUTH RIGHT-OF WAY OF YONGE STREET AND THE POINT OF BEGINNING; THENCE S87°14'17"E, A DISTANCE OF 269.62 FEET; THENCE N03°11'12"E, A DISTANCE OF 33.19 FEET TO THE CENTERLINE OF YONGE STREET; THENCE S87°22'31"E, A DISTANCE OF 137.34 FEET; THENCE N03°12'02"E, A DISTANCE OF 97.28 FEET; THENCE S87°34'57"E, A DISTANCE OF 354.81 FEET TO A CENTERLINE INTERSECTION OF "B" AND YONGE STREETS; THENCE N03°19'26"E, A DISTANCE OF 548.03 FEET TO THE CITY LIMIT; THENCE WITH AND ALONG CITY JURISDICTION THE FOLLOWING 5 COURSES: S87°10'54"E, A DISTANCE OF 13.73 FEET; THENCE S03°19'22"W, A DISTANCE OF 601.87 FEET; THENCE N87°06'52"W, A DISTANCE OF 355.88 FEET; THENCE S02°53'11"W, A DISTANCE OF 93.39 FEET; THENCE N87°06'50"W, A DISTANCE OF 419.93 FEET TO THE RIGHT-OF-WAY OF "D" STREET; THENCE N03°01'30"E, A DISTANCE OF 12.64 FEET TO THE POINT OF BEGINNING.

Account Number 062564010

AND ALSO:

COMMENCING AT A SOUTHEAST CORNER LOT 21, BELMONT, BLOCK 133 BELMONT TRACT, SAID POINT BEING THE POINT OF BEGINNING; THENCE S09°54'16"E, ALONG THE WEST RIGHT-OF-WAY OF NORTH SPRING STREET A DISTANCE OF 83.65 FEET; THENCE S80°13'26"W, A DISTANCE OF 119.78 FEET TO THE CITY LIMIT; THENCE N09°16'59"W, A DISTANCE OF 83.65 FEET; THENCE N80°13'24"E, A DISTANCE OF 118.87 FEET TO THE POINT OF BEGINNING.

Account Number 062564010

AND ALSO:

COMMENCING AT A NORTHWEST CORNER LOT 13, BELMONT, BLOCK 135, BELMONT TRACT SAID POINT BEING THE POINT OF BEGINNING; THENCE N80°17'44"E, ALONG THE SOUTH RIGHT-OF-WAY OF WEST YONGE STREET A DISTANCE OF 28.29 FEET TO THE NORTHEAST CORNER LOT 13; THENCE S10°14'35"E, A DISTANCE OF 63.99 FEET TO THE CITY LIMIT; THENCE S49°19'55"W, A DISTANCE OF 34.07 FEET TO THE WEST LINE OF SAID LOT 13; THENCE N09°28'53"W, A DISTANCE OF 81.51 FEET TO THE POINT OF BEGINNING.

Address of 11 West Yonge Street. Account Number 132231600

All located within Escambia County Florida

A map depicting the areas to be annexed is attached hereto as Exhibit A.

SECTION 2. The owner of the above described property has complied with the requirements of said §171.044, the certification of the City Engineer has been attached to the plat and legal description on file in the office of the City Clerk, and the above referenced area shall become a part of the City of Pensacola.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect immediately upon its passage by the City Council.

Passed: July 19, 2012

Approved: s/Sam Hall
President of City Council

Attest:

s/Ericka L. Burnett
City Clerk

Legal in form and valid as drawn:

s/James M. Messer
City Attorney

I, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL THEREOF ON FILE IN MY OFFICE. WITNESS MY HAND AND THE CORPORATE SEAL OF THE CITY OF PENSACOLA, FLORIDA THIS THE 30th DAY OF July, 2012
Ericka L. Burnett
CITY CLERK
CITY OF PENSACOLA, FLORIDA



ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT AND COMPTROLLER
ESCAMBIA COUNTY, FLORIDA

◆ AUDITOR ◆ ACCOUNTANT ◆ EX-OFFICIO CLERK TO THE BOARD ◆ CUSTODIAN OF COUNTY FUNDS ◆

AI-2985 **Clerk & Comptroller's Report** **11. 5.**

BCC Regular Meeting

Meeting Date: 08/09/2012

Issue: Minutes and Reports

From: Doris Harris

Organization: Clerk & Comptroller's Office

Recommendation:

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. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held July 26, 2012; and

B. Approve the Minutes of the Regular Board Meeting held July 26, 2012.

Attachments

CR I-5

REPORT OF THE BOARD OF COUNTY COMMISSIONERS AGENDA WORK SESSION
HELD JULY 26, 2012
BOARD CHAMBERS, FIRST FLOOR, ESCAMBIA COUNTY GOVERNMENTAL COMPLEX
221 PALAFOX PLACE, PENSACOLA, FLORIDA
(9:04 a.m. – 9:58 a.m.)

Present: Commissioner Wilson B. Robertson, Chairman, District 1
Commissioner Grover C. Robinson IV, District 4
Commissioner Kevin W. White, District 5
Commissioner Marie K. Young, District 3
Lisa N. Bernau, Chief Deputy Clerk, representing the
Honorable Ernie Lee Magaha, Clerk of the Circuit Court and Comptroller
Charles R. "Randy" Oliver, County Administrator
Ryan E. Ross, Assistant County Attorney
Patricia L. Sheldon, Clerk and Comptroller's Administrator of Financial Services
Doris Harris, Deputy Clerk to the Board
Judy H. Witterstaeter, Program Coordinator, County Administrator's Office

Absent: Commissioner Gene M. Valentino, Vice Chairman, District 2

1. FOR INFORMATION: The agenda package for the 5:30 p.m., July 26, 2012, Regular Board Meeting, was reviewed as follows:
 - A. Judy H. Witterstaeter, Program Coordinator, County Administrator's Office, Ryan E. Ross, Assistant County Attorney, Gordon C. Pike, Director, Corrections Department, County Administrator Oliver, and Stephan Hall, Budget Manager, reviewed the agenda cover sheet;
 - B. Patricia L. Sheldon, Clerk and Comptroller's Administrator of Financial Services, reviewed the Clerk's Report, and Robert Overton and George Touart commented concerning Item I-4, Report of the July 19, 2012, Committee of the Whole Workshop;
 - C. T. Lloyd Kerr, Director, Development Services Department, reviewed the Growth Management Report;
 - D. Judy H. Witterstaeter, Program Coordinator, County Administrator's Office, and Keith Wilkins, Director, Community & Environment Department, reviewed the County Administrator's Report;
 - E. Ryan E. Ross, Assistant County Attorney, reviewed the County Attorney's Report and County Administrator Oliver commented concerning Item I-1; and
 - F. Commissioner Robinson and Commissioner Robertson each reviewed his add-on item, and Judy H. Witterstaeter, Administrative Assistant, County Administrator's Office, reviewed Commissioner Valentino's add-on item.

AGENDA WORK SESSION: July 26, 2012

NAME

DEPARTMENT/AGENCY

1	Lisa Bernau	Clerk + Comptroller
2	Patty Sheldon	Clerk + Comptroller Finance
3	Doris Harris	Clerk to the Board
4	Charles R. Oliver	COUNTY ADMINISTRATOR
5	Quincy H. Witterstaeter	CAO
6	Wilson B. Robertson	BCC
7	Marie Young	BCC
8	Paul [unclear]	BCC
9	K. W. White	BCC
10	[unclear]	County Attorney's Office
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AGENDA WORK SESSION: July 26, 2012

NAME

DEPARTMENT/AGENCY

1	Stephen Dell	OMB
2	Robert Overton	WFHPI
3	Keith Williams	C+E
4	Carmy Newsom	Admin
5	GEO. TOWERS	
6	LARRY HICK	ECSO
7	Brandi Zigar	PIU
8	Cam Johnson	PIU
9	Kathleen Castro	PIU
10	Sherrill David Payne	ECSO
11	Kayly Laffer	SMCF
12	Pat Johnson	DRM
13	Dianne Simpson	Legal
14	Ango Struyfnel	SMC
15	R. Stella	ECSO
16	Norman Vickers	Jazz Society of Pensacola
17	Black	PW
18	Nancy Jitter	St. Michael Cemetery
19	Orlinda Wain	St. Michael Cemetery
20	Kelly Merritt Richard	St Michael Cemetery
21	Larry Madlum	PIU
22	DAVID W Musselwhite	IT
23	Lloyd Kell	Development Services
24	Jan Smith	HR
25	Elizabeth Benchley	UWF / WFHPI
26	MIKE JAMES	ST MICHAEL'S CEMETERY
27	SISSO CASEY	SELF
28	ROBER VILHINES	JAZZ SOCIETY OF PENSACOLA
29	Claudia Simmons	PURCHASING
30	Amy Lacey	Budget

AGENDA WORK SESSION: July 26, 2012

NAME

DEPARTMENT/AGENCY

1	Nes Moreno	P/W
2	Wynn Jacobs	BCC Unit 5
3	Bickley Houston	BCC Unit 4
4	Deana Stallworth	Comm Affairs
5	Gracie Taylor	M & B
6	Bob Dennis	M & S / Purchasing
7	DAVID W WOODR	FACILITIES MGT
8	Nashua Sari	Dev
9	CARLA JONES	Community AFFAIRS
10	RANDY WILKERSON	DEFI
11	MICHAEL Rhodes	PARKS
12	Nate Mande	PNT
13	Allison Cain	Development Services
14	GLENN GRIFFITH	CRA
15	Eva Peterson	CRA
16	Dent E. Bahr	citizen
17	MIKE WEAVER	PUBLIC SAFETY
18	Susan Hoyt	SWM/P&R/CED
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BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2922

Growth Management Report 11. 1.

BCC Regular Meeting

Meeting Date: 08/09/2012

Issue: Review of the Rezoning Cases heard by the Planning Board July 9, 2012

From: T. Lloyd Kerr, AICP, Department Director

Organization: Development Services

RECOMMENDATION:

Recommendation Concerning the Review of the Rezoning Case(s) heard by the Planning Board on July 9, 2012

That the Board take the following action concerning the rezoning cases heard by the Planning Board on July 9, 2012:

- A. Review and either adopt, modify, or overturn the Planning Board's recommendations for Rezoning Cases Z-2012-13, Z-2012-14 and Z-2012-15 or remand the cases 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 cases that were reviewed.

1. Case No.: Z-2012-13
Address: Rockey Branch Rd
Property Reference No.: 24-2N-31-1302-000-000
Property Size: 20.24(+/-) acres
From: P, Public District
To: VAG-1, Village Agriculture District
FLU Category: REC, Recreation
Commissioner District: 5
Requested by: Escambia County
Planning Board Approval
Recommendation:
Speakers: Patsy Lewis

2. Case No.: Z-2012-14
Address: Black Road
Property Reference No.: 43-4N-31-1005-001-002
43-4N-31-1005-002-002
43-4N-31-1005-000-001
Property Size: 14. 83 (+/-) acres
From: VAG-1, Village Agriculture District

To: VR-1, Villages Rural Residential District
FLU Category: RC, Rural Community
Commissioner District: 5
Requested by: Jim Cowling, Agent for Bonnie Cowling, Cassie Brown and Tara Webb, Owners
Planning Board Recommendation: Approval
Speakers: Jim Cowling

3. Case No.: **Z-2012-15**
Address: Quintette Road
Property Reference No.: 26-2N-31-4230-000-001
26-2N-31-4230-000-000
Property Size: 95.0 (+/-) acres
From: VAG-1, Villages Agriculture District
To: ID-2, General Industrial District
FLU Category: I, Industrial
Commissioner District: 5
Requested by: William H. Joseph, Agent for Panhandle Holdings, LLC and Triple L. Farms, Inc., Owners
Planning Board Recommendation: Approval
Speakers: William Joseph, Agent

BACKGROUND:

The above cases were owner initiated and heard at the July 9, 2012, Planning Board Meeting. Under the Land Development Code (LDC) 2.08.00.E.1., “the Board of County Commissioners shall review the record and the recommendation of the Planning Board and either adopt the recommended order, modify the recommended order as set forth therein, reject the recommended order, or remand the matter back to the Planning Board for additional facts or clarification. Findings of fact or findings regarding legitimate public purpose may not be rejected or modified unless they are clearly erroneous or unsupported by the record. When rejecting or modifying conclusions of law, the Board of County Commissioners must state with particularity its reasons for rejecting or modifying the recommended conclusion of law and must make a finding that its substituted conclusion of law is as or more reasonable than the conclusion that was rejected or modified. However, the Board of County Commissioners may not modify the recommendation to a more intensive use than recommended by the Planning Board; rather the matter shall be remanded with instructions. The review shall be limited to the record below. Only a party of record to the proceedings before the Planning Board or representative shall be afforded the right to address the Board of County Commissioners and only as to the correctness of the findings of fact or conclusions of law as based on the record. The Board of County Commissioners shall not hear testimony.”

To further the County’s policy of “decreasing response time from notification of citizen needs to ultimate resolution,” the Board is acting on both the approval of the Planning Board recommended order and the LDC Map Amendment for this month’s rezoning cases. This report item addresses only the review and upholding of the Planning Board’s recommendation. The

next report item will address the Public Hearing for the LDC Zoning Map Amendment.

BUDGETARY IMPACT:

No budgetary impacts anticipated as a result of the Board action.

LEGAL CONSIDERATIONS/SIGN-OFF:

The recommended order is the result of deliberations by the Planning Board based on staff analysis, public testimony, and knowledge of the Comprehensive Plan and Land Development Code as well as case law and Florida Statutes.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

The Chairman will need to sign the Orders of the Escambia County Board of County Commissioners either denying or approving the rezoning requests.

IMPLEMENTATION/COORDINATION:

The cases under review are presented to the Planning Board for collection of evidence. The Planning Board conducts a quasi-judicial public hearing and issues a recommended order to the Board.

Attachments

Z-2012-13

Z-2012-14

Z-2012-15

Z-2012-13

REZONING HEARINGS - JULY 9, 2012

13

1 (Board members vote.)
 2 MS. SINDEL: None opposed.
 3 The rezoning hearing package with staff's
 4 findings-of-fact and the legal advertisement will be
 5 marked and included in the record as Composite
 6 Exhibit A for all of today's cases.
 7 (Composite Exhibit A, Findings-of-Fact and
 8 Legal Advertisement, was identified and admitted.)
 9 MS. SINDEL: There were four cases to be heard.
 08:48 10 We're only going to be hearing three.
 11 (Transcript continues on Page 14.)
 12 * * *



TAYLOR REPORTING SERVICES, INCORPORATED

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1 the existing land use map. The 500-foot radius map.
 2 This is the 500-foot zoning map. You can see it's
 3 zoned P for Public. This is our public hearing
 4 sign. This is looking south along Rocky Branch
 5 Road. Looking southeast from Rocky Branch Road.
 6 Looking east from the subject property. Looking
 7 northeast. Looking north on Rocky Branch Road.
 8 Looking north onto the subject property. This is
 9 looking east. Looking north onto the subject
 08:50 10 parcel. Looking northwest onto the subject parcel.
 11 Looking east onto the subject property. This is
 12 looking west. This is the 500-foot mailing list.
 13 That concludes staff's brief presentation.
 14 MS. SINDEL: Does anyone up here at this time
 15 have questions of the staff?
 16 If not, would the applicant or their
 17 representative for this case please come forward?
 18 MR. WEST: Yes, this is the County's
 19 property, so staff will be handling it.
 08:51 20 MS. SINDEL: So the County will be representing
 21 themselves?
 22 I have a question, Steve. Excuse me.
 23 Obviously John is an expert witness representing the
 24 County. We don't have to redo anything, just keep
 25 going ahead?

TAYLOR REPORTING SERVICES, INCORPORATED

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1 * * *
 2 CASE NO: Z-2012-13
 Location: 4020 Rocky Branch Road
 3 Parcel No: 24-2N-31-1302-000-000
From: P, Public District
 4 **To: VAG-1, Villages Agriculture District**
FLU Category: REC, Recreation
 5 BCC District: 5
 Requested by: Escambia County
 6
 7 MS. SINDEL: The first one is Z-2012-13, which
 8 requests rezoning from Public to VAG-1.
 9 Staff, was notice of the hearing sent to all
 08:49 10 interested parties?
 11 MS. HALSTEAD: Yes, ma'am, it was.
 12 MS. SINDEL: Was notice of the hearing posted
 13 on the subject property?
 14 MS. HALSTEAD: Yes, ma'am.
 15 MS. SINDEL: We will now do the overview and
 16 presentation of the case. Staff will now present
 17 the maps and photograph for Z-2012-13.
 18 (Presentation of Maps and Photographs.)
 19 MR. FISHER: John Fisher, Escambia County Urban
 08:49 20 Planner. This is Z-2012-13, 4020 Rocky Branch Road,
 21 a rezoning case from P, Public, to VAG-1, Village
 22 Agricultural.
 23 Here's our locational wetlands map. As you can
 24 see there's no wetlands located on the map. Our
 25 aerial photo. This is our Future Land Use. This is

TAYLOR REPORTING SERVICES, INCORPORATED

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1 MR. WEST: Just as if he were a private person
 2 you can question him.
 3 MS. SINDEL: I knew I should have watched more
 4 episodes of Perry Mason.
 5 (Presentation by John Fisher.)
 6 MR. FISHER: Criterion (1). Consistent with
 7 the Comprehensive Plan. Under the findings, the
 8 proposed amendment to VAG-1 is consistent with the
 9 allowable uses of the property and intent and
 08:52 10 purpose of the Future Land Use category.
 11 As stated in CPP FLU 1.3.1, the current land
 12 use category of recreational is intended for active
 13 and passive recreational activities and amenities.
 14 Criterion (2). Findings: The proposed
 15 amendment is consistent with the intent and purpose
 16 of the Land Development Code. As stated in LDC
 17 6.05.22 allowable uses in VAG-1 range from
 18 agricultural related activities, single-family
 19 residences to motorized recreation, hunting
 08:52 20 preserves and shooting ranges.
 21 Criterion (3). The proposed amendment is
 22 compatible with the surrounding and existing uses in
 23 the area. Staff observed all properties inside the
 24 500-foot radius impact area. Within the 500-foot
 25 radius staff observed six properties zoned VAG-1,

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17

1 and four properties zoned VR-2.
 2 Criterion (4). At the May 17, 2012 Board of
 3 County Commissioners meeting the Board approved
 4 conveyance of the land to the Escambia River Muzzle
 5 Loaders. Staff found no other changed conditions
 6 that would impact the amendment or the property.
 7 Criterion (5). According to the National
 8 Wetlands Inventory wetlands and hydric soils were
 9 not indicated on the subject property. When
 08:53 10 applicable further review during the site plan
 11 review process will be necessary to determine if
 12 there will be any significant adverse impact on the
 13 natural environment.
 14 Criterion (6). The proposed amendment would
 15 result in a logical and orderly development pattern
 16 due to the fact that all the surrounding parcels
 17 currently have the VAG-1 zoning designation.
 18 That concludes all staff's presentation.
 19 MS. SINDEL: Board, do you have any questions
 08:53 20 at this time for staff?
 21 MS. DAVIS: I have one. The Escambia River
 22 Muzzle Loaders, are they the ones who are going to
 23 get the land now or how does that work? Are they
 24 going to be using it?
 25 MR. WEST: They have occupied the land under
 TAYLOR REPORTING SERVICES, INCORPORATED

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1 what is effectively a lease for about 30 years, and
 2 at this point, the Board has determined that it is
 3 appropriate to transfer the property to them
 4 outright by deed. That's kind of it in a nutshell.
 5 MS. DAVIS: It's not a sale. It's a transfer?
 6 MR. WEST: Well, it is the equivalent of a
 7 sale. They're paying a nominal consideration. The
 8 County is not making any real money off of it, but
 9 it is a sale, yes.
 08:54 10 MS. DAVIS: Thank you.
 11 MS. SINDEL: Even though we don't have anyone
 12 currently signed up to speak, I have to read a
 13 little -- while you're talking it forward, I'm going
 14 to read my little recitation. For those members of
 15 the public who wish to speak on this matter, please
 16 note that the Planning Board bases its decisions on
 17 the criteria and exceptions described in Section
 18 2.08.02.D of the Escambia County Land Development
 19 Code. During its deliberations the Planning Board
 08:55 20 will not consider general statements of support or
 21 opposition. Accordingly, please limit your
 22 testimony to the criteria and exceptions described
 23 in Section 2.08.02.D. Please also note that only
 24 those individuals who are present and give testimony
 25 on the record at this hearing before the Planning
 TAYLOR REPORTING SERVICES, INCORPORATED

19

1 Board will be allowed to speak at the subsequent
 2 hearing before the Board of County Commissioners.
 3 Is there anyone from the public who wishes to
 4 speak on this matter? Please state your full name
 5 and address for the record and be sworn in.
 6 MS. LEWIS: My name is Patsy Lewis, 3935 Rocky
 7 Branch Road, Cantonment, Florida 32533.
 8 (Patsy Lewis sworn.)
 9 MS. LEWIS: Now, I have a question. If they
 08:56 10 can click back to the pictures of what the County
 11 owns, I'm trying to make sure that it is not part of
 12 my property that I own because we had a road that
 13 came through and from my understanding that we were
 14 supposed to get -- go back. My understanding we
 15 were supposed to get so much of the property, so I'm
 16 trying to distinguish what part of the rezoning that
 17 the County is trying to do. What are they doing?
 18 If it's okay, can I walk to the screen so I can have
 19 a better understanding of exactly what is going on
 08:56 20 so I can point out what is what?
 21 MS. SINDEL: Well, regrettably you're welcome
 22 to but we won't see what you're pointing to, so
 23 that's the problem with that, is that we see the
 24 picture, but we won't be able to see what you're
 25 pointing to.
 TAYLOR REPORTING SERVICES, INCORPORATED

20

1 Staff, have you had a conversation with
 2 Ms. Lewis about her concerns? Does her property
 3 abut this?
 4 MS. CAIN: It's across the street.
 5 MS. SINDEL: Ms. Lewis, I need you to stay up
 6 to the microphone because we're recording.
 7 MS. LEWIS: Go back to the click where you had
 8 the trailers at. I'm on that same side.
 9 MR. FISHER: Where that cursor is, that's where
 08:57 10 you're located at? That's where you house is?
 11 MS. LEWIS: That to me -- I don't know what I'm
 12 looking at. I can only see by if I see property
 13 what I can identify with. That I can't identify
 14 with. Go to the picture where the trailers are at.
 15 Okay. There.
 16 So is this the rezoning to the right side of
 17 that where it says looking south, is that the
 18 rezoning, where your sign starts at or is it across
 19 the highway?
 08:58 20 MR. FISHER: The rezoning is located where the
 21 sign is. And to the right where the road goes back
 22 that is the property that is being rezoned.
 23 MS. LEWIS: That would be within 500 feet of my
 24 property line, right?
 25 MR. FISHER: You're within the 500-foot radius,
 TAYLOR REPORTING SERVICES, INCORPORATED

REZONING HEARINGS - JULY 9, 2012

21

1 yes.

2 MS. LEWIS: I'm just trying to make sure that

3 it wasn't anything that the County was doing when

4 they did the road because I had to -- they moved the

5 fence back, so I was just trying to make sure I get

6 a good understanding exactly what the County was

7 doing.

8 MS. SINDEL: Were we able to answer your

9 question?

08:59 10 MS. LEWIS: Yes, ma'am.

11 MS. SINDEL: Excellent. Thank you so much.

12 MS. LEWIS: Thank you so much.

13 MS. SINDEL: Does anyone up here have any

14 questions of Ms. Lewis? Assuming not. Staff, you

15 have no questions of Ms. Lewis, correct?

16 MR. FISHER: No.

17 MS. SINDEL: Before I go, is there anyone else

18 in the audience who needs to speak on this matter

19 because I don't have any pink sheets for you. Okay.

08:59 20 Moving on. If not, we're going to close the public

21 comment portion of the hearing.

22 Board members, do you have any questions for

23 the applicant, staff or members of the public?

24 Is there anything further from the staff? If

25 not, the Chair will entertain a motion.

TAYLOR REPORTING SERVICES, INCORPORATED

22

1 MS. DAVIS: I move that we approve the changing

2 of the zoning from Public District to VAG-1.

3 MS. SINDEL: Do I have a second?

4 MR. WINGATE: Second.

5 MS. SINDEL: All in favor, please raise your

6 right hand.

7 (Board members vote.)

8 MS. SINDEL: All opposed?

9 (None.)

08:59 10 MS. SINDEL: The motion carries five/zero.

11 MR. WEST: I just wanted to make sure that

12 motion included the adoption of the findings-of-fact

13 as presented by staff.

14 MS. DAVIS: Should I redo it?

15 MR. WEST: Well, one way or the other I just

16 want it on the record.

17 MS. SINDEL: We should all have a copy of that

18 script.

19 MS. DAVIS: I agree. We should all have a

09:00 20 copy.

21 MS. SINDEL: Let's try this again. May I have

22 a motion, please?

23 (Motion by Ms. Davis.)

24 MS. DAVIS: I move to recommend approval of the

25 rezoning application to the Board of County

TAYLOR REPORTING SERVICES, INCORPORATED

23

1 Commissioners and adopt the Findings-of-Fact of

2 Z-2012-13, from Public District to VAG-1.

3 MS. SINDEL: Do I have a second?

4 MR. GOODLOE: Second.

5 MS. SINDEL: All in favor, please raise your

6 right hand.

7 (Board members vote.)

8 MS. SINDEL: Mr. West?

9 MR. WEST: The script I think still didn't have

09:00 10 the adopt -- did it have adopt the findings?

11 MS. SINDEL: Yes, she read it.

12 MS. DAVIS: I read it.

13 MR. WEST: Maybe I'm losing it then.

14 MS. SINDEL: It's a Monday after a holiday.

15 All in favor?

16 (Board members vote.)

17 MS. SINDEL: Zero opposed. The motion carries

18 five/zero.

19 (Motion passed five/zero.)

20 (Transcript continues on Page 24.)

21 * * *

22

23

24

25

TAYLOR REPORTING SERVICES, INCORPORATED

24

1 * * *

2 CASE NO: 7-2012-14

Location: Black Road

3 Parcel: 43-4M-31-1005-000-002

43-4M-31-1005-000-001

4 From: VAG-1, Villages Agriculture District

5 To: VR-1, Villages Rural Residential District

6 FLU Category: RC, Rural Community

BCC District: 5

7 Requested by: Jim Cowling, Agent for Bonnie Cowling,
Cassie Brown and Tara Webb, Owners

8

9 MS. SINDEL: The next rezoning case is

09:01 10 Z-2012-14, Black Road. It requests to go from VAG-1

11 to VR-1.

12 Members of the Board, have there been any

13 ex parte communication between you and the applicant

14 or the applicant's agent, attorneys or witnesses or

15 with fellow Planning Board members or anyone from

16 the general public prior to this hearing? Have you

17 visited the subject property? Please disclose if

18 you are a relative or a business associate of the

19 applicant or applicant's agent.

09:01 20 No to all the above.

21 MS. DAVIS: No to all the above.

22 MR. WINGATE: No contact.

23 MR. WOODARD: No to all the above.

24 MR. GOODLOE: No to all.

25 MS. HIGHTOWER: No to all.

TAYLOR REPORTING SERVICES, INCORPORATED

Planning Board-Rezoning

5. B.

Meeting Date: 07/09/2012

CASE : Z-2012-13

APPLICANT: Escambia County

ADDRESS: 4020 Rockey Branch Rd

PROPERTY REF. NO.: 24-2N-31-1302-000-000

FUTURE LAND USE: REC, Recreation

DISTRICT: 5

OVERLAY AREA: NA

BCC MEETING DATE: 08/09/2012

Information

SUBMISSION DATA:

REQUESTED REZONING:

FROM: P, Public District

TO: VAG-1, Village Agriculture District

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

Comprehensive Plan Policy (CPP)FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).

CPP FLU 1.3.1 Future Land Use Categories. The Recreational (REC) Future Land Use (FLU) category is intended for recreational opportunities for the Escambia County citizens including a system of public and private park facilities. Range of allowable uses include: Active and passive recreation activities and amenities park facilities such as boat launch, basketball courts, tennis courts, baseball and softball fields Meeting halls and the like. No new residential development is allowed.

CPP FLU 1.5.3 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and

intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

FINDINGS

The proposed amendment to VAG-1 **is consistent** with the allowable uses of the property and intent and purpose of Future Land Use category REC as stated in CPP FLU 1.3.1 The current land use category of Recreational (REC) is intended for active and passive recreational activities and amenities.

CRITERION (2)

Consistent with The Land Development Code.

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

LDC 6.05.32 P, Public District.

A. Intent and purpose of district. Publicly owned parcels for educational and correctional facilities and purposes, other public institutional uses, borrow pits and associated reclamation activities, collection and/or processing of solid waste, and sanitary landfills. Conversion of suitable public lands for business or industrial park development is allowed. Refer to article 11 for uses, heights and densities allowed in P, public districts located in the Airport/Airfield Environs.

B. Site development standards. Site development standards contained in the C-1 district shall be applicable to this zoning district. Refer to article 7 for specific performance standards relating to borrow pits and associated reclamation activities.

LDC 6.05.22. VAG, Villages Agriculture Districts. 6.05.22. VAG villages agriculture districts.

VAG 1—Gross density (five dwelling units per 100 acres on one-acre parcels).

VAG 2—Gross density (one dwelling unit per five acres).

Minimum lot size = five acres unless clustered.

If clustered, minimum lot size = one acre.

The villages agricultural districts are typically characterized by agriculturally-assessed parcels held for agricultural production and very low density residential development in agricultural communities. Single-family residential and rural community uses that directly support agricultural activities are allowed. Home occupations are considered permitted uses. Mobile homes are allowed as single-family dwellings. Residential density bonuses are available for clustering residential lots outside areas of prime farmland. When residential lots are created, small lot sizes are encouraged in order to protect viable farm production activities and curb premature conversion of prime farmland acreage to non agriculture uses. Refer to article 11 for uses, heights and densities allowed in VAG, villages agricultural areas located in the Airport/Airfield Environs.

Density bonuses, transfer, and smaller lot sizes are offered for clustering development outside prime farmland and wetlands as an incentive to protect these resources from development pressures (see section 7.17.00 for calculation of density bonus points).

A. Intent and purpose.

1. Intent and purpose of VAG 1 district. This district is characterized by land resources necessary or used to support large farming operations. The objective of this district is to keep large parcels of land from being broken into smaller tracts of multiple ownership making it difficult to assemble enough acreage for efficient agricultural operations.

B. Permitted uses.

1. Agricultural, farm animals and agricultural-related activities and customary accessory buildings.
2. Silviculture.
3. Mariculture and aquaculture.
4. Single-family residences.
5. Campground and recreational vehicle parks.
6. Public utility.
7. Stables, private and public (minimum lot size two acres).
8. Animal hospitals, clinics and kennels (minimum lot size two acres).
9. Display and sale of fruit, vegetables and similar agricultural products.
10. Mobile homes as single-family dwellings, subject to the other relevant provisions of this Code.
11. Places of worship.
12. Educational facilities.
13. Clubs and lodges.
14. Guest residences.
15. Public utility and service structures not included in subparts C. or D., below.
16. Feed and farm equipment stores.
17. Other rural area related commercial uses meeting the locational requirements of Comprehensive Plan Policy 8.A.11.
18. Commercial communication towers less than 150 feet or less in height.
19. Home-based "cottage businesses" such as crafts, florists, woodworking, sewing, and similar uses.
20. Home occupations.
21. Family day care homes and family foster homes.
22. Reclamation of borrow pits that existed prior to September 16, 2004 (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and performance standards in Part III, the Land Development Code, article 7).
23. Motorized commercial recreation uses (minimum lot size 20 acres).
24. Golf courses, tennis centers, swimming clubs and customary attendant facilities and accessory buildings.
25. Hunting preserves, shooting ranges, gun and rifle clubs, etc.

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code. As stated in LDC 6.05.22 the allowable uses in VAG-1 range from agricultural related activities, single family residences to motorized recreation, hunting preserves and shooting ranges.

CRITERION (3)

Compatible with surrounding uses.

Whether and the extent to which the proposed amendment is compatible with existing and proposed uses in the area of the subject property(s).

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area. Staff observed all properties inside and out of the 500' radius impact area. Within the 500 ft radius staff observed six properties zoned VAG-1 and four properties zoned VR-2.

CRITERION (4)

Changed conditions.

Whether and the extent to which there are any changed conditions that impact the amendment or property(s).

FINDINGS

At the May 17, 2012 Board of County Commissioners meeting, the board approved the conveyance of this land to the Escambia River Muzzle Loaders (ERML). Staff found no other changed conditions that would impact the amendment or property(s).

CRITERION (5)

Effect on natural environment.

Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment.

FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils **were not** indicated on the subject property. When applicable, further review during the site plan review process will be necessary to determine if there would be any significant adverse impact on the natural environment.

CRITERION (6)

Development patterns.

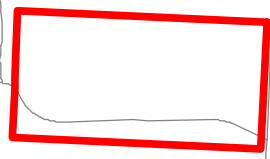
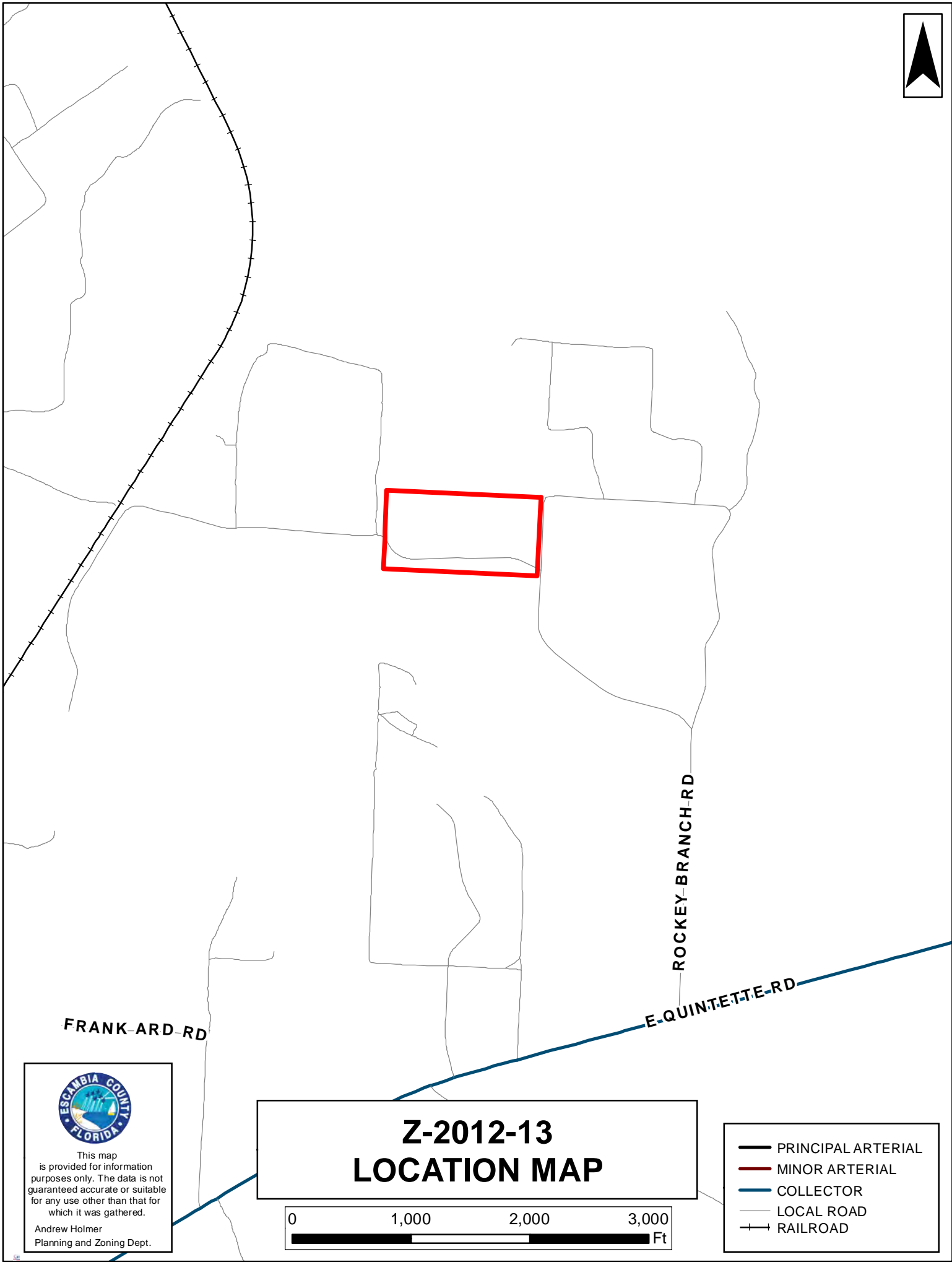
Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

FINDINGS

The proposed amendment **would result** in a logical and orderly development pattern due to the fact that all surrounding currently have the VAG-1 zoning designation.

Attachments

Z-2012-13



FRANK ARD RD

ROCKY BRANCH RD

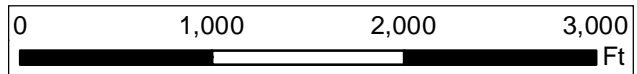
E. QUINTETTE RD



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2012-13 LOCATION MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD



VAG-1

P

VAG-1

VR-2

VAG-1

VR-2

VR-1

ROCKEY BRANCH RD

ROCKEY BRANCH RD

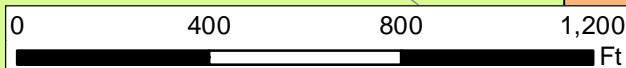
ROCKEY BRANCH RD



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Andrew Holmer
Planning and Zoning Dept.

Z-2012-13 500' RADIUS ZONING



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



AG

REC

AG

AG

AG

ROCKEY BRANCH RD

ROCKEY BRANCH RD

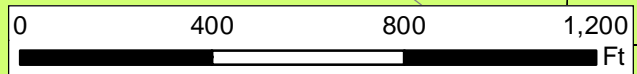
ROCKEY BRANCH RD



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Andrew Holmer
Planning and Zoning Dept.

Z-2012-13 FUTURE LAND USE



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



CROPLAND CLASS II

IMPROV. AGRICULTURAL

TIMBER 2

MUZZLE LOADERS

MH

ROCKEY BRANCH RD

SINGLE FAMILY RESID

ROCKEY BRANCH RD

TIMBERLAND, MISC.

MH

TIMBERLAND, MISC.

VACANT

SFD

IMPROV. AGRICULTURAL

VAC

SFD

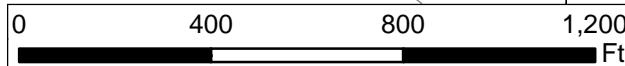
ROCKEY BRANCH RD



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John C Fisher
Planning and Zoning Dept.

Z-2012-13 EXISTING LAND USE



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



ROCKEY BRANCH RD

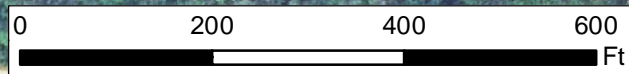
ROCKEY BRANCH RD



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Andrew Holmer
Planning and Zoning Dept.

Z-2012-13 AERIAL MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



**NOTICE OF
PUBLIC HEARING
REZONING**

CASE NO.: Z-2012-13
CURRENT ZONING: P PROPOSED ZONING: VAG-1

PLANNING BOARD

DATE: 7/9/12 TIME: 8:30 am

LOCATION OF HEARING

ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE
ROOM 104 BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 8/9/12 TIME: 5:45 pm

LOCATION OF HEARING

ESCAMBIA COUNTY GOVERNMENT CENTER
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION ABOUT THIS CASE PLEASE CALL
DEVELOPMENT SERVICES AT 595-3475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY



Looking South



Looking southeast from Rockey Branch Rd



Looking East from subject property



Looking Northeast



Looking North from Rocky Branch Rd



Looking North onto subject parcel



Looking East



Looking North onto subject parcel



Looking Northwest onto subject parcel



Looking East onto Subject Property



Looking West past subject parcel



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: _____

Rezoning Request from: P, Public to: VAG-1

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Escambia County Phone: 850-595-3475

Address: 221 Palafox Place Ste, 420, Pensacola, FL 32502 Email: zoninginfo@bcc.escambia

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 4020 Rockey Branch Road, Cantonment, FL 32533

Property Reference Number(s)/Legal Description: 24-2N-31-1302-000-000

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

Keith Wilkins
Signature of Owner/Agent

Keith Wilkins
Printed Name Owner/Agent

6-25-12
Date

Signature of Owner

Printed Name of Owner

Date

STATE OF Florida

COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 28th day of June, 20 12 by _____.

Personally Known OR Produced Identification . Type of Identification Produced: _____

Margaret A. Cain
Signature of Notary
(notary seal must be affixed)

Margaret A. Cain
Printed Name of Notary



FOR OFFICE USE ONLY

Meeting Date(s): PB 7/9/12 Accepted/Verified by: A. Cain Date: _____

Fees Paid: \$ — Receipt #: — Permit #: PRZ120600015

3363 West Park Place Pensacola, FL 32505
(850) 595-3475 * FAX: (850) 595-3481



CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 24-2N-31-1302-000-000

Property Address: 4020 Rocky Branch Road, Cantonment, FL 32533

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
e. The necessary facilities and services are guaranteed in an enforceable development agreement.
f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS _____ DAY OF _____, YEAR OF _____.

Signature of Property Owner (with stamp)

Printed Name of Property Owner

Date

Signature of Property Owner

Printed Name of Property Owner

Date



CASE #: _____

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at _____,
Florida, property reference number(s) _____

I hereby designate _____ for the sole purpose
of completing this application and making a presentation to the:

- Planning Board and the Board of County Commissioners to request a rezoning on the above referenced property.
- Board of Adjustment to request a(n) _____ on the above referenced property.

This Limited Power of Attorney is granted on this _____ day of _____ the year of, _____, and is effective until the Board of County Commissioners or the Board of Adjustment has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development Services Bureau.

Agent Name: _____ Email: _____

Address: _____ Phone: _____

Signature of Property Owner _____ Printed Name of Property Owner _____ Date _____

Signature of Property Owner _____ Printed Name of Property Owner _____ Date _____

STATE OF _____ COUNTY OF _____

The foregoing instrument was acknowledged before me this _____ day of _____ 20____,
by _____.

Personally Known OR Produced Identification . Type of Identification Produced: _____

Signature of Notary _____ Printed Name of Notary _____ (Notary Seal)

Exhibit A
Property Description

THE NORTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 31 WEST, OF ESCAMBIA COUNTY, FLORIDA, AS RECORDED IN CHANCERY ORDER BOOK 29, PAGE 351, BEING MORE PARTICULARLY DESCRIBED AS: BEGIN AT A RECOVERED ROUND CONCRETE MONUMENT AT THE NORTHWEST CORNER OF THE ABOVE MENTIONED NORTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼ OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 31 WEST, OF ESCAMBIA COUNTY, FLORIDA, FOR A POINT OF BEGINNING, THENCE ON A BEARING OF S87DEGREES 08' 24"E ALONG THE NORTH LINE OF THE ABOVE MENTIONED NORTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼, A DISTANCE OF 1,333.95 FEET TO A RECOVERED IRON ROD ON THE WEST RIGHT-OF-WAY OF ROCKY BRANCH ROAD, SAID RIGHT-OF-WAY BEING RECORDED IN OFFICIAL RECORD BOOK 330, PAGE 952; THENCE, ALONG SAID WEST RIGHT-OF-WAY, ON A BEARING OF S02DEGREES 26' 02"W, A DISTANCE OF 659.91 FEET TO A POINT; THENCE, LEAVING SAID RIGHT-OF-WAY, ALONG THE SOUTH LINE OF THE ABOVE MENTIONED NORTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼, SAID LINE ALSO BEING THE NORTH LINE OF A 33 FOOT RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORD BOOK 330, PAGE 946, ON A BEARING OF N87DEGREES 10' 43"W, A DISTANCE OF 1,336.78 FEET TO A RECOVERED 4"X4" CONCRETE MONUMENT WITH A DISK STAMPED "ESCAMBIA COUNTY ENGINEERING-DO NOT DISTURB"; THENCE ALONG THE WEST LINE OF THE ABOVE MENTIONED NORTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼, ON A BEARING OF N02DEGREES 40' 47"E, A DISTANCE OF 273.79 FEET TO THE BEGINNING OF THE CENTERLINE OF A 66 FOOT RIGHT-OF-WAY TO THE WEST AS RECORDED IN OFFICIAL RECORD BOOK 456, PAGE 715, THENCE CONTINUE ALONG SAID WEST LINE ON THE SAME BEARING OF N02DEGREES 40' 47"E, A DISTANCE OF 387 FEET TO THE RECOVERED ROUND CONCRETE MONUMENT AT THE NORTHWEST CORNER OF THE ABOVE MENTIONED NORTH ½ OF THE SOUTHWEST ¼ OF THE NORTHEAST ¼, AND THE POINT OF BEGINNING, CONTAINING 20.2 ACRES MORE OR LESS.

CONSTRUCTION NOTES:

- All disturbed areas which are not paved are to be stabilized with seeding, fertilizer and mulch, hydroseed and/or sod. Ponds and swales tops and sides shall be sodded.
- The contractor shall install prior to the start of construction and maintain during construction all sediment control measures as required to retain sediments on the site. Improper sediment control measures may result in code enforcement violation.
- Developer/Contractor shall reshape per plan specifications, clean out accumulated silt, and stabilize retention/detention pond(s) at the end of construction when all disturbed areas have been stabilized and prior to request for inspection.
- Contractor shall maintain record drawings during construction which show as-built conditions of all work including piping, drainage structures, top of pond, outlet structures, dimensions, etc. These record drawings are to be provided to the project engineer prior to requesting final inspection.
- The owner or his agent shall arrange/schedule with the county engineer an inspection of the erosion and sediment control devices prior to construction, underground drainage structures prior to burial, and the final inspection of the development upon completion.
- Erosion shall be controlled by the use of a hay bale barrier/silt fence as shown on plans and shall be setup prior to commencing construction. The erosion control barrier shall be maintained throughout construction by the contractor. After placement of the erosion control barrier, the retention area is to be constructed. Upon completion of the project, the retention area shall be cleaned of silt, stabilization of all disturbed areas shall be accomplished, and the retention area is to be reconfigured to design cross-section, and grassed.

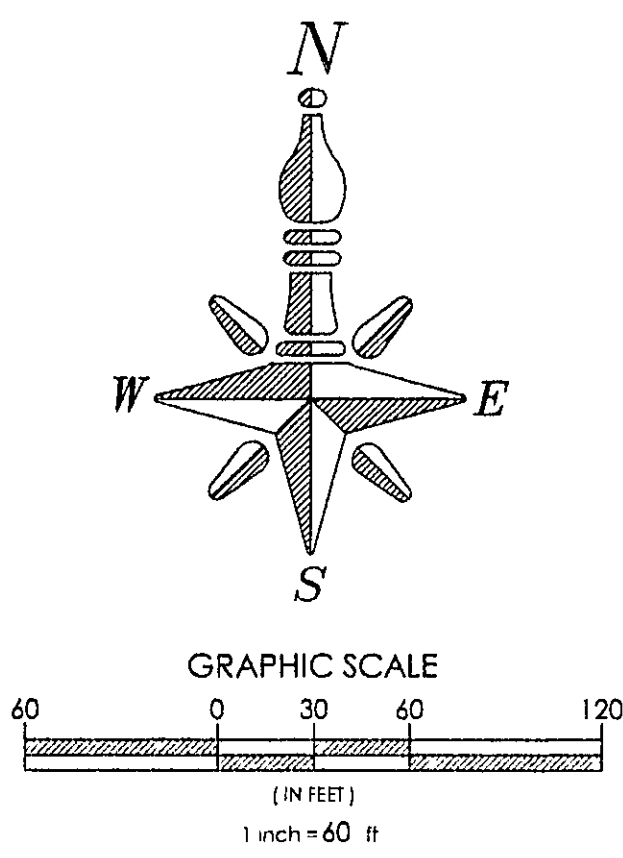
- Finished floor elevation for future buildings on lots (excluding basements) shall be a min of 8" (sodded around building) or 10" (unsodded) above finished grade of lots, unless otherwise dictated by flood zone. Finished grades shall slope from foundation 2 1/2" within 10 feet (2% grade) or less, excluding patios, sidewalks, and driveways then sloped at a min of 1/16" per foot (0.5% grade) to a positive outfall.
- The project engineer (engineer of record) shall provide to Escambia County "As-built" record drawings for verification and approval by Escambia County one week prior to requesting a final inspection, or provide "As-built" certification or the construction adheres to the permitted plans and specification. The "As-built" certification or "As-built" record drawings must be signed, sealed, and dated by a registered Florida professional engineer.
- Contractor shall notify Sunshine One Utilities 48 hours in advance prior to digging within R/W, 1-800-432-4770.
- All aspects of the stormwater/drainage components and/or transportation components shall be completed prior to requesting a final inspection.
- No deviations or revisions from these plans by the contractor shall be allowed without prior approval from both the design engineer and the Escambia County. Any deviations may result in delays in obtaining a certificate of occupancy.
- Right-of-Way shoulder stabilization shall be in accordance with FDOT standard specifications for road and bridge construction (latest addition).
- Retention/detention areas shall be substantially complete prior to any construction activities that may increase storm water runoff rates. The contractor shall control storm water during construction and take adequate measures to prevent the excavated pond from binding due to sediments.

- The developer or his agent shall arrange/schedule with the county a final inspection of the development upon completion and any intermediate inspections at (850) 595-3434. As-built certification is required prior request for final inspection/approval.
- The Contractor is responsible for obtaining a utility permit from the County Road and Bridge Department prior to commencing any construction activities within the County's Right of Way.
- The Contractor is to provide irrigation for all landscape areas, including parking islands and landscape buffers.
- No pole lighting is to be installed without review by the planning and zoning department.
- THIS PLAN DOES NOT INCLUDE ANY EXTERIOR LIGHTING. IF POLE LIGHTS ARE PLANNED, THEY MUST BE APPROVED BY THE PLANNING AND ZONING DEPARTMENT UNDER A SEPARATE PERMIT. A LIGHTING PLAN WITH FIXTURE CUT SHEETS AND PHOTOMETRIC PLAN WILL BE REQUIRED. LIGHTING SHALL BE INSTALLED AS NOT TO SHINE DIRECTLY ON ADJACENT PROPERTY, OR ON TO RIGHT-OF-WAY. LIGHTING SHALL AVOID ANNOYANCE FROM BRIGHTNESS AND GLARE. ELECTRICAL AND INSTALLATION PERMITS MUST BE ACQUIRED FROM THE COUNTY BEFORE CONSTRUCTION OF ANY EXTERIOR LIGHTS.
- CONTRACTOR MUST INSTALL AN IRRIGATION SYSTEM TO PROVIDE WATER TO ALL LANDSCAPE MATERIALS THAT ARE INSTALLED.
- A SEPERATE PERMIT IS REQUIRED FOR ALL SIGNAGE.

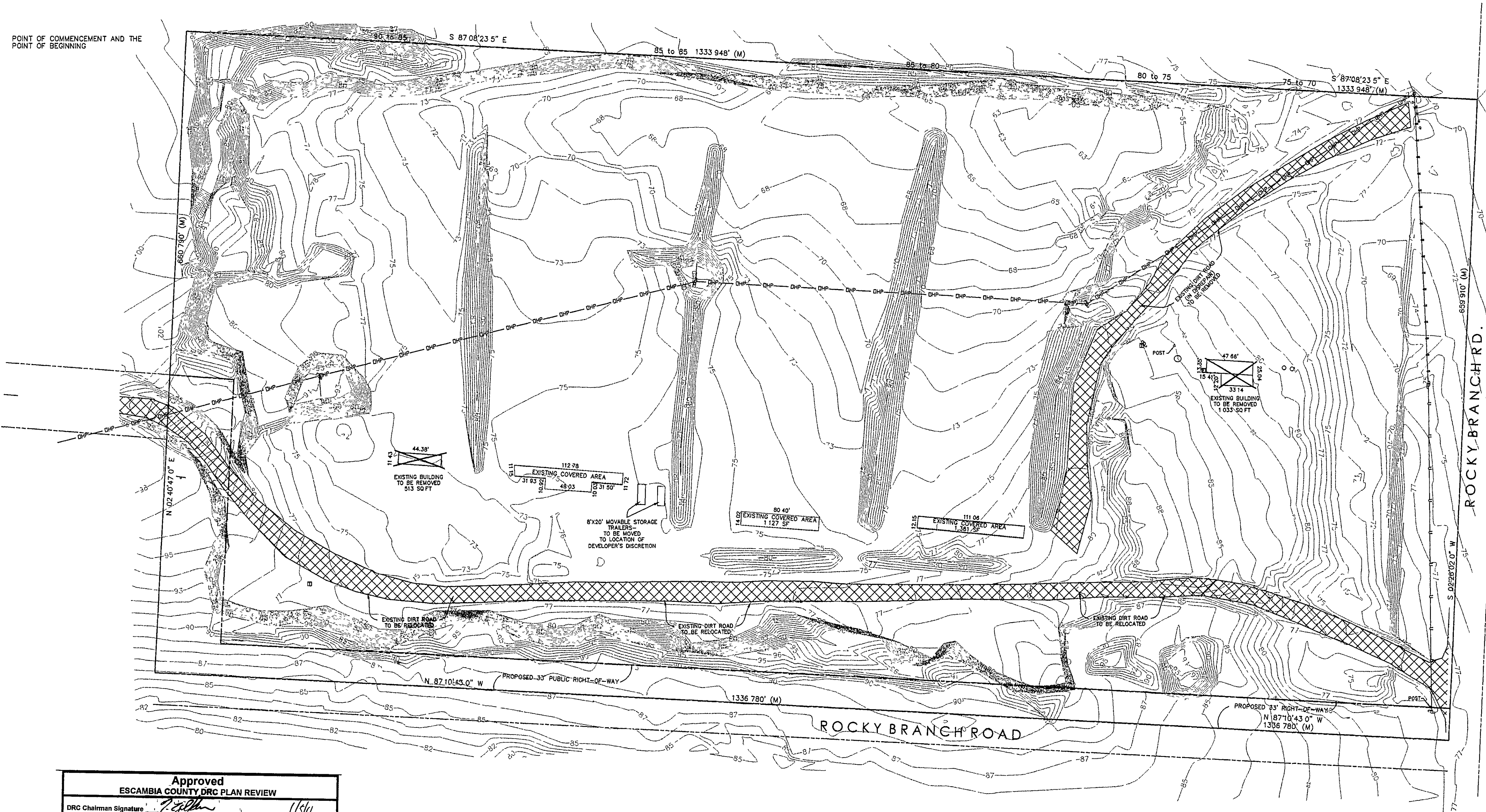
ENTERED ON 8/11
RECEIVED
JAN 04 2011

NO	DATE	REVISIONS
4	9-28-10	ADDED ADDITIONAL DRAINAGE DETAILS
5	12-2-10	ADDED ADDITIONAL INFORMATION AS REQUESTED
6	12-30-10	ADDED ADDITIONAL INFORMATION AS REQUESTED
7	1-11-11	CORRECTED ERRORS

THIS DRAWING IS THE PROPERTY OF GARY S. BISHOP, P.E. AND IS NOT TO BE REPRODUCED IN WHOLE OR IN PART IF IT IS NOT TO BE USED ON ANY OTHER PROJECT AND IS TO BE RETURNED UPON REQUEST.



POINT OF COMMENCEMENT AND THE POINT OF BEGINNING



ESCAMIA RIVER MUZZLE LOADERS
24-2N-31-1302-000-000
ROCKY BRANCH ROAD
CANTONMENT, FL
PROPERTY OWNER
ESCAMBIA COUNTY
221 PALAFOX PL STE 420
PENSACOLA, FL 32502
PROPERTY DEVELOPER
ERML
PO Box 333
Cantonment FL 32533
(866) 955-3765
ZONED AG
FLU P

LEGAL DESCRIPTION:
(AS PROVIDED BY CLIENT)
THE NORTH 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 31 WEST, OF ESCAMBIA COUNTY, FLORIDA, AS RECORDED IN CHANCERY ORDER BOOK 29, PAGE 351, BEING MORE PARTICULARLY DESCRIBED AS BEGAIN AT A RECOVERED ROUND CONCRETE MONUMENT AT THE NORTHWEST CORNER OF THE ABOVE MENTIONED NORTH 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 31 WEST, OF ESCAMBIA COUNTY, FLORIDA, FOR A POINT OF BEGINNING, THENCE ON A BEARING OF S87DEGREES 08' 24"E ALONG THE NORTH LINE OF THE ABOVE MENTIONED NORTH 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1,333.95 FEET TO A RECOVERED IRON ROD ON THE WEST RIGHT-OF-WAY OF ROCKY BRANCH ROAD, SAID RIGHT-OF-WAY BEING RECORDED IN OFFICIAL RECORD BOOK 330, PAGE 952, THENCE, ALONG SAID WEST RIGHT-OF-WAY, ON A BEARING OF S02DEGREES 26' 02"W, A DISTANCE OF 659.91 FEET TO A POINT, THENCE, ALONG SAID RIGHT-OF-WAY, ALONG THE SOUTH LINE OF THE ABOVE MENTIONED NORTH 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, SAID LINE ALSO BEING THE NORTH LINE OF A 33 FOOT RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORD BOOK 330, PAGE 946, ON A BEARING OF N87DEGREES 10' 43"W, A DISTANCE OF 1,336.79 FEET TO A RECOVERED 4"x4" CONCRETE MONUMENT WITH A DISK STAMPED "ESCAMBIA COUNTY ENGINEERING-DO NOT DISTURB", THENCE ALONG THE WEST LINE OF THE ABOVE MENTIONED NORTH 1/4 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ON A BEARING OF N02DEGREES 40' 47"E, A DISTANCE OF 273.79 FEET TO THE BEGINNING OF THE CENTERLINE OF A 66 FOOT RIGHT-OF-WAY TO THE WEST AS RECORDED IN OFFICIAL RECORD BOOK 456, PAGE 715, THENCE CONTINUE ALONG SAID WEST LINE ON THE SAME BEARING OF N02DEGREES 40' 47"E, A DISTANCE OF 387 FEET TO THE RECOVERED ROUND CONCRETE MONUMENT AT THE NORTHWEST CORNER AND THE POINT OF BEGINNING, CONTAINING 20.2 ACRES MORE OR LESS

CHARLIE MILLER
RANGE DESIGNER
392 MAN-O-WAR CIRCLE
CANTONMENT, FL 32533
PHONE (850) 479-1673 CELL (850) 454-7412
E-MAIL cmiller110@hotmail.com

GARY S. BISHOP, P.E.
4900 HIGHWAY 90 BOX 154 PLACE FL 32571
PHONE (850) 712-2618 FAX (866) 951-9483
E-MAIL gsbishop@vehoo.com

Proposed Redesign Sketch of
ESCAMBIA RIVER MUZZLE LOADERS SKETCH
Prepared For
Charlie Miller
Shaded in
ESCAMBIA COUNTY, FLORIDA

Approved ESCAMBIA COUNTY DRC PLAN REVIEW
DRC Chairman Signature: *[Signature]* Date: 1/15/11
Bureau Chief, Development Services Bureau - T. Lloyd Kerr, AICP
This document has been reviewed in accordance with the requirements of applicable Escambia County Regulations and Ordinances, and does not in any way relieve the submitting Architect, Engineer, Surveyor or other signatory from responsibility of details as drawn. A Development Order must be obtained from the Development Review Committee (DRC) prior to the commencement of construction. This approval by the DRC does not constitute approval by any other agency. All additional state/federal permits shall be provided to the county prior to approval of a final plat or the issuance of state/federal permits shall be provided to the county prior to approval of a final plat or the issuance of a building permit.

CONSTRUCTION OF THE NEW ROAD ALONG THE SOUTH SIDE OF THE SITE MUST BE COMPLETED PRIOR TO REMOVAL OF THE EXISTING ROAD

FLOOD ZONE:

THE PARCEL SHOWN FOR DEVELOPMENT IS LOCATED WITHIN THE FOLLOWING FLOOD ZONE AS DETAILED BY FEMA FIRM (FLOOD INSURANCE RATE MAP) INFORMATION DESCRIBED BELOW

FLOOD ZONE	COMMUNITY NUMBER	MAP NUMBER	PANEL NUMBER	MAP REVISION DATE
"X"	120080	12033C	0245 G	SEPTEMBER 29, 2006

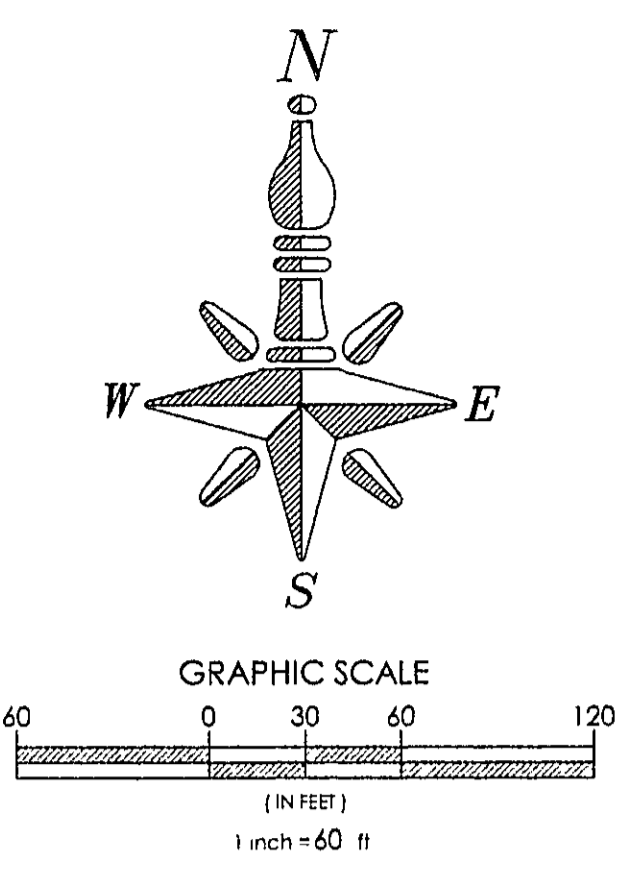
[Handwritten signature and date: 1/15/11]

SHEET INDEX

- DEMOLITION PLAN
- DIMENSION PLAN
- GRADING PLAN
- LANDSCAPE PLAN
- UTILITY PLAN
- ROAD CROSS-SECTION
- DETAIL SHEET

DEMOLITION PLAN

DRAWN BY	RFPA	CNA	CSB	172B	SCALE	1 = 40	NOT RELEASING FOR CONSTRUCTION
PROJECT NO	08 001						
FILE NO	s1e.dwg						
SHEET	1 OF 7						

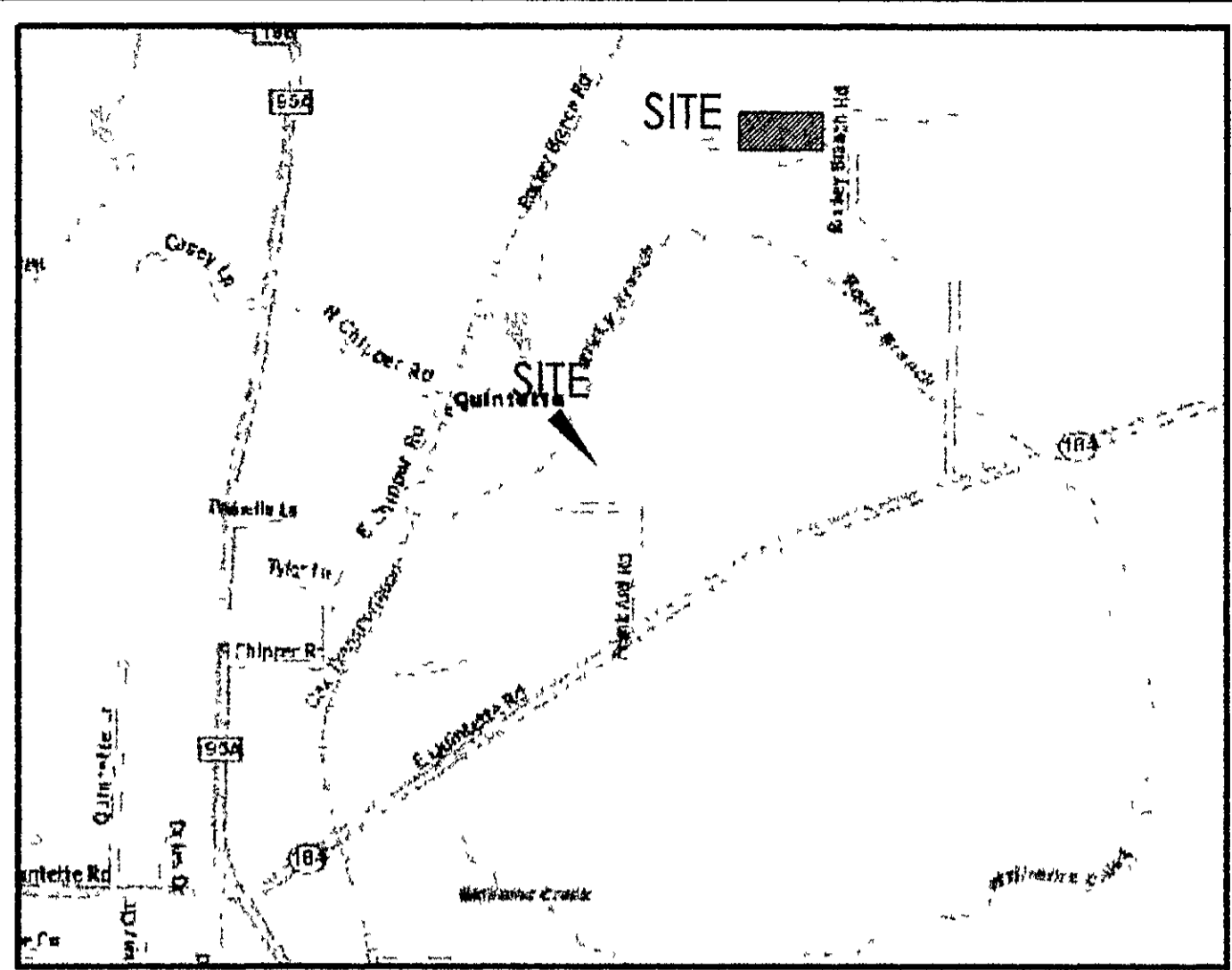


TOTAL SITE ACREAGE		20.24± ACRES - 881,793 SQ FT INCLUDING PROPOSED R/W 18.82± ACRES - 819,661 SQ FT WITH R/W REMOVED			
IMPERVIOUS and PEROUVIOUS AREA		PRE-DEVELOPMENT	ADDED	REMOVED	POST-DEVELOPMENT
BUILDING		5,807 sqft	+540 sqft	-1,546 sqft	4,801 sqft
EXISTING CONCRETE		0 sqft	0 sqft	0 sqft	0 sqft
PROPOSED CONCRETE		0 sqft	+782 sqft	0 sqft	782 sqft
PARKING (ASPHALT)		0 sqft	0 sqft	0 sqft	0 sqft
TOTAL IMPERVIOUS AREA		5,807 sqft	+1,322 sqft	-1,546 sqft	5,583 sqft
LANDSCAPE AREA		813,854 sqft	+224 sqft	0 sqft	814,078 sqft
PERCENTAGE OF LANDSCAPE		99.29%	0.03%	0%	99.32%
PARKING REQUIREMENTS		EXISTING	CHANGE	CHANGE	TOTAL
NON-HANDICAPPED SPACES		UNMARKED	+50	+50	50
HANDICAPPED SPACES		0	+2		2

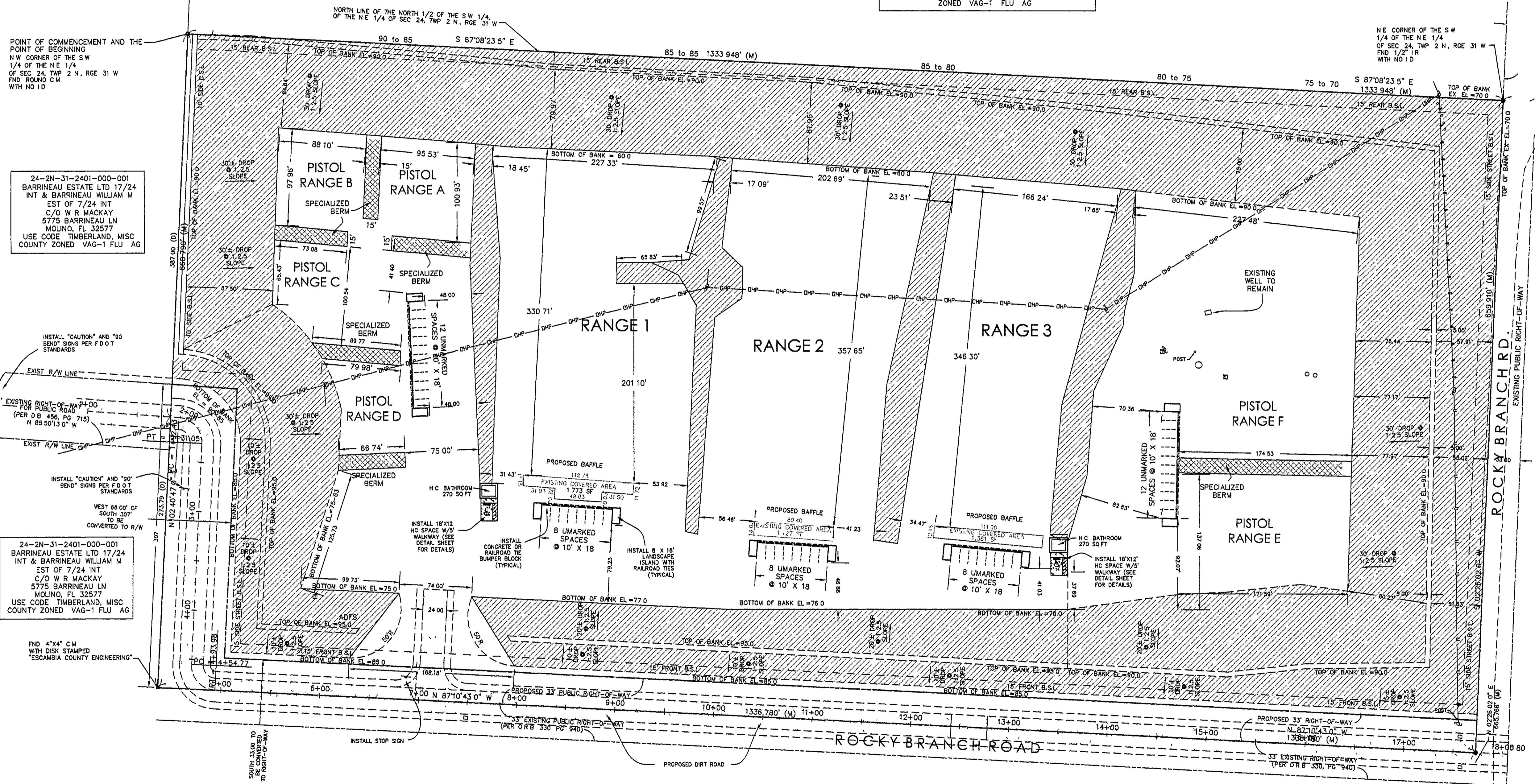
SIGN NOTE:

TOTAL SITE SIGN AREA, WALL AND FREESTANDING, IS LIMITED TO (1336' ROAD FRONTAGE X 1.5) 2,004 SQ FT TOTAL WALL SIGN AREA IS ADDITIONALLY LIMITED TO 10% OF THE AREA OF WALL SURFACE FACING ROCKY BRANCH ROAD, AND NO ONE SIGN MAY EXCEED 100 SQ FT FREESTANDING SIGNAGE IS ADDITIONALLY LIMITED TO ONE SIGN PER STREET FRONTAGE, A MINIMUM 200 FEET FROM ANY OTHER SITE SIGN, A MAXIMUM 20 FEET IN HEIGHT EACH FREESTANDING SIGN IS LIMITED TO A MINIMUM 10 FEET SETBACK FROM RIGHTS-OF-WAY AND MUST MAINTAIN VISUAL CLEARANCE ALONG RIGHT-OF-WAY AND INTERSECTIONS A VALID ESCAMBIA COUNTY SIGN PERMIT MUST BE OBTAINED PRIOR TO ERECTING, CONSTRUCTING, ALTERING, OR RELOCATING ANY SITE SIGNAGE

DENISON ELISE W & ESTES CHARLES L & ESTES RICHARD H & CAREY SUSAN ESTES TRUSTEES
PO BOX 750
MILTON, FL 32572
Use Code: TIMBER 2
ZONED VAG-1 FLU AG



VICINITY MAP
(NOT TO SCALE)



24-2N-31-2401-000-001
BARRINEAU ESTATE LTD 17/24 INT & BARRINEAU WILLIAM M EST OF 7/24 INT C/O W R MACKAY 5775 BARRINEAU LN MOLONO, FL 32577 USE CODE TIMBERLAND, MISC COUNTY ZONED VAG-1 FLU AG

24-2N-31-2401-000-001
BARRINEAU ESTATE LTD 17/24 INT & BARRINEAU WILLIAM M EST OF 7/24 INT C/O W R MACKAY 5775 BARRINEAU LN MOLONO, FL 32577 USE CODE TIMBERLAND, MISC COUNTY ZONED VAG-1 FLU AG

ESCAMBIA RIVER MUZZLE LOADERS

24-2N-31-1302-000-000
4020 ROCKY BRANCH ROAD
CANTONMENT, FL
PROPERTY OWNER
ESCAMBIA COUNTY
221 PALAFOX PL STE 420
PENSACOLA, FL 32502
PROPERTY DEVELOPER
ERML
PO Box 333
Cantonment FL 32533
(866) 955-3765
ZONED P
FLU AG

NOTE NON-HANDICAP PARKING SPACES LINES ARE TO BE WHITE

PARKING CALCULATION	
PRIVATE CLUB	SPACE PER 200 SQ FT
4,800/200	24.000 = 24
TOTAL REQUIRED = 24 SPACES	
TOTAL PROVIDED = 52	
52 REGULAR SPACES	
2 HANDICAP SPACES	

NOTE HANDICAP PARKING SIGNS SHALL CONFORM TO FDOT ROADWAY AND TRAFFIC DESIGN STANDARD INDEX NUMBER 17355, SHEET 3 OF 5, FTP-25 SIGN
NOTE REGULAR PARKING SPACES ARE 9' X 18' HANDICAPPED PARKING SPACES ARE 12' X 18' WITH A 5' AISLE

APPROVED
1-5-11

NO	DATE	REVISIONS
1	9-28-10	ADDED ADDITIONAL DRAWING DETAILS
2	12-2-10	ADDED ADDITIONAL INFORMATION AS REQUESTED
3	12-30-10	ADDED ADDITIONAL INFORMATION AS REQUESTED
4	1-4-11	CORRECTED ERRORS

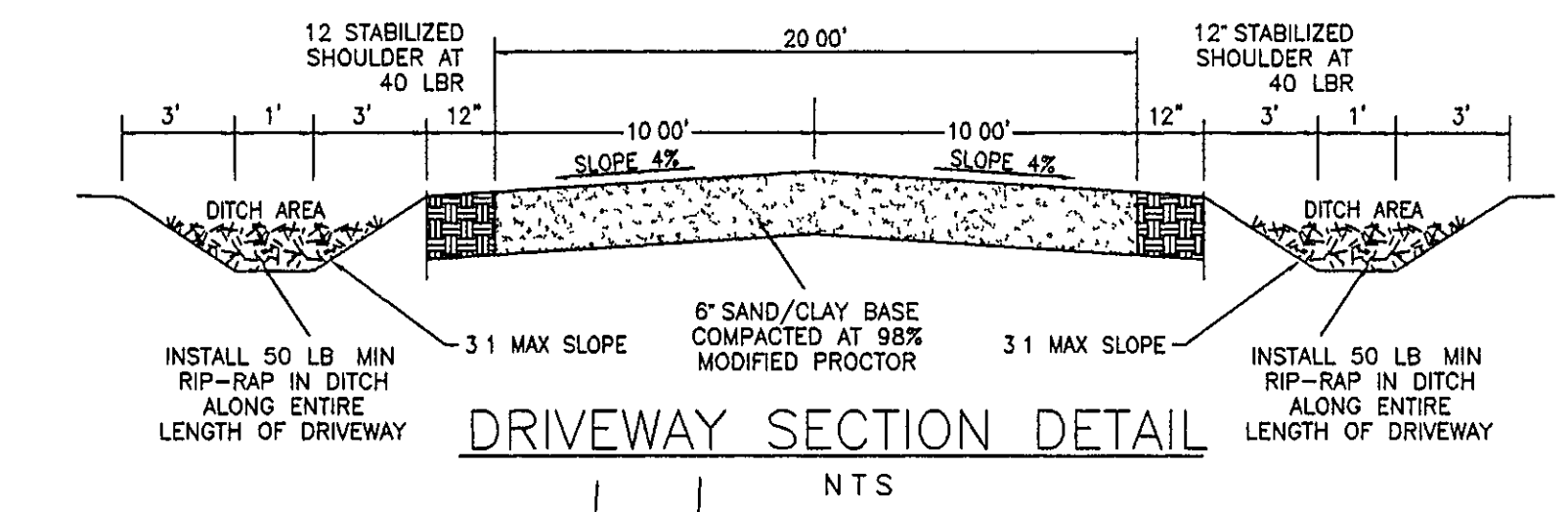
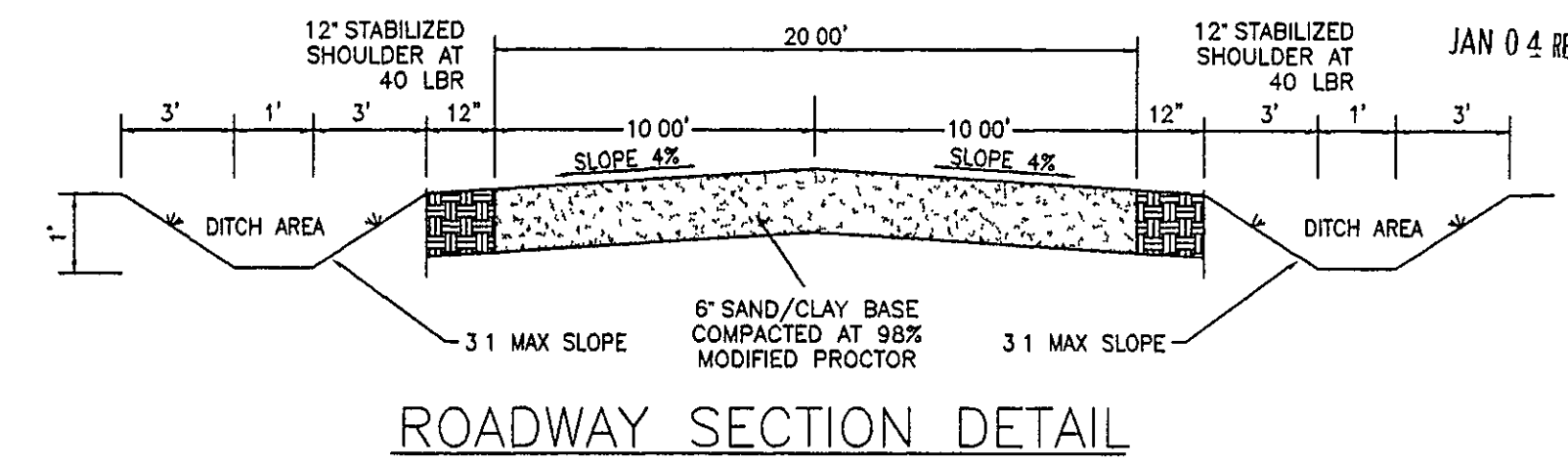
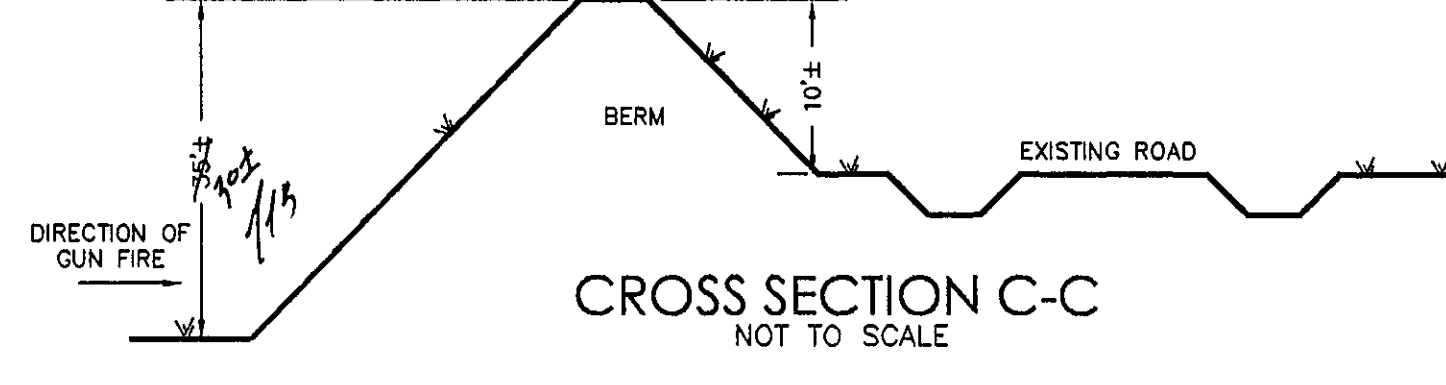
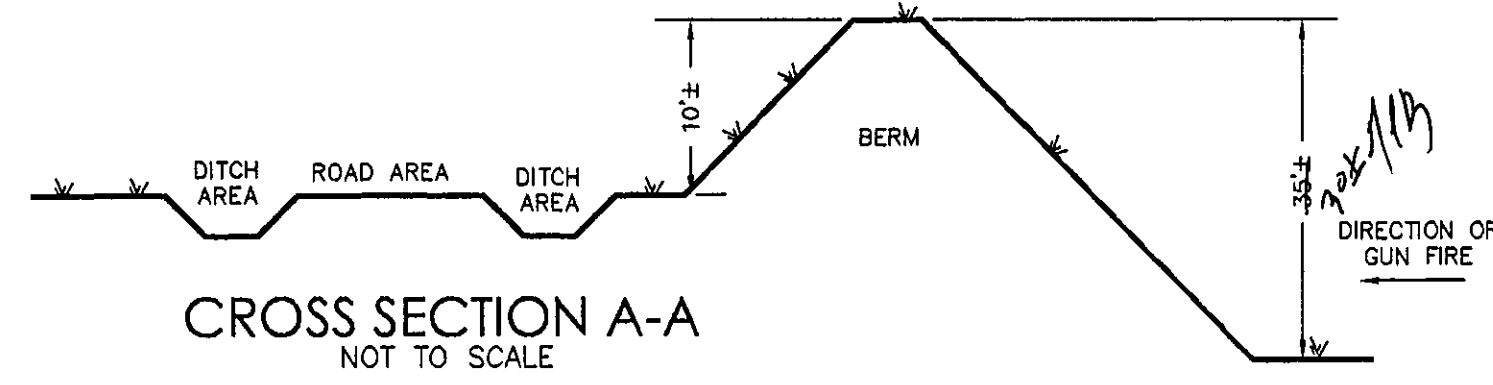
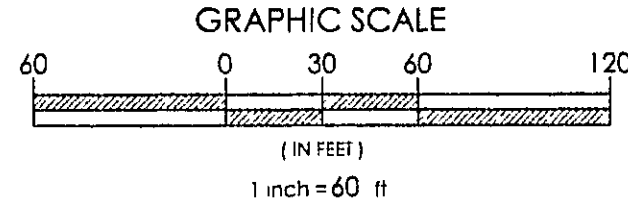
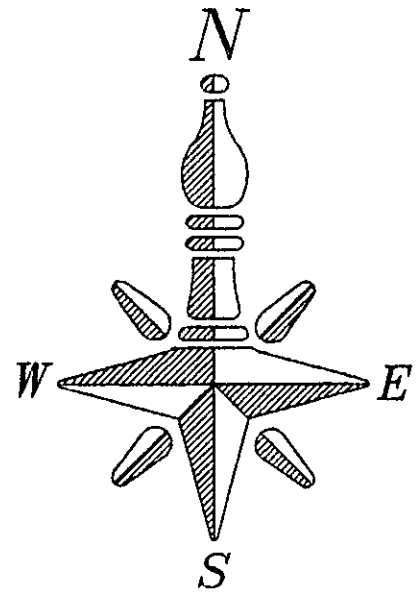
CHARLIE MILLER
RANGE DESIGNER
392 MAN-O-WAR CIRCLE
CANTONMENT FL 32533
PHONE (850) 477-1073 CELL (850) 454-7412
E-MAIL cmiller11@barrineau.com

GARY S. BISHOP, P.E.
49000 HIGHWAY 90 BOX 156 PACE FL 32571
PHONE (850) 712-7418 FAX (864) 631-9483
E-MAIL gsbishop@yahoo.com

Proposed Redesign Sketch of
ESCAMBIA RIVER MUZZLE
LOADERS SKETCH
Prepared for
Charlie Miller
Escambia County, Florida

DRAWN BY	DESIGNED BY	CHECKED BY	DATE	SCALE	NOT RELEASED FOR CONSTRUCTION
RPA	CM	CSB	1/7/11	1" = 60'	

PROJECT NO: 08-001
FILE NO: s/he.dwg
SHEET: 2 OF 7

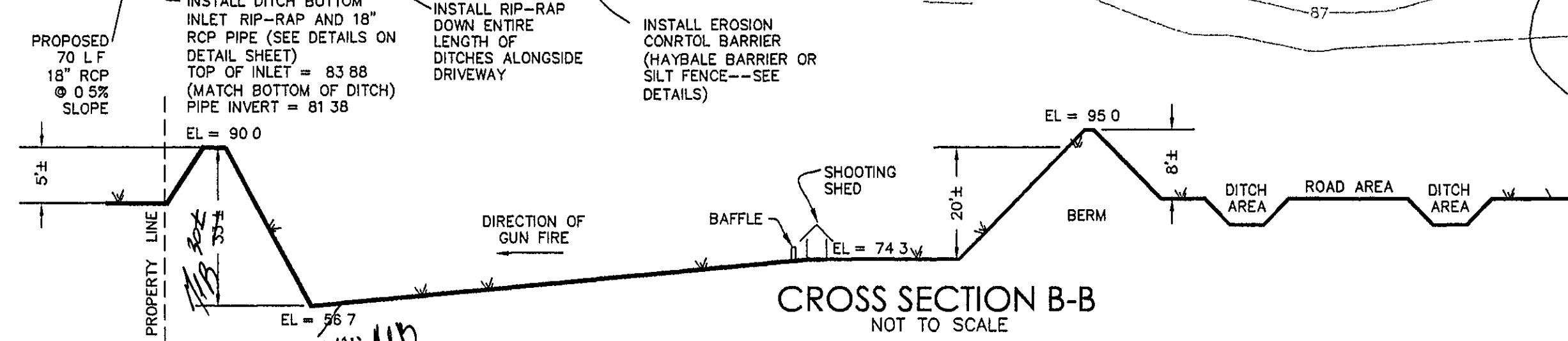
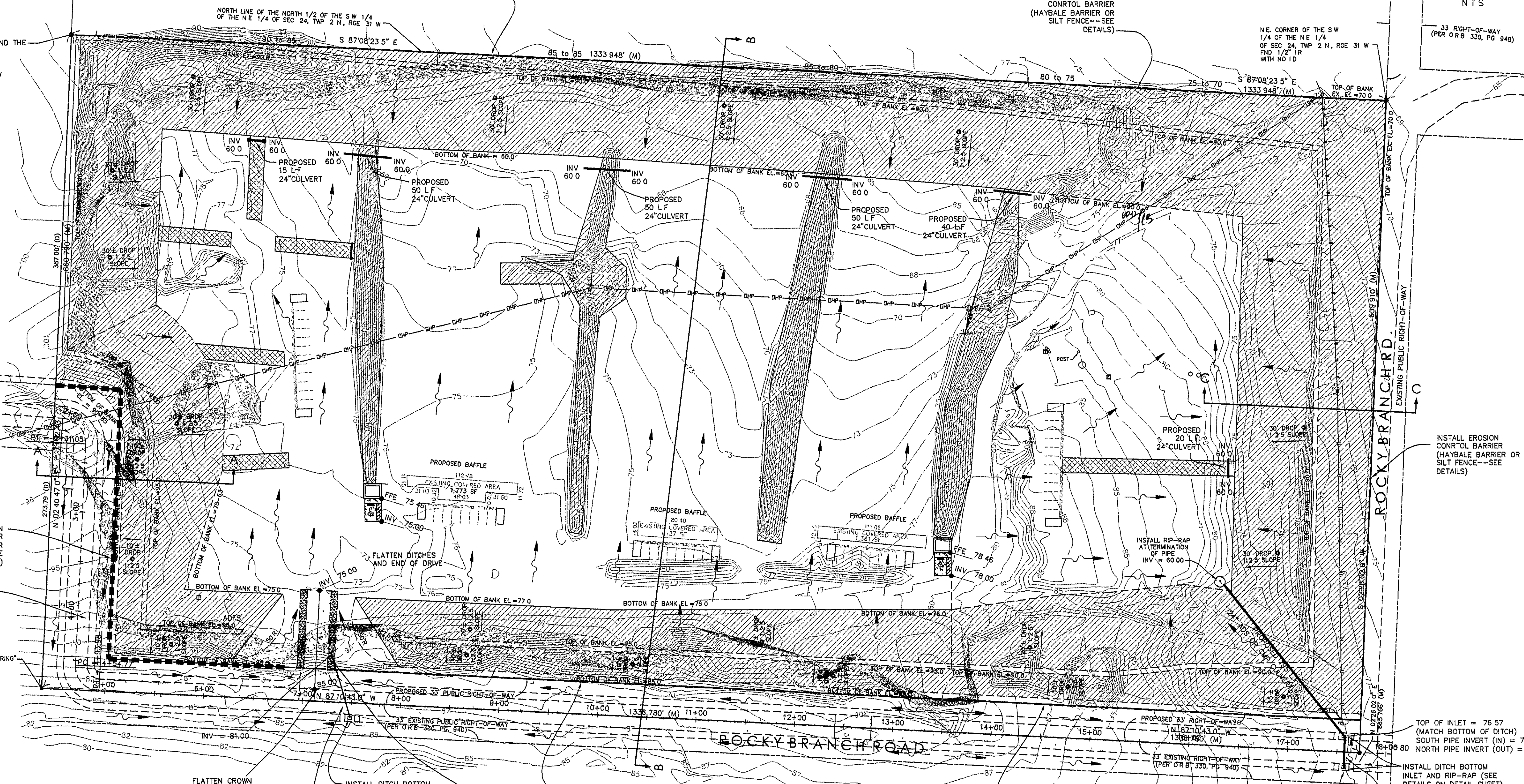


RECEIVED
JAN 04 2011

NO	DATE	REVISIONS
4	9-28-10	ADDED ADDITIONAL DRAINAGE DETAILS
5	12-2-10	ADDED ADDITIONAL INFORMATION AS REQUESTED
6	12-30-10	ADDED ADDITIONAL INFORMATION AS REQUESTED
7	1-4-11	CORRECTED ERRORS

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BENCHMARK 95.4
NAVO 88 VERTICAL DATUM
POINT OF COMMENCEMENT AND THE
POINT OF BEGINNING
N.W. CORNER OF THE SW
1/4 OF THE NE 1/4
OF SEC 24, TWP 2 N, RGE 31 W
FND ROUND C-4
WITH NO 1 D



APPROVED
1-5-11

NOTE: CONTRACTOR MUST APPLY FOR NPDES PERMIT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION PRIOR TO BEGINNING CONSTRUCTION

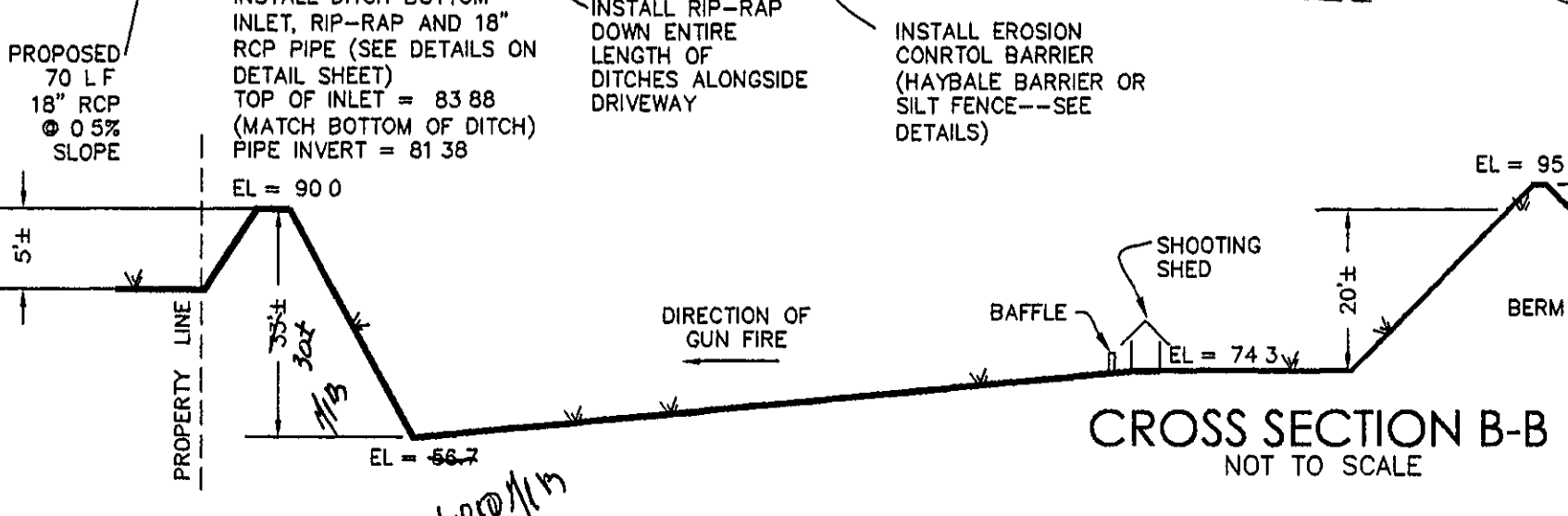
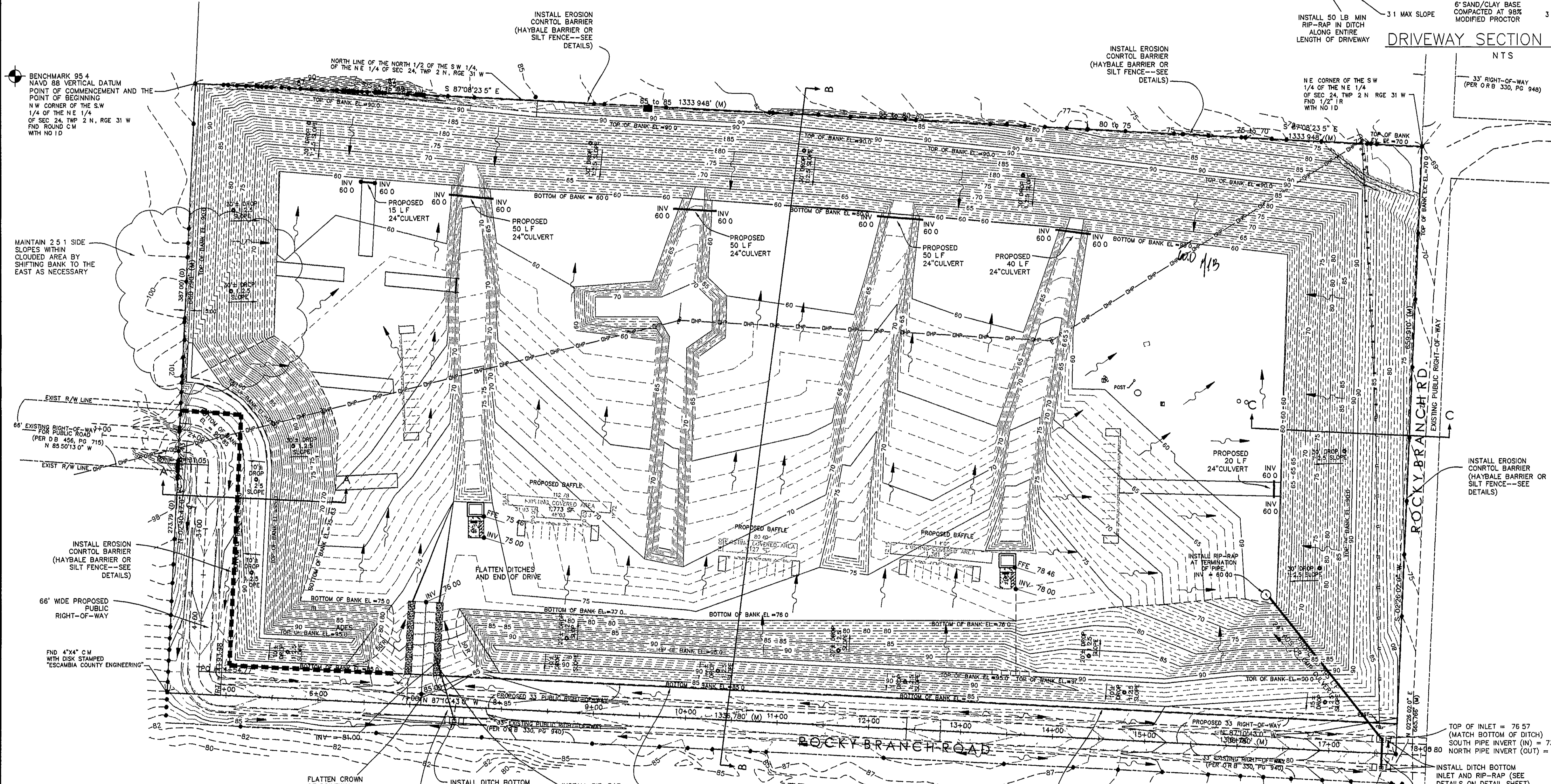
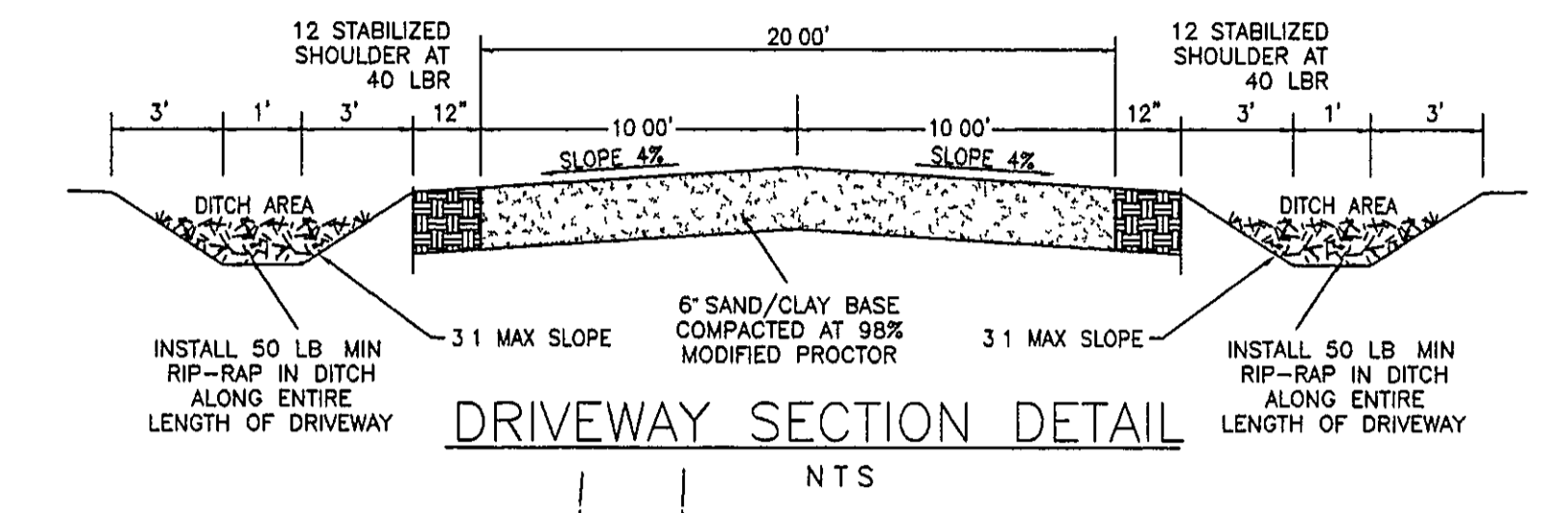
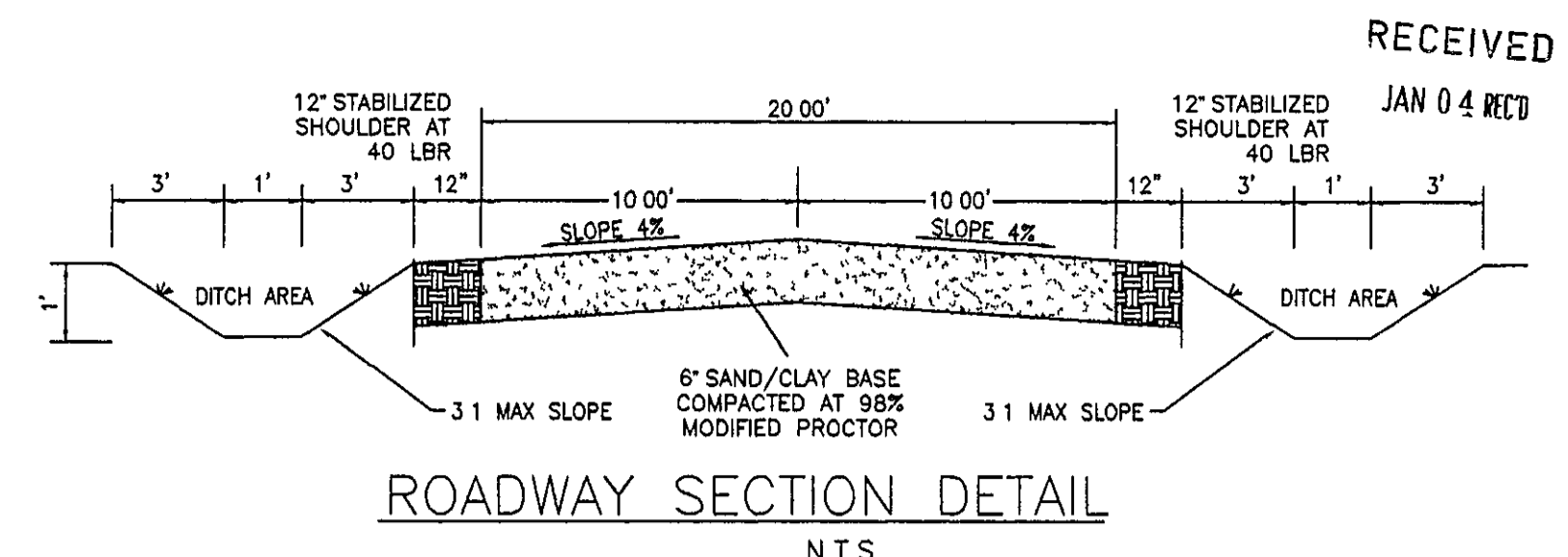
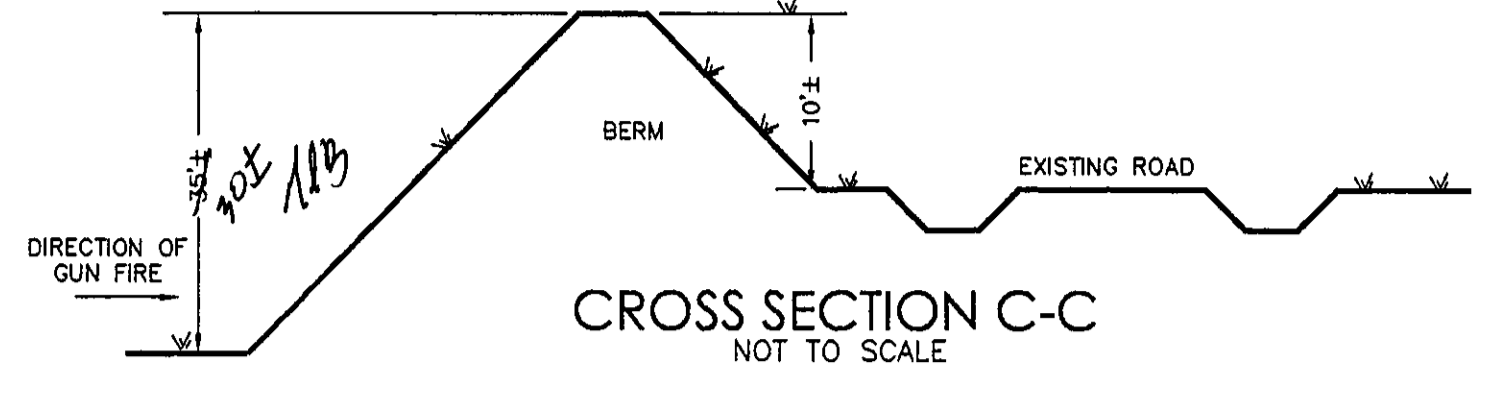
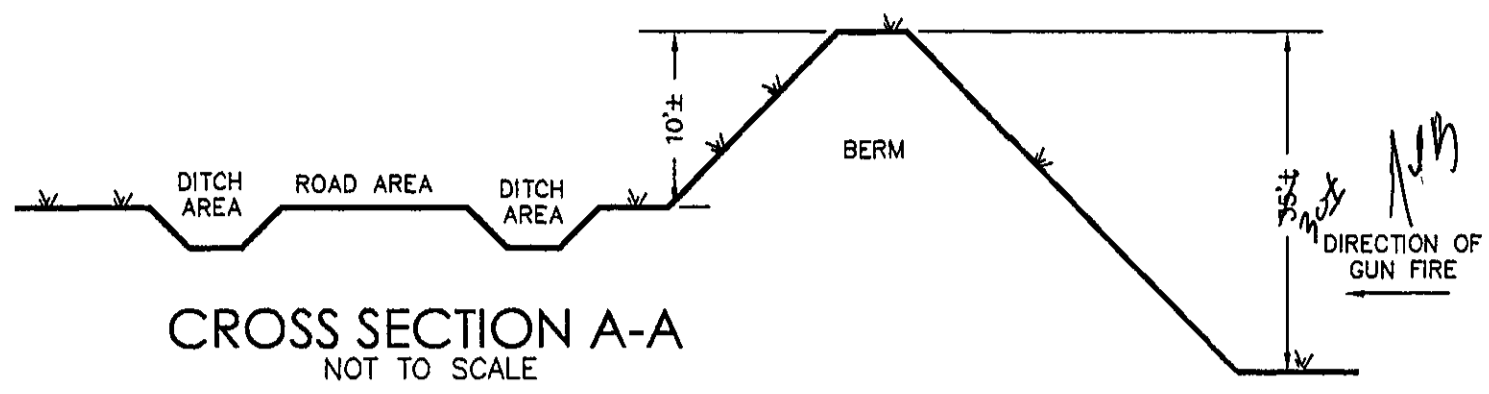
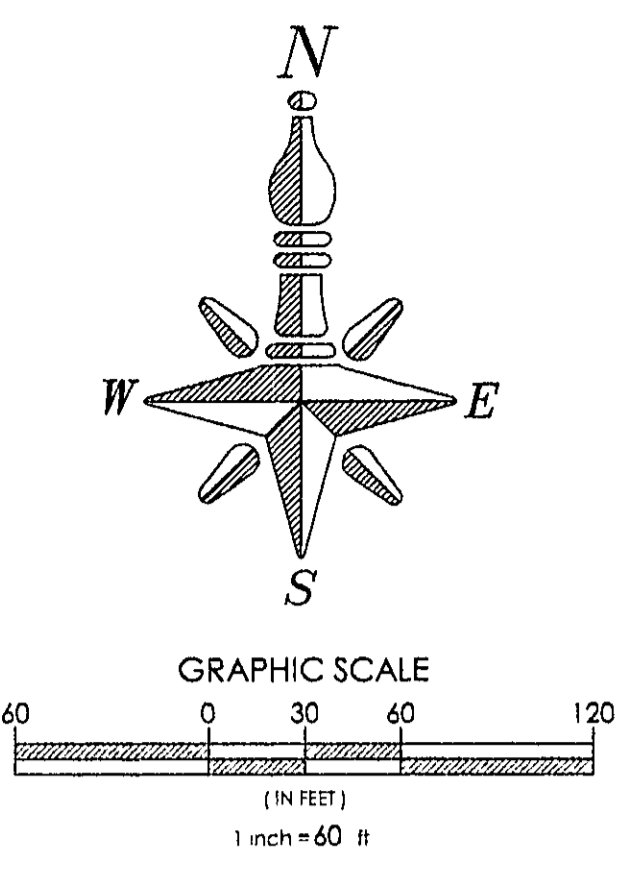
- LEGEND**
- 77.11 = DENOTES EXISTING ELEVATION
 - 25.1 = DENOTES PROPOSED ELEVATION
 - ⊕ = BENCHMARK LOCATION
 - = DIRECTION OF FLOW
 - ▬▬▬ = EROSION CONTROL BARRIER
 - F.F.E. = FINISH FLOOR ELEVATION

CHARLIE MILLER
RANGE DESIGNER
392 MAN O'WAR CIRCLE
CANTONMENT FL 32533
PHONE (850) 479-1073 CELL (850) 454-7412
E-MAIL cmiller11@maine.com

GARY S. BISHOP, P.E.
49600 HIGHWAY 90 BOX 154 PACE FL 32571
PHONE (850) 712-6188 FAX (850) 431-9483
E-MAIL gsbishop@yahoo.com

Proposed Redesign Sketch of
**ESCAMBIA RIVER MUZZLE
LOADERS SKETCH**
Prepared For: Charlie Miller
Situated in: ESCAMBIA COUNTY, FLORIDA

DRAWN BY	RPA	PROJECT NO	08 001
DESIGNED BY	CM	FILE NO	site.dwg
CHECKED BY	CSB	SHEET	3 OF 7
DATE	1/28		
SCALE	1" = 60'		
NOT RELEASSED FOR CONSTRUCTION			



LEGEND

- 77.11 = DENOTES EXISTING ELEVATION
- 25.1 = DENOTES PROPOSED ELEVATION
- ⊙ = BENCHMARK LOCATION
- = DIRECTION OF FLOW
- = EROSION CONTROL BARRIER
- FFE = FINISH FLOOR ELEVATION

APPROVED
1-5-11

NOTE CONTRACTOR MUST APPLY FOR NPDES PERMIT FROM THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION PRIOR TO BEGINNING CONSTRUCTION

NOTE ALL PROPOSED CONTOURS TIE INTO EXISTING CONTOURS AT THE PROPERTY LINE WITH THE EXCEPTION OF THE SOUTH SIDE WHERE THEY TIE INTO THE EXISTING CONTOURS AT THE SOUTH RIGHT-OF-WAY LINE

NO	DATE	REVISIONS
4	9-28-10	ADDED ADDITIONAL DRAINAGE DETAILS
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6	12-30-10	ADDED ADDITIONAL INFORMATION AS REQUESTED
7	1-4-11	CORRECTED ERROR

RECEIVED
JAN 04 2011

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RANGE DESIGNER
392 MAN-O-WAR CIRCLE
CANTONMENT FL 32533
PHONE (850) 479-0723 CELL (850) 454-7412
E-MAIL cmiller1@midstate.com

GARY S. BISHOP, P.E.
49600 HIGHWAY 90 BOX 154 PACE FL 32571
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Proposed Redesign Sketch of
ESCAMBIA RIVER MUZZLE LOADERS SKETCH
Prepared for
Charlie Miller
Showered in
ESCAMBIA COUNTY FLORIDA

PROJECT NO	08-001
FILE NO	site.dwg
SHEET	3 B OF 7

RECEIVED
JAN 04 2012

ESCAMBIA COUNTY RECOMMENDED TREE LIST

- A CANOPY TREES**
 ACER RUBRUM ("RED MAPLE")
 BETULA NIGRA ("RIVER BIRCH")
 LIQUIDAMBAR STYRACIFLUA ("SWEETGUM")
 MAGNOLIA GRANDIFLORA ("SOUTHERN MAGNOLIA")
 MAGNOLIA VIRGINIANA ("SWEETBAY")
 PINUS CLAUDIA ("SAND PINE")
 PINUS ELLIOTTII ("SLASH PINE")
 PLATANUS OCCIDENTALIS ("SYCAMORE")
 QUERCUS VIRGINIANA ("LIVE OAK")
 TAXODIUM DISTICHUM ("BALD CYPRESS")
- B ACCENT TREES**
 AESCULUS PAVIA ("RED BUCKEYE")
 CERCIS CANADENSIS ("REDBUD")
 CORNUS FLORIDA ("FLOWERING DOGWOOD")
 ILEX CASSINE ("DAHON HOLLY")
 ILEX VOMITORIA ("YAUPOON HOLLY")
 LAGERSTROEMIA INDICA ("CRAPE MYRTLE")
 MALUS ANGUSTIFOLIA ("CRAB APPLE")
 MYRICA CERIFERA ("WAX MYRTLE")

Shrubs, self supporting, woody evergreen or flowering species generally growing or maintained at a height of not less than three feet. Shrubs shall be a minimum of 12 inches in height when measured immediately after planting and shall be planted a maximum of 36 inches on center.

Quality All plant materials used shall conform to the standards for Florida No 1 or better as given in "Grades and Standards for Nursery Plants", Part I, current edition, and Part II, State of Florida, Department of Agriculture, Tallahassee, Florida, a copy of which shall be maintained for public inspection in the Department. In addition, all landscape materials shall conform to the following standards

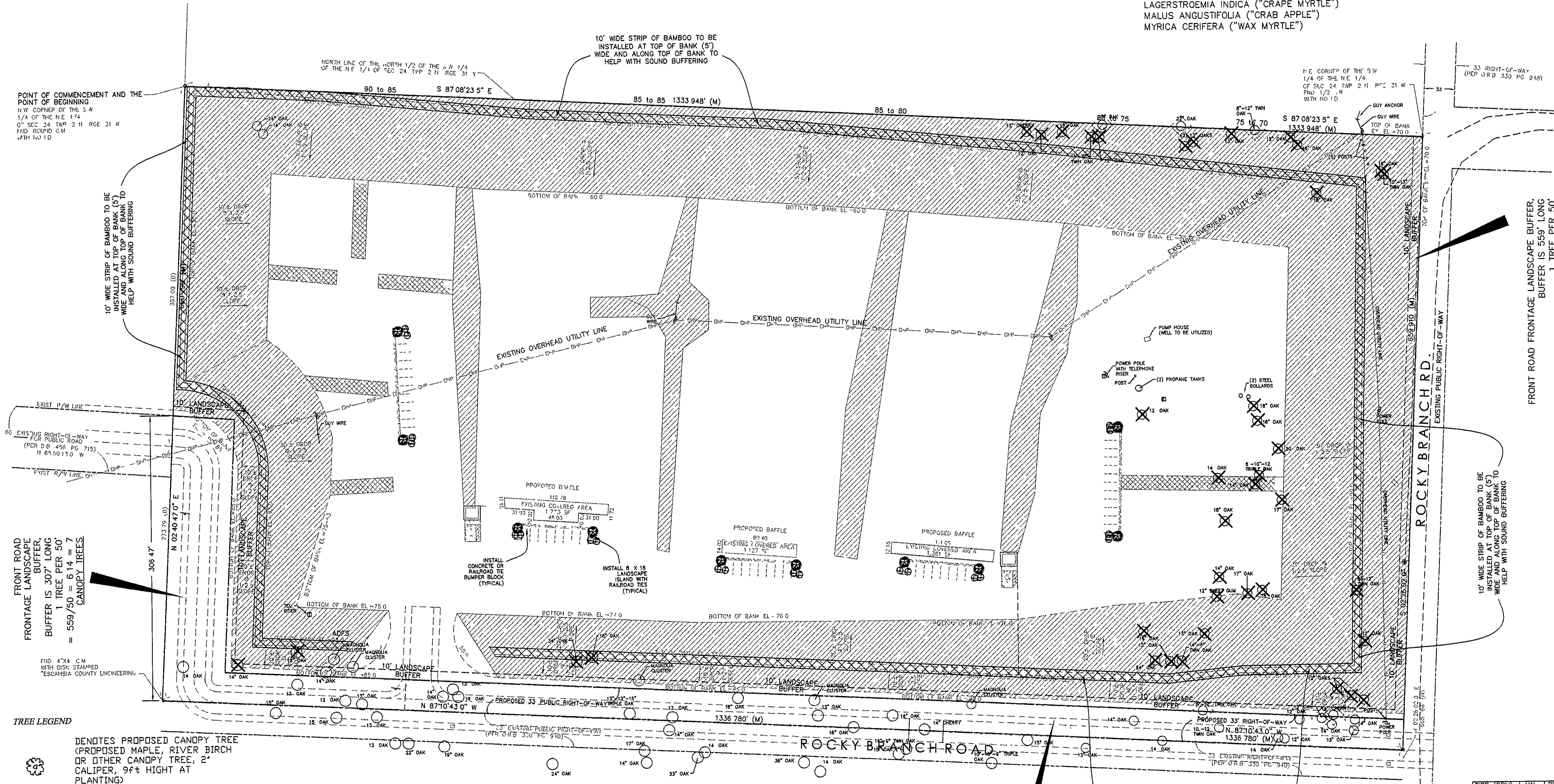
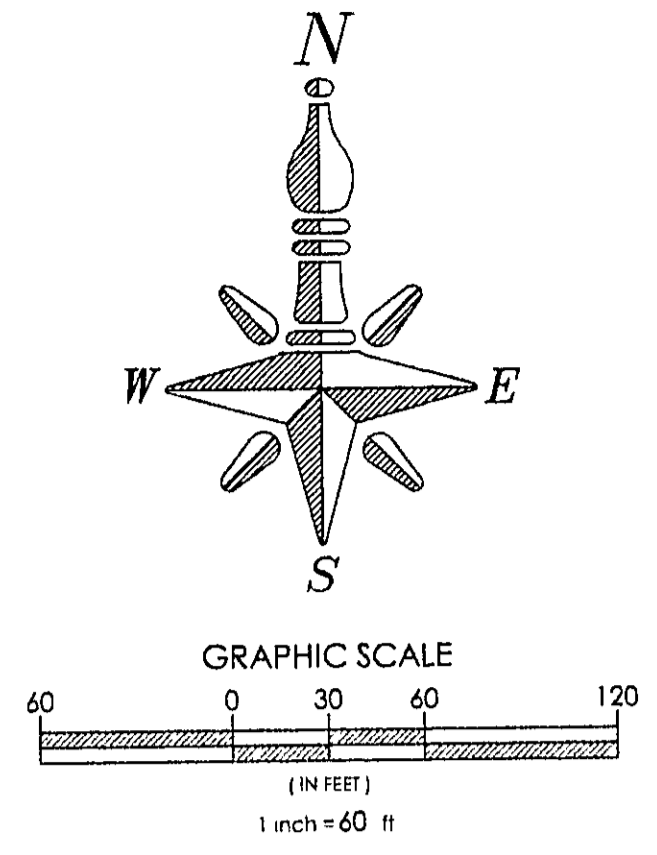
NO	DATE	REVISIONS
4	9-28-10	ADDED ADDITIONAL DRAINAGE DETAILS
5	12-2-10	ADDED ADDITIONAL INFORMATION AS REQUESTED
6	12-30-10	ADDED ADDITIONAL INFORMATION AS REQUESTED
7	1-4-11	CORRECTED ERRORS

CHARLIE MILLER
 RANGE DESIGNER
 392 MAIN O-WAY CIRCLE
 CANTONMENT, FL 32533
 PHONE (850) 877-0911
 E-MAIL charlie1@earthlink.net

GARY S. BISHOP, P.E.
 4903 HIGHWAY 90 BOX 154 PACE FL 32571
 PHONE (850) 712-2618 FAX (850) 631-9483
 E-MAIL gsbishop@yahoo.com

Proposed Redesign Sketch of
**ESCAMBIA RIVER MIDDLE
 LOADERS SKETCH**
 Prepared for
 Charlie Miller
 ESCAMBIA COUNTY, FLORIDA

PROJECT NO	08-001
FILE NO	site.dwg
SHEET	4 OF 7



FRONT ROAD LANDSCAPE BUFFER, BUFFER IS 307' LONG
 1 TREE PER 50' = 559/50 = 11.18 = 12 CANOPY TREES

FRONT ROAD FRONTAGE LANDSCAPE BUFFER, BUFFER IS 559' LONG
 1 TREE PER 50' = 559/50 = 11.18 = 12 CANOPY TREES
 AT LEAST 27 EXISTING CANOPY TREES, 6" DIAMETER OR GREATER WILL BE LEFT WITHIN THE LANDSCAPE BUFFER TO MEET THIS REQUIREMENT

FRONT ROAD FRONTAGE LANDSCAPE BUFFER, BUFFER IS 1336' LONG
 1 TREE PER 50' = 1336/50 = 26.72 = 27 CANOPY TREES
 AT LEAST 27 EXISTING CANOPY TREES, 6" DIAMETER OR GREATER WILL BE LEFT WITHIN THE LANDSCAPE BUFFER TO MEET THIS REQUIREMENT

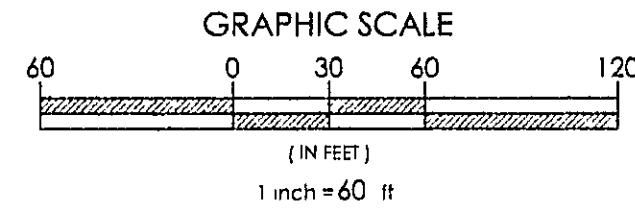
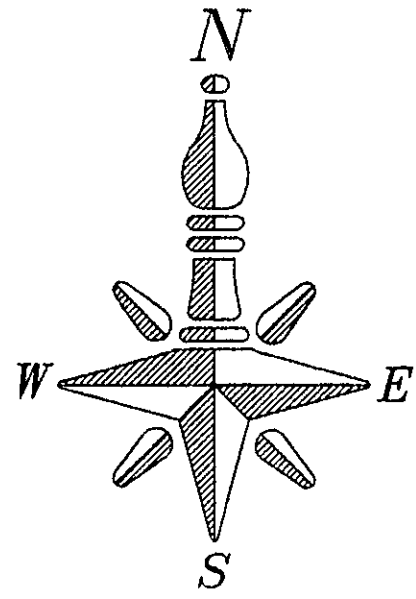
- TREE LEGEND**
- DENOTES PROPOSED CANOPY TREE (PROPOSED MAPLE, RIVER BIRCH OR OTHER CANOPY TREE, 2" CALIPER, 9ft HIGH AT PLANTING)
 - DENOTES PROPOSED UNDERSTORY TREE (PROPOSED CRAPE MAPLE, DOGWOOD OR OTHER UNDERSTORY TREE), 2" CALIPER, 9ft HIGH AT PLANTING)
 - PROPOSED SHRUB
 - DENOTES EXISTING TREE TO BE REMOVED
 - DENOTES TREE PROTECTION BARRICADE (PLEASE SEE DETAIL).

APPROVED
1-5-11

SIZE (DBH)	VAL	REMOVED	REPLACEMENTS	(PRESERVED)	CREDITS
12 - 17	2	28	56	0	0
18 - 23	3	10	30	0	0
24 - 29	5	1	5	0	0
30 - 35	10	0	10	0	0
>35"	0	0	0	0	0
TOTALS	40	49	101	0	0

Replacements - Credits = 108 - 0 = 108 trees, but need not exceed 10 trees/acre or 18.82 acre site x 10 = 188.2 = 188 trees.

MORE THAN DOUBLE THE REQUESTED AMOUNT OF CANOPY TREES WILL BE PLANTED IN BAMBOO ALONG THE TOP BANK TO HELP CREATE A SOUND BARRIER. THIS NUMBER OF BAMBOO TREES SHOULD MORE THAN MEET THE 108 REPLACEMENT TREE REQUIREMENT



RECEIVED
JAN 24 2010

POINT OF COMMENCEMENT AND THE POINT OF BEGINNING
N.W. CORNER OF THE S.W. 1/4 OF THE N.E. 1/4 OF SEC. 24 TWP. 2 N. R. 31 W. FND. ROUND C.M. 1484 140 10

NORTH LINE OF THE NORTH 1/2 OF THE S.W. 1/4 OF THE N.E. 1/4 OF SEC. 24 TWP. 2 N. R. 31 W.

1/4 CORNER OF THE S.W. 1/4 OF THE N.E. 1/4 OF SEC. 24 TWP. 2 N. R. 31 W. FND. 1/2 "H. WITH 100 "D.

33 RIGHT-OF-WAY (PER O.R.B. 330 PG. 943)

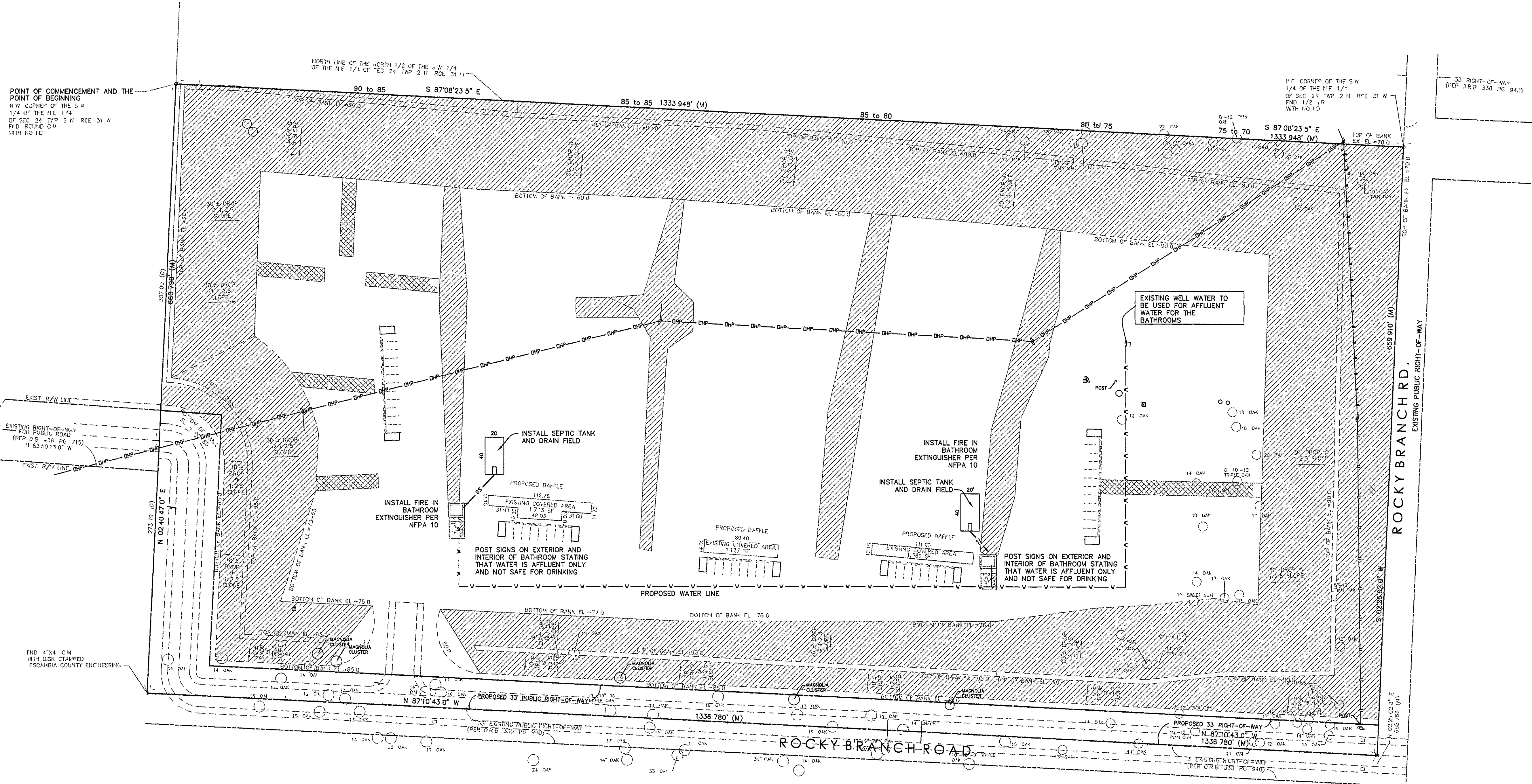


FIG. 4 X4 C.M. WITH O.B. STAMPED ESCAMBIA COUNTY ENGINEERING

APPROVED
1-5-11

NO	DATE	REVISIONS
4	9-28-10	ADDED ADDITIONAL DRAINAGE DETAILS
5	12-2-10	ADDED ADDITIONAL INFORMATION AS REQUESTED
6	12-30-10	ADDED ADDITIONAL INFORMATION AS REQUESTED
7	1-4-11	CORRECTED ERRORS

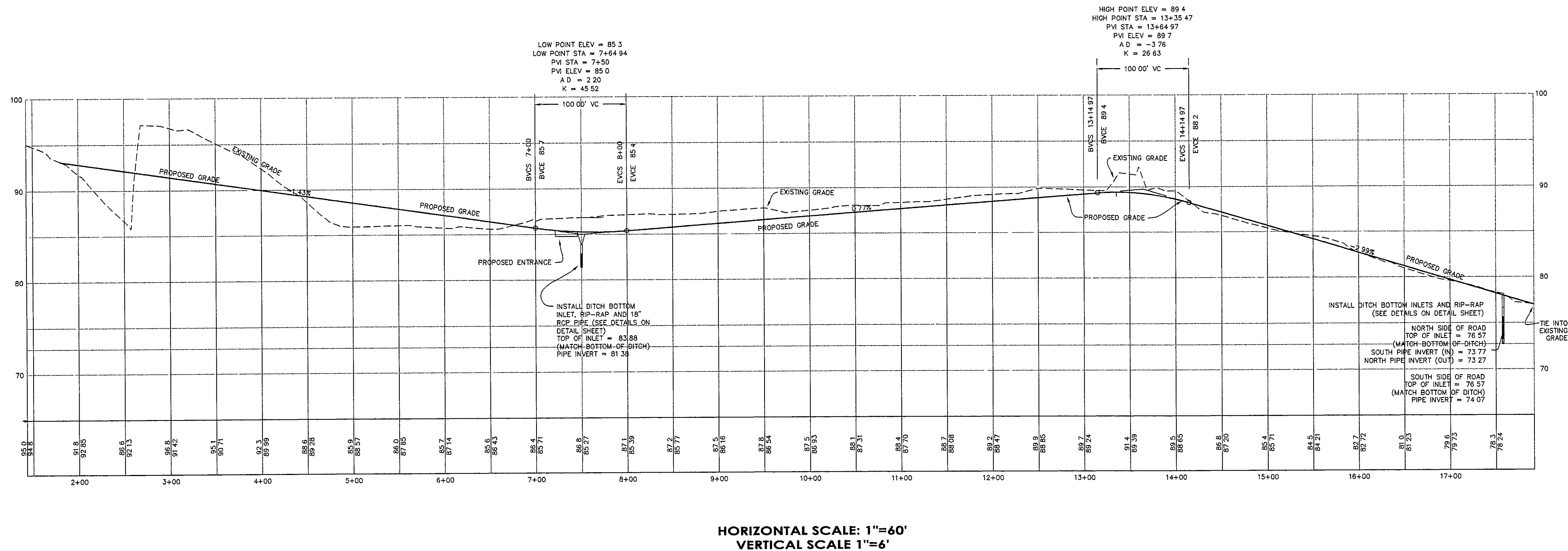
CHARLIE MILLER
RANGE DESIGNER
392 MAN-O-WAR CIRCLE
CANTONMENT FL 32533
PHONE (850) 479-1673 CELL (850) 454-7412
E-MAIL cmiller11@attmail.com

GARY S. BISHOP, P.E.
48600 HIGHWAY 90 BOX 154 PACE FL 32571
PHONE (850) 712-7818 FAX (850) 631-9483
E-MAIL gsbishop@yahoo.com

Proposed Redesign Sketch of
ESCAMBIA RIVER MUZZLE LOADERS SKETCH
Prepared for
Charlie Miller
Situated in
Escambia County Florida

DRAWN BY	RPA
DESIGNED BY	CM
CHECKED BY	CSB
DATE	1/7/11
SCALE	1" = 60'
NOT RELEASED FOR CONSTRUCTION	
PROJECT NO	09-001
FILE NO	site dwg
SHEET	5 OF 7

RECEIVED
JAN 04 2011



HORIZONTAL SCALE: 1"=60'
VERTICAL SCALE 1"=6'

APPROVED
1-5-11

NO	DATE	REVISIONS
1	12-30-10	REVISED 12-30-10 PER ESCAMBIA COUNTY EMAIL
2		
3		
4		

CHARLIE MILLER
RANGE DESIGNER
392 MAN-O-WAR CIRCLE
CANTONMENT FL 32533
PHONE (850) 479-1673 CELL (850) 464-7412
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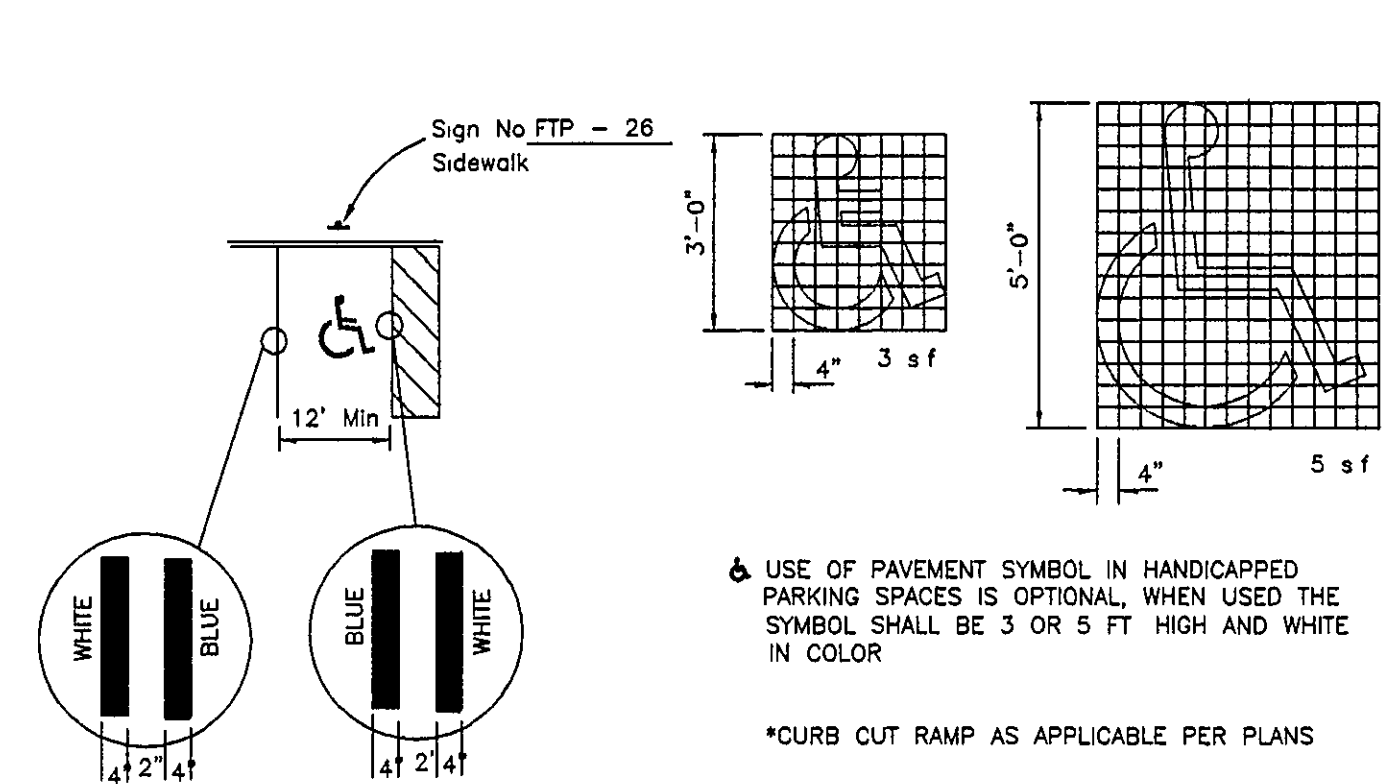
GARY S. BISHOP, P.E.
4800 HIGHWAY 90 BOX 154 PACE FL 32671
PHONE (850) 712-6168 FAX (866) 431-9483
E-MAIL gsbishop@yahoo.com

Prepared for
Escambia County
Sited in
Escambia County Florida

PROJECT NO	08-001
FILE NO	site dwg
SHEET	4 OF 7

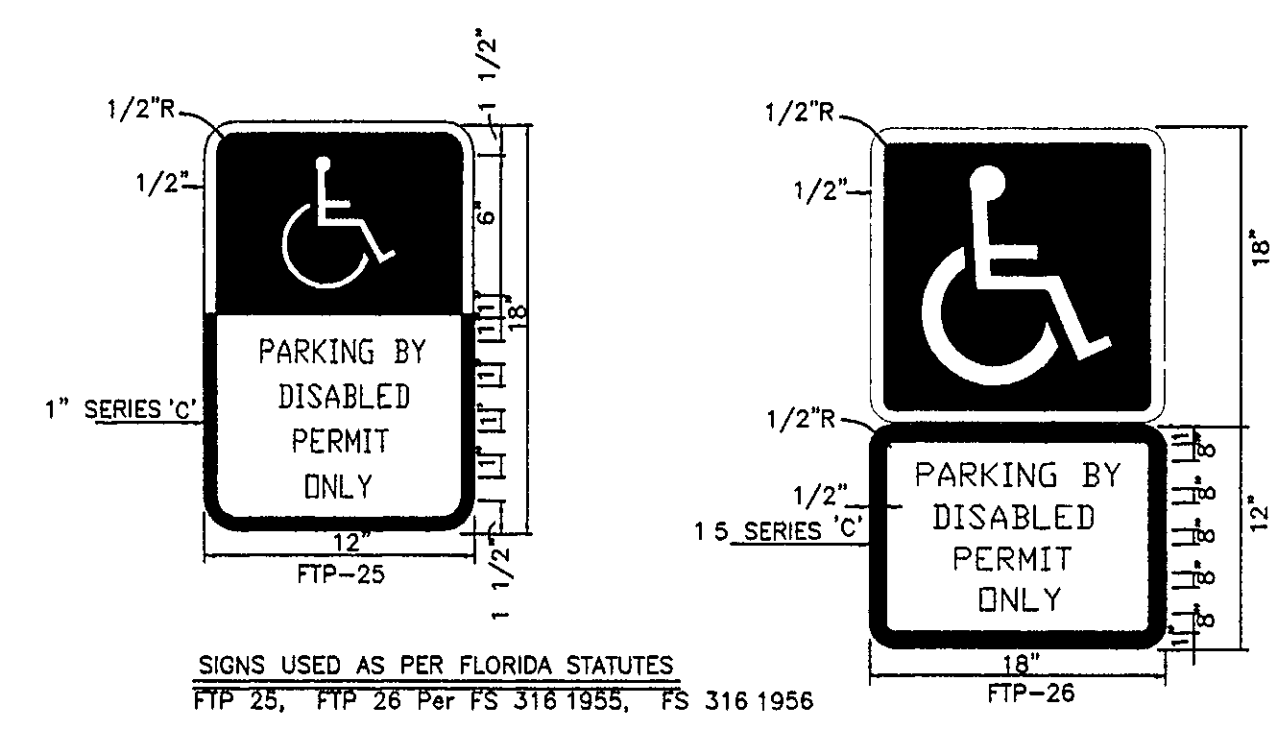
STATE ROAD CROSS SECTION

RECEIVED
JAN 04 2011

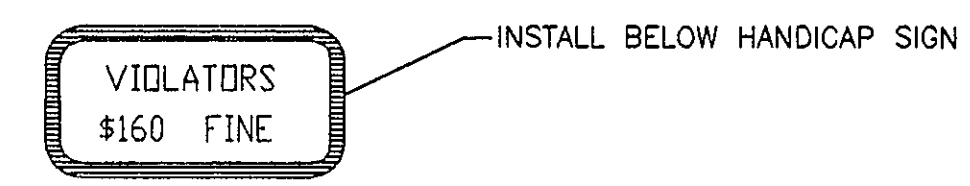


USE OF PAVEMENT SYMBOL IN HANDICAPPED PARKING SPACES IS OPTIONAL. WHEN USED THE SYMBOL SHALL BE 3 OR 5 FT HIGH AND WHITE IN COLOR

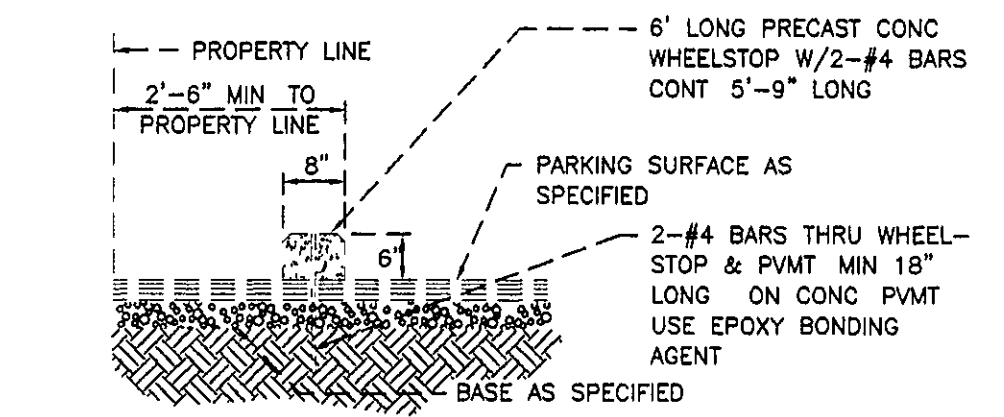
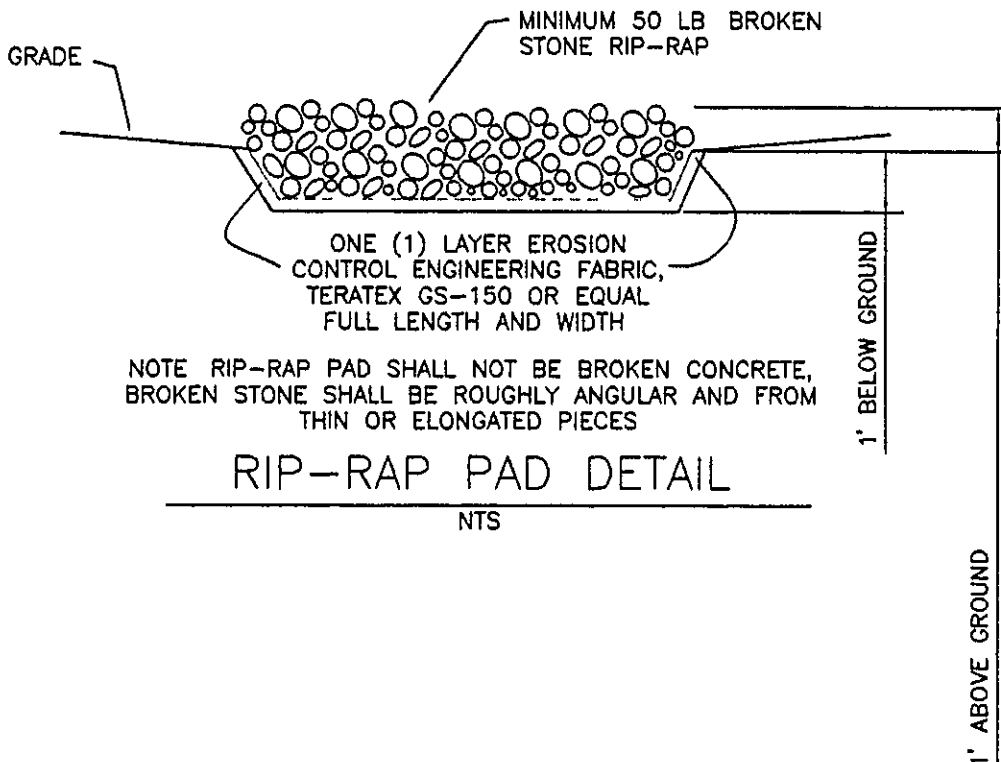
*CURB CUT RAMP AS APPLICABLE PER PLANS



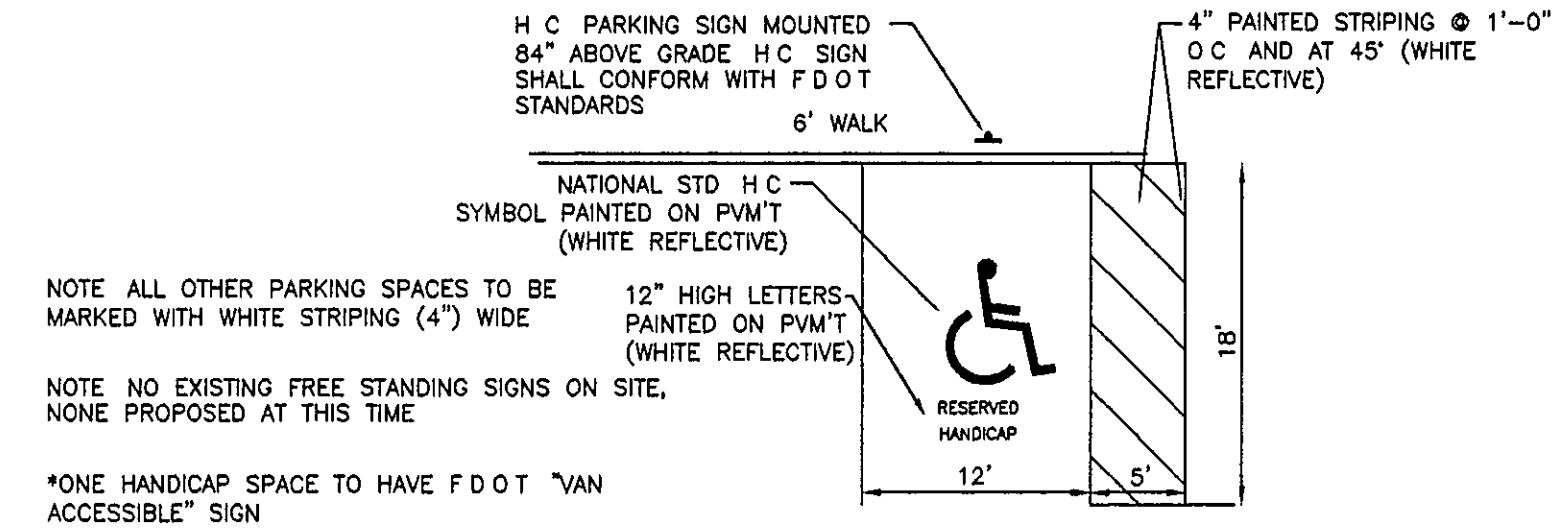
SIGNS USED AS PER FLORIDA STATUTES
FTP-25, FTP-26 Per FS 316.1955, FS 316.1956



NOTES
1 Top portion of FTP 25 & 26 shall have a reflective blue background with white reflective symbol and border
2 Bottom portion shall have a reflective white background with black opaque legend and border
3 FTP 25 & 26 may be fabricated on one panel or two
4 FTP 25 may be substituted for the FTP 26 in areas where space is limited
5 Signs are to be mounted at standard height (7' from pavement to bottom of sign)



CONCRETE WHEELSTOP/
BUMPER BLOCK DETAIL
D-1 NOT TO SCALE



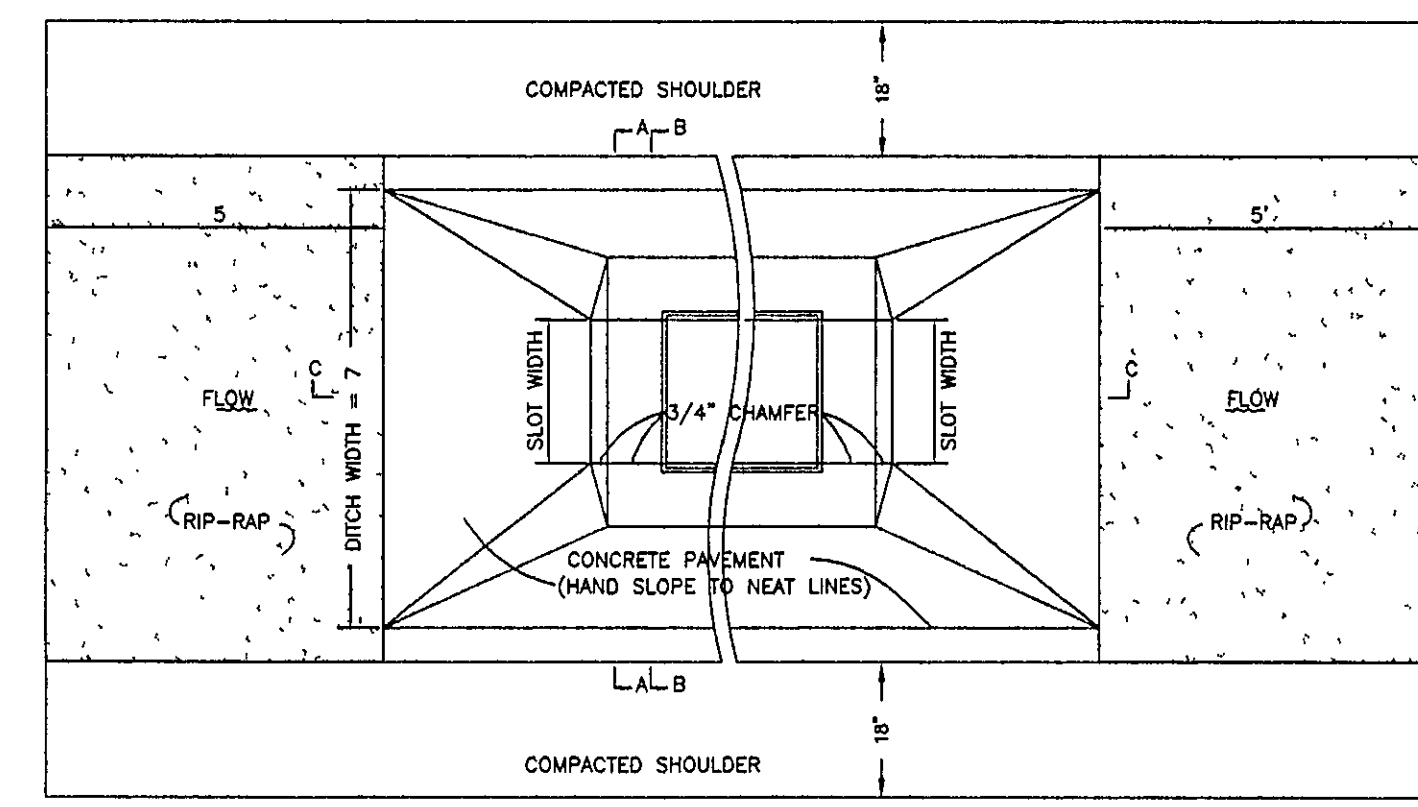
NOTE ALL OTHER PARKING SPACES TO BE MARKED WITH WHITE STRIPING (4") WIDE

NOTE NO EXISTING FREE STANDING SIGNS ON SITE, NONE PROPOSED AT THIS TIME

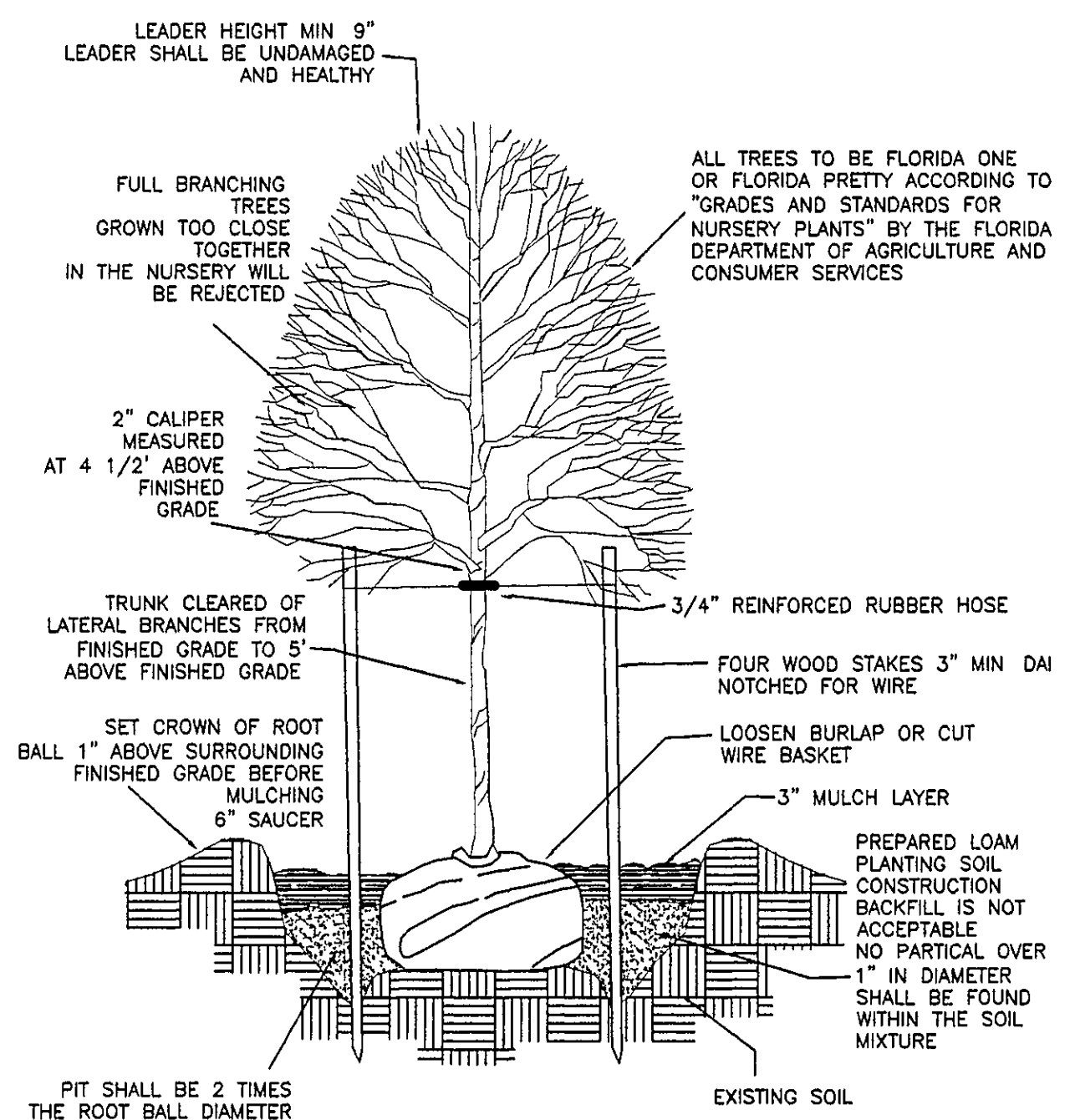
*ONE HANDICAP SPACE TO HAVE FDOT "VAN ACCESSIBLE" SIGN

HANDICAPPED PARKING & PAVEMENT DETAIL
D-1 NOT TO SCALE

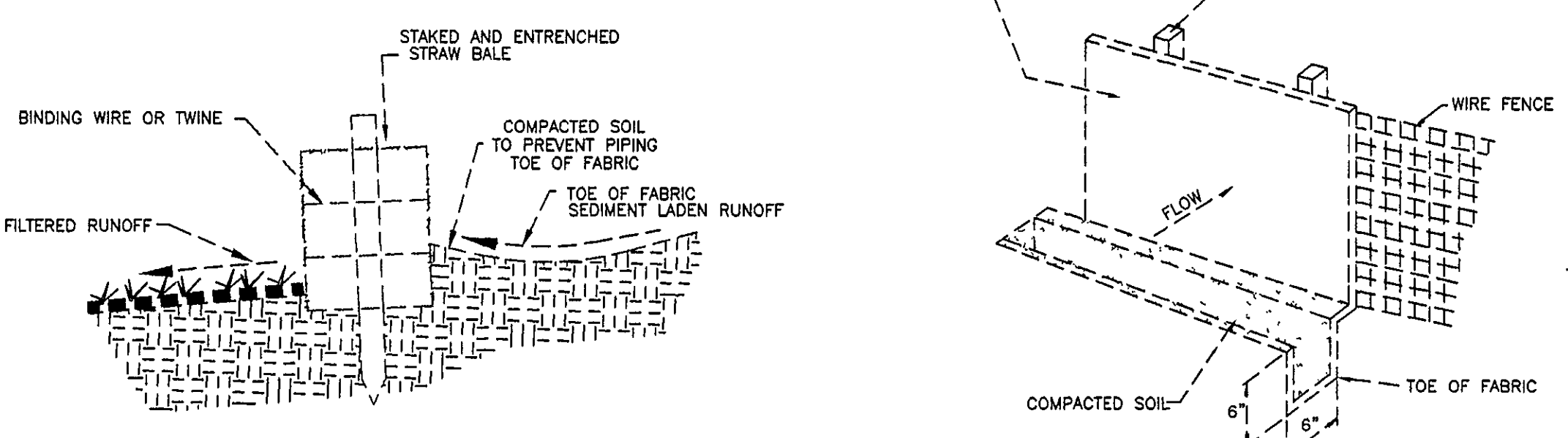
HANDICAPPED PARKING SIGN DETAIL
D-1 NOT TO SCALE



DITCH BOTTOM INLET DETAIL
NTS

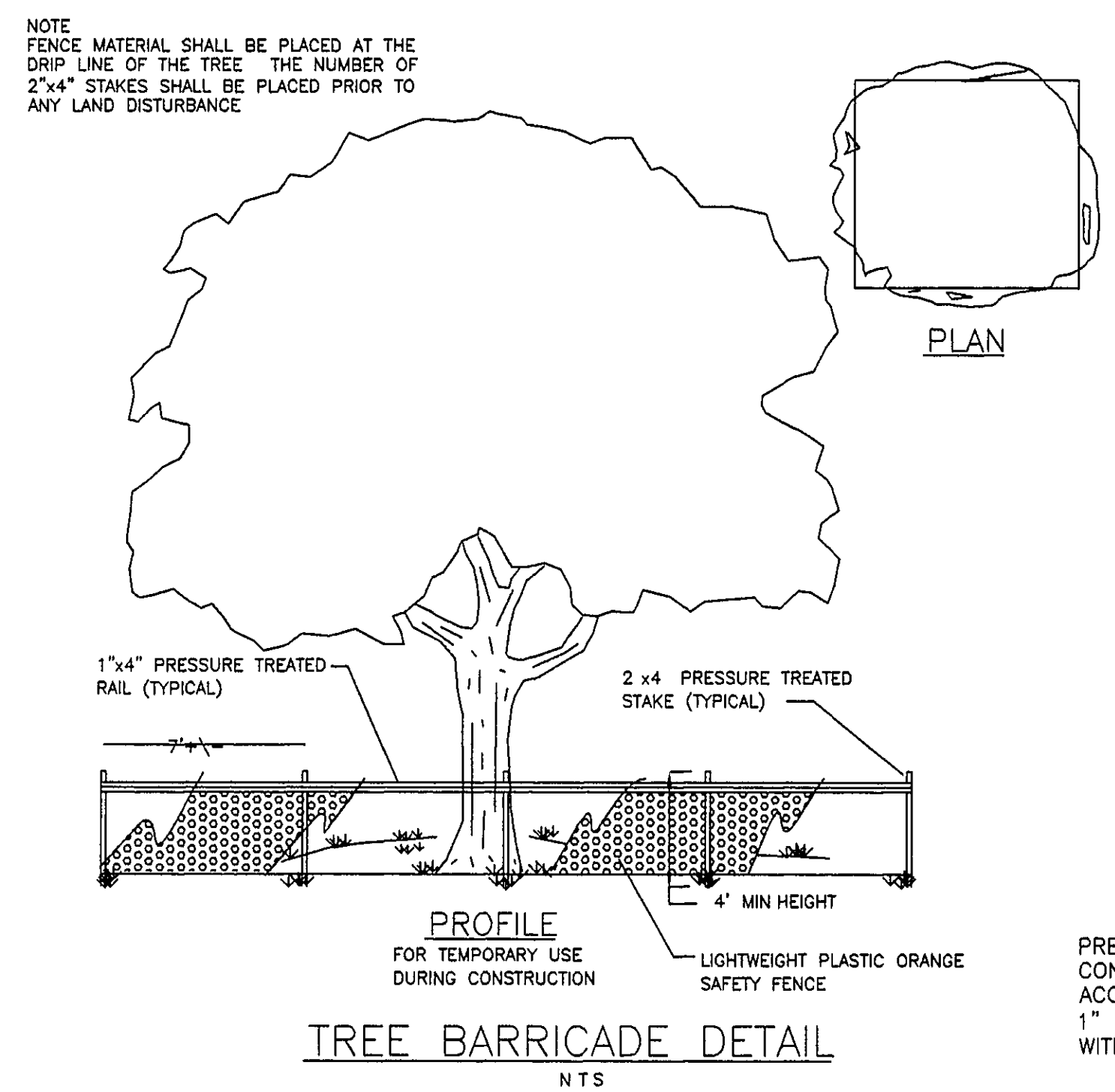


TREE PLANTING DETAIL
NOT TO SCALE

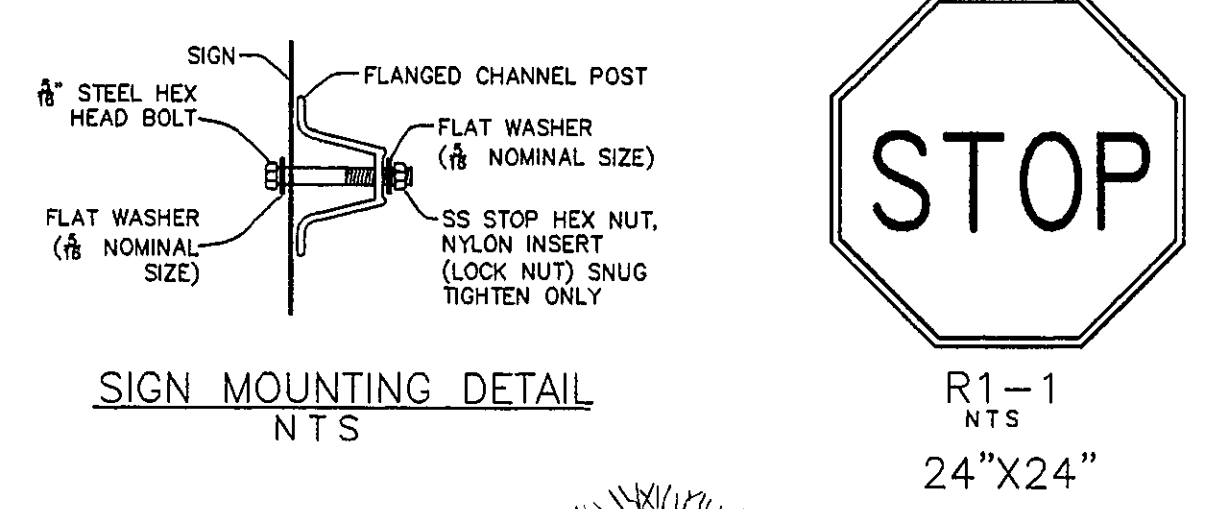


HAYBALE DETAIL
G-1 NOT TO SCALE

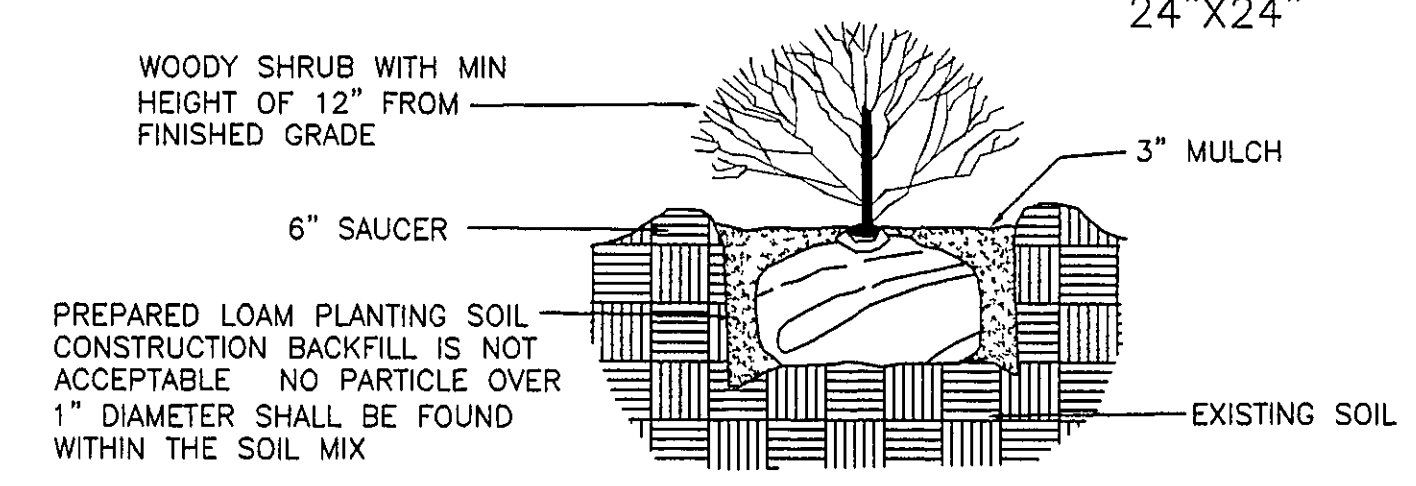
SILT FENCE DETAIL
G-1 NOT TO SCALE



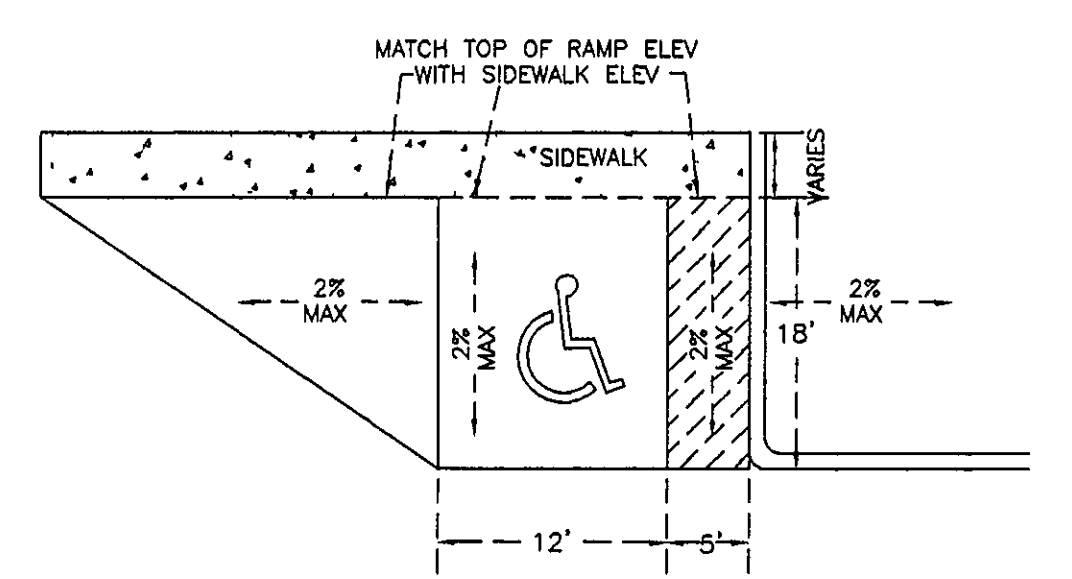
TREE BARRICADE DETAIL
NTS



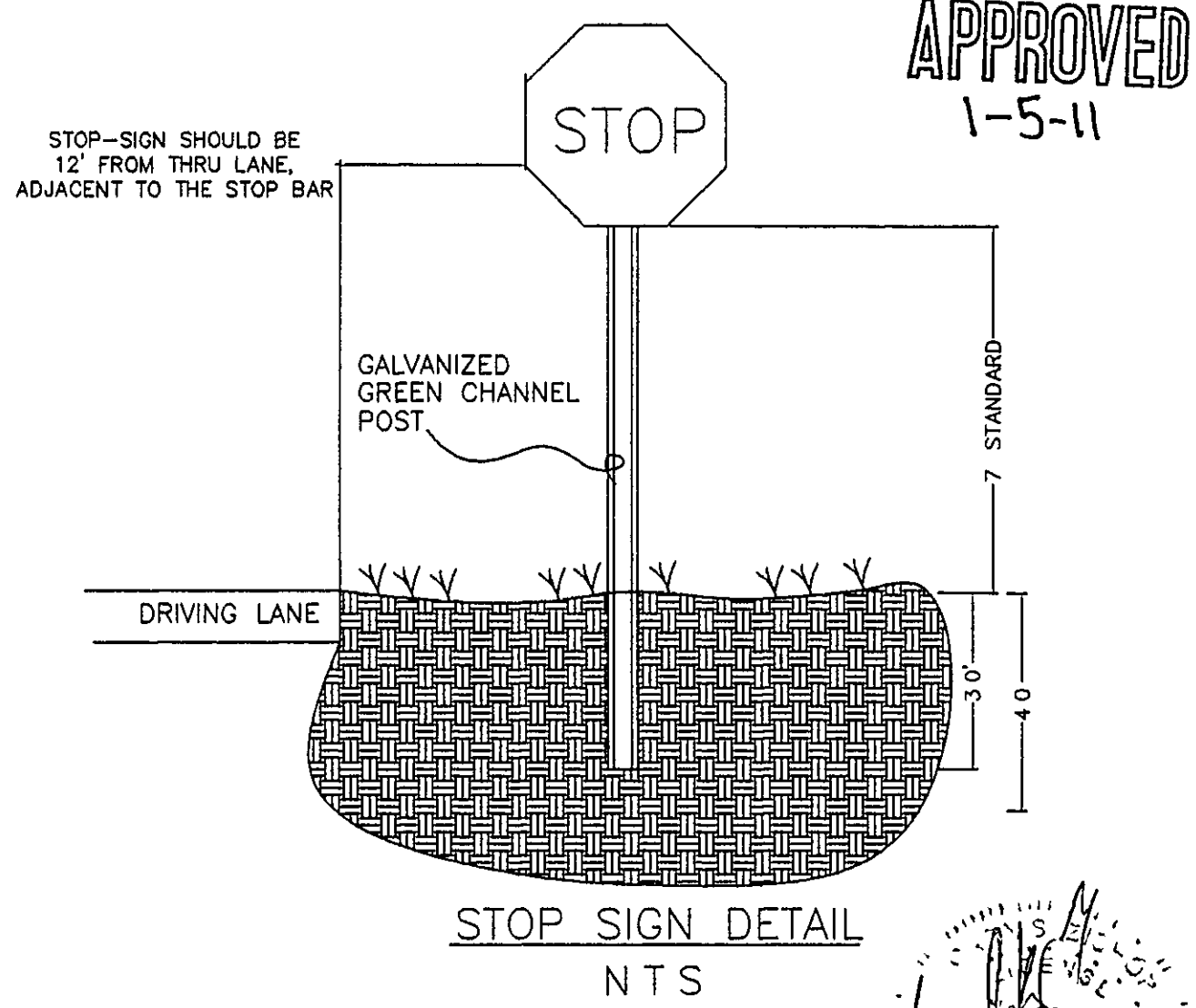
SIGN MOUNTING DETAIL
NTS



SHRUB PLANTING DETAIL
NOT TO SCALE



PLAN VIEW OF HANDICAP SPACE WITH SLOPES & STRIPING
D-1 NOT TO SCALE



STOP SIGN DETAIL
NTS

APPROVED
1-5-11

NO.	DATE	REVISIONS
1	9-28-10	REVISED 55408
2		ADDED ADDITIONAL DRAINAGE DETAILS

CHARLIE MILLER
RANGE DESIGNER
392 MAN-O-WAR CIRCLE
CANTONMENT FL 32533
PHONE (850) 479-1773 CELL (850) 454-7412
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Proposed Redesign Sketch of
ESCAMBIA RIVER MUZZLE LOADERS SKETCH
Prepared for
Charlie Miller
Student
ESCAMBIA COUNTY, FLORIDA

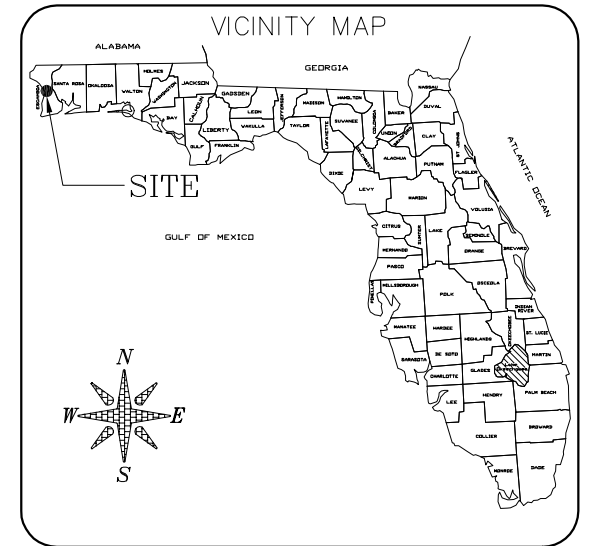
DRAWN BY	DESIGNED BY	CHECKED BY	DATE	SCALE	PROJECT NO	SHEET	OF
			1/7/11	1 = 40	08 001	7	7

NOT RELEASED FOR CONSTRUCTION

BOUNDARY AND TOPOGRAPHIC SURVEY

LYING IN SECTION 24, TOWNSHIP 2 NORTH, RANGE 31 WEST,
 ESCAMBIA COUNTY, FLORIDA

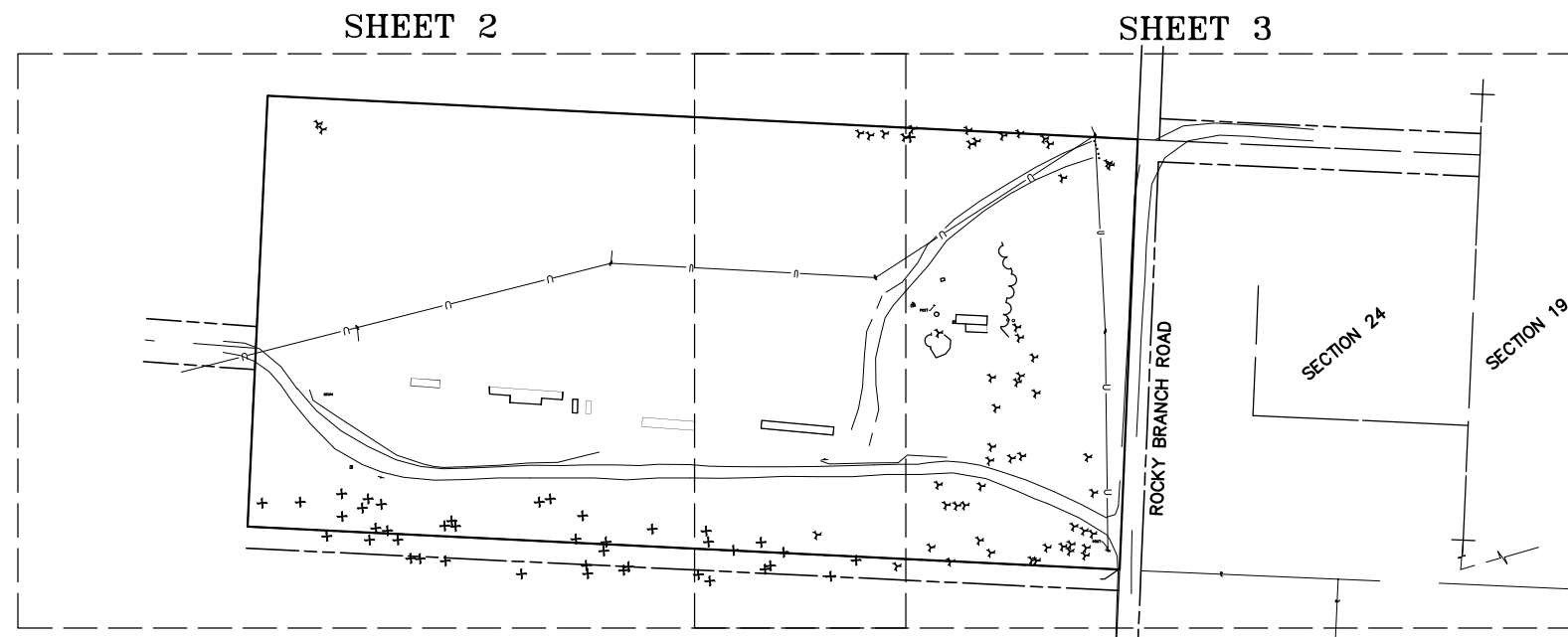
FOR
 ESCAMBIA RIVER MUZZLE LOADERS



VICINITY MAP
 NOT TO SCALE

LEGEND:

- SET 5/8" IRON ROD & CAP "PLS 5351"
- (P) PLAT DIMENSION
- (M) MEASURED DIMENSION
- (D) DESCRIPTION DIMENSION
- PLS PROFESSIONAL LAND SURVEYOR
- LB LAND SURVEYOR BUSINESS
- C.M. CONCRETE MONUMENT
- IRC IRON ROD & CAP
- FND. FOUND
- IBC IRON BAR & CAP
- C.C.R. CERTIFIED CORNER RECORD
- SEC. SECTION
- TWP. TOWNSHIP
- RGE. RANGE
- 24-2 N.-31 W. SECTION-TOWNSHIP-RANGE
- U — OVERHEAD UTILITY LINES
- ⊕ WOOD UTILITY POLE
- ← GUY ANCHOR
- o — CHAIN LINK FENCE
- TELEPHONE PEDESTAL
- G.I.S. GEOGRAPHIC INFORMATION SYSTEM
- (NAD 83) NORTH AMERICAN DATUM OF 1983
- (NAVD 88) NORTH AMERICAN VERTICAL DATUM OF 1988



LEGAL DESCRIPTION:(AS PROVIDED BY CLIENT)

THE NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 31 WEST, OF ESCAMBIA COUNTY, FLORIDA, AS RECORDED IN CHANCERY ORDER BOOK 29, PAGE 351, BEING MORE PARTICULARLY DESCRIBED AS: BEGIN AT A RECOVERED ROUND CONCRETE MONUMENT AT THE NORTHWEST CORNER OF THE ABOVE MENTIONED NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4 OF SECTION 24, TOWNSHIP 2 NORTH, RANGE 31 WEST, OF ESCAMBIA COUNTY, FLORIDA, FOR A POINT OF BEGINNING, THENCE ON A BEARING OF S87DEGREES 08' 24"E ALONG THE NORTH LINE OF THE ABOVE MENTIONED NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, A DISTANCE OF 1,333.95 FEET TO A RECOVERED IRON ROD ON THE WEST RIGHT-OF-WAY OF ROCKY BRANCH ROAD, SAID RIGHT-OF-WAY BEING RECORDED IN OFFICIAL RECORD BOOK 330, PAGE 952; THENCE, ALONG SAID WEST RIGHT-OF-WAY, ON A BEARING OF S02DEGREES 26' 02"W, A DISTANCE OF 659.91 FEET TO A POINT; THENCE, LEAVING SAID RIGHT-OF-WAY, ALONG THE SOUTH LINE OF THE ABOVE MENTIONED NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, SAID LINE ALSO BEING THE NORTH LINE OF A 33 FOOT RIGHT-OF-WAY AS RECORDED IN OFFICIAL RECORD BOOK 330, PAGE 946, ON A BEARING OF N87DEGREES 10' 43"W, A DISTANCE OF 1,336.78 FEET TO A RECOVERED 4"x4" CONCRETE MONUMENT WITH A DISK STAMPED "ESCAMBIA COUNTY ENGINEERING-DO NOT DISTURB"; THENCE ALONG THE WEST LINE OF THE ABOVE MENTIONED NORTH 1/2 OF THE SOUTHWEST 1/4 OF THE NORTHEAST 1/4, ON A BEARING OF N02DEGREES 40' 47"E, A DISTANCE OF 273.79 FEET TO THE BEGINNING OF THE CENTERLINE OF A 66 FOOT RIGHT-OF-WAY TO THE WEST AS RECORDED IN OFFICIAL RECORD BOOK 456, PAGE 715, THENCE CONTINUE ALONG SAID WEST LINE ON THE SAME BEARING OF N02DEGREES 40' 47"E, A DISTANCE OF 387 FEET TO THE RECOVERED ROUND CONCRETE MONUMENT AT THE NORTHWEST CORNER AND THE POINT OF BEGINNING, CONTAINING 20.2 ACRES MORE OR LESS.

SURVEYOR'S NOTES:

1. THE SURVEY SHOWN AND DESCRIBED HEREON WAS REVIEWED BY THE CERTIFYING SURVEYOR IN THE OFFICE ON THE FOLLOWING DATE: APRIL 7, 2009.
2. THE FIELD WORK FOR THIS SURVEY WAS COMPLETED APRIL 03, 2009.
3. NO TITLE RESEARCH WAS PERFORMED FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORDS, UNRECORDED DEEDS, EASEMENTS, RIGHTS-OF-WAY, STATE AND/OR FEDERAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES OF THE SUBJECT PROPERTY.
4. DESCRIPTIONS SHOWN HEREON ARE BASED ON DESCRIPTION PROVIDED BY CLIENT.
5. UNLESS IT BEARS THE SIGNATURE AND ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER, THIS MAP/REPORT IS FOR INFORMATIONAL PURPOSES AND IS INVALID.
6. THE BASIS OF BEARING IS BETWEEN ESCAMBIA COUNTY G.I.S. MONUMENTS "ESC-4041" AND "ESC-4042" AS BEING N 74°02'46" E. SEE DETAIL SHEET 3 FOR COORDINATE VALUES.
7. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
8. THE VISIBLE ENCROACHMENTS ARE AS SHOWN.
9. STATE PLANE COORDINATES AND HORIZONTAL DATUM BASED ON (NAD 83), FLORIDA NORTH.
10. VERTICAL DATUM BASED ON (NAVD 88).

BOUNDARY AND TOPOGRAPHIC SURVEY		No.	DATE	REVISION
PREPARED FOR: ESCAMBIA RIVER MUZZLE LOADERS P.O. BOX 333 CANTONMENT, FL 32533-033				
CERTIFICATION: I HEREBY CERTIFY THAT A SURVEY OF THE PROPERTY SHOWN HEREON WAS MADE UNDER MY SUPERVISION AND THAT THE SURVEY MEETS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY THE FLORIDA BOARD OF PROFESSIONAL SURVEYORS AND MAPPERS IN CHAPTER 61G17-8, FLORIDA ADMINISTRATIVE CODE, PURSUANT TO CHAPTER 472.087 OF THE FLORIDA STATUTES AND THAT THE SKETCH HEREON IS A TRUE AND ACCURATE REPRESENTATION THEREOF TO THE BEST OF MY KNOWLEDGE AND BELIEF, SUBJECT TO NOTES AND NOTATIONS SHOWN HEREON.		DRAWN: R. SMITH CHECKED: CW-MM DRAWING FILE: ERMLA SRV SPC.dwg DATE OF FIELD SURVEY 04/03/09	FIELD BOOK AND PAGES: SEC. 24, TWP. 2 N., RGE. 31 W. ESCAMBIA COUNTY, FLORIDA	
THIS _____ DAY OF _____, 19____		DATE: APRIL 7, 2009	SCALE: NOT TO SCALE	
Clarence J. Williams III Professional Land Surveyor No. 5351 VALID ONLY WITH SIGNATURE AND EMBOSSED SEAL		PROJECT No. ERMLA-21-38	SHEET 1 OF 3	

NORTH LINE OF THE NORTH 1/2 OF THE S.W. 1/4,
OF THE N.E. 1/4 OF SEC. 24, TWP. 2 N., RGE. 31 W.

POINT OF COMMENCEMENT AND THE
POINT OF BEGINNING
N.W. CORNER OF THE S.W.
1/4 OF THE N.E. 1/4
OF SEC. 24, TWP. 2 N., RGE. 31 W.
FND. ROUND C.M.
WITH NO I.D.

1333.948' (M)

S 87°08'23.5" E

GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.



EXIST. R/W LINE
66' RIGHT-OF-WAY
FOR PUBLIC ROAD
(PER D.B. 456, PG. 715)
N 85°50'13.0" W
EXIST. R/W LINE

FND. 4"x4" C.M.
WITH DISK STAMPED
"ESCAMBIA COUNTY ENGINEERING"

33' RIGHT-OF-WAY
(PER O.R.B. 330, PG. 940)

1336.780' (M)

SEE SHEET 1 OF 3
FOR LEGAL DESCRIPTION, GENERAL
NOTES AND LEGEND

SEE SHEET 3 OF 3 FOR CONTINUATION

CLARENCE J. WILLIAMS III
P.L.S. NO. 5351
2800 LEGRANDE DR.
PENSACOLA, FLORIDA 32514
TELEPHONE: (850) 261-9738

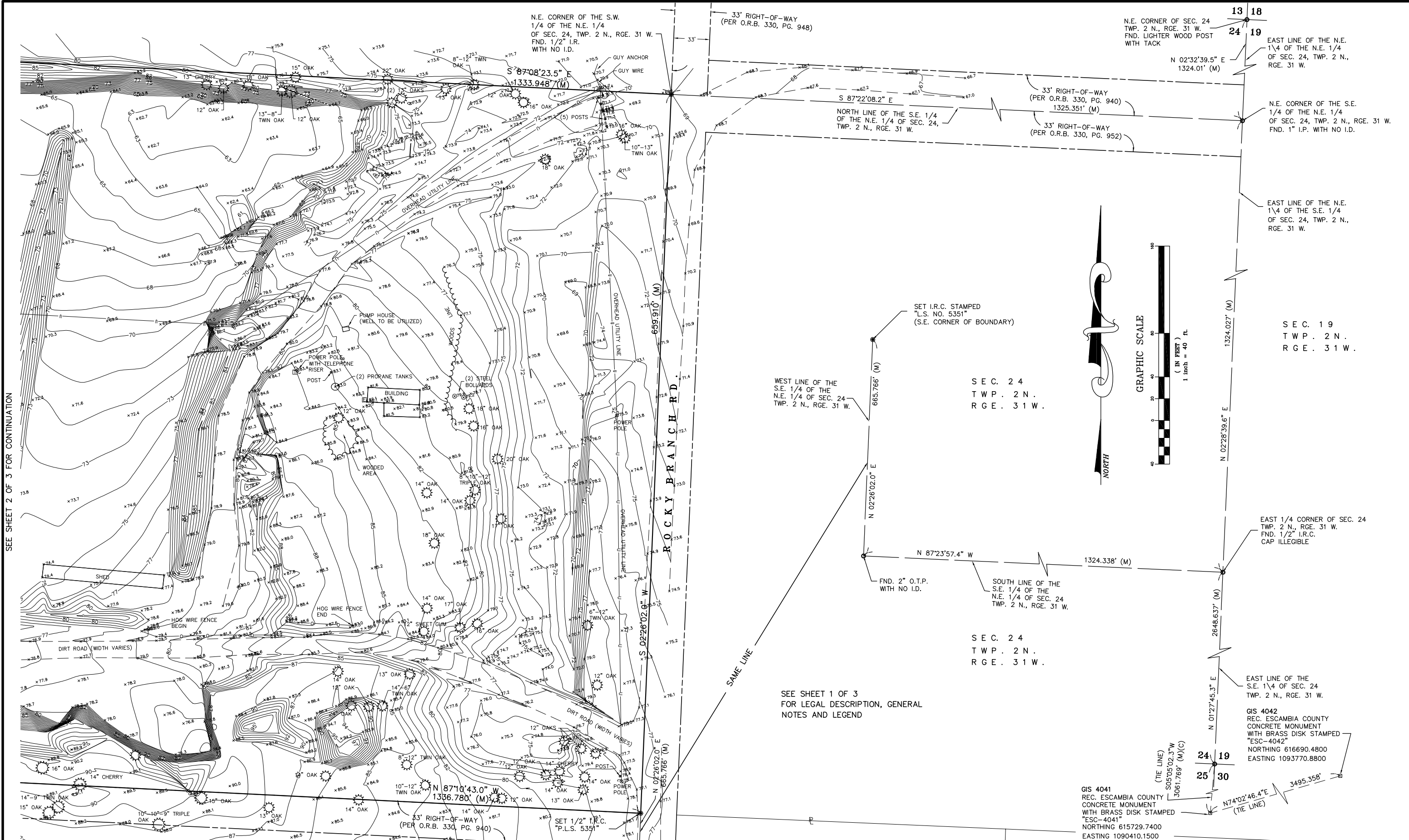
No.	DATE	REVISION

DRAWN: R. SMITH CHECKED: CJW-MM
DRAWING FILE: ERMLA SRV SPC.dwg
SEC. 24 TWP. 2 N., RGE. 31 W.
ESCAMBIA COUNTY, FLORIDA

**BOUNDARY AND TOPOGRAPHIC
SURVEY FOR:
ESCAMBIA RIVER MUZZLE LOADERS**

DATE:
APR. 07, 2009
PROJECT No.
ERMLA-21

SCALE:
1" = 40'
SHEET
OF 3
Page 39 of 50



SEE SHEET 2 OF 3 FOR CONTINUATION

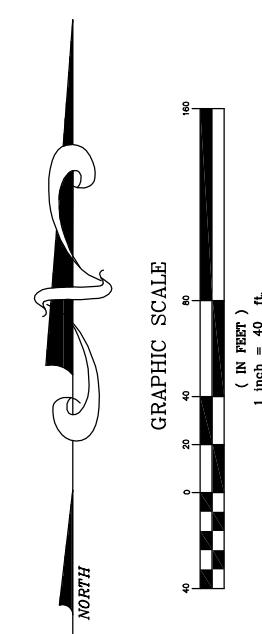
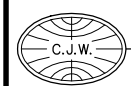
CLARENCE J. WILLIAMS III
 P.L.S. NO. 5351
 2800 LEGRANDE DR.
 PENSACOLA, FLORIDA 32514
 TELEPHONE: (850) 261-9738

No.	DATE	REVISION

DRAWN: R. SMITH CHECKED: CJW-MM
 DRAWING FILE: ERMLA SRV SPC.dwg
 SEC. 24 TWP. 2 N., RGE. 31 W.
 ESCAMBIA COUNTY, FLORIDA

BOUNDARY AND TOPOGRAPHIC SURVEY FOR:
ESCAMBIA RIVER MUZZLE LOADERS

DATE: APR. 07, 2009
 PROJECT No. ERMLA-21
 SCALE: 1" = 40'
 SHEET 3 OF 3
 Page 40 of 50



SEE SHEET 1 OF 3 FOR LEGAL DESCRIPTION, GENERAL NOTES AND LEGEND

(TIE LINE)
 S05°05'02.3"W
 3061.769' (M)(C)

GIS 4041
 REC. ESCAMBIA COUNTY
 CONCRETE MONUMENT
 WITH BRASS DISK STAMPED
 "ESC-4041"
 NORTHING 615729.7400
 EASTING 1090410.1500

GIS 4042
 REC. ESCAMBIA COUNTY
 CONCRETE MONUMENT
 WITH BRASS DISK STAMPED
 "ESC-4042"
 NORTHING 616690.4800
 EASTING 1093770.8800



**COMMUNITY AND ENVIRONMENT BUREAU
NATURAL RESOURCES CONSERVATION DIVISION
151 HIGHWAY 97-MOLINO, FL 32577
(850) 587-5404
(850) 587-2765 fax**

DATE: January 4, 2011

SUBJECT: Threatened and Endangered Species
Name: Escambia River Muzzle Loaders
Address: PO Box 333 Cantonment, FL 32533
Site Address: Rocky Branch Road Cantonment
Property Reference Number: 24-2N-31-1302-000-000

Acres: 18.82 +/- in Escambia County

TO: Escambia County Development Services

According to the Soil Survey of Escambia County and cross-referenced with the 26 Ecological Communities of Florida, the threatened and endangered species (T&E) from the Federal and State list that may occur on this property are listed on the attachment(s).

No evidence of threatened and endangered species was observed.

No evidence of threatened and endangered species was sighted.

Although during this inspection there were not T&E animal or reptile species observed or sighted, only prolonged trapping or surveillance can determine actual presence of a T&E species.

A handwritten signature in cursive script that reads "Debbie Williams".

Debbie Williams
Environmental Technician



**COMMUNITY AND ENVIRONMENT BUREAU
NATURAL RESOURCES CONSERVATION DIVISION
151 HIGHWAY 97-MOLINO, FL 32577
(850) 587-5404
(850) 587-2765 fax**

DATE: January 4, 2011

SUBJECT: Site Specific Survey
Applicant's Name: Escambia River Muzzle Loaders
Applicant's Address: PO Box 333 Cantonment, FL 32533
Site Address: Rocky Branch Road Cantonment
Property Reference Number: 24-2N-31-1302-000-000

Acres: 18.82 +/- in Escambia County

TO: Escambia County Development Services

A field inspection was made on this property and determined there are no jurisdictional wetlands according to Florida's procedure for determining jurisdictional wetlands in Northwest Florida.

This determination prepared for the Escambia County Development Services does not bind DEP or its employees. Persons obtaining this determination are not entitled to rely upon it for purposes of compliance with DEP rules. A formal jurisdictional determination may be obtained by petitioning the DEP for a jurisdictional declaratory statement pursuant to F.A.C. Rule 62-312-040.

This property may include wetlands using U.S. Army Corps of Engineers method of determining jurisdictional wetlands, but no formal determination was made using the method.

This determination does not relieve you from the responsibility of obtaining a federal permit from U.S. Army Corps of Engineers, if applicable, and any permits that may be required from the Northwest Florida Water Management District.

A handwritten signature in cursive script that reads "Debbie Williams".

Debbie Williams
Environmental Technician

Range Evaluation Report

Case #: FL-1585-09

Subject: Escambia River Muzzle Loaders

Date: December 13, 2009

STATEMENT REGARDING INFORMATION IN THIS REPORT

Nothing in the information that follows should be considered “requirements” of the NRA. The informational items are “suggestions”. The range operator may or may not choose to act upon any or all of these suggestions. It should not be interpreted by anyone that a failure on any part of the range operator to accept and/or implement any of the suggestions set forth herein as evidence of a “cavalier attitude” regarding health and/or safety. A range operator may otherwise be very safety and health conscious without having to resort to any or all of these suggestions.

Report prepared by
RTTA Richard Sorrentino
NRA Range Technical Team Advisor
State of Florida

THIS DOCUMENT MAY NOT BE REPRODUCED IN WHOLE OR IN PART WITHOUT THE PERMISSION OF THE
NATIONAL RIFLE ASSOCIATION OF AMERICA

NATIONAL RIFLE ASSOCIATION OF AMERICA
RANGE TECHNICAL TEAM
RANGE DEPARTMENT
FIELD OPERATIONS DIVISION

RTTA Richard Sorrentino
NRA RANGE TECHNICAL TEAM ADVISOR
7773 Rocky Comfort Lane
Tallahassee, FL 32317

Range Evaluation Report

Case #: FL-1585-09
Subject: Escambia River Muzzle Loaders
Date: 3/10/2010

Opening Statement

On December 13, 2009, I met with members of the Club Range Committee, Mr. Mike Roberts and Mr. Charles Miller at the range site of the Escambia River Muzzle Loaders Club. The Club's purpose for requesting the NRA Range Technical Team Advisor (RTTA) is to have the advisor review and give an opinion regarding the club's range renovation plan. The Club also wanted the RTTA to review a complaint made by a resident who lives approximately one half mile from the range.

Summary

We first walked the entire range site. Mr. Miller, who designed and produced the enclosed blue prints, pointed out the areas of intended improvements and expansions. I took photos of each area as he described the intended changes, in detail. Mr. Miller marked the blue prints with arrows while I photographed each site.

When we finished walking the facility we discussed the complaint that can form residents living approximately one half mile radius around the range. The complaint involves noise, allegedly from the range, during firing times. The official Range hours are, 8:00 AM to 4:30 PM, during Central Standard Time and 8:00 AM to 7:30 PM during daylight savings time. (See enclosed sound test results). Mr. Jones

hosts hunting parties during the hunting season. It is not known for sure, but Mr. Jones possibly allows shooting at a private range on his property. The Club Committee feels that the shooting noise, in question, actually comes from Mr. Jones's property. It should be noted here that as I was leaving the Club Range area, on a dirt road bordering the Jones property, there was a small group of hunters around a pick-up truck parked off the road on the Jones property, at about 4 PM, Central Time Zone

Recommendations

Recommend club contact the county and obtain information on the proper type and placement of "No Trespassing" signs for the range. If additional signage is needed the NRA has range warning signs "Caution Firearms in use Keep Out". This product can be obtained by calling 1-800-336-7402 and ask for product # NR-60401-AR-14836.

Conclusion

The club has sufficient funds for the start of the project. The Range Committee members have stated that they fully intend to use the NRA Range Development guidelines as stated in the NRA Range Source Book as well as the recommendation stated above. It was also stated that they will continue to have a Range Officer on duty during shooting hours. Other than the noise issue there are no other problems facing the club at this time. Enclosed are prints, photographs and sound test results. The plans dated xxxxx follow the recommendations and suggestions as outlined in the NRA Range Source Book.

Respectfully Submitted,

RTTA Richard Sorrentino

EXHIBIT A

NATIONAL RIFLE ASSOCIATION OF AMERICA

11250 WAPLES MILL ROAD

FAIRFAX, VIRGINIA 22030



NRA

March 8, 2010

Mike Roberts
3581 Stratford Lane
Pace, FL 32571

RE: RCN FL-1585-09

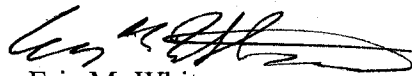
Dear Mr Roberts:

The NRA Range Department has read and agrees with the findings in the report by RTTA Richard Sorrentino. If you have any questions, please feel free to call RTTA Sorrentino at 850-216-2598 or myself at (703) 267-1279.

Nothing in the report that follows, verbal or written, should be considered as "requirements of the NRA." The informational items being furnished are suggestions. You may, or may not, choose to act on any or all of these suggestions. It should not be interpreted that a failure on your part to act on any or all of these suggestions is evidence of a "cavalier" attitude regarding firing range safety and/or health conscious without having to resort to any or all of these suggestions. There is no intention on the part of the Range Technical Team advisor of NRA Headquarters Staff to imply NRA approval or disapproval on this range as being safe or unsafe. It is merely a guide by which a range owner/operator can act to enhance a shooting range facility.

Thank you for supporting the NRA.

Sincerely,



Eric M. Whitescarver,
Range Services Coordinator

Enclosure

WATSON NORMAN
7754 UNTREINER AVE
PENSACOLA FL 32534

ESTES CHARLES L
169 RIDGE TOP LN
SALEM SC 29676

HENDRICKSON ANGELINE
3710 E OLIVE RD
PENSACOLA FL 32514

BARRINEAU ESTATE LTD
5341 MOLINO RD
MOLINO FL 32577

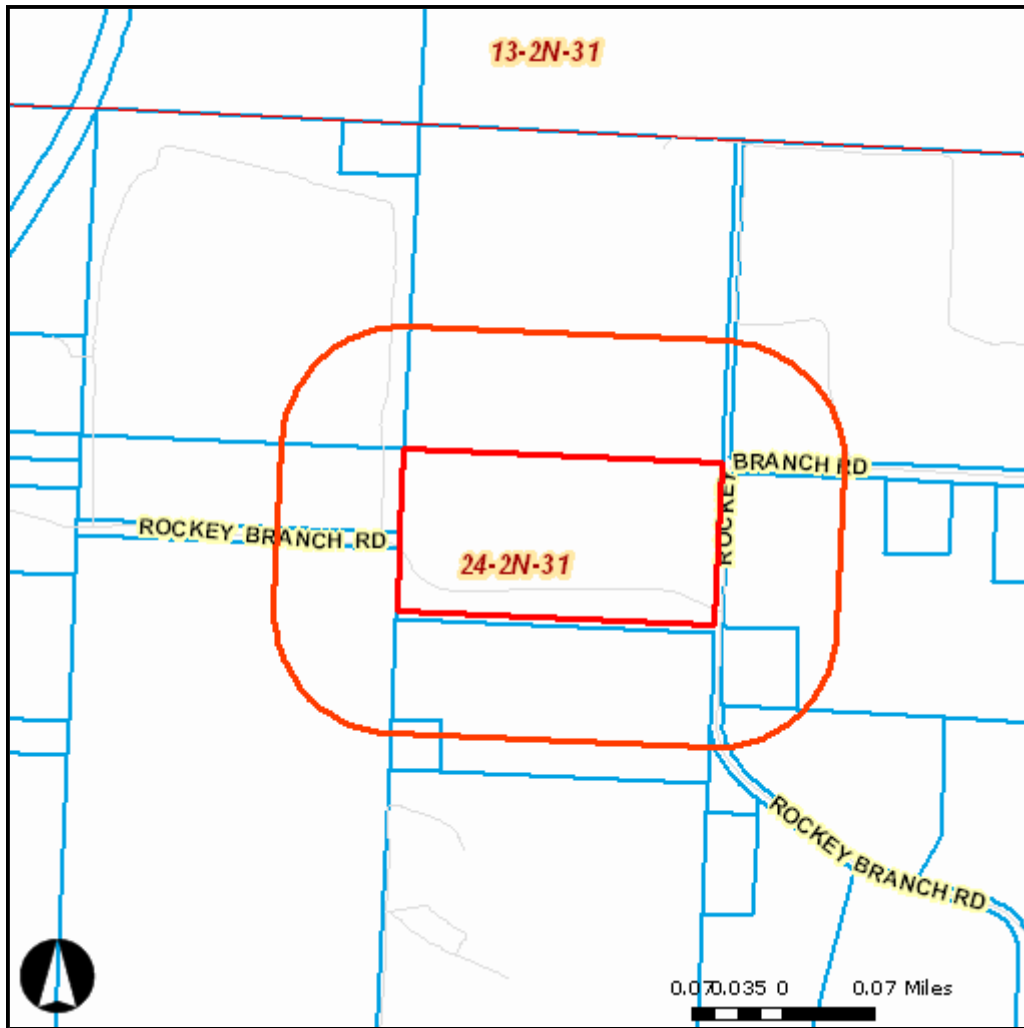
THOMPSON JAMES W
3651 ROCKY BRANCH RD
CANTONMENT FL 32533

JOHNSON FRED T
4171 ROCKY BRANCH RD
CANTONMENT FL 32533

LEWIS REUBEN & PATSY
3935 ROCKY BRANCH RD
CANTONMENT FL 32533

CHARVCO ENTERPRISES LLC
1765 E NINE MILE RD STE 1-104
PENSACOLA FL 32514

ECPA Map



Map Grid



Major Roads

- City Road
- County Road
- Interstate
- State Road
- US Highway

All Roads



Property Line



PLEASE NOTE: This product has been compiled from the source data of the Inter-Local Mapping and Geographic Information Network (IMAGINE) project of Escambia County. The ESCAMBIA COUNTY PROPERTY APPRAISER I-MAP Service is for reference purposes only and not to be considered as a legal document or survey instrument. Relying on the information contained herein is at the user's own risk. We assume no liability for any use of the information contained in the I-MAP Service or any resultant loss.



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 - Phone
(850) 595-3481 - FAX
www.myescambia.com

Escambia County Planning Board
Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 7-9-12

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z-2012-13

OR

Regular Planning Board Meeting

Agenda Item Number/Description:

In Favor [checked] Against

*Name: Patsy Lewis

*Address: 3935 Rocky Branch Rd *City, State, Zip: Cantonment, FL 32533

Email Address: Phone: 587-3247

Please indicate if you:

- would like to be notified of any further action related to the public hearing item.
do not wish to speak but would like to be notified of any further action related to the public hearing item.

All items with an asterisk * are required.

Chamber Rules

- 1. All who wish to speak will be heard and granted uniform time to speak (normally 3 – 5 minutes).
2. You must sign up to speak. This form must be filled out and given to the Clerk in order to be heard.
3. When the Chairman calls you to speak, come to the podium, adjust the microphone so you can be heard, then state your NAME and ADDRESS for the record.
4. Please keep your remarks BRIEF and FACTUAL.
5. Should there be a need for information to be presented to the Board, please provide 13 copies for distribution. The Board will determine whether to accept the information into evidence. Once accepted, copies are given to the Clerk for Board distribution.
6. Speakers will refrain from the use of obscene language, "fighting words" likely to incite violence from the individual(s) to whom the words are addressed, or other language which is disruptive to the orderly and fair progress of discussion at the meeting.
7. During public hearings, at the Chairman's discretion, if there is a controversial item in which Escambia County citizens are involved, he may institute a provision against clapping, if he/she feels that clapping or the noise will deter open speech between the two parties.

Z-2012-14

REZONING HEARINGS - JULY 9, 2012

21

1 yes.

2 MS. LEWIS: I'm just trying to make sure that

3 it wasn't anything that the County was doing when

4 they did the road because I had to -- they moved the

5 fence back, so I was just trying to make sure I get

6 a good understanding exactly what the County was

7 doing.

8 MS. SINDEL: Were we able to answer your

9 question?

08:59 10 MS. LEWIS: Yes, ma'am.

11 MS. SINDEL: Excellent. Thank you so much.

12 MS. LEWIS: Thank you so much.

13 MS. SINDEL: Does anyone up here have any

14 questions of Ms. Lewis? Assuming not. Staff, you

15 have no questions of Ms. Lewis, correct?

16 MR. FISHER: No.

17 MS. SINDEL: Before I go, is there anyone else

18 in the audience who needs to speak on this matter

19 because I don't have any pink sheets for you. Okay.

08:59 20 Moving on. I'm going to close the public

21 comment portion of the hearing.

22 Board members, do you have any questions for

23 the applicant, staff or members of the public?

24 Is there anything further from the staff? If

25 not, the Chair will entertain a motion.

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22

1 MS. DAVIS: I move that we approve the changing

2 of the zoning from Public District to VAG-1.

3 MS. SINDEL: Do I have a second?

4 MR. WINGATE: Second.

5 MS. SINDEL: All in favor, please raise your

6 right hand.

7 (Board members vote.)

8 MS. SINDEL: All opposed?

9 (None.)

08:59 10 MS. SINDEL: The motion carries five/zero.

11 MR. WEST: I just wanted to make sure that

12 motion included the adoption of the findings-of-fact

13 as presented by staff.

14 MS. DAVIS: Should I redo it?

15 MR. WEST: Well, one way or the other I just

16 want it on the record.

17 MS. SINDEL: We should all have a copy of that

18 script.

19 MS. DAVIS: I agree. We should all have a

09:00 20 copy.

21 MS. SINDEL: Let's try this again. May I have

22 a motion, please?

23 (Motion by Ms. Davis.)

24 MS. DAVIS: I move to recommend approval of the

25 rezoning application to the Board of County

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23

1 Commissioners and adopt the Findings-of-Fact of

2 Z-2012-13, from Public District to VAG-1.

3 MS. SINDEL: Do I have a second?

4 MR. GOODLOE: Second.

5 MS. SINDEL: All in favor, please raise your

6 right hand.

7 (Board members vote.)

8 MS. SINDEL: Mr. West?

9 MR. WEST: The script I think still didn't have

09:00 10 the adopt -- did it have adopt the findings?

11 MS. SINDEL: Yes, she read it.

12 MS. DAVIS: I read it.

13 MR. WEST: Maybe I'm losing it then.

14 MS. SINDEL: It's a Monday after a holiday.

15 All in favor?

16 (Board members vote.)

17 MS. SINDEL: Zero opposed. The motion carries

18 five/zero.

19 (Motion passed five/zero.)

20 (Transcript page 24.)

21 * * *

22

23

24

25

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24

1 * * *

2 CASE NO: Z-2012-14

Location: Black Road

3 Parcel: 43-4N-31-1005-001-002

43-4N-31-1005-002-002

4 43-4N-31-1005-000-001

From: VAG-1, Villages Agriculture District

5 To: VR-1, Villages Rural Residential

District

6 FLU Category: RC, Rural Community

BCC District: 5

7 Requested by: Jim Cowling, Agent for Bonnie Cowling,

Cassie Brown and Tara Webb, Owners

8

9 MS. SINDEL: The next rezoning case is

09:01 10 Z-2012-14, Black Road. It requests to go from VAG-1

11 to VR-1.

12 Members of the Board, have there been any

13 ex parte communication between you and the applicant

14 or the applicant's agent, attorneys or witnesses or

15 with fellow Planning Board members or anyone from

16 the general public prior to this hearing? Have you

17 visited the subject property? Please disclose if

18 you are a relative or a business associate of the

19 applicant or applicant's agent.

09:01 20 No to all the above.

21 MS. DAVIS: No to all the above.

22 MR. WINGATE: No contact.

23 MR. WOODARD: No to all the above.

24 MR. GOODLOE: No to all.

25 MS. HIGHTOWER: No to all.

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REZONING HEARINGS - JULY 9, 2012

25

1 MS. SINDEL: Thank you.
 2 Staff, was notice of the hearing sent to all
 3 interested parties?
 4 MS. HALSTEAD: Yes, ma'am, it was.
 5 MS. SINDEL: Was notice of the hearing posted
 6 on the subject property?
 7 MS. HALSTEAD: Yes, ma'am.
 8 MS. SINDEL: Staff, who will be presenting?
 9 MS. CAIN: Allyson Cain, Urban Planner.
 09:02 10 MS. SINDEL: And you have already been sworn in
 11 as an expert witness. Staff will now present the
 12 maps and photographs for Z-2012-14.
 13 (Presentation of Maps and Photographs.)
 14 MS. SINDEL: This is on Black Road. It's going
 15 from VAG-1, Village Agriculture, to VR-1, Village
 16 Rural Residential. This is our location and
 17 wetlands map showing there are no wetlands. The
 18 aerial view of the subject parcels. This is the
 19 Future Land Use showing the rural community and the
 09:02 20 surrounding agricultural Future Land Use. This is
 21 the existing land use map showing the surrounding --
 22 actually the three parcels. This is the 500-foot
 23 zoning map showing VAG-1 and surrounding VR-1. This
 24 is our public hearing sign. This is looking north.
 25 This is looking northeast. This is looking south.
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26

1 Looking southeast. Looking west. That's the
 2 presentation for the maps and photos.
 3 MS. SINDEL: Thank you very much. The
 4 applicant's presentation. Do we have someone
 5 representing the applicant or a representative?
 6 MR. COWLING: Yes, ma'am.
 7 MS. SINDEL: Would you please come forward?
 8 Would you mind stating your name and address for the
 9 record, please?
 09:03 10 MR. COWLING: Yes, ma'am. James Cowling and
 11 it's 11306 Lake Mandarin Circle East, Jacksonville,
 12 Florida, 32322.
 13 MS. SINDEL: Thank you very much. And please
 14 be sworn in.
 15 (James Cowling sworn.)
 16 MS. SINDEL: Mr. Cowling, have you received a
 17 copy of the rezoning hearing package with staff's
 18 findings-of-fact?
 19 MR. COWLING: Yes, ma'am.
 09:04 20 MS. SINDEL: Do you understand that you have
 21 the burden of providing by substantial competent
 22 evidence that the proposed rezoning is consistent
 23 with the Comprehensive Plan, furthers the goals,
 24 objectives and policies of the Comprehensive Plan
 25 and is not in conflict with any portion of the
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27

1 County's Land Development Code?
 2 MR. COWLING: Yes, ma'am.
 3 MS. SINDEL: Please proceed.
 4 MR. COWLING: I appreciate this. Actually, the
 5 property in question is three different parcels.
 6 Two of the parcels are owned by nieces and myself
 7 and wife own the third parcel, a total of 14 acres.
 8 But as broken up, we have one parcel of seven acres,
 9 and the other two parcels are a little over three
 09:05 10 acres. Under the current zoning an individual
 11 couldn't go in and build a house or make further use
 12 of the land. It's actually been vacant since my
 13 mother passed away about six years ago. And the
 14 land has been in the family since about 1966.
 15 So we've requested that it be rezoned and we
 16 feel like that the request falls in line with all
 17 the criteria for the new zoning request and,
 18 hopefully, we can get that accomplished. I'm here
 19 to answer any questions and I hope that's enough.
 09:05 20 MS. SINDEL: Thank you very much.
 21 MR. COWLING: I've never done this before.
 22 MS. SINDEL: You're doing great. You don't
 23 even have a script.
 24 Staff, do you have any questions of
 25 Mr. Cowling?
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1 MS. CAIN: No.
 2 MS. SINDEL: None. Board, any questions at
 3 this time? Okay.
 4 Sir, if you will just have a seat on the front
 5 row because I'm sure we will be bringing you back up
 6 in a moment.
 7 Staff presentation, who will be doing this for
 8 us?
 9 (Presentation by Allyson Cain.)
 09:06 10 MS. CAIN: This is the rezoning Z-2012-14,
 11 Black Road, going from VAG-1, Village Agriculture,
 12 to VR-1, Village Rural Residential.
 13 Criterion (1). Consistent with the
 14 Comprehensive Plan. We do find that the requested
 15 amendment to VR-1 is consistent with the Future Land
 16 Use category of RC, which is Rural Community. It
 17 allows for residential development and higher
 18 residential density.
 19 Criterion (2). Consistent with the Land
 09:06 20 Development Code. We find that the amendment
 21 request is consistent with the intent and purpose of
 22 the Land Development Code due to the VR-1 is
 23 intended for single-family residences,
 24 nonresidential use and agricultural related
 25 activities as stated in 6.05.23.
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REZONING HEARINGS - JULY 9, 2012

29

1 Criterion (3). Compatible with surrounding
 2 uses. The proposed amendment is compatible with the
 3 surrounding and existing uses in the area. Within
 4 the 500-foot impact area there were properties that
 5 were zoned VAG-1 and VR-1. There were five
 6 single-family residences, one mobile home and the
 7 remaining of the land was vacant.

8 Criterion (4). Changed conditions. There were
 9 no changed conditions that the staff found that
 09:07 10 would impact the requested amendment.

11 Criterion (5). Effect on the natural
 12 environment. Any wetlands that would be indicated
 13 on the subject property would be further reviewed at
 14 the site plan review process, if necessary.

15 Criterion (6). Development patterns. Whether
 16 and the extent to which the proposed amendment would
 17 result in a logical and orderly development pattern.
 18 We did find that it would result in a logical and
 19 orderly pattern. The VR-1, Village Rural
 09:08 20 Residential, is consistent to the existing
 21 residential uses in the surrounding development
 22 area.

23 That actually concludes staff's findings.
 24 MS. SINDEL: Thank you very much.
 25 Mr. Cowling, do you have any questions of staff
 TAYLOR REPORTING SERVICES, INCORPORATED

30

1 at this time?
 2 MR. COWLING: No, ma'am.
 3 MS. SINDEL: Board, do you have any questions
 4 of staff at this time?
 5 MS. HIGHTOWER: Madam Chair, I was looking at
 6 my packet and I don't actually have in my packet the
 7 wording of the findings on Criterion (2).
 8 MS. DAVIS: I don't either.
 9 MS. SINDEL: Actually, none of us do. But
 09:08 10 we're happy to hear them. We came in wondering how
 11 it would turn out.

12 MS. CAIN: Well, unfortunately, we did notice
 13 that there was some electronic glitch and we had
 14 called the software people that make this program
 15 and we thought that it was fixed because we went
 16 back and looked at it and on our end it was actually
 17 there and in the packet. So it may have been that
 18 it wasn't republished soon enough for you to
 19 actually receive it.

09:09 20 MR. WEST: It is in there. It's just been kind
 21 of not separated out. It's part of the bottom of --
 22 MS. DAVIS: That's true. The last sentence --
 23 MR. WEST: It's not highlighted and broken out
 24 the way it would normally be.
 25 MS. SINDEL: We are incredibly spoiled little
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1 children here. We're used to seeing it in a certain
 2 format and when you take it out of that format,
 3 we're as blind as bats. So that's the way that
 4 rolled out. It's embarrassing to admit, but it's
 5 true. But I appreciate y'all pointing that out.
 6 Any other questions from the Board at this
 7 time?
 8 Allyson, do you have anything else to present?
 9 MS. CAIN: No, ma'am.
 09:09 10 MS. SINDEL: Public comment. For those members
 11 of the public who wish to speak on this matter, do
 12 we have anyone in the audience who's going to want
 13 to speak on this matter? So other than Mr. Cowling,
 14 do I have anyone else? If not then I'm going to
 15 close the public comment portion of the hearing.
 16 Board members, do you have any questions for
 17 the applicant or staff at this time?
 18 Is there anything else from staff?
 19 MS. CAIN: No, ma'am.
 09:10 20 MS. SINDEL: Anything else from the applicant?
 21 MR. COWLING: No.
 22 MS. SINDEL: If not, then the Chair will
 23 entertain a motion.
 24 (Motion by Mr. Goodloe.)
 25 MR. GOODLOE: Madam Chair, I move to recommend
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1 approval of the rezoning application to the Board of
 2 County Commissioners and adopt the findings-of-fact
 3 provided in the rezoning hearing package, which
 4 would include Z-2012-14.
 5 MS. SINDEL: Do I have a second?
 6 MS. DAVIS: Second.
 7 MS. SINDEL: All those in favor, please raise
 8 your right hand.
 9 (Board members vote.)
 09:10 10 MS. SINDEL: Any opposition? Somebody opposed?
 11 Let's try it again.
 12 All in favor, raise your right hand.
 13 (Board members vote.)
 14 MS. SINDEL: All opposed?
 15 (None.)
 16 MS. SINDEL: The motion carries five/zero.
 17 (Motion carries five/zero.)
 18 MS. SINDEL: Thank you very much.
 19 (Transcript continues on Page 33.)
 20 * * *
 21
 22
 23
 24
 25
 TAYLOR REPORTING SERVICES, INCORPORATED

REZONING HEARINGS - JULY 9, 2012

33

35

1 * * *

2 CASE NO: Z-2012-15

Location: Quintette Road

3 Parcel: 2N-31-4230-000-001

26-2N-31-4230-000-001

4 From: VAG-1, Agriculture District

To: ID-2, General Industrial District

5 FLU Category: I

BCC District: 5

6 Requested by: William H. Joseph, Agent for Panhandle Holdings, LLC and Triple L. Farms, Inc., Owners

7

8 MS. SINDEL: Moving on. We're going to be

9 moving on then to Case Z-2012-15. This is a request

09:11 10 to go from VAG-1 to ID-2.

11 Members of the Board, have there been any

12 ex parte communication between you and the applicant

13 or the applicant's agents, attorneys or witnesses,

14 with fellow Planning Board members or anyone from

15 the general public prior to this hearing? Have you

16 seen the subject property? Also disclose if you are

17 a relative or business associate of the applicant or

18 the applicant's agent.

19 For me, no to all the above.

09:11 20 MS. DAVIS: No to all the above.

21 MR. WINGATE: I have visited the site, I

22 believe, one time before and I did drive by.

23 MR. WOODWARD: None.

24 MR. GOODLOE: No to all.

25 MS. HIGHTOWER: No.

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1 Industrial. This is the Future Land Use and

2 existing land use. This is the 500-foot radius

3 zoning map. You can see it's all VAG-1. Here's one

4 of the posted signs looking south at the

5 south parcel. This is looking north at the

6 Road. This is looking north at the subject

7 property. This is looking east on Quintette Road.

8 MS. SINDEL: Is that it?

9 MS. WILSON: Okay. If you're looking east, it

09:14 10 would pan on back around to the right, which you

11 would see the sign on the subject property again.

12 MS. SINDEL: Who is representing the applicant,

13 please, on this case? If you would like to come

14 forward. May I have your name and address and we'll

15 have you sworn in.

16 MR. JOSEPH: William Joseph, 2791 Glen Eden

17 Drive, Pensacola, Florida, 32514.

18 (William Joseph sworn.)

19 MS. SINDEL: Mr. Joseph, have you received a

09:15 20 copy of the rezoning hearing package with staff

21 findings-of-fact?

22 MR. JOSEPH: Yes, ma'am.

23 MS. SINDEL: Do you understand that you have

24 the burden of providing by substantial competent

25 evidence that the proposed rezoning is consistent

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34

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1 MS. SINDEL: We will now have the staff

2 presentation. Who will be presenting for the staff?

3 MS. HIGHTOWER: I wanted to ask one question

4 here. On the packet that's up on the screen is that

5 ID-1 or 2?

6 MS. SINDEL: It should be ID-2. I'm not

7 looking at the screen. So what's posted? Which way

8 are we going, Allyson; is it ID-1 or 2?

9 MS. CAIN: It's actually 2. Just the

09:12 10 presentation is incorrect. I apologize.

11 MS. SINDEL: Thank you. Staff, who will be

12 presenting today?

13 MS. WILSON: Brenda Wilson, Urban Planner I.

14 MS. SINDEL: We'll need you to be sworn in and

15 get a little closer to the microphone.

16 (Brenda Wilson sworn.)

17 MS. SINDEL: Staff will now present the maps

18 and photographs for Case Z-2012-15.

19 (Presentation of Maps and Photographs.)

09:13 20 MS. WILSON: The map you're looking at now is

21 the wetlands and the locational. This is for the

22 rezoning 12-2012-15. This is the aerial map. This

23 property has two property record numbers and it

24 split by the roadway Quintette Road. This is the

25 Future Land Use Map. You can see it is all

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1 with the Comprehensive Plan, furthers the goals,

2 objectives and policies of the Comprehensive Plan

3 and is not in conflict with any portion of the

4 County's Land Development Code?

5 MR. JOSEPH: Yes, ma'am.

6 MS. SINDEL: Please proceed.

7 MR. JOSEPH: I would like to first thank you,

8 Madam Chairman and Board members, for the

9 opportunity today to come present the information as

09:15 10 it pertains to Rezoning Z-2012-15, going from a

11 VAG-1 to an ID-2, General Industrial District. I

12 have the honor of representing the property owners,

13 Panhandle Holding and Triple L Farms. The property

14 is two parcels by virtue of being subdivided by

15 Quintette Road, therefore, required two fees as a

16 matter of fact.

17 I would like to start by saying that the

18 property has already had some activity on it with

19 respect to a large scale amendment to the Future

09:16 20 Land Use classification in 2008 and also a

21 conditional use was granted to the property, the

22 southerly-most portion of the property, for mineral

23 extraction in support of the neighboring asphalt

24 plant and the most recent would be -- I would like

25 to mention that in 2006 a 16C-39.041 form for the

TAYLOR REPORTING SERVICES, INCORPORATED

Planning Board-Rezoning

5. C.

Meeting Date: 07/09/2012

CASE : Z-2012-14

APPLICANT: Jim Cowling, Agent for
Bonnie Cowling, Cassie
Brown and Tara Webb,
Owners

ADDRESS: Black Rd

PROPERTY REF. NO.: 43-4N-31-1005-001-002
43-4N-31-1005-002-002
43-4N-31-1005-000-001

FUTURE LAND USE: RC, Rural Community

DISTRICT: 5

OVERLAY AREA: N/A

BCC MEETING DATE: 08/09/2012

Information

SUBMISSION DATA:

REQUESTED REZONING:

FROM: VAG-1, Village Agriculture District

TO: VR-1, Villages Rural Residential District

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

Comprehensive Plan Policy FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).

CPP 1.3.1 Future Land Use Categories. The Rural Community (RC) Future Land Use (FLU) category is intended to recognize existing residential development and neighborhood serving nonresidential activity through a compact development pattern that serves the rural and agricultural areas of Escambia County. Range of allowable uses include: Agriculture, Silviculture, Residential, Recreational Facilities, Public and Civic, Compact, traditional

neighborhood supportive commercial. The maximum residential density is two dwelling units per acre.

CPP 3.1.4 Rezoning. Escambia County shall protect agriculture and the rural lifestyle of northern Escambia County by permitting rezonings to districts allowing higher residential densities in the Rural Community (RC) future land use category.

FINDINGS

The proposed amendment to VR-1 is **consistent** with the intent and purpose of Future Land Use category RC, Rural Community as stated in CPP FLU 1.3.1 and FLU 3.1.4 which allows for residential development and higher residential densities.

CRITERION (2)

Consistent with The Land Development Code.

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

6.05.22. VAG Villages Agriculture Districts. The villages agricultural districts are typically characterized by agriculturally-assessed parcels held for agricultural production and very low density residential development in agricultural communities. Single-family residential and rural community uses that directly support agricultural activities are allowed.

Intent and purpose of VAG 1 District. This district is characterized by land resources necessary or used to support large farming operations. The objective of this district is to keep large parcels of land from being broken into smaller tracts of multiple ownership making it difficult to assemble enough acreage for efficient agricultural operations.

6.05.23. VR Villages Rural Residential Districts. The intent and purpose of this districts is for single-family residential district characterized by rural land development patterns. Rural community nonresidential uses are allowed. Home occupations are considered permitted uses. Mobile homes are allowed as single-family dwellings. Mobile home subdivisions are allowed. Parcels designated as VR are generally not assessed as agriculturally productive parcels. VR-1 densities reflect large lot rural land development patterns, while VR-2 densities reflect the need for more affordable lot sizes for single family and mobile home development.

B. Permitted uses.

1. Single-family residences.
2. Agricultural, farm animals and agricultural-related activities and customary accessory buildings.
3. Silviculture.
4. Mariculture and aquaculture.
5. Campground and recreational vehicle parks.
6. Public utility.
7. Stables, private and public (minimum lot size two acres).
8. Animal hospitals, clinics and kennels (minimum lot size two acres).
9. Display and sale of fruit, vegetables and similar agricultural products.
10. Mobile homes as single-family dwelling, subject to the other relevant provisions of this Code.
11. Places of worship.
12. Educational facilities.
13. Clubs and lodges.
14. Guest residences.

15. Public utility and service structures not included in subpart C. or D., below.
16. Feed and farm equipment stores.
17. Home-based "cottage businesses" such as crafts, florists, woodworking, sewing, and other similar uses.
18. Other rural area related commercial uses meeting the locational requirements of Comprehensive Plan Policy 8.A.11.
19. Golf courses, tennis centers, swimming clubs, and customary attendant facilities and accessory buildings.
20. Home occupations.
21. Existing auto salvage business.
22. Family day care homes and family foster homes.
23. Reclamation of borrow pits that existed prior to September 16, 2004 (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and performance standards in Part III, the Land Development Code, article 7).

FINDINGS

The proposed amendment is **consistent** with the intent and purpose of the Land Development Code because the proposed amendment to VR-1 is intended for single family residences, non residential uses, and agricultural related activities as stated above.

CRITERION (3)

Compatible with surrounding uses.

Whether and the extent to which the proposed amendment is compatible with existing and proposed uses in the area of the subject property(s).

FINDINGS

The proposed amendment is **compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed properties with zoning districts VAG-1 and VR-1. There are 5 single family residences, 1 mobile home and the remaining land is vacant.

CRITERION (4)

Changed conditions.

Whether and the extent to which there are any changed conditions that impact the amendment or property(s).

FINDINGS

Staff found **no changed conditions** that would impact the amendment or property(s).

CRITERION (5)

Effect on natural environment.

Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment.

FINDINGS

According to the National Wetland Inventory, wetlands were indicated on the subject property. When applicable, further review during the site plan review process will be necessary to

determine if there would be any significant adverse impact on the natural environment.

CRITERION (6)

Development patterns.

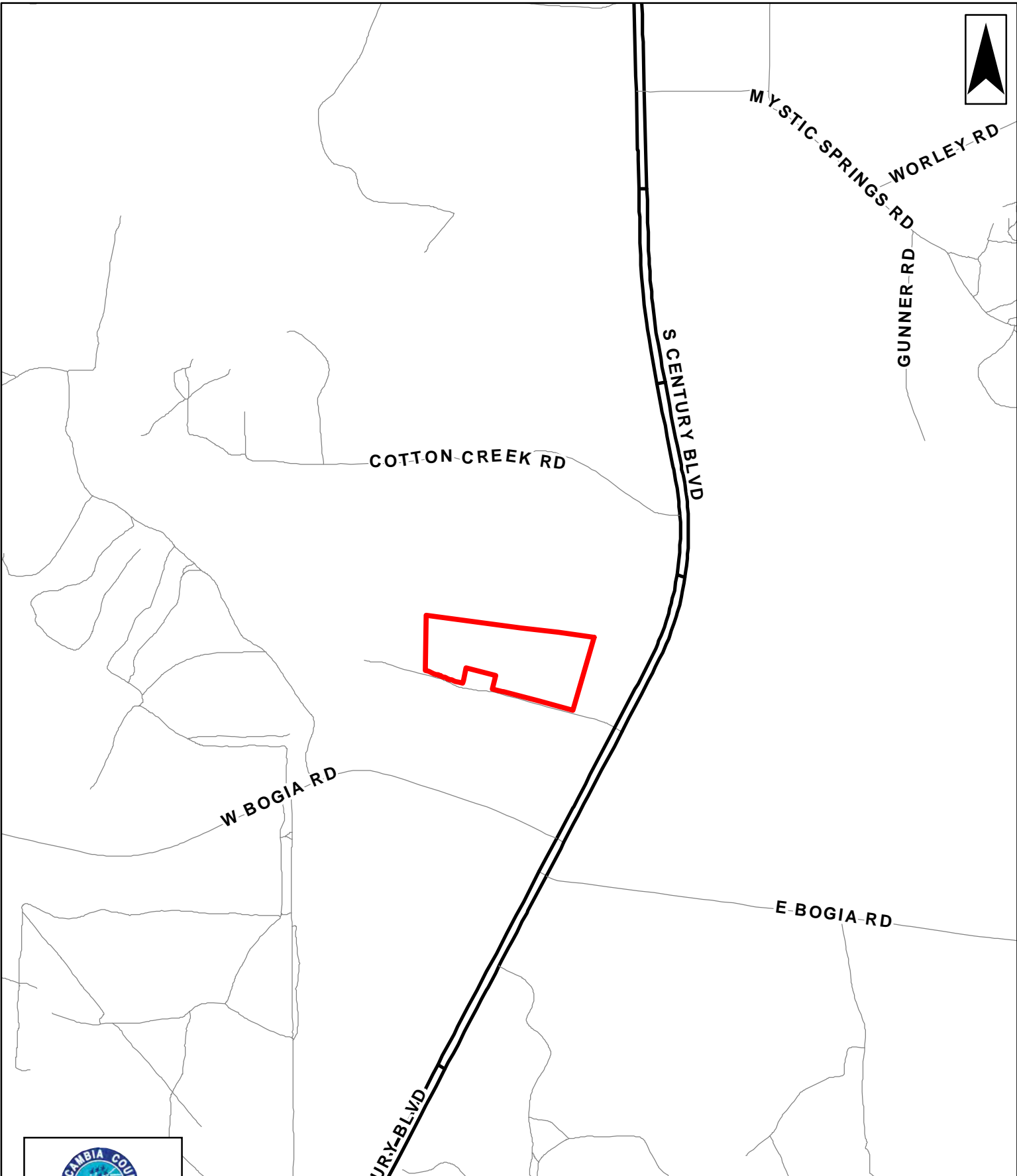
Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

FINDINGS

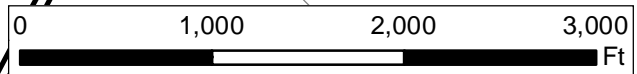
The proposed amendment **would result** in a logical and orderly development pattern. The proposed amendment to VR-1, Villages Rural Residential **is consistent** to the existing residential uses in the surrounding development area.





Attachments


Z-2012-14



Z-2012-14 LOCATION MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

VAG-1

COTTON CREEK RD

S CENTURY BLVD



VR-1

VAG-1

BLACK RD

VR-1

VAG-1

W BOGIA RD

S CENTURY BLVD

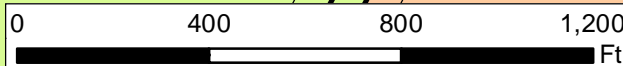
VR-1



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2012-14 500' RADIUS ZONING



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



COTTON CREEK RD

S CENTURY BLVD

AG

AG

RC

AG

RC

BLACK RD

W BOGIA RD

S CENTURY BLVD

RC

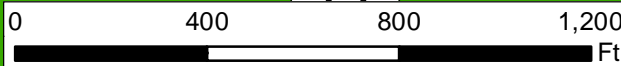
RC



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Andrew Holmer
Planning and Zoning Dept.

Z-2012-14 FUTURE LAND USE

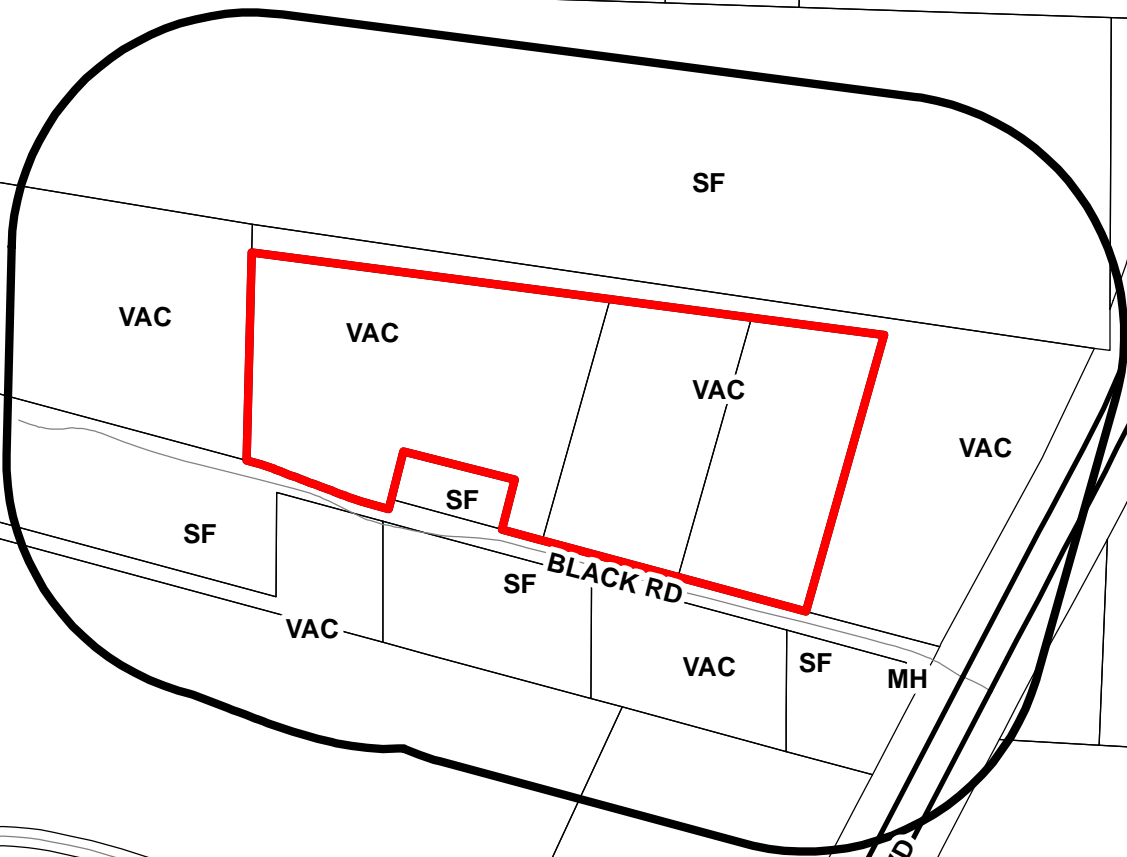


- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



COTTON CREEK RD

S CENTURY BLVD



VAC

VAC

SF

VAC

VAC

SF

SF

BLACK RD

VAC

SF

VAC

SF

MH

W BOGIA RD

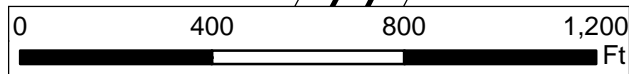
S CENTURY BLVD



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

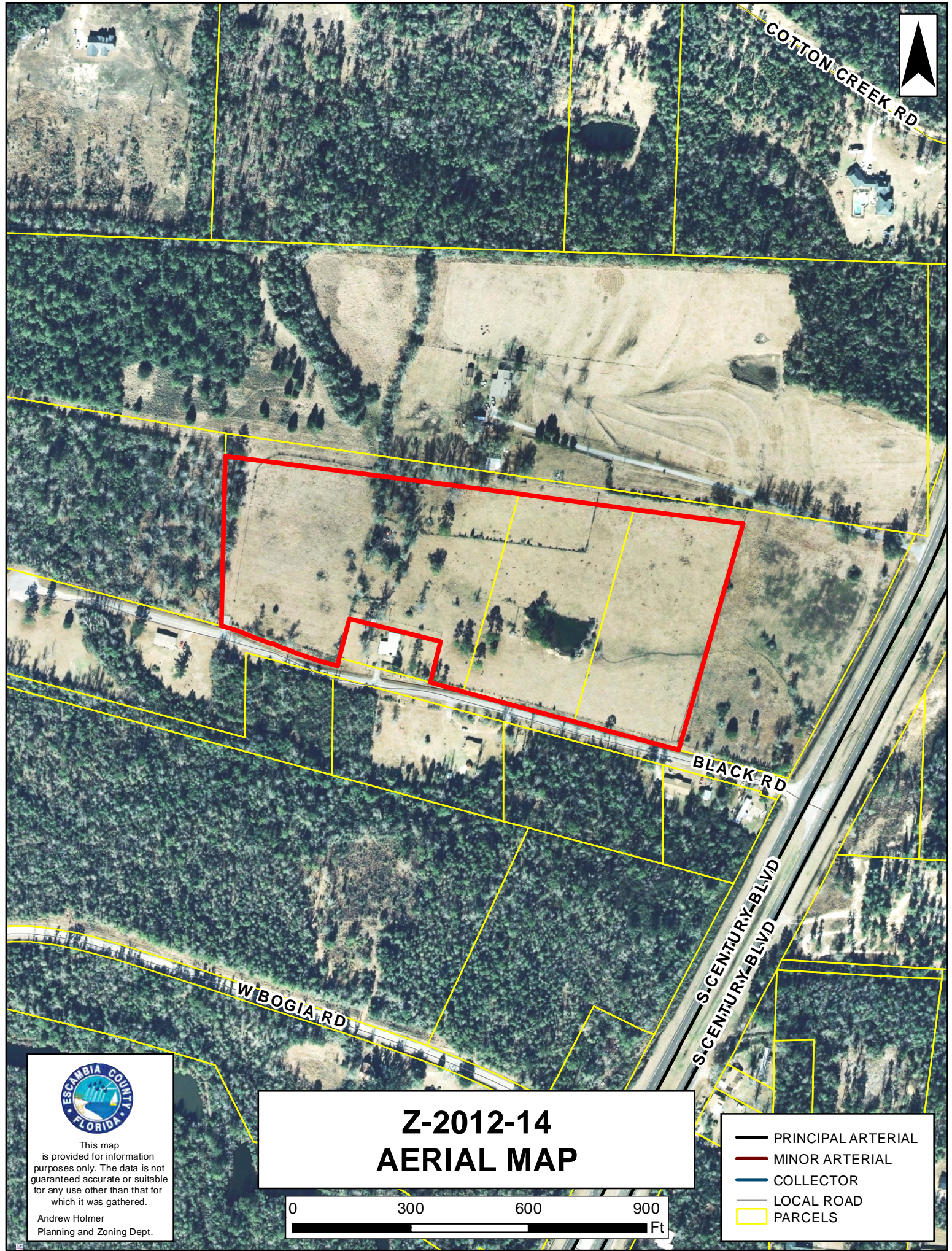
Z-2012-14 EXISTING LAND USE



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- PARCELS



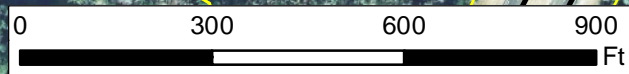
COTTON CREEK RD








This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

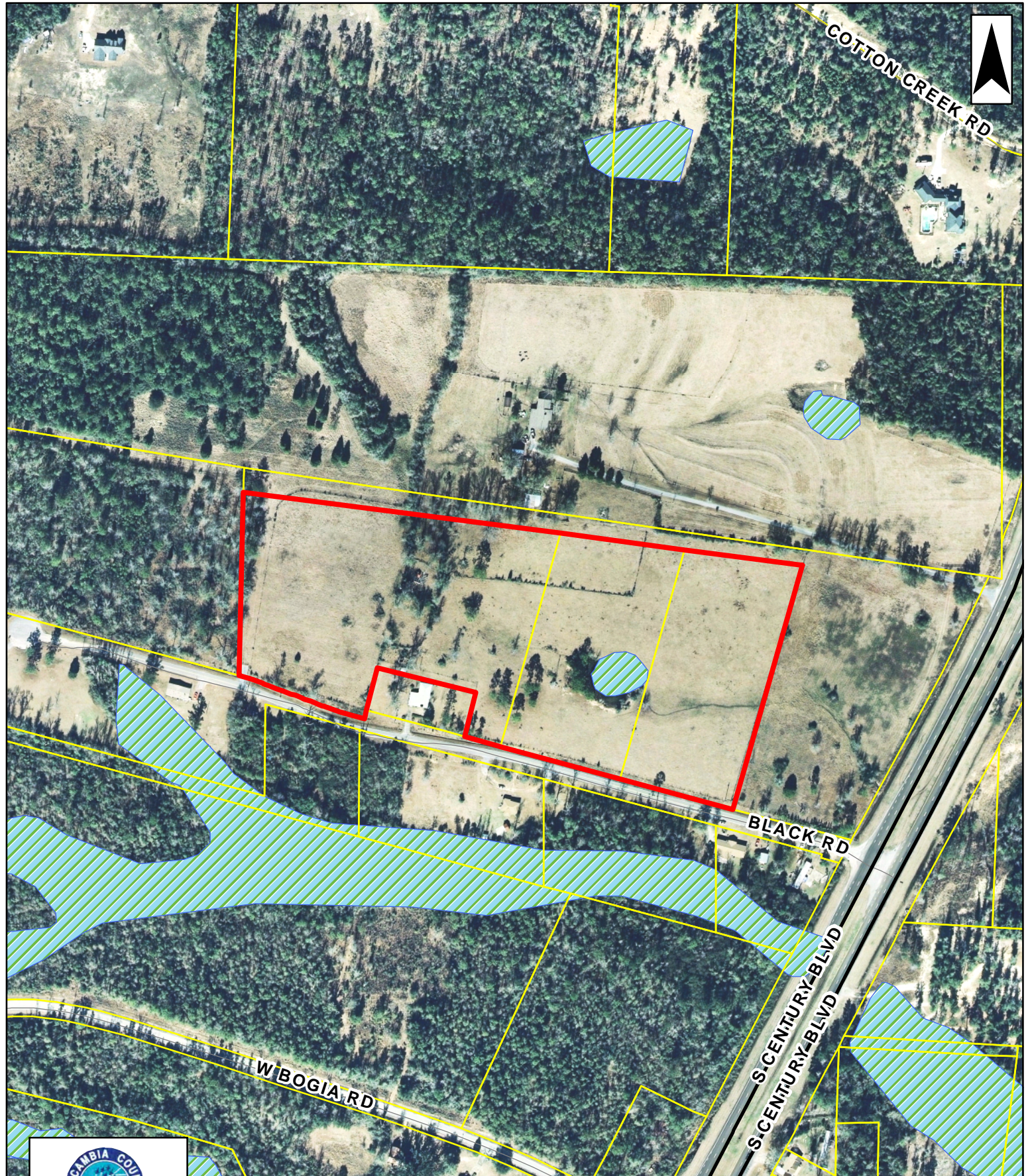
Z-2012-14 AERIAL MAP




-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS

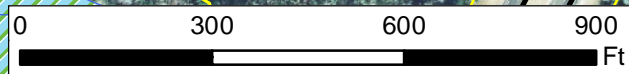








COTTON CREEK RD




 This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.
 Andrew Holmer
 Planning and Zoning Dept.

Z-2012-14 WETLANDS MAP



-  PRINCIPAL ARTERIAL
-  MINOR ARTERIAL
-  COLLECTOR
-  LOCAL ROAD
-  PARCELS
-  WETLANDS_2006



NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2012-14
CURRENT ZONING: VAG-1 PROPOSED ZONING: VR-1

PLANNING BOARD

DATE: 7/9/12 TIME: 8:30 a.m.

LOCATION OF HEARING

ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE
ROOM 104 BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 8/9/12 TIME: 5:45 p.m.

LOCATION OF HEARING

ESCAMBIA COUNTY GOVERNMENT CENTER
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION ABOUT THIS CASE PLEASE CALL
DEVELOPMENT SERVICES AT 595-3475 OR VISIT
WWW.MYESCAMBIA.COM

PUBLIC MEETING SIGN



LOOKING NORTH



LOOKING NORTHEAST



LOOKING SOUTH



LOOKING SOUTHEAST



LOOKING WEST

May 24, 2012

Ms. Allyson Cain
Development Services Dept.
3363 West Park Place
Pensacola, Florida 32505

RE: Rezoning Request VAG-1 to VR-1
Property Parcel 43-4N-31-1005-001-002
43-4N-31-1005-002-002
43-4N-31-1005-000-001

Address: Black Road Escambia County Florida 32568

Dear Ms. Cain,

The attached application requests consideration to rezone three parcels of rural acreage, a total of 14.82 acres owned by the beneficiaries to the estate of Mrs. Sybil Cowling

This acreage is presently zoned VAG-1 and we are requesting it be zoned VR-1. This property is currently vacant pasture land and has been such since being purchased by the family in the late 1960's..

This acreage is bordered on the north and west side by VAG-1 zoning. The east side directly across South Century Blvd. by VR-1 zoning and on the southside with VAG-1 zoning.

This request is consistent with the Comprehensive Plan and County's Land Development Code. The Land and Development Code for the area is mainly rural land development with single residence as well as agricultural activities which will fit into this code. The proposed changes in zoning is compatible with surrounding acreage. Properties surrounding the acreage are zoned rural residential acreage including agricultural. There will be no major changes to the said properties. The development pattern for this proposal will be consistent with surrounding zoning.

Thank you for your consideration in this matter. Please contact me should you have any questions or require anything further.

Sincerely Yours,



James (Jimmy) H. Cowling
904-705-5989



Development Services Department
Escambia County, Florida

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: _____

Rezoning Request from: VAB1 to: VRI

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: James H and Bonnie Sue Cowling Phone: 904-705-5989
 Address: 11306 LAKE MANDARIN Circle E Email: INC190B@Comcast.net
JACKSONVILLE FL 32223

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 30 Black Rd Escambia County Fla, 32568
 Property Reference Number(s)/Legal Description: 434 N31-1005-001-002

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

James H Cowling
Signature of Owner/Agent

Bonnie Sue Cowling
Signature of Owner

James H Cowling 5-29-12
Printed Name Owner/Agent Date

Bonnie Sue Cowling 5.29.12
Printed Name of Owner Date

STATE OF Florida COUNTY OF Duval

The foregoing instrument was acknowledged before me this 29 day of May 20 12,
 by James H Cowling and Bonnie Sue Cowling

Personally Known OR Produced Identification . Type of Identification Produced: _____

Rhonda L Taylor Rhonda L Taylor
Signature of Notary Printed Name of Notary
(notary seal must be affixed)



FOR OFFICE USE ONLY CASE NUMBER: Z-2012-14

Meeting Date(s): July 9, 2012 Accepted/Verified by: _____ Date: 5/30/12

Fees Paid: \$ 1820.00 Receipt #: 556130 Permit #: PRZ120500013

3363 West Park Place Pensacola, FL 32505
(850) 595-3475 * FAX: (850) 595-3481

ACCOUNT NUMBER	ESCROW CD	ASSESSED VALUE	MILLAGE CODE	PROPERTY REFERENCE NUMBER
12-1373-775		See Below	06	434N31-1005-001-002

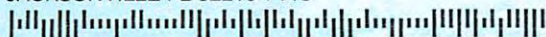
2011 Real Estate 0151331.0000

OFFICE
 (850) 438-6500

S - 039610 / 007350 1-25807 JMS4228

COWLING JAMES H &
 COWLING BONNIE SUE
 3005 AUTUMN WOOD CT
 JACKSONVILLE FL 32216-7115

30 BLACK RD BLK
 BEG AT NW COR OF SEC S 1 DEG
 26 MIN 40 SEC W 400 FT S 82
 DEG 35 MIN 13 SEC E 810 61/100
 See Tax Roll for extra legal.



AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED
COUNTY	6.9755	30,096		30,096	209.93
PUBLIC SCHOOLS					
By Local Board	2.2480	30,096		30,096	67.66
By State Law	5.5730	30,096		30,096	167.73
SHERIFF	0.6850	30,096		30,096	20.62
WATER MANAGEMENT	0.0400	30,096		30,096	1.20
TOTAL MILLAGE		15.5215		AD VALOREM TAXES	467.14

ESCAMBIA COUNTY TAX COLLECTOR * P.O. BOX 1312 * PENSACOLA, FL 32591-1312

RETAIN THIS
 PORTION
 FOR
 YOUR
 RECORDS

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	RATE	AMOUNT
FIRE		11.21
NON-AD VALOREM ASSESSMENTS		11.21

QUESTIONS ON ITEMS IN THIS SECTION ONLY CALL (850) 595-4960

PLEASE
 PAY ONLY
 ONE
 AMOUNT
 SHOWN IN
 YELLOW
 SHADED
 AREA

COMBINED TAXES AND ASSESSMENTS

478.35

PAY ONLY
 ONE AMOUNT

See reverse side for
 important information

Nov 30 2011 \$ 459.22	Dec 31 2011 \$ 464.00	Jan 31 2012 \$ 468.78	Feb 29 2012 \$ 473.57	Mar 31 2012 \$ 478.35	Apr 30 2012 \$ 492.70
--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

AMOUNT
 DUE
 IF PAID
 BY



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: Z-2012-14

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 434 N31-1005-001-002

Property Address: 30 Black Rd Escambia County Fla 32568

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 5-22-12 DAY OF MAY, YEAR OF 2012

[Signature]
Signature of Property Owner

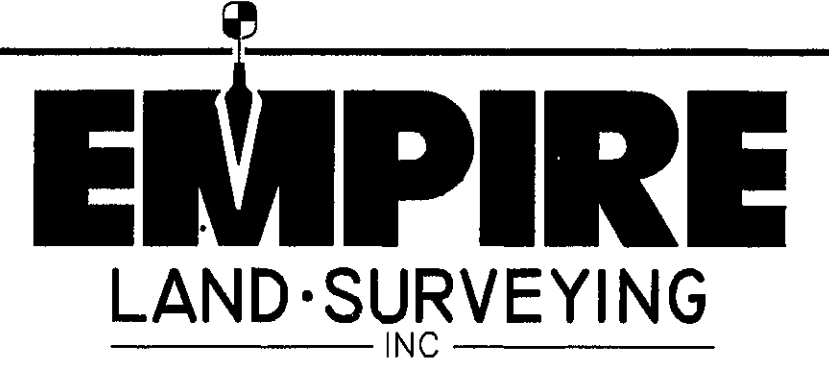
James H Cowling
Printed Name of Property Owner

5-22-12
Date

[Signature]
Signature of Property Owner

Bonnie Sue Cowling
Printed Name of Property Owner

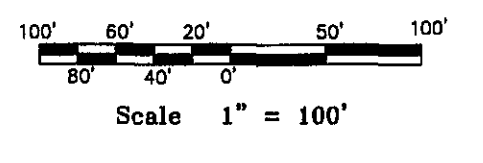
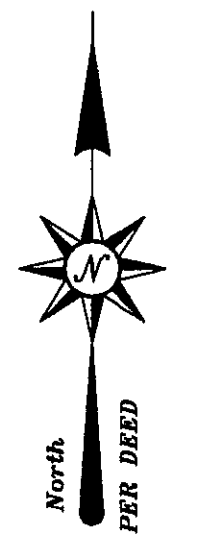
5-22-12
Date



BOUNDARY SURVEY

A PORTION OF SECTION 43, TOWNSHIP 4 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA

POINT OF COMMENCEMENT
PARCELS 'A', 'B', 'C', 'D' & 'E'
NORTHWEST CORNER SECTION 43,
TOWNSHIP 4 NORTH, RANGE 31 WEST,
ESCAMBIA COUNTY, FLORIDA



LEGAL DESCRIPTION (PREPARED BY THE UNDERSIGNED AT CLIENT'S REQUEST)
PARCEL 'D'

A PORTION OF O.R. BOOK 432, PAGE 635

COMMENCE AT THE NORTHWEST CORNER OF SECTION 43, TOWNSHIP 4 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY FLORIDA, THENCE GO SOUTH 01 DEGREES 26 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION FOR A DISTANCE OF 400 00 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER OF O.R. BOOK 999, PAGE 57 AND BEING 448 36 FEET NORTH OF THE SOUTHWEST CORNER OF SAID O.R., THENCE GO SOUTH 82 DEGREES 35 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 810 61 FEET, THENCE GO SOUTH 01 DEGREES 25 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 58 83 FEET FOR THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 01 DEGREES 25 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 460 71 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF BLACK ROAD (R/W VARIES) AND THE ARC OF SAID CURVE A DISTANCE OF 59 71 FEET, (CHORD BEARING= SOUTH 72 DEGREES 34 MINUTES 49 SECONDS EAST, CHORD LENGTH= 59 68', DELTA ANGLE= 6 18'28") TO THE POINT OF TANGENCY OF SAID CURVE, THENCE GO SOUTH 69 DEGREES 23 MINUTES 52 SECONDS EAST FOR A DISTANCE OF 184 56 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE NORTH HAVING A RADIUS OF 617.00 FEET, THENCE GO ALONG THE ARC OF SAID CURVE 88 67 FEET, (CHORD BEARING= SOUTH 73 DEGREES 30 MINUTES 52 SECONDS EAST, CHORD LENGTH= 88 59', DELTA ANGLE= 8 14'03"), THENCE DEPARTING SAID RIGHT-OF-WAY LINE GO NORTH 14 DEGREES 11 MINUTES 40 SECONDS EAST FOR A DISTANCE OF 240 00 FEET, THENCE GO SOUTH 14 DEGREES 11 MINUTES 40 SECONDS WEST FOR A DISTANCE OF 103 46 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF BLACK ROAD (R/W VARIES), THENCE GO SOUTH 80 DEGREES 55 MINUTES 05 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 79 93 FEET, THENCE DEPARTING SAID RIGHT-OF-WAY LINE GO NORTH 15 DEGREES 47 MINUTES 35 SECONDS EAST FOR A DISTANCE OF 536 15 FEET, THENCE GO NORTH 82 DEGREES 35 MINUTES 13 SECONDS WEST FOR A DISTANCE OF 753 34 FEET TO THE POINT OF BEGINNING ALL LYING AND BEING IN SECTION 43, TOWNSHIP 4 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, CONTAINING 7 42 ACRES MORE OR LESS

TAX #
43-4N-31-1005-000-000
(O.R. BOOK 432-PAGE 633)

POINT OF BEGINNING,
PARCEL 'D'

TAX #
43-4N-31-1005-002-001
O.R. 999, PAGE 57
ALSO A PORTION OF
O.R. 432, PAGE 635

PARCEL 'D'
7 42± ACRES
A PORTION OF TAX#
43-4N-31-1005-000-001
ALSO A PORTION OF
O.R. BOOK 432, PAGE 635

PARCEL 'C'
3 70± ACRES
A PORTION OF TAX#
43-4N-31-1005-000-001
ALSO A PORTION OF
O.R. BOOK 432, PAGE 635

PARCEL 'B'
3 70± ACRES
A PORTION OF TAX#
43-4N-31-1005-000-001
ALSO A PORTION OF
O.R. BOOK 432, PAGE 635

PARCEL 'A'
7 41± ACRES
A PORTION OF TAX#
43-4N-31-1005-000-001
ALSO A PORTION OF
O.R. BOOK 432, PAGE 635

PARCEL 'E' 0 63± ACRES
A PORTION OF TAX#
43-4N-31-1005-001-001
ALSO A PORTION OF
O.R. BOOK 432, PAGE 635

CURVE DATA TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	533.00'	59 71'	59 68'	S72°34'38"E	06°25'07"
C2	617.00'	88 67'	88 59'	S73°30'52"E	08°14'03"
C3	617.00'	35 76'	35 76'	N79°17'31"W	03°19'15"
C4	853.00'	79 43'	79 40'	N78°14'04"W	05°20'07"
C5	2217 01'	298 53'	298 30'	N22°39'40"E	07°42'54"

LEGEND

- O.R. OFFICIAL RECORD BOOK
- R/W RIGHT OF WAY
- A.P.O. A PORTION OF
- P.C. POINT OF CURVATURE
- P.T. POINT OF TANGENCY
- AERIAL UTILITY WIRES
- WIRE FIELD FENCE (HEIGHT VARIES)
- ASPHALT
- POWER POLE
- FOUND METAL PIPE
- FOUND 5/8" CAPPED IRON ROD - FLORIDA DEPARTMENT OF TRANSPORTATION
- FOUND 4" SQUARE CONCRETE MONUMENT - CHCC #8783
- FOUND 4" ROUND CONCRETE MONUMENT
- SET CAPPED IRON ROD LICENSED BUSINESS #6993
- 43 TYPICAL SECTION NUMBERS

THE UNDERSIGNED CLIENT(S) ACKNOWLEDGE RECEIPT AND ACCEPTANCE OF THIS SURVEY

JAMES H COWLING, JR

THE PURPOSE OF THIS SURVEY IS FOR TITLE TRANSACTION AND ITS ACCOMPANYING MORTGAGE
THIS MAP IS CERTIFIED AS MEETING THE FLORIDA MINIMUM TECHNICAL STANDARDS TO THE
FOLLOWING AND IS FOR THE BENEFIT OF ONLY THE FOLLOWING LISTED CLIENT(S), AGENT(S)
AND COMPANIES:

JAMES H COWLING, JR

BLACK ROAD (R/W VARIES)
(O.R. BOOK 4408, PAGE 1356)

U.S. HIGHWAY 29 (200' R/W)
10 0 T. MAP 44005-1005 SHEET 182 OF 182

CLIENT JAMES H. COWLING, JR.

BEARING BASIS WEST LINE SECTION 43, TOWNSHIP 4 NORTH, RANGE 31 WEST - S01°26'40"W (D)

TYPE OF SURVEY BOUNDARY SURVEY

SOURCE OF INFORMATION:
FIELD EVIDENCE
DEEDS OF RECORD
PRIOR SURVEYS/DRAWINGS

GENERAL NOTES
1. Fence locations as drawn are not to scale
2. Jurisdiction (Wetlands) boundary lines not located unless otherwise noted
3. Footings, foundations, or any other subsurface structures were not located unless otherwise noted
4. All bearings and/or angles and distances are Deed and Actual unless otherwise noted: Deed = (D), Actual Field Measurement = (F), Plat = (P)
5. All measurements were made in accordance with United States standards. The accuracy shown herein were not abstracted by this firm for ownership, easements, or right-of-ways. The parcel shown herein may be subject to setbacks, easements, zoning and restrictions that may be found in the Public Records of said County.

NOT VALID WITHOUT THE ORIGINAL BLUE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

EMPIRE LAND SURVEYING, INC.
PROFESSIONAL LAND SURVEYING • SERVING NORTHWEST FLORIDA
8720 N PALAFOX STREET, PENSACOLA, FLORIDA 32534
PHONE: 850-477-3745 -- FAX: 850-477-3705
LICENSED BUSINESS #6993, STATE OF FLORIDA

REVISIONS	FIELD BOOK	DATE
(1) CHANGE BOUNDARY, NEW LEGAL DESCRIPTION	100/42	12/11/06
POSSIBLE ENCROACHMENTS		
FENCES		

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THE SURVEY SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SURVEYED. THAT THIS SURVEY WAS COMPLETED UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION, THAT THIS SURVEY MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY RULE 61G17 FLORIDA ADMINISTRATIVE CODE, THAT THIS SURVEY ALSO COMPLES WITH CHAPTERS 177 AND 472 FLORIDA STATUTES

DECEMBER 14, 2006 LELAND M EMPLE, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER, NO 5786, STATE OF FLORIDA

SCALE 1" = 100'
FIELD DATE 9/28/06
ORDER NO. 380-06 D-1
FIELD BOOK. 100/36-42



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: _____

Rezoning Request from: VAS1 to: VRI

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Cassie Lynn Brown Phone: 404 234 1992

Address: 533 Delphinium Way Acw, GA30102 Email: Cassiebrown@mac.com

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: Black Rd, Escambia County FL 32568

Property Reference Number(s)/Legal Description: 434 N31 - 1005 - 002 - 002

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

James (Jimmy) Cowling
Signature of Owner/Agent

Cassie Brown
Signature of Owner

James (Jimmy) Cowling
Printed Name Owner/Agent

Cassie BROWN
Printed Name of Owner

5/16/12
Date

5/16/12
Date

STATE OF Georgia COUNTY OF Paulding

The foregoing instrument was acknowledged before me this 16 day of May 20 12,
by Cassie Brown

Personally Known OR Produced Identification Type of Identification Produced: Oh

T.D. Griffin
Signature of Notary (notary seal must be affixed)

T.D. Griffin
Printed Name of Notary



FOR OFFICE USE ONLY

Meeting Date(s): July 9th Accepted/Verified by: _____ Date: 5/30/12

Fees Paid: \$ 1820.00 Receipt #: 556130 Permit #: PR2120500013

3363 West Park Place Pensacola, FL 32505
(850) 595-3475 * FAX: (850) 595-3481



Development Services Department
Escambia County, Florida

FOR OFFICE USE:
CASE #: Z-2012-14

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 434 N31 1005 002 002

Property Address: Black Rd Escambia County Fla 32568

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 16th DAY OF May, YEAR OF 2012.

Cassie Brown
Signature of Property Owner

Cassie Brown
Printed Name of Property Owner

5/16/12
Date

Signature of Property Owner

Printed Name of Property Owner

Date



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: Z-2012-14

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at "Black Road Escambia County FL 32568"
Florida, property reference number(s) 434 N31 1005 002 002

I hereby designate Jimmy Cowling for the sole purpose
of completing this application and making a presentation to the:

- Planning Board and the Board of County Commissioners to request a rezoning on the above referenced property.
- Board of Adjustment to request a(n) _____ on the above referenced property.

This Limited Power of Attorney is granted on this 14 day of May the year of, 2012, and is effective until the Board of County Commissioners or the Board of Adjustment has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development Services Bureau.

Agent Name: James (Jimmy) Cowling Email: Endigob@Comcast.net

Address: 11306 Lake Myrtlewood Circle E. Jacksonville FL 32223 Phone: 1-904-705-5989

Cassie Brown Cassie Brown 5/16/12
 Signature of Property Owner Printed Name of Property Owner Date

 Signature of Property Owner Printed Name of Property Owner Date

STATE OF Georgia COUNTY OF Paulding

The foregoing instrument was acknowledged before me this 16 day of May 20 12,
by Cassie Brown

Personally Known OR Produced Identification . Type of Identification Produced: D2

T.D. Griffin T.D. Griffin
 Signature of Notary Printed Name of Notary



ACCOUNT NUMBER	ESCROW CD	ASSESSED VALUE	MILLAGE CODE	PROPERTY REFERENCE NUMBER
12-1373-800		See Below	06	434N31-1C05-002-002

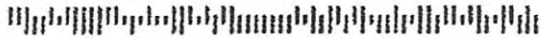
2010 Real Estate 0150804.0000

OFFICE
 (850) 438-6500

TTY
 FOR THE
 HEARING
 IMPAIRED
 (850) 472-0031

S - 039777 / 010097 1-24881 JMS2008
 BROWN CASSIE LYNN
 1363 DOWNINGTON CIR NW
 ACWORTH GA 30101-8435

20 BLACK RD BLK
 BEG AT NW COR OF SEC S 1 DEG
 26 MIN 40 SEC W 400 FT S 82
 DEG 35 MIN 13 SEC E 810 61/100
 See Tax Roll for extra legal.



AD VALOREM TAXES

TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED
COUNTY	6.9755	15,732		15,732	109.74
PUBLIC SCHOOLS					
By Local Board	2.2290	15,732		15,732	35.07
By State Law	5.6310	15,732		15,732	88.59
SHERIFF	0.6850	15,732		15,732	10.78
WATER MANAGEMENT	0.0450	15,732		15,732	0.71
TOTAL MILLAGE		15.5655		AD VALOREM TAXES	244.89

ESCAMBIA COUNTY TAX COLLECTOR * P.O. BOX 1312 * PENSACOLA, FL 32591-1312

RETAIN THIS
 PORTION
 FOR
 YOUR
 RECORDS

NON-AD VALOREM ASSESSMENTS

LEVYING AUTHORITY	RATE	AMOUNT
FIRE		9.97
<p>2012 - pd 4/2/12 ck # 4018 \$262.94</p>		
NON-AD VALOREM ASSESSMENTS		9.97

QUESTIONS ON ITEMS IN THIS SECTION ONLY CALL (850) 595-4960

PLEASE
 PAY ONLY
 ONE
 AMOUNT
 SHOWN IN
 YELLOW
 SHADED
 AREA

COMBINED TAXES AND ASSESSMENTS

COMBINED TAXES AND ASSESSMENTS		254.86	PAY ONLY ONE AMOUNT	See reverse side for important information
Nov 30 2010 \$ 244.67	Dec 31 2010 \$ 247.21	Jan 31 2011 \$ 249.76	Feb 28 2011 \$ 252.31	Mar 31 2011 \$ 254.86
				Apr 30 2011 \$ 262.51

AMOUNT
 DUE
 IF PAID
 BY

ACCOUNT NUMBER	ESCROW CD	ASSESSED VALUE	MILLAGE CODE	PROPERTY REFERENCE NUMBER
12-1373-800		See Above	06	434N31-1005-002-002

2010 Real Estate 0150804.0000

BROWN CASSIE LYNN
 1363 DOWNINGTON CIR NW
 ACWORTH GA 30101-8435

pd OLBP
 4/25
 pd 4/28

20 BLACK RD BLK
 BEG AT NW COR OF SEC S 1 DEG
 26 MIN 40 SEC W 400 FT S 82
 DEG 35 MIN 13 SEC E 810 61/100
 See Tax Roll for extra legal.

PAY IN U.S. FUNDS TO ESCAMBIA COUNTY TAX COLLECTOR * P.O. BOX 1312 * PENSACOLA, FL 32591-1312

(850) 438-6500

Nov 30 2010 \$ 244.67	Dec 31 2010 \$ 247.21	Jan 31 2011 \$ 249.76	Feb 28 2011 \$ 252.31	Mar 31 2011 \$ 254.86	Apr 30 2011 \$ 262.51
--------------------------	--------------------------	--------------------------	--------------------------	--------------------------	--------------------------

AMOUNT
 DUE IF
 PAID BY

RETURN WITH
 PAYMENT

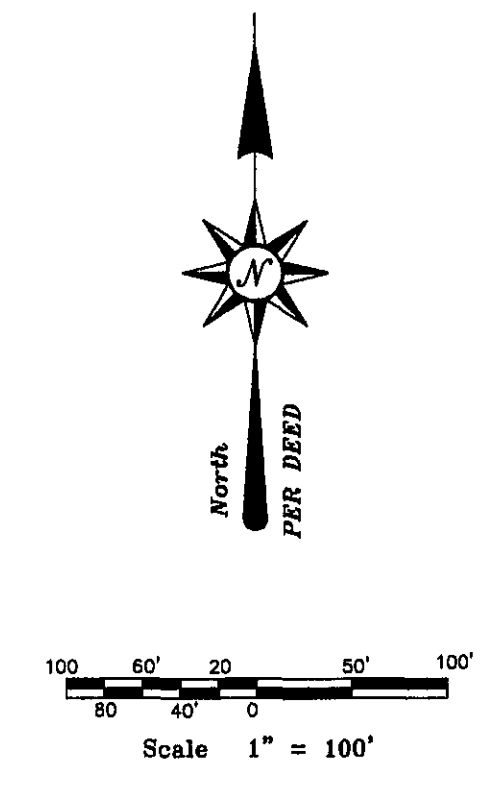
0000000000 0000025486 0000001508040000 0001 2



BOUNDARY SURVEY

A PORTION OF SECTION 43, TOWNSHIP 4 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA

POINT OF COMMENCEMENT
PARCELS 'A', 'B', 'C', 'D' & 'E'
NORTHWEST CORNER SECTION 43,
TOWNSHIP 4 NORTH, RANGE 31 WEST,
ESCAMBIA COUNTY, FLORIDA



LEGAL DESCRIPTION (PREPARED BY THE UNDERSIGNED AT CLIENT'S REQUEST)
PARCEL 'B'

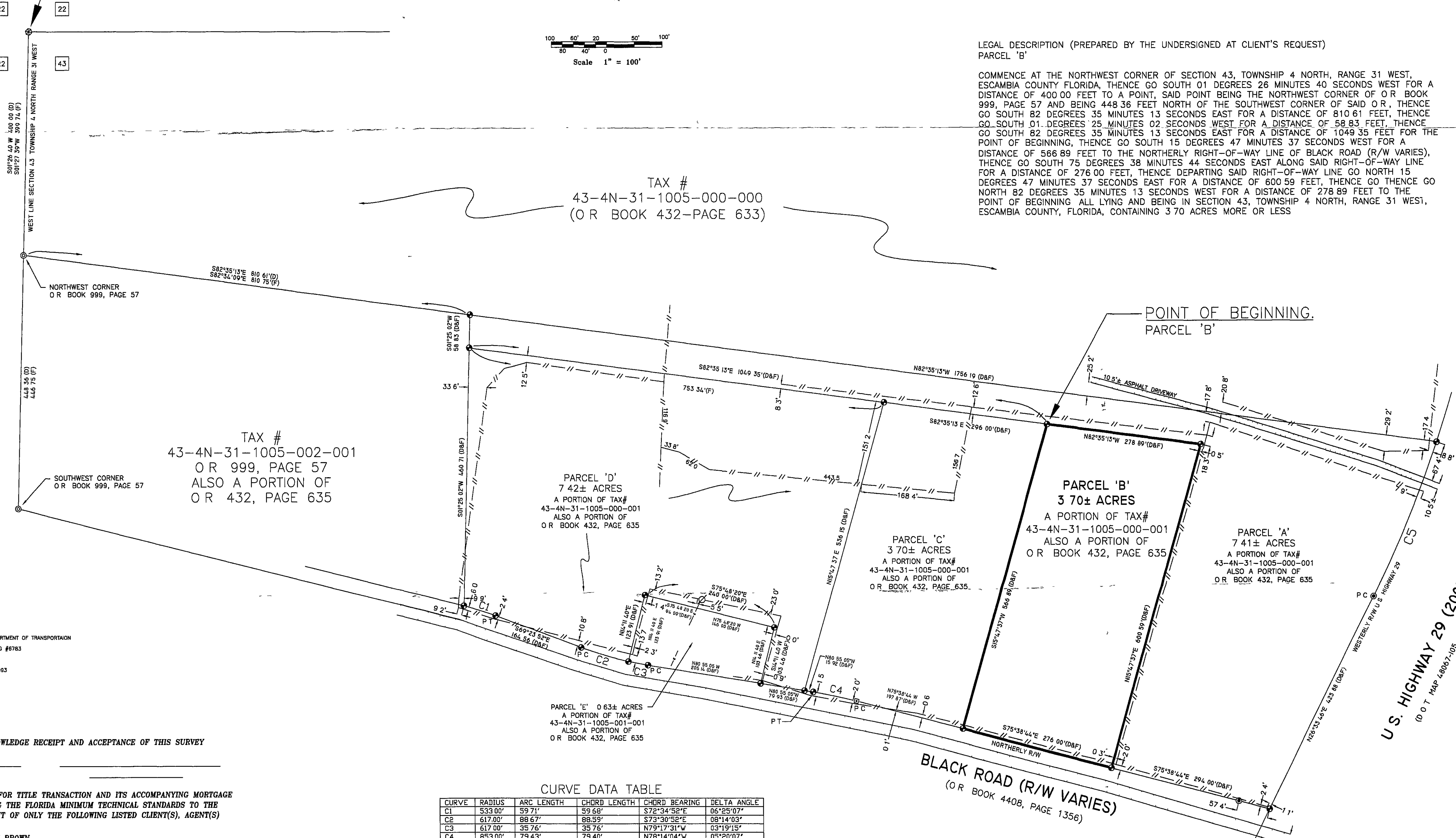
COMMENCE AT THE NORTHWEST CORNER OF SECTION 43, TOWNSHIP 4 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY FLORIDA, THENCE GO SOUTH 01 DEGREES 26 MINUTES 40 SECONDS WEST FOR A DISTANCE OF 400.00 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER OF O.R. BOOK 999, PAGE 57 AND BEING 448.36 FEET NORTH OF THE SOUTHWEST CORNER OF SAID O.R., THENCE GO SOUTH 82 DEGREES 35 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 810.61 FEET, THENCE GO SOUTH 01 DEGREES 25 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 58.83 FEET, THENCE GO SOUTH 82 DEGREES 35 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 1049.35 FEET TO THE POINT OF BEGINNING, THENCE GO SOUTH 15 DEGREES 47 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 566.89 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF BLACK ROAD (R/W VARIES), THENCE GO SOUTH 75 DEGREES 38 MINUTES 44 SECONDS EAST ALONG SAID RIGHT-OF-WAY LINE FOR A DISTANCE OF 276.00 FEET, THENCE DEPARTING SAID RIGHT-OF-WAY LINE GO NORTH 15 DEGREES 47 MINUTES 37 SECONDS EAST FOR A DISTANCE OF 600.59 FEET, THENCE GO THENCE GO NORTH 82 DEGREES 35 MINUTES 13 SECONDS WEST FOR A DISTANCE OF 278.89 FEET TO THE POINT OF BEGINNING ALL LYING AND BEING IN SECTION 43, TOWNSHIP 4 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, CONTAINING 3.70 ACRES MORE OR LESS.

TAX #
43-4N-31-1005-000-000
(O.R. BOOK 432-PAGE 633)

TAX #
43-4N-31-1005-002-001
O.R. 999, PAGE 57
ALSO A PORTION OF
O.R. 432, PAGE 635

NORTHWEST CORNER
O.R. BOOK 999, PAGE 57

SOUTHWEST CORNER
O.R. BOOK 999, PAGE 57



LEGEND

- OR OFFICIAL RECORD BOOK
- R/W RIGHT OF WAY
- APO A PORTION OF
- PC POINT OF CURVATURE
- PT POINT OF TANGENCY
- PT AERIAL UTILITY WIRES
- WIRE FIELD FENCE (HEIGHT VARIES)
- ASPHALT
- POWER POLE
- FOUND METAL PIPE
- FOUND 5/8" CAPPED IRON ROD - FLORIDA DEPARTMENT OF TRANSPORTATION
- FOUND 4" SQUARE CONCRETE MONUMENT - OXG# #8783
- FOUND 4" ROUND CONCRETE MONUMENT
- SET CAPPED IRON ROD LICENSED BUSINESS #8993
- 43 TYPICAL SECTION NUMBERS

THE UNDERSIGNED CLIENT(S) ACKNOWLEDGE RECEIPT AND ACCEPTANCE OF THIS SURVEY

CASSIE LYNN BROWN

THE PURPOSE OF THIS SURVEY IS FOR TITLE TRANSACTION AND ITS ACCOMPANYING MORTGAGE. THIS MAP IS CERTIFIED AS MEETING THE FLORIDA MINIMUM TECHNICAL STANDARDS TO THE FOLLOWING AND IS FOR THE BENEFIT OF ONLY THE FOLLOWING LISTED CLIENT(S), AGENT(S) AND COMPANIES

CASSIE LYNN BROWN

CURVE DATA TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	533.00'	59.71'	59.68'	S72°34'52"E	06°25'07"
C2	617.00'	88.67'	88.59'	S73°30'52"E	08°14'03"
C3	617.00'	35.76'	35.76'	N79°17'31"W	03°19'15"
C4	853.00'	79.43'	79.40'	N78°14'04"W	05°20'07"
C5	2217.01'	298.53'	298.30'	N22°39'40"E	07°42'54"

NOT VALID WITHOUT THE ORIGINAL BLUE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

EMPIRE LAND SURVEYING, INC.
PROFESSIONAL LAND SURVEYING • SERVING NORTHWEST FLORIDA
8720 N. PALAFOX STREET, PENSACOLA, FLORIDA 32534
PHONE: 850-477-3745 -- FAX: 850-477-3705
LICENSED BUSINESS #8993, STATE OF FLORIDA

REVISIONS	FIELD BOOK	DATE
(1) CHANGE BOUNDARY, NEW LEGAL DESCRIPTION	100/42	12/11/06
POSSIBLE ENCROACHMENTS		
FENCES		

SURVEYORS CERTIFICATE
I HEREBY CERTIFY, THAT THE SURVEY SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE LAND SURVEYED, THAT THIS SURVEY WAS COMPLETED UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION, THAT THIS SURVEY MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY RULE 61G17 FLORIDA ADMINISTRATIVE CODE, THAT THIS SURVEY ALSO COMPLIES WITH CHAPTERS 177 AND 472 FLORIDA STATUTES

DECEMBER 14, 2006 LELAND M. EMPLE, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER, NO 5786, STATE OF FLORIDA

CLIENT CASSIE LYNN BROWN

BEARING BASIS WEST LINE SECTION 43, TOWNSHIP 4 NORTH, RANGE 31 WEST - S01°26'40"W(D)

TYPE OF SURVEY BOUNDARY SURVEY

SOURCE OF INFORMATION:
FIELD EVIDENCE
FIELD RECORD
PRIOR SURVEYS/DRAWINGS

GENERAL NOTES:
1. Fence locations as drawn are not to scale
2. Jurisdiction (Wetlands) boundary lines not located unless shown on drawing
3. Footings, foundations, or any other subsurface structures were not located unless otherwise noted
4. All bearings and/or angles and distances are Deed and Actual unless otherwise noted; Deed = (D); Actual Field Measurement = (F); Plat = (P)
5. All measurements were made in accordance with United States standards. The accuracy shown herein were not abstracted by this firm for ownership, easements, or right-of-ways. The parcel shown herein may be subject to setbacks, easements, zoning, and restrictions that may be found in the Public Records of said County

SCALE 1" = 100'

FIELD DATE 9/28/06

ORDER NO 380-06 B-1

FIELD BOOK 100/36-42



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: _____

Rezoning Request from: VAG1 to: VRI

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Tara Webb Phone: 907-431-0747

Address: 3777 N. Hampton Dr, Kennesaw, GA 30144 Email: tara-webb@us.crawco.com

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: Black Rd Escambia 71 32568

Property Reference Number(s)/Legal Description: 434 N31 1005 000 001

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

[Signature]
Signature of Owner/Agent

James (Jimmy) Cowling
Printed Name Owner/Agent

5-16-12
Date

Tara Webb
Signature of Owner

Tara Webb
Printed Name of Owner

5-16-12
Date

STATE OF Georgia COUNTY OF DeKalb

The foregoing instrument was acknowledged before me this 16 day of May 20 12, by TARA Webb.

Personally Known OR Produced Identification . Type of Identification Produced: _____

[Signature]
Signature of Notary
(notary seal must be affixed)

OLIVIA L LAKE
Printed Name of Notary

Winnett Co GA
Notary Public, Central District, State of Georgia
My Commission Expires October 21, 2012

FOR OFFICE USE ONLY

CASE NUMBER: Z-2012-14 Date: Oct 31 2013

Meeting Date(s): July 9, 2012 Accepted/Verified by: _____ Date: 5/30/12

Fees Paid: \$ 1820.00 Receipt #: 556130 Permit #: PR Z120500013



Development Services Department

Escambia County, Florida

FOR OFFICE USE:

CASE #: 2-2012-14

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at _____,
Florida, property reference number(s) 434 N31 1005 000 001

I hereby designate Jimmy Cowling for the sole purpose
of completing this application and making a presentation to the:

- Planning Board and the Board of County Commissioners to request a rezoning on the above referenced property.
- Board of Adjustment to request a(n) _____ on the above referenced property.

This Limited Power of Attorney is granted on this 16 day of May the year of, 2012, and is effective until the Board of County Commissioners or the Board of Adjustment has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development Services Bureau.

Agent Name: James (Jimmy) Cowling Email: Indigo6@comcast.net
Address: 11306 Lake Manalapan Circle E. Jacksonville FL 32223 Phone: 1-904-705-5989

Tara Webb
Signature of Property Owner

Tara Webb
Printed Name of Property Owner

5-16-12
Date

Signature of Property Owner

Printed Name of Property Owner

Date

STATE OF Georgia COUNTY OF Dekalb

The foregoing instrument was acknowledged before me this 16 day of May 20 12
by Tara Webb

Personally Known OR Produced Identification . Type of Identification Produced: _____

Olivia L Lane
Signature of Notary

OLIVIA L LANE
Printed Name of Notary

Gwinnett Co, GA
Oct 31 2013





Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: Z-2012-14

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 434 N-31 1005 000 001

Property Address: _____

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 16 DAY OF may, YEAR OF 2012.

Tara Webb
Signature of Property Owner

Tara Webb
Printed Name of Property Owner

5-16-12
Date

Signature of Property Owner

Printed Name of Property Owner

Date

ACCOUNT NUMBER	ESCROW CD	ASSESSED VALUE	MILLAGE CODE	PROPERTY REFERENCE NUMBER
12-1373-500		See Below	06	434N31-1005-000-001

2010 Real Estate 0150799.0000

S - 039836 / 010630 1-24966 JMS2659
 WEBB TARA MARIE
 3777 N HAMPTON DR
 KENNESAW GA 30144-6104



20 BLACK RD BLK
 BEG AT NW COR OF SEC S 1 DEG
 26 MIN 40 SEC W 400 FT S 82
 DEG 35 MIN 13 SEC E 810 61/100
 See Tax Roll for extra legal.

OFFICE
 (850) 438-6500
 TTY
 FOR THE
 HEARING
 IMPAIRED
 (850) 472-0031

AD VALOREM TAXES						
TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED	
COUNTY	6.9755	15,698		15,698	109.50	
PUBLIC SCHOOLS						
By Local Board	2.2290	15,698		15,698	34.99	
By State Law	5.6310	15,698		15,698	88.40	
SHERIFF	0.6850	15,698		15,698	10.75	
WATER MANAGEMENT	0.0450	15,698		15,698	0.71	
TOTAL MILLAGE				15.5655	AD VALOREM TAXES	244.35

ESCAMBIA COUNTY TAX COLLECTOR * P.O. BOX 1312 * PENSACOLA, FL 32591-1312

RETAIN THIS
 PORTION
 FOR
 YOUR
 RECORDS

NON-AD VALOREM ASSESSMENTS		
LEVYING AUTHORITY	RATE	AMOUNT
FIRE		9.97
NON-AD VALOREM ASSESSMENTS		9.97

PLEASE
 PAY ONLY
 ONE
 AMOUNT
 SHOWN IN
 YELLOW
 SHADED
 AREA

QUESTIONS ON ITEMS IN THIS SECTION ONLY CALL (850) 595-4960

COMBINED TAXES AND ASSESSMENTS					
254.32				PAY ONLY ONE AMOUNT	See reverse side for important information
Nov 30 2010 \$ 244.15	Dec 31 2010 \$ 246.69	Jan 31 2011 \$ 249.23	Feb 28 2011 \$ 251.78	Mar 31 2011 \$ 254.32	Apr 30 2011 \$ 261.95

AMOUNT
 DUE
 IF PAID
 BY

ACCOUNT NUMBER	ESCROW CD	ASSESSED VALUE	MILLAGE CODE	PROPERTY REFERENCE NUMBER
12-1373-500		See Above	06	434N31-1005-000-001

2010 Real Estate 0150799.0000

WEBB TARA MARIE
 3777 N HAMPTON DR
 KENNESAW GA 30144-6104

20 BLACK RD BLK
 BEG AT NW COR OF SEC S 1 DEG
 26 MIN 40 SEC W 400 FT S 82
 DEG 35 MIN 13 SEC E 810 61/100
 See Tax Roll for extra legal.

AMOUNT
 DUE IF
 PAID BY

PAY IN U.S. FUNDS TO ESCAMBIA COUNTY TAX COLLECTOR • P.O. BOX 1312 • PENSACOLA, FL 32591-1312

(850) 438-6500

Nov 30 2010 \$ 244.15	Dec 31 2010 \$ 246.69	Jan 31 2011 \$ 249.23	Feb 28 2011 \$ 251.78	Mar 31 2011 \$ 254.32	Apr 30 2011 \$ 261.95
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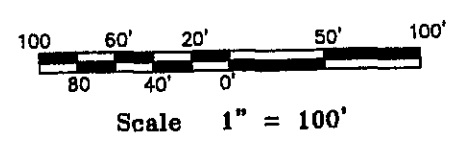
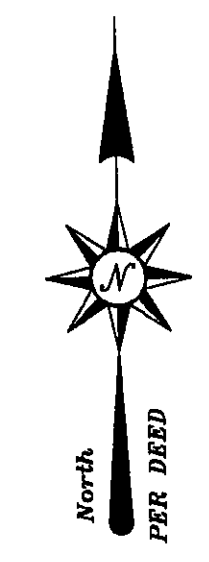
RETURN WITH
 PAYMENT

0000000000 0000025432 0000001507990000 0001 6

EMPIRE LAND SURVEYING - INC -

BOUNDARY SURVEY A PORTION OF SECTION 43, TOWNSHIP 4 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA

POINT OF COMMENCEMENT
PARCELS 'A', 'B', 'C', 'D' & 'E'
NORTHWEST CORNER SECTION 43,
TOWNSHIP 4 NORTH, RANGE 31 WEST,
ESCAMBIA COUNTY, FLORIDA



LEGAL DESCRIPTION (PREPARED BY THE UNDERSIGNED AT CLIENT'S REQUEST)
PARCEL 'C'

A PORTION OF O R BOOK 432, PAGE 635

COMMENCE AT THE NORTHWEST CORNER OF SECTION 43, TOWNSHIP 4 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY FLORIDA, THENCE GO SOUTH 01 DEGREES 26 MINUTES 40 SECONDS WEST ALONG THE WEST LINE OF SAID SECTION FOR A DISTANCE OF 400.00 FEET TO A POINT, SAID POINT BEING THE NORTHWEST CORNER OF O R BOOK 999, PAGE 57 AND BEING 448.36 FEET NORTH OF THE SOUTHWEST CORNER OF SAID O R. THENCE GO SOUTH 82 DEGREES 35 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 810.61 FEET, THENCE GO SOUTH 01 DEGREES 25 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 58.83 FEET, THENCE GO SOUTH 82 DEGREES 35 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 753.34 FEET FOR THE POINT OF BEGINNING, THENCE CONTINUE SOUTH 82 DEGREES 35 MINUTES 13 SECONDS EAST FOR A DISTANCE OF 296.00 FEET, THENCE GO SOUTH 15 DEGREES 47 MINUTES 37 SECONDS WEST FOR A DISTANCE OF 566.89 FEET TO THE NORTHERLY RIGHT-OF-WAY LINE OF BLACK ROAD (R/W VARIES), THENCE GO NORTH 75 DEGREES 38 MINUTES 44 SECONDS WEST ALONG SAID LINE OF BLACK ROAD (R/W VARIES), THENCE GO NORTH 80 DEGREES 55 MINUTES 55 SECONDS WEST FOR A DISTANCE OF 197.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO RIGHT-OF-WAY LINE FOR A DISTANCE OF 197.87 FEET TO THE POINT OF CURVATURE OF A CURVE CONCAVE TO THE SOUTH HAVING A RADIUS OF 853.00', THENCE GO ALONG THE ARC OF SAID CURVE A DISTANCE OF 79.43 FEET, (CHORD BEARING= NORTH 78 DEGREES 14 MINUTES 04 SECONDS WEST, CHORD LENGTH= 79.41', DELTA ANGLE= 5'20"08") TO THE POINT OF TANGENCY OF SAID CURVE, THENCE GO NORTH 80 DEGREES 55 MINUTES 05 SECONDS WEST FOR A DISTANCE OF 15.92 FEET, THENCE DEPARTING SAID RIGHT-OF-WAY LINE GO NORTH 15 DEGREES 47 MINUTES 37 SECONDS EAST FOR A DISTANCE OF 536.15 FEET TO THE POINT OF BEGINNING ALL LYING AND BEING IN SECTION 43, TOWNSHIP 4 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, CONTAINING 3.70 ACRES MORE OR LESS

TAX #
43-4N-31-1005-000-000
(O R. BOOK 432-PAGE 633)

TAX #
43-4N-31-1005-002-001
O R 999, PAGE 57
ALSO A PORTION OF
O R 432, PAGE 635

PARCEL 'D'
7.42± ACRES
A PORTION OF TAX#
43-4N-31-1005-000-001
ALSO A PORTION OF
O R BOOK 432, PAGE 635

PARCEL 'C'
3.70± ACRES
A PORTION OF TAX#
43-4N-31-1005-000-001
ALSO A PORTION OF
O R BOOK 432, PAGE 635

PARCEL 'B'
3.70± ACRES
A PORTION OF TAX#
43-4N-31-1005-000-001
ALSO A PORTION OF
O R BOOK 432, PAGE 635

PARCEL 'A'
7.41± ACRES
A PORTION OF TAX#
43-4N-31-1005-000-001
ALSO A PORTION OF
O R BOOK 432, PAGE 635

PARCEL 'E' 0.63± ACRES
A PORTION OF TAX#
43-4N-31-1005-001-001
ALSO A PORTION OF
O R BOOK 432, PAGE 635

LEGEND

- O R OFFICIAL RECORD BOOK
- R/W RIGHT OF WAY
- A.P.O A PORTION OF
- P.C POINT OF CURVATURE
- P.T POINT OF TANGENCY
- AERIAL UTILITY WIRES
- WIRE FIELD FENCE (HEIGHT VARIES)
- ASPHALT
- POWER POLE
- ⊙ FOUND METAL PIPE
- ⊙ FOUND 5/8" CAPPED IRON ROD -FLORIDA DEPARTMENT OF TRANSPORTATION
- ⊙ FOUND 4" SQUARE CONCRETE MONUMENT- C/CKC #8783
- ⊙ FOUND 4" ROUND CONCRETE MONUMENT
- ⊙ SET CAPPED IRON ROD LICENSED BUSINESS #6993
- [43] TYPICAL SECTION NUMBERS

THE UNDERSIGNED CLIENT(S) ACKNOWLEDGE RECEIPT AND ACCEPTANCE OF THIS SURVEY

TARA MARIE WEBB

THE PURPOSE OF THIS SURVEY IS FOR TITLE TRANSACTION AND ITS ACCOMPANYING MORTGAGE
THIS MAP IS CERTIFIED AS MEETING THE FLORIDA MINIMUM TECHNICAL STANDARDS TO THE
FOLLOWING AND IS FOR THE BENEFIT OF ONLY THE FOLLOWING LISTED CLIENT(S), AGENT(S)
AND COMPANIES:

TARA MARIE WEBB

CURVE DATA TABLE

CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	533.00'	59.71'	59.68'	S72°34'52"E	05°25'07"
C2	617.00'	88.67'	88.59'	S73°30'52"E	08°14'03"
C3	617.00'	35.76'	35.76'	N79°17'31"W	03°19'15"
C4	853.00'	79.43'	79.40'	N78°14'04"W	05°20'07"
C5	2217.01'	298.53'	298.30'	N22°39'40"E	07°42'54"

BLACK ROAD (R/W VARIES)
(O R BOOK 4408, PAGE 1356)

U.S. HIGHWAY 29 (200' R/W)
(10' O T. MILE 14867-105 SHEET 18.2 OF 18)

CLIENT: TARA MARIE WEBB

BEARING BASIS WEST LINE SECTION 43, TOWNSHIP 4 NORTH, RANGE 31 WEST - S01°26'40"W(D)

TYPE OF SURVEY BOUNDARY SURVEY

SOURCE OF INFORMATION:
FIELD EVIDENCE
DEEDS OF RECORD
PRIOR SURVEYS/DRAWINGS

GENERAL NOTES:
1. Fence locations as drawn are not to scale
2. Jurisdiction (Rights) boundary lines not located unless shown on drawing
3. Foundations, or any other subsurface structures were not located unless otherwise noted
4. All bearings and/or angles and distances are Deed and Actual unless otherwise noted: Deed = (D), Actual Field Measurement = (F); Plat = (P)
5. All measurements were made in accordance with United States standards. The accuracy shown meet the standards required in the appropriate land area
6. No Title Search has been performed by this firm and lands shown hereon were not abstracted by this firm from Public Records of said County or right-of-ways. The parcels shown hereon may be subject to setbacks, easements, zoning and restrictions that may be found in the Public Records of said County.

NOT VALID WITHOUT THE ORIGINAL BLUE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER

EMPIRE LAND SURVEYING, INC.
PROFESSIONAL LAND SURVEYING • SERVING NORTHWEST FLORIDA
8720 N PALAFOX STREET, PENSACOLA, FLORIDA 32534
PHONE: 850-477-3745--FAX: 850-477-3705
LICENSED BUSINESS #6993, STATE OF FLORIDA

REVISIONS	FIELD BOOK	DATE
(1) CHANGE BOUNDARY, NEW LEGAL DESCRIPTION	100/42	12/11/06

SURVEYORS CERTIFICATE
I HEREBY CERTIFY, THAT THE SURVEY SHOWN HEREON IS A TRUE AND CORRECT REPRESENTATION OF THE
LAND SURVEYED, THAT THIS SURVEY WAS COMPLETED UNDER MY RESPONSIBLE DIRECTION AND SUPERVISION,
THAT THIS SURVEY MEETS OR EXCEEDS THE MINIMUM TECHNICAL STANDARDS AS SET FORTH BY RULE 61G17,
FLORIDA ADMINISTRATIVE CODE, THAT THIS SURVEY ALSO COMPLES WITH CHAPTERS 177 AND 472 FLORIDA STATUTES
DECEMBER 14, 2006 LELAND M EMPIE, P.S.M.
PROFESSIONAL SURVEYOR AND MAPPER, NO 5766, STATE OF FLORIDA

SCALE	1" = 100'
FIELD DATE	9/28/06
ORDER NO	380-06 C-1
FIELD BOOK	100/36-42



**Development Services Department
Building Inspections Division**

3363 West Park Place
Pensacola, Florida, 32505
(850) 595-3550
Molino Office - (850) 587-5770

RECEIPT

Receipt No. : **556130**

Date Issued. : 05/30/2012

Cashier ID : LPROBINS

Application No. : PRZ120500013

Project Name : Z-2012-14

Address : 11306 LAKE MANDARIN CIRCLE E
Jacksonville, FL, 32223

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	6739	\$1,820.00	App ID : PRZ120500013
		\$1,820.00	Total Check

Received From : COWLING JAMES H &

Total Receipt Amount : **\$1,820.00**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PRZ120500013	649146	1,820.00	\$0.00	30 BLACK RD, MCDAVID, FL, 32568

Total Amount :	1,820.00	\$0.00	Balance Due on this/these Application(s) as of 5/30/2012
-----------------------	-----------------	---------------	--

COWLING W R
1451 S CENTURY BLVD
MCDAVID FL 32568

WEBB TARA MARIE
3777 N HAMPTON DR
KENNESAW GA 30144

COWLING JAMES H
3005 AUTUMN WOOD CT
JACKSONVILLE FL 32216

BROWN CASSIE LYNN
533 DELPHINIUM WAY NW
ACWORTH GA 30102-6977

STEWART JAMIE E
9471 COVE AVE
PENSACOLA FL 32534

BLACK REBECCA ANN
2844 S PINE BARREN RD
MCDAVID FL 32568

BROOKS JOHN E JR & JOAN E
199 BLACK RD
MCDAVID FL 32568

STATES GEORGE A
61 BLACK RD
MCDAVID FL 32568

SIMPSON TONEY C & Z RENEE
21 BLACK RD
MCDAVID FL 32568

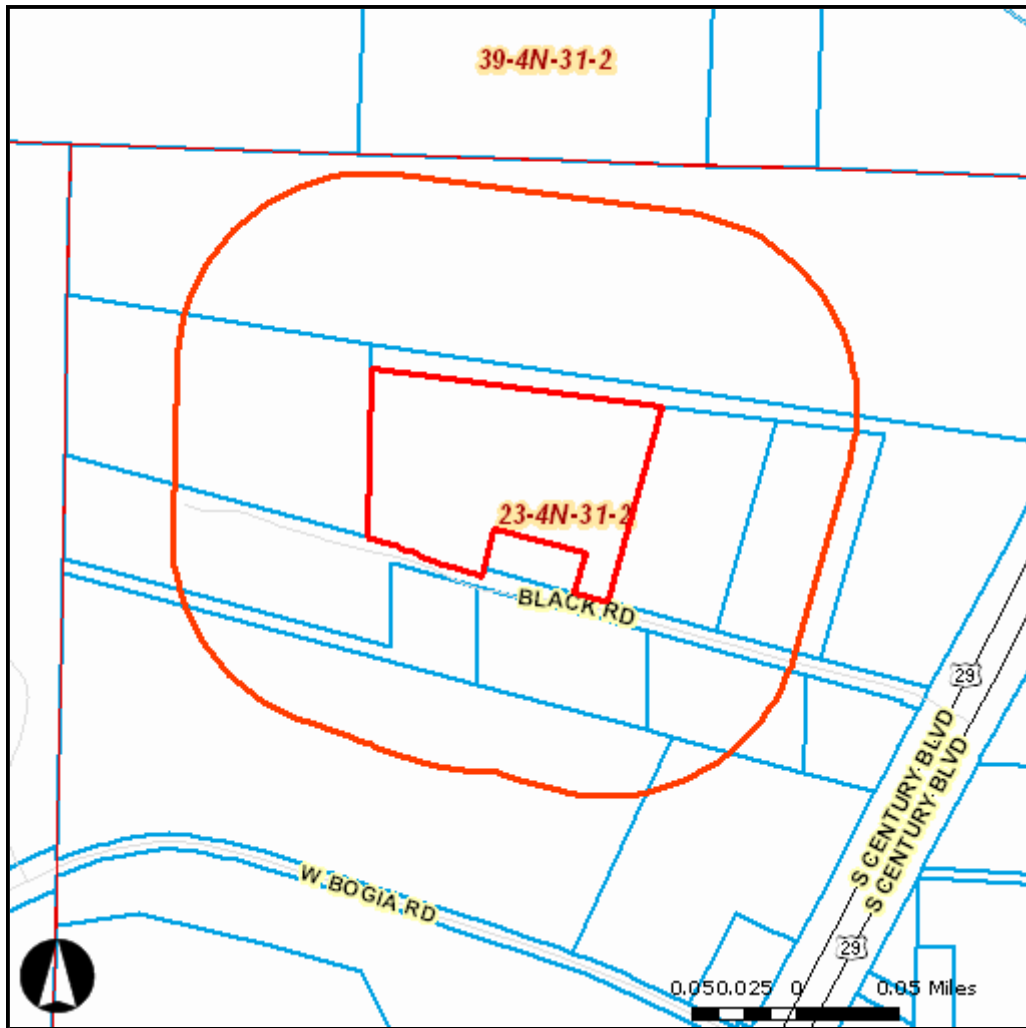
ELLIS ANDREW C JR
31 W BOGIA RD
MCDAVID FL 32568

VELDEY ANN C
33 RIDGECREST DR
RIDGEFIELD CT 06877-2534

GREEN TREE SERVICING LLC
801 W BOGIA RD
MCDAVID FL 32568

GRAHAM ALTON JESSIE
821 N PINE BARREN RD
MCDAVID FL 32568

ECPA Map



Map Grid



Major Roads

- City Road
- County Road
- Interstate
- State Road
- US Highway

All Roads

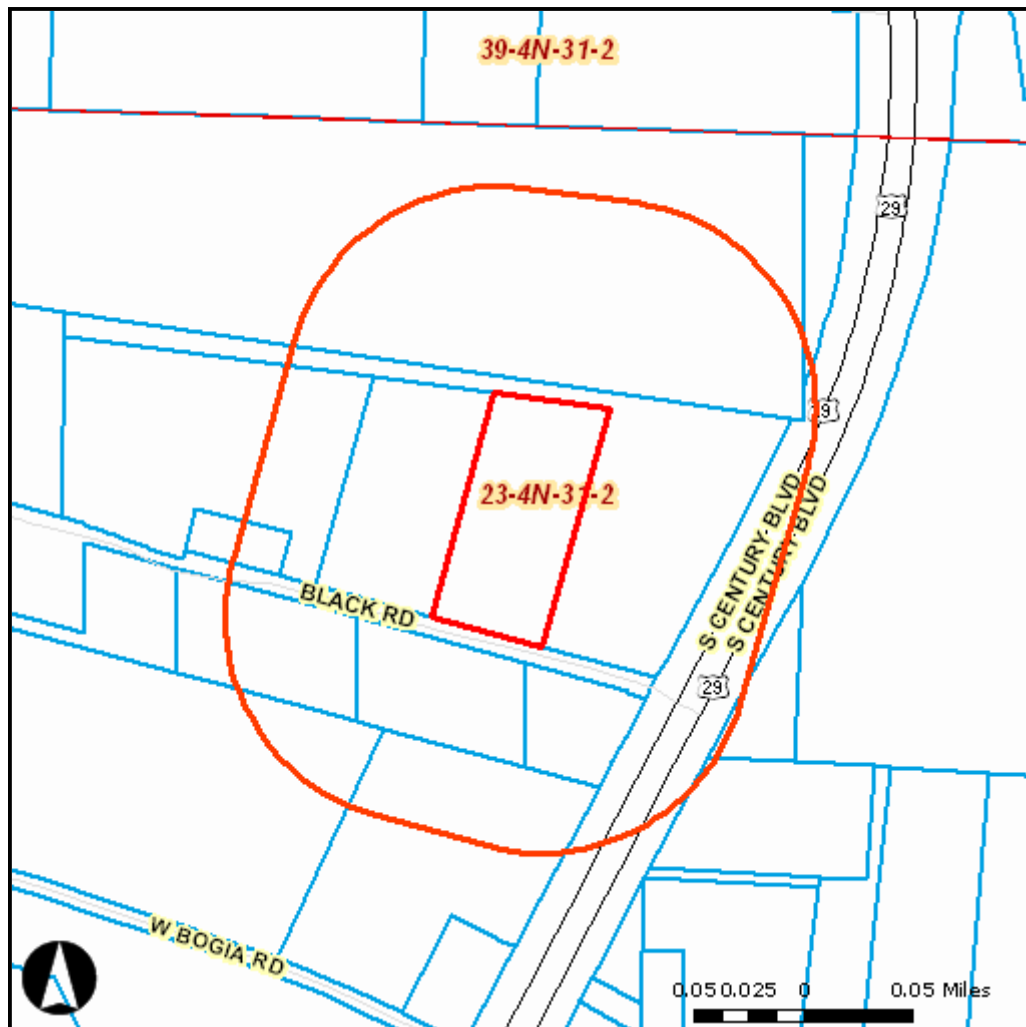


Property Line



PLEASE NOTE: This product has been compiled from the source data of the Inter-Local Mapping and Geographic Information Network (IMAGINE) project of Escambia County. The ESCAMBIA COUNTY PROPERTY APPRAISER I-MAP Service is for reference purposes only and not to be considered as a legal document or survey instrument. Relying on the information contained herein is at the user's own risk. We assume no liability for any use of the information contained in the I-MAP Service or any resultant loss.

ECPA Map



Map Grid



Major Roads

- City Road
- County Road
- Interstate
- State Road
- US Highway

All Roads

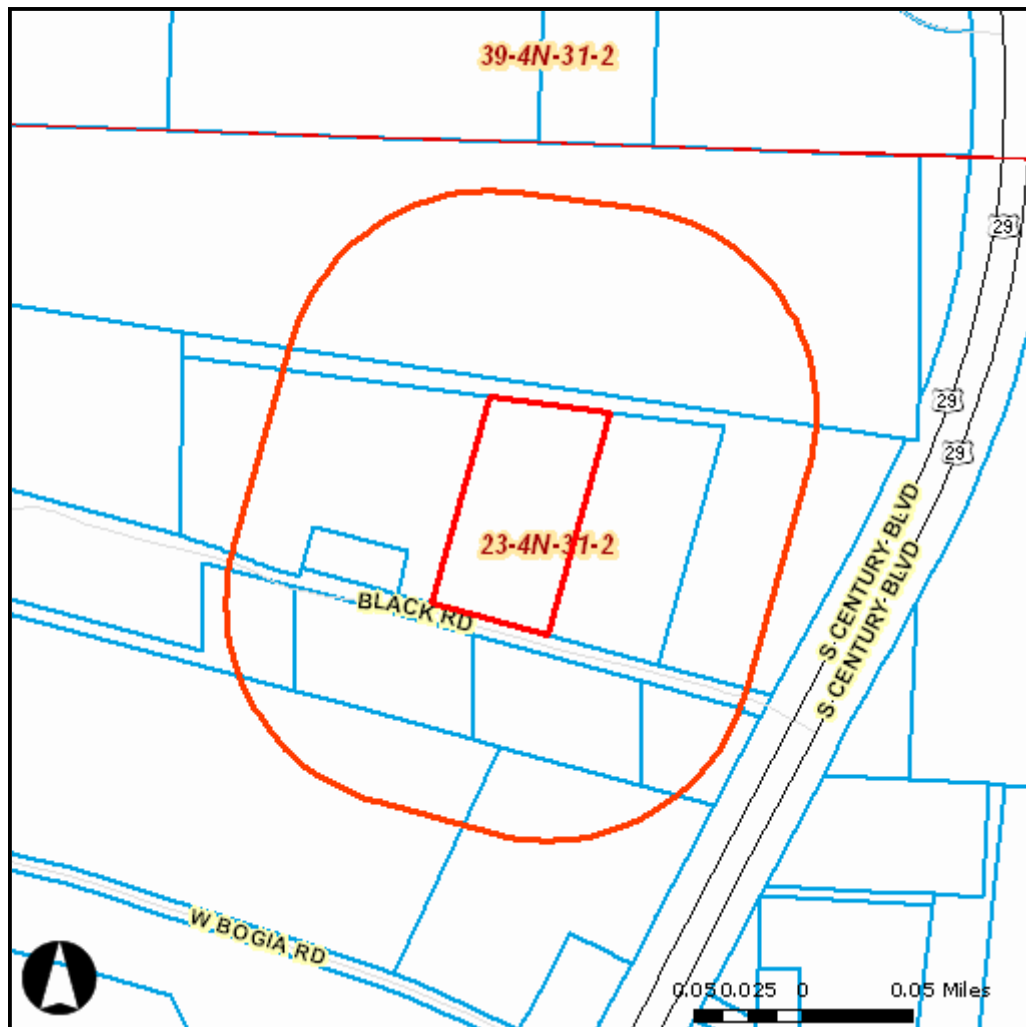


Property Line



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ECPA Map



Map Grid



Major Roads

- City Road
- County Road
- Interstate
- State Road
- US Highway

All Roads



Property Line



PLEASE NOTE: This product has been compiled from the source data of the Inter-Local Mapping and Geographic Information Network (IMAGINE) project of Escambia County. The ESCAMBIA COUNTY PROPERTY APPRAISER I-MAP Service is for reference purposes only and not to be considered as a legal document or survey instrument. Relying on the information contained herein is at the user's own risk. We assume no liability for any use of the information contained in the I-MAP Service or any resultant loss.

Agent



BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 - Phone
(850) 595-3481 - FAX
www.myescambia.com

Escambia County Planning Board
Public Hearing
Speaker Request Form

Please Print Clearly

Meeting Date: 7-9-12

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z-2012-14

OR

Regular Planning Board Meeting

Agenda Item Number/Description:

In Favor Against

*Name: James Bowling

*Address: 11306 Luke Mandarin Cir E. *City, State, Zip: JACKSONVILLE FL

Email Address: _____ Phone: 904-705-5989

Please indicate if you:

- would like to be notified of any further action related to the public hearing item.
- do not wish to speak but would like to be notified of any further action related to the public hearing item.

All items with an asterisk * are required.

Chamber Rules

1. All who wish to speak will be heard and granted uniform time to speak (normally 3 – 5 minutes).
2. You must sign up to speak. This form must be filled out and given to the Clerk in order to be heard.
3. When the Chairman calls you to speak, come to the podium, adjust the microphone so you can be heard, then state your NAME and ADDRESS for the record.
4. Please keep your remarks BRIEF and FACTUAL.
5. Should there be a need for information to be presented to the Board, please provide 13 copies for distribution. The Board will determine whether to accept the information into evidence. Once accepted, copies are given to the Clerk for Board distribution.
6. Speakers will refrain from the use of obscene language, "fighting words" likely to incite violence from the individual(s) to whom the words are addressed, or other language which is disruptive to the orderly and fair progress of discussion at the meeting.
7. During public hearings, at the Chairman's discretion, if there is a controversial item in which Escambia County citizens are involved, he may institute a provision against clapping, if he/she feels that clapping or the noise will deter open speech between the two parties.

Z-2012-15

REZONING HEARINGS - JULY 9, 2012

33

1 * * *

2 CASE NO: Z-2012-15

Location: Quintette Road

3 Parcel: 2N-31-4230-000-001
26-2N-31-4230-000-000

4 From: VAG-1, Villages Agriculture District
To: ID-2, General Industrial District

5 FLU Category: I
BCC District: 5

6 Requested by: William H. Joseph, Agent for Panhandle
Holdings, LLC and Triple L. Farms, Inc.,
7 Owners

8 MS. SINDEL: Moving on. We're going to be
9 moving on then to Case Z-2012-15. This is a request
09:11 10 to go from VAG-1 to ID-2.

11 Members of the Board, have there been any
12 ex parte communication between you and the applicant
13 or the applicant's agents, attorneys or witnesses,
14 with fellow Planning Board members or anyone from
15 the general public prior to this hearing? Have you
16 seen the subject property? Also disclose if you are
17 a relative or business associate of the applicant or
18 the applicant's agent.

19 For me, no to all the above.

09:11 20 MS. DAVIS: No to all the above.

21 MR. WINGATE: I have visited the site, I
22 believe, one time before and I did drive by.

23 MR. WOODWARD: None.

24 MR. GOODLOE: No to all.

25 MS. HIGHTOWER: No.

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34

1 MS. SINDEL: We will now have the staff
2 presentation. Who will be presenting for the staff?

3 MS. HIGHTOWER: I wanted to ask one question
4 here. On the packet that's up on the screen is that
5 ID-1 or 2?

6 MS. SINDEL: It should be ID-2. I'm not
7 looking at the screen. So what's posted? Which way
8 are we going, Allyson; is it ID-1 or 2?

9 MS. CAIN: It's actually 2. Just the
09:12 10 presentation is incorrect. I apologize.

11 MS. SINDEL: Thank you. Staff, who will be
12 presenting today?

13 MS. WILSON: Brenda Wilson, Urban Planner I.

14 MS. SINDEL: We'll need you to be sworn in and
15 get a little closer to the microphone.

16 (Brenda Wilson sworn.)

17 MS. SINDEL: Staff will now present the maps
18 and photographs for Case Z-2012-15.

19 (Presentation of Maps and Photographs.)

09:13 20 MS. WILSON: The map you're looking at now is
21 the wetlands and the locational. This is for the
22 rezoning 12-2012-15. This is the aerial map. This
23 property has two property record numbers and it
24 split by the roadway Quintette Road. This is the
25 Future Land Use Map. You can see it is all

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35

1 Industrial. This is the Future Land Use and
2 existing land use. This is the 500-foot radius
3 zoning map. You can see it's all VAG-1. Here's one
4 of the posted signs. This is looking south at the
5 south parcel. This is looking west on Quintette
6 Road. This is looking north at the subject
7 property. This is looking east on Quintette Road.

8 MS. SINDEL: Is that it?

9 MS. WILSON: Okay. If you're looking east, it
09:14 10 would pan on back around to the right, which you
11 would see the sign on the subject property again.

12 MS. SINDEL: Who is representing the applicant,
13 please, on this case? If you would like to come
14 forward. May I have your name and address and we'll
15 have you sworn in.

16 MR. JOSEPH: William Joseph, 2791 Glen Eden
17 Drive, Pensacola, Florida, 32514.
18 (William Joseph sworn.)

19 MS. SINDEL: Mr. Joseph, have you received a
09:15 20 copy of the rezoning hearing package with staff
21 findings-of-fact?

22 MR. JOSEPH: Yes, ma'am.

23 MS. SINDEL: Do you understand that you have
24 the burden of providing by substantial competent
25 evidence that the proposed rezoning is consistent

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1 with the Comprehensive Plan, furthers the goals,
2 objectives and policies of the Comprehensive Plan
3 and is not in conflict with any portion of the
4 County's Land Development Code?

5 MR. JOSEPH: Yes, ma'am.

6 MS. SINDEL: Please proceed.

7 MR. JOSEPH: I would like to first thank you,
8 Madam Chairman and Board members, for the
9 opportunity today to come present the information as
09:15 10 it pertains to Rezoning Z-2012-15, going from a
11 VAG-1 to an ID-2, General Industrial District. I
12 have the honor of representing the property owners,
13 Panhandle Holding and Triple L Farms. The property
14 is two parcels by virtue of being subdivided by
15 Quintette Road, therefore, required two fees as a
16 matter of fact.

17 I would like to start by saying that the
18 property has already had some activity on it with
19 respect to a large scale amendment to the Future
09:16 20 Land Use classification in 2008 and also a
21 conditional use was granted to the property, the
22 southerly-most portion of the property, for mineral
23 extraction in support of the neighboring asphalt
24 plant and the most recent would be -- I would like
25 to mention that in 2006 a 16C-39.041 form for the

TAYLOR REPORTING SERVICES, INCORPORATED

<p style="text-align: right;">37</p> <p>1 Florida Department of Natural Resource Management 2 Bureau of Mining reclamation notice of intent was 3 filed also on the properties. And then the most 4 recent in 2011 we were issued an interim local 5 permit for borrow pit use also. So I would like to 6 establish that there's been some activity that 7 corresponds with the intensity of the rezoning 8 request today. 9 Consistency with the Comprehensive Plan. My 09:17 10 intention today is to present that competent 11 evidence to the consistency with the six zoning 12 criteria. Not only would the rezoning approval make 13 the classifications compatible, but the facility 14 continued industrial operations within the County 15 and provide jobs and employment security for present 16 and future residents and businesses as stated in 17 Comprehensive Plan Policy FLU 1.3.1 Future Land Use 18 category. 19 I would like to reference Exhibit A in our 09:17 20 original package which gives some details of 21 Comprehensive Plan Policies and responses to those 22 policies. It's quite lengthy. I tried to 23 consolidate this thing to keep it within the time 24 frame, so certainly that information is there. 25 I would like to mention the staff's finding the TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">39</p> <p>1 of the Land Development Code as stated in LDC 2 6.05.19. The parcel is located on a collector 3 roadway and is accessible to essential public 4 facilities and services. Therefore, any future 5 development must meet all requirements of LDC 6 Section 7.20.07 for locational criteria will be 7 reviewed at the time of site plan review. 8 So in most every one of these cases we're 9 subject to an additional review when we submit to 09:20 10 the DRC with a specific use or development plan. 11 Compatibility with surrounding uses. I will 12 refer to Exhibit C, site description and proposed 13 development and it gives you a little bit of 14 overview of what the area is. Again for 15 preservation of time, I would just refer you to that 16 exhibit and move on to staff's findings. 17 The proposed amendment is compatible with 18 surrounding and existing uses in the area. Within 19 the 500-foot radius zoning district VAG-1, VM-1, 09:21 20 VR-2, GID and Industrial ID-2 are in the area as we 21 saw from the maps. We are compatible with other 22 industrial uses in the area. Having large open 23 spaces will allow us to have buffering almost 24 eliminating any residential impacts. 25 The fourth criteria, changing conditions, I TAYLOR REPORTING SERVICES, INCORPORATED</p>
<p style="text-align: right;">38</p> <p>1 proposed amendment is consistent with the intent and 2 purpose of the Future Land Use category, Industrial, 3 as stated in Comprehensive Plan Policy FLU 1.1.1, 4 with a permitted use of ID-2 zoning categories being 5 compatible with the intended use within the 6 Industrial Future Land Use classification. 7 Criterion (2). Consistency with the Land 8 Development Code. I would also refer to Exhibit B 9 of our original package which gives a comparative 09:18 10 analysis of all your providers. We don't indicate 11 any loss of level of service of any of those 12 providers, particularly with an industrial use with 13 a well, on-site sewage disposal and solid waste 14 concerns are nominal, if any. Stormwater management 15 meets the criteria of a 25-year storm, the first 16 half inch of stormwater and that's all in that 17 exhibit. 18 Recreation and open spaces are not a concern 19 because we're not creating any additional 09:19 20 population. Traffic, it is on a collector road 21 which is operating at a 70 percent or so percentile 22 and I don't see that diminishing as a result of any 23 development on either one of these properties. 24 Findings on category two, the proposed 25 amendment is consistent with the intent and purpose TAYLOR REPORTING SERVICES, INCORPORATED</p>	<p style="text-align: right;">40</p> <p>1 defer to a statement that was in statement D that 2 was in our original package. The property was 3 granted a large Future Land Use Scale Amendment 4 designated to the property an Industrial 5 classification. Also considering the sister parcel 6 having a common owner to the south were granted a 7 conditional for mineral extraction, rezoning to an 8 Industrial for construction of an asphalt plant. 9 The change in condition does not exist with the 09:22 10 rezoning request, making both classifications of the 11 property compatible. That's our contention, that 12 we're just making these classifications that we 13 sought in the past and were granted compatible. 14 Five, effect on the natural environment. I 15 would reference Exhibit D which is an actual 16 wetlands determination. And keeping in mind that 17 these packages are twofold, there's one for each one 18 of these parcel since they were kind of treated 19 separately. There is a stand alone wetlands 09:22 20 determination that was done by wetland scientists at 21 the owner's cost. Proximity to natural resources 22 and wetlands on the sister parcel on the south side 23 of Quintette Road has been responsibly managed with 24 erosion control and large buffering designation to 25 protect from any impacts to environmentally TAYLOR REPORTING SERVICES, INCORPORATED</p>

REZONING HEARINGS - JULY 9, 2012

<p align="right">41</p> <p>1 sensitive wetlands. We intend to do that with any 2 further development on any of these properties. It 3 went well beyond any required buffering to protect 4 those environmentally sensitive areas. 5 Findings on Criterion (5): When applicable 6 further review during the site plan review process 7 will be necessary to determine if there would be any 8 significant adverse impacts on the natural 9 environment. Again, as being stewards of protecting 09:23 10 that natural environment, the owners are willing to 11 go to whatever lengths that are imposed on us to 12 make sure that is implemented in the real world, if 13 you will. 14 Last, the development patterns. I will refer 15 to statement F in our original package. The 16 characteristics of the area is conducive to the 17 requested rezoning in that Industrial uses are 18 already present and the existing natural buffers 19 would essentially eliminate any significant impacts 09:24 20 on the sparse residential uses that exist in the 21 surrounding areas. 22 Findings with Criterion (6) from staff: The 23 proposed amendment would result in a logical and 24 orderly development pattern because of the emerging 25 land use patterns of industrial type uses within the <p align="center">TAYLOR REPORTING SERVICES, INCORPORATED</p></p>	<p align="right">43</p> <p>1 within the county and provide jobs and employment 2 security for present and future residents. 3 Findings: The proposed amendment is consistent 4 with the intent and purpose of the Future Land Use 5 category I, Industrial. As stated in CPP FLU 1.1.1, 6 the permitted uses in ID-2 zoning category are 7 compatible with the intended uses within the 8 Industrial Future Land Use. 9 As stated in 1.3.1, the intended use is for a 09:26 10 mix of industrial development, ancillary offices and 11 commercial uses that are deemed to be compatible 12 with the adjacent and nearby properties. The range 13 of allowable uses include: Light to intensive 14 industrial, auxiliary retail and office. The 15 industrial Future Land Use category is designed to 16 accommodate manufacturing, processing, fabrication 17 and other activities. Community facilities and 18 trades establishments that provide needed services 19 to industrial development also may be accommodated 09:27 20 in this district. The proposed amendment may 21 facilitate continued industrial operations within 22 the county and provide jobs and employment security 23 for the present and future residents and businesses 24 as stated in CPP FLU 1.3.1 Future Land Use Category. 25 Findings: The proposed amendment is consistent <p align="center">TAYLOR REPORTING SERVICES, INCORPORATED</p></p>
<p align="right">42</p> <p>1 vicinities. 2 And with that being said, that would my 3 presentation in a short brief. There's a lot of 4 information in here to take in but I appreciate your 5 time allowing me to share that with you. 6 MS. SINDEL: Thank you, Mr. Joseph. 7 Staff, do you have any questions of Mr. Joseph? 8 MS. WILSON: No, ma'am. 9 MS. SINDEL: Staff, if you would go ahead and 09:24 10 do your presentation then, please. 11 (Presentation by Ms. Wilson.) 12 MS. WILSON: This is a requested rezoning from 13 VAG-1, Village Agriculture, to ID-2, General 14 Industrial District. 15 Criterion (1). Comprehensive Plan Policy FLU 16 1.1.1, development consistency. New development and 17 redevelopment in unincorporated Escambia County 18 shall be consistent with the Escambia County 19 Comprehensive Plan and Future Land Use Map. 09:25 20 CPP 1.3.1 Future Land Use category. The 21 Industrial Future Land Use is intended for a mix of 22 industrial development and ancillary offices and 23 commercial uses that are deemed compatible with 24 adjacent or nearby properties. Industrial areas 25 shall facilitate continued industrial operations <p align="center">TAYLOR REPORTING SERVICES, INCORPORATED</p></p>	<p align="right">44</p> <p>1 with the intent and purpose of the Land Development 2 Code as stated in Land Development Code 6.05.19. 3 The district will accommodate industrial uses such 4 as manufacturing, processing and fabrication, as 5 well as other activities which can only comply with 6 minimal performance standard. The parcel is located 7 on a collector roadway and is accessible to 8 essential public facilities and services. 9 Therefore, any future land development must meet all 09:28 10 requirements of LDC Section 7.20.07 for locational 11 criteria which will be reviewed at the time of the 12 site plan review. 13 Criterion (3). Findings: The proposed 14 amendment is compatible with surrounding and 15 existing uses in the area. Within the 500-foot 16 radius impact area, staff observed properties with 17 the following zoning districts: VAG-1, VM-1, VR-2, 18 GID, and ID-2. With the exception of 14 residential 19 uses and five vacant parcels it appears that the 09:28 20 majority of the surrounding parcels have an existing 21 use of Industrial or GID. Also with such large 22 parcels -- these two parcels total 91.15 acres -- 23 and being mostly wooded, the wooded area could 24 provide adequate screening and enhance buffering 25 standards from the residential neighbors. <p align="center">TAYLOR REPORTING SERVICES, INCORPORATED</p></p>

REZONING HEARINGS - JULY 9, 2012

45

1 Within close proximity to the other Industrial
 2 uses this could reduce or avoid any adverse impact
 3 on the functions of the natural systems.
 4 Criterion (4). In 2008 the County approved a
 5 large scale amendment, CPA 2008-011, Future Land Use
 6 change from Mixed Use to Industrial.
 7 Criterion (5). Findings: According to the
 8 National Wetland Inventory wetlands and hydric soils
 9 were indicated on the subject property. When
 09:29 10 applicable, future review during the site plan
 11 review process will be necessary to determine if
 12 there would be any significant adverse impacts on
 13 the natural environment.
 14 Criterion (6). Findings: The proposed
 15 amendment would result in a logical and orderly
 16 development pattern because it appears that there is
 17 an emerging land use pattern of Industrial type uses
 18 within the vicinity of the subject property. The
 19 existing land uses, the existing zoning categories,
 09:30 20 changed conditions that include the large scale
 21 amendment and close proximity of the industrial uses
 22 are contributing factors that make this proposed
 23 amendment logical and orderly.
 24 And I'm sorry about my voice.
 25 MS. SINDEL: Thank you. You got through that
 TAYLOR REPORTING SERVICES, INCORPORATED

46

1 very bravely.
 2 Mr. Joseph, at this time do you have any
 3 questions for staff?
 4 MR. JOSEPH: No, I don't. I would just like to
 5 thank them for the real efficient job they did and
 6 the help they extended.
 7 MS. SINDEL: Thank you very much for saying
 8 that.
 9 Staff, do you have anything else to present?
 09:30 10 MS. WILSON: No.
 11 MS. SINDEL: We're going to move to public
 12 comment. Do we have any members of the public who
 13 would like to speak on this who have not yet signed
 14 up? Or anyone who thinks they signed up and I don't
 15 have their paper? Okay. If not, then I'm going to
 16 close the public comment portion of the hearing.
 17 Board members, do you have any questions of the
 18 applicant, staff or -- well, no members of the
 19 public. Board, does anyone have any questions? No.
 09:31 20 Okay.
 21 Is there anything further from the staff?
 22 MS. WILSON: No.
 23 MS. SINDEL: Mr. Joseph, anything else?
 24 MR. JOSEPH: No.
 25 MS. SINDEL: If not, the Chair will entertain a
 TAYLOR REPORTING SERVICES, INCORPORATED

47

1 a motion.
 2 (Motion by Ms. Davis.)
 3 MS. DAVIS: I move that we accept the staff'S
 4 findings-of-fact for Case Z-2012-15 and that we
 5 recommend approval of the rezoning application to
 6 the Board of County Commissioners and adopt the
 7 findings-of-fact presented by staff.
 8 MS. SINDEL: Do I have a second to the motion?
 9 MR. WINGATE: Second.
 09:31 10 MS. SINDEL: I need a vote. All in favor,
 11 please raise your right hand.
 12 (Board members vote.)
 13 MS. SINDEL: There's no opposition. This
 14 rezoning carries forward with an approval of five to
 15 zero.
 16 (Motion carries five/zero.)
 17 MS. SINDEL: There being no other business,
 18 this rezoning hearing is now closed. We're going to
 19 take a ten-minute break and then come back and start
 09:32 20 our regular board meeting.
 21 (Quasi-judicial proceedings concluded at 9:30
 22 a.m.)
 23
 24
 25 TAYLOR REPORTING SERVICES, INCORPORATED

48

1 CERTIFICATE OF REPORTER
 2
 3 STATE OF FLORIDA
 4 COUNTY OF ESCAMBIA
 5
 6 I, LINDA V. CROWE, Court Reporter and Notary
 7 Public at Large in and for the State of Florida, hereby
 8 certify that the foregoing Pages 2 through 47 both
 9 inclusive, comprise a full, true, and correct transcript of
 10 the proceeding; that said proceeding was taken by me
 11 stenographically, and transcribed by me as it now appears;
 12 that I am not a relative or employee or attorney or counsel
 13 of the parties, or relative or employee of such attorney or
 14 counsel, nor am I interested in this proceeding or its
 15 outcome.
 16 IN WITNESS WHEREOF, I have hereunto set my hand
 17 and affixed my official seal on 19th day of July 2012.
 18
 19
 20 LINDA V. CROWE, COURT REPORTER
 Notary Public - State of Florida
 My Commission No.: DD 848081
 My Commission Expires: 02-05-2013
 21
 22
 23
 24
 25 TAYLOR REPORTING SERVICES, INCORPORATED

Planning Board-Rezoning

5. D.

Meeting Date: 07/09/2012

CASE : Z-2012-15

APPLICANT: William H. Joseph, Agent for
Panhandle Holdings, LLC
and Triple L. Farms, Inc.,
Owners

ADDRESS: Quintette Rd

PROPERTY REF. NO.: 26-2N-31-4230-000-001
26-2N-31-4230-000-000

FUTURE LAND USE: I, Industrial

DISTRICT: 5

OVERLAY AREA: N/A

BCC MEETING DATE: 08/09/2012

Information

SUBMISSION DATA:

REQUESTED REZONING:

FROM: VAG-1, Villages Agriculture District

TO: ID-2, General Industrial District

RELEVANT AUTHORITY:

- (1) Escambia County Comprehensive Plan
- (2) Escambia County Land Development Code
- (3) Board of County Commissioners of Brevard County v. Snyder, 627 So. 2d 469 (Fla. 1993)
- (4) Resolution 96-34 (Quasi-judicial Proceedings)
- (5) Resolution 96-13 (Ex-parte Communications)

CRITERION (1)

Consistent with the Comprehensive Plan.

Whether the proposed amendment is consistent with the Comprehensive Plan.

Comprehensive Plan Policy (CPP) FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM).

CPP 1.3.1 Future Land Use Categories. The Industrial (I) Future Land Use (FLU) category is intended for a mix of industrial development and ancillary office and commercial uses that are deemed to be compatible with adjacent or nearby properties. Industrial areas shall facilitate continued industrial operations within the County and provide jobs and employment security for present and future residents.

FINDINGS

The proposed amendment is **consistent** with the intent and purpose of Future Land Use category I, Industrial as stated in CPP FLU 1.1.1. The permitted uses in ID-2 zoning category are compatible with the intended uses within the Industrial Future Land Use.

As stated in 1.3.1 the intended use is for a mix of industrial development, ancillary office and commercial uses that are deemed to be compatible with the adjacent or nearby properties. The range of allowable uses include: light to intensive industrial, ancillary retail and office. The Industrial Future Land Use category is designed to accommodate manufacturing, processing, fabrication and other activities. Community facilities and trade establishments that provide needed services to industrial development also may be accommodated in this district.

The proposed amendment may facilitate continued industrial operations within the County and provide jobs, employment and security for the present and future residents and businesses as stated in the CPP FLU 1.3.1 Future Land Use Categories.

CRITERION (2)

Consistent with The Land Development Code.

Whether the proposed amendment is in conflict with any portion of this Code, and is consistent with the stated purpose and intent of this Code.

LDC 6.05.22. VAG Villages Agriculture District. The villages agricultural districts are typically characterized by agriculturally-assessed parcels held for agricultural production and very low density residential development in agricultural communities. Single family residential and rural community uses that directly support agricultural activities are allowed. The intent and purpose of VAG-2 district is characterized by the following types of agricultural lands:

- (a) Small rural land areas of highly productive agricultural soils that may not be economically viable in a mainstream farming operation due to their size, and changes being undertaken in the surrounding area; or
- (b) Rural land areas with a mix of small farm operations and a typical rural residential density of one unit per four acres. The soils of these areas are least valuable for agricultural production and most suitable for future conversion out of the rural land market; or
- (c) Rural land areas which are not being used to support large farming operations, and that are characterized by a mix of natural resources and soils typically unsuitable for urban residential densities or other urban uses unless sewered.

6.05.19. ID-2 General Industrial District (noncumulative).

A. Intent and purpose. This district is intended to accommodate industrial uses which cannot satisfy the highest level of performance standards. It is designed to accommodate manufacturing, processing, fabrication, and other activities which can only comply with minimal performance standards. No residential developments in this district, thereby insuring adequate area for industrial activities. Community facilities and trade establishments that provide needed services to industrial development also may be accommodated in this district. All industrial development, redevelopment also may be accommodated in this district. All industrial development, redevelopment, or expansion must be consistent with the locational criteria in the Comprehensive Plan (FLU 1.1.10) and in Article 7.

B. Permitted uses

1. Manufacturing or industrial uses permitted in the ID-1 light industrial district.
2. Asphalt plants.

3. Concrete plants.
4. Iron works.
5. Landfills.
6. Borrow pits and reclamation activities thereof (subject to local permit and development review requirements per Escambia County Code of Ordinances, Part I, Chapter 42, article VIII, and performance standards in Part III, the Land Development Code, Article 7).
7. Paper mills.
8. Refineries.
9. Rendering plants and slaughter houses.
10. Steel mills.
11. Solid waste transfer stations, collection points, and/or processing facilities.
12. Public utility and service structures.
13. Junkyards, salvage yards, and waste tire processing facilities.
14. Other uses similar to those listed herein. Recommendations on other permitted uses shall be made by the Planning Board (LPA) and based on an application for such other use. Final determination shall be made by the BCC upon receipt of the Planning Board's (LPA's) recommendation.

7.20.07. Industrial locational criteria (ID-CP, ID-1, ID-2). New industrial development must meet the following locational criteria:

1. Industrial uses shall be located so that the negative impacts of industrial land uses on the functions of natural systems shall, as a first priority, be avoided. When impacts are unavoidable, those impacts shall be minimized.
2. Sites for industrial development shall be accessible to essential public and private facilities and services at the levels of service adopted in the Comprehensive Plan.
3. New industrial uses in the MU-1, AA-13, and AA-15 categories may be permitted provided such use conforms to the permitted uses listed in the ID-CP and ID-1 zoning categories. Industrial and MU-6 categories allow all types of industrial uses.
4. Sites for industrial uses shall be located with convenient access to the labor supply, raw material sources and market areas.
5. New industrial uses shall be located on parcels of land large enough to adequately support the type of industrial development proposed and minimize any adverse impacts upon surrounding properties. Compatibility of land uses shall be ensured consistent with Comprehensive Plan Policy 7.A.3.8.(FLU1.1.9)
6. These industrial locational criteria apply to those future land use categories where industrial development is permitted and does not provide or permit industrial land uses in those categories that do not provide for such uses.

FINDINGS

The proposed amendment **is consistent** with the intent and purpose of the Land Development Code as stated in LDC 6.05.19. The district will accommodate industrial uses such as manufacturing, processing, fabrication as well as other activities which can only comply with minimal performance standards. The parcel is located on a collector roadway and is accessible to essential public facilities and services, therefore any future development must meet all requirements of LDC Section 7.20.07 for locational criteria which will be reviewed at the time of site plan review.

CRITERION (3)

Compatible with surrounding uses.

Whether and the extent to which the proposed amendment is compatible with existing and proposed uses in the area of the subject property(s).

FINDINGS

The proposed amendment **is compatible** with surrounding existing uses in the area. Within the 500' radius impact area, staff observed properties with the follow zoning districts: VAG-1, VM-1, VR-2, GID and ID-2. With the exception of 14 residential uses and 5 vacant parcels it appears that a majority of the surrounding parcels have an existing use of Industrial or GID. Also, with such large parcels (total of 91.15 +/- acres)and being mostly wooded, the wooded areas could provide adequate screening and enhance buffering standards from the residential neighbors, and with the close proximity to the other industrial uses this could help reduce or avoid any adverse impacts on the functions of the natural systems.

CRITERION (4)

Changed conditions.

Whether and the extent to which there are any changed conditions that impact the amendment or property(s).

FINDINGS

In 2008 the County approved a Large Scale Amendment (CPA 2008-011). Future Land Use change from MU-6, Mixed Use to I, Industrial.

CRITERION (5)

Effect on natural environment.

Whether and the extent to which the proposed amendment would result in significant adverse impacts on the natural environment.

FINDINGS

According to the National Wetland Inventory, wetlands and hydric soils **were** indicated on the subject property. When applicable, further review during the site plan review process will be necessary to determine if there would be any significant adverse impact on the natural environment.

CRITERION (6)

Development patterns.

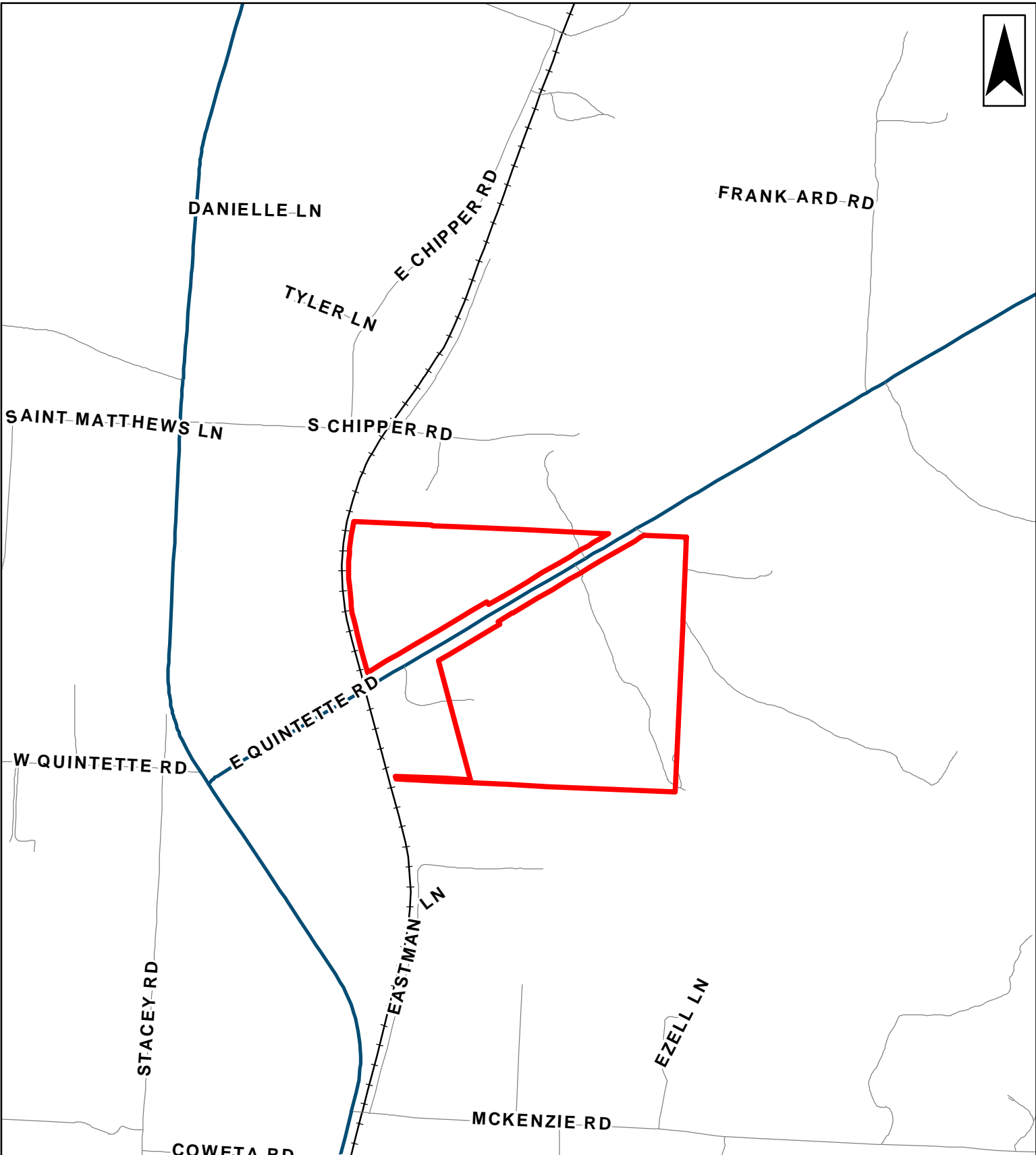
Whether and the extent to which the proposed amendment would result in a logical and orderly development pattern.

FINDINGS

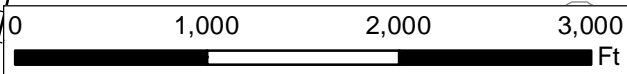
The proposed amendment **would result** in a logical and orderly development pattern because it appears that there is an emerging land use pattern of industrial type uses within the vicinity of the subject parcel. The existing land uses, the existing zoning categories, the changed conditions that include the Large Scale Amendment and the close proximity of the industrial uses are contributing factors that make this proposed amendment logical and orderly.

Attachments


Z-2012-15



Z-2012-15 LOCATION MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.



VR-1

VM-1

S CHIPPER RD

GID

VAG-1

CSX RR

E QUINTETTE RD

VAG-1

ID-2

VR-2

EASTMAN LN

GID

V-5

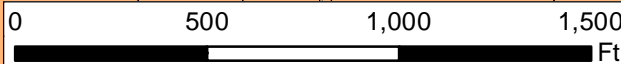
N HIGHWAY 95A



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2012-15 500' RADIUS ZONING



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD
- PARCELS



MU-S

MU-S

S CHIPPER RD

CSX RR

AG

E QUINTETTE RD

CSX RR

AG

MU-S

EASTMAN LN

MU-S

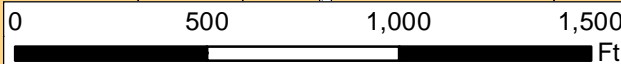
N HIGHWAY 95A



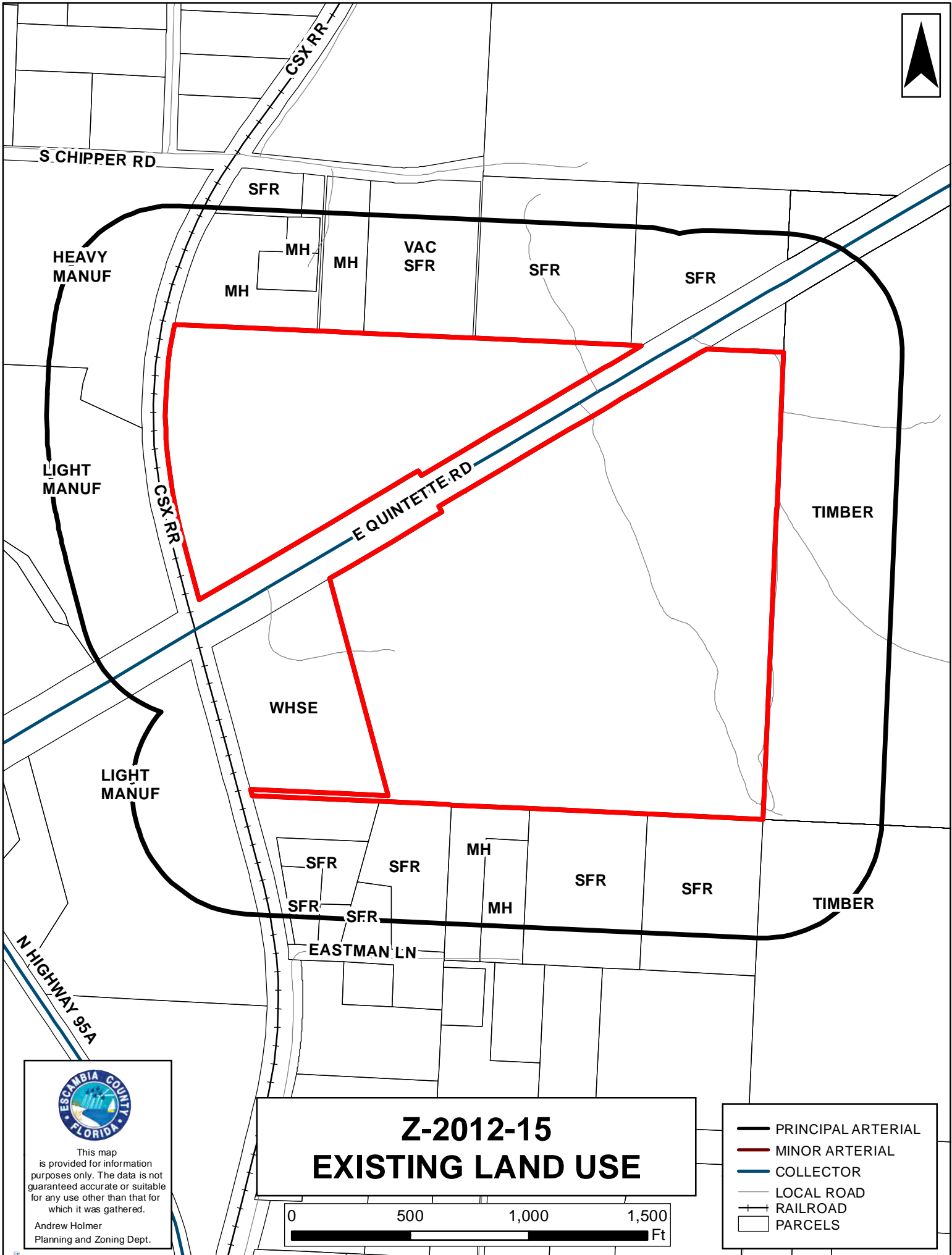

This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2012-15 FUTURE LAND USE



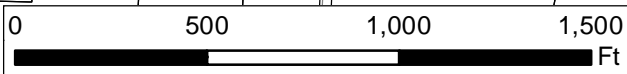
- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD
- PARCELS

This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2012-15 EXISTING LAND USE



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD
- PARCELS



S CHIPPER RD

E QUINTETTE RD

E QUINTETTE RD

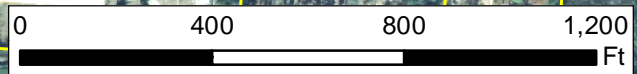
EAST MAN LN



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.

Z-2012-15 AERIAL MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD
- PARCELS



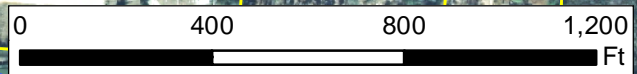
S CHIPPER RD

E QUINTETTE RD

E QUINTETTE RD

EAST MAN LN

Z-2012-15 WETLANDS MAP



- PRINCIPAL ARTERIAL
- MINOR ARTERIAL
- COLLECTOR
- LOCAL ROAD
- RAILROAD
- PARCELS
- WETLANDS_2006



This map is provided for information purposes only. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

Andrew Holmer
Planning and Zoning Dept.



NOTICE OF PUBLIC HEARING REZONING

CASE NO.: Z-2012-15
CURRENT ZONING: VAG-1 PROPOSED ZONING: ID-2

PLANNING BOARD

DATE: 7/9/12 TIME: 8:30 am

LOCATION OF HEARING

ESCAMBIA COUNTY CENTRAL OFFICE COMPLEX
3363 WEST PARK PLACE
ROOM 104 BOARD MEETING ROOM

BOARD OF COUNTY COMMISSIONERS

DATE: 8/9/12 TIME: 5:45 pm

LOCATION OF HEARING

ESCAMBIA COUNTY GOVERNMENT CENTER
221 PALAFOX PLACE
1ST FLOOR BOARD MEETING ROOM

FOR MORE INFORMATION ABOUT THIS CASE PLEASE CALL
DEVELOPMENT SERVICES AT 595-3475 OR VISIT
WWW.MYESCAMBIA.COM

PLEASE DO NOT REMOVE THIS SIGN
PROPERTY OF ESCAMBIA COUNTY

PUBLIC MEETING SIGN



LOOKING SOUTH AT THE SOUTH PARCEL



LOOKING WEST ON QUINTETTE ROAD



LOOKING NORTH AT SUBJECT PROPERTY



LOOKING EAST ON QUINTETTE ROAD



*2665 Solo Dos Familias
Pensacola, FL 32534*

*office (850) 478-5250
fax (850) 479-5901*

April 23, 2012

Re: Request for Rezoning of Parcel 26-2N-31 4230-000-001
Current Zoning VAG-1 – Proposed Zoning ID 2

Development Services Staff
To Whom It May Concern:

Please consider this correspondence an original request for rezoning from Panhandle Holding, LLC for the above-mentioned parcel. The owner of subject property respectfully seeks a change in zoning, that will match Future Land Use Amendment approved in 2008 for said property, from AA-15 to Industrial.

We will provide substantial, competent evidence the proposed rezoning is consistent with the Comprehensive Plan, county codes, compatible with surrounding uses, no adverse change in conditions, no negative impacts to natural environment, and is consistent with current development patterns furthering the goals, objectives, and policies set forth within while not creating a conflict with any portion of the county's Land Development Code. The rezoning of said parcel will provide for industrial uses within a corridor that is centrally located, provides for rail connection, and appropriate road frontage.

In closing, contact me at 478-5250 with any questions.

Respectfully Submitted,

William H. Joseph,
Panhandle Holding, LLC Agent



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: _____

Rezoning Request from: VAG-1 to: ID-2

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Panhandle Holdings, LLC Phone: (850) 478-5250

Address: 2665 Solo Dos Familias, Pensacola, FL 32534 Email: William@panhandlegating.com

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 100 Block E. Quintette Road

Property Reference Number(s)/Legal Description: 26-2N-31 4230-000-001

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

William H. Joseph
Signature of Owner/Agent

William H. Joseph
Printed Name Owner/Agent

4/20/12
Date

X [Signature]
Signature of Owner

Donald Long
Printed Name of Owner

6/6/12
Date

STATE OF Florida

COUNTY OF Escambia

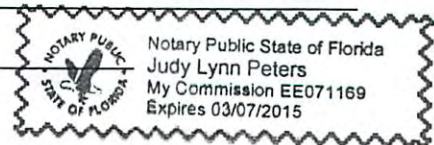
The foregoing instrument was acknowledged before me this 6th day of June 20 12.

by Donald Long

Personally Known OR Produced Identification . Type of Identification Produced: _____

Judy Lynn Peters
Signature of Notary
(notary seal must be affixed)

Judy Lynn Peters
Printed Name of Notary



FOR OFFICE USE ONLY

CASE NUMBER: Z-2012-15

Meeting Date(s): PB 7-9-12, BCC 8-9-12 Accepted/Verified by: _____ Date: 6-7-12

Fees Paid: \$ 1050.00 Receipt #: 556708 Permit #: PR 2120600014

3363 West Park Place Pensacola, FL 32505
(850) 595-3475 * FAX: (850) 595-3481



Development Services Department

Escambia County, Florida

FOR OFFICE USE:

CASE #: Z-2012-15

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 26-2N-31 4230-000-001

Property Address: 100 Block East Quintette Road

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 20th DAY OF April, YEAR OF 2012.

[Signature]
Signature of Property Owner

Donald Comg
Printed Name of Property Owner

4/20/12
Date

Signature of Property Owner

Printed Name of Property Owner

Date



Development Services Department

Escambia County, Florida

FOR OFFICE USE:

CASE #: 2-2012-15

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 100 Block E. Quintette Road, Florida, property reference number(s) 26-2N-31 4230 -000-601

I hereby designate William H. Joseph for the sole purpose of completing this application and making a presentation to the:

- Planning Board and the Board of County Commissioners to request a rezoning on the above referenced property.
Board of Adjustment to request a(n) on the above referenced property.

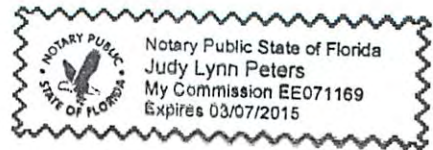
This Limited Power of Attorney is granted on this 20th day of April the year of, 2012, and is effective until the Board of County Commissioners or the Board of Adjustment has rendered a decision on this request and any appeal period has expired.

Agent Name: William H. Joseph Email: William@panhandlepaving.com
Address: 2665 Solo Dos Familias, Pensacola, FL 325 Phone: (850) 478-5250

Signature of Property Owner: [Signature] Printed Name of Property Owner: Donald Long Date: 4/20/12

STATE OF Florida COUNTY OF Escambia
The foregoing instrument was acknowledged before me this 6th day of June 20 12, by Donald Long

Personally Known OR Produced Identification. Type of Identification Produced:
Signature of Notary: Judy Lynn Peters Printed Name of Notary: Judy Lynn Peters (Notary Seal)



Rezoning Request

A Comparative Analysis and General Information for a Rezoning Request of 27.5 Acres in
Escambia County Florida

Property ID

26-2N-31 4230-000-001

Provided for

Panhandle Holding, LLC

2665 Solo Dos Familiaf

Pensacola Florida 32534

Provided by

Panhandle Grading and Paving, Inc.

2665 Solo Dos Familiaf

Pensacola Florida 32534

(850) 478-5250

REZONING CRITERIA**a. Consistency with the Comprehensive Plan:**

Levels of Services and infrastructure in the immediate area and surrounding areas will not be degraded as a result of a commercial industrial use on the property being proposed for the zoning change.

General legislative intent of industrial districts can be met and exceeded in keeping with Section 6.00.03 of the Comprehensive Plan. This property offers the ability to have sufficient space to meet the needs of the area economic and employment along with any expansion thereof combined with characteristics that lend themselves to buffering, open space, and other site development standards.

The location insures compatibility between existing industrial uses and proposed industrial uses while providing for separation between the industrial use and residential uses. With the insurance that any approved industrial use would be subject to performance standards to control objectionable influences.

See Exhibit "A" Consistency with the Comprehensive addressing specific policies of the Comprehensive Plan and responses to those policies as it relates to this specific parcel and the requested rezoning.

b. Consistency with this Code:

County Staff analysis estimated the impacted road segments of Quintette Road, Palafox Highway, and U.S. Highway 29 would all maintain their levels of service established in Comprehensive Plan Policy 8.A.1.3 and would meet the test for concurrency prescribed by Land Development Code (LDC) Section 5.12.00.

See attached Exhibit "B" Comparative Analysis addressing specific water service impact, sewer impacts, solid waste disposal, stormwater management, recreation and open space, traffic, and schools.

c. Compatibility with Surrounding Uses:

See attached Exhibit "C" Site Description detailing existing conditions and uses in the area and adjacent parcels.

d. Changed Conditions:

The property was granted a large scale Future Land Use Amendment designating the property as Industrial (ID) classification. Also considering the sister parcels, having a common owner, to the south were granted a Conditional Use for mineral extraction and a rezoning to Industrial for construction of an asphalt plant. The change in condition does not exist with this rezoning request making both classification of the property be compatible.

e. Effect on Natural Environment:

There are low lying areas located on the property as depicted on the wetlands survey, attached, performed by Wetland Sciences. The regulated wetlands are approximately ?? acres. On other development of sister parcels, with common owner, large buffers were established to ensure no destruction of sensitive lands.

See attached Exhibit "D" Wetland Determination with correspondence providing a narrative of these findings.

Also, see attached Exhibit "E" Proximity to and Impact on Natural Resources.

f. Development Patterns:

The characteristics of the area is conducive to the requested rezoning in that industrial uses are already present and the existing natural buffers would essentially eliminate any significant impact on the sparse residential uses that exist in the surrounding areas.

Panhandle Grading and Paving, Inc.
 2665 Solo Dos Familiaf
 Pensacola, FL 32534
 Phone (850) 478-5250
 Fax (850) 479-5901

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Key elements of the comprehensive plan have regarding the rezoning to ID-2 have been researched and reviewed for compliance. The specific policies and response to those policies have been provided.

1. Section 6.03 Consistency With Comprehensive Plan

No development activity may be approved unless it is found that the development is consistent with the Comprehensive Plan and that the provision of public facilities enumerated in Section 6.014 above will be available at prescribed levels of service concurrent with impact of development of those facilities.

Response:

The following is a review of the polices, goals, and objectives of the comprehensive Plan. Our assertion is that the a proposed industrial development is not only consistent with the goals, policies, and objectives of the comprehensive plan, it furthers them.

2. 6.00.03 General Legislative Intent of Industrial District.

The industrial district established in this section (ID-P, ID-1, ID-2, and GID) are designed to promote and protect the health, safety, convenience, order, prosperity, and other aspects of the general welfare. The general goals include:

- A. To provide sufficient space in appropriate locations to meet the needs of the area's economic and employment base, and the expansion thereof, and foe all types of distribution, assembly, production and other industrial and related activities.
- B. To provide for compatibility between industrial and residential uses and other related activities by providing for the separation of these uses, and to ensure that appropriate space needs for industrial activities are available by discouraging the use of such space for residential purpose.
- C. To permit industrial development which is reasonably free from danger of fire, explosions, toxic and noxious matter, radiation, smoke, dust, or other particulate matter, and hazards from offensive noise, vibration, odorous, glare and other objectionable influences, by regulating the emissions of such nuisances, through appropriate performance standards.
- D. To protect industrial activities and uses from undue congestion by limiting the bulk of buildings and requiring off-street parking, open space, buffer strips and other appropriate site development standards.

Exhibit "A"

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- E. To promote the most desirable, efficient and appropriate use of land, to promote stability of industrial and related development, to strengthen the economic base of the county, to protect the character of these districts and their peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect the interest of the county and its current and future residents and to achieve the objectives of the comprehensive plan including, but not limited to, objectives 7.A.4 and policies thereunder (i.e. 7.A.4.13) and policy 8.A.1.11.

Response:

As discussed in further detail below, the extensive buffering surrounding the property creates compatibility between industrial uses and residential uses and other related activities by providing for the separation of these uses. Any proposed development will be reasonably free from danger of fire , explosions, toxic and noxious matter, radiation, smoke, dust, or other particulate matter, and hazards from offensive noise, vibration, odorous, glare and other objectionable influences. The location, open spaces, and extensive buffering of the subject property provides for protection from any undue congestion. Furthermore, a proposed development on the subject parcel will promote the most desirable, efficient and appropriate use of land, as heavy industrial uses already exist in the immediate vicinity, and residential uses are discouraged. A proposed industrial development also protects the interest of the county and its current and future residents by placing an essential industry in a location that not only allows for the best service to the County – i.e. the efficient delivery of goods to all areas of the County, but also places and extremely minimal burden on existing infrastructures.

3. Section 7.04 Goals, Objectives and Policies:

Goals: 7.A.

Manage the future development of Escambia County in a manner consistent with the ability to provide adequate infrastructure and protect important resources.

Response:

The development as outlined in preliminary from above is well within the available services of the county's infrastructure and will not degrade any level of services below those prescribed. In fact, a proposed industrial development impacts on any level of service will be extremely minimal. Furthermore, prior to issuance of any development

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order, county staff will thoroughly review, through the DRC process, the development concurrence.

4. Objectives 7.A.2: Future Land Use and Natural Resources

Coordinate future land uses with the appropriate topography, soils conditions and the availability of facilities and services by including regulations within the LDC pursuant to Policy 7.A.2.1 and Objective 11.B.3, among others (reference Policy 7.A.1).

Response:

A future land use amendment approved in 2008 on the subject property is consistent with this objective in that the topography, soils conditions, and available facilities and services are conducive to industrial development.

5. Policy 7.A.3.7: Buffers

The county shall ensure the compatibility of adjacent land uses by requiring buffers designed to protect the lower intensity use from the more intensive use (agricultural from residential, residential from commercial, etc.). the buffer shall function to:

- 1. Protect each land use, one from the other, from the intrusive effects of adjacent land use activities.*
- 2. Protect agricultural activities from trespass, pets, vehicles, noise and other disruptive impacts that may be associated with nonagricultural land use.*
- 3. Protect nonagricultural land uses from normal agricultural activities, such as application of pesticides and fertilizers, and the creation of noise, glare, odor, dust, and smoke.*
- 4. The negative impacts of the uses upon other must be minimized or, preferable eliminated by buffer such that the long term continuance of either use is not threatened by such impacts. In other words, incompatibility between uses is eliminated (or minimized) and the uses may be considered compatible (which means a condition in which land uses or other conditions can co-exist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*

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5. *Types of buffers: The buffer may be a landscape natural barrier, a natural barrier or a landscape natural barrier supplemented with fencing or other manmade barriers, so long as the function of the buffer and the intent of this policy are fulfilled.*

Response:

The approved land use amendment and subsequent proposed industrial development will further these goals by providing an extensive buffer that allows the co-existence of surrounding land uses without any undue negative impact. Although there are very few land uses without any undue negative impact. Although there are very few land uses in the area that might be impacted, the subject property is buffered from any potential impacts on surrounding land uses by extensive wooded areas and open space on its northern and eastern boundaries. Additionally, the sparse residential uses located on the easterly boundary has the potential to be buffered with natural buffering a majority of which is mostly opaque when viewed from the residential lot. Light industrial uses on its western boundary will have extensive buffering as well as a railroad right of way. The extensive natural buffering surrounding the parcel will allow for any proposed development to essentially eliminate any potential negative impact on surrounding land uses.

6. **Objective 7.A.4: Future Land Use Categories**

The county shall ensure that orderly and balanced growth and development of the county continues and that such growth is guided and directed in such a way as to provide for a clear separation of urban and rural uses.

Response:

An ID-2 land use category for the subject parcel was achieved through a future land use amendment which allows for heavy industrial development combined with the proposed rezoning of ID-2 keeps the subject property consistent with Objective 7.A.4 as heavy industrial uses are already in existence on adjacent properties and residential uses are extremely sparse. Allowing continued industrial development in the immediate area will not only be consistent with the industrial character of the immediate vicinity, but it will further the county's object of balance, compact and orderly development. It is important to note that residential development in the area is extremely sparse and further limited by the existing light industrial uses, making the subject property ideal for continued industrial development.

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7. Policy 7.A.4.2 Public Facilities

Public facilities and services shall be located to minimize their cost, minimize negative impacts on the natural environment and maximize their efficiency. Cost alternatives, impacts on the environment and levels of efficiency shall be determined during the design phase and bid process utilized by the county to accomplish the installation or location of public facilities and/or services. In addition, the county will coordinate with the Emerald Coast Utility Authority, other water and/or sewer providers and state or federal agencies with facilities located in the county or with plans to expand facilities or create new facility in the county. Among other things, it is the intent of this policy that public facilities and services are available to support the densities and intensities of uses provided by this ordinance and the future land use map and that there is adequate and suitable for such utility facilities.

Response:

The subject site is ideal for this type of use because it requires limited infrastructure, and the infrastructure that is already present or readily obtainable. Although the area is rural, services such as solid waste collection are accessible and conveniently located for service to the subject property without environmental impacts, easement over adjacent properties or without degrading existing levels of services. In addition, as discussed above, there will be no impact on the local water system, as the owner will obtain potable water via a well. Also, impact on sewage service is not applicable as septic tanks will have to be installed in accordance with county/State health requirements. Consequently, the proposed development will not result in a reduction of services provided in the comprehensive plan.

8. Policy 7.A.4.3: Urban Sprawl

To promote compact development and discourage urban sprawl, residential rezoning and future land use map amendments to categorize allowing higher densities will be allowed for parcels located within the following Future Land Use categories: Residential, Urban Residential, Mixed Use 1, and Mixed use 2, provided that all other amendment criteria are met. Residential rezoning and future land use map amendments to categories allowing higher densities will be discouraged within the following future land use categories: Agricultural, Rural Residential, Low Density Residential, Mixed use 3, Mixed Use 4, Mixed Use 5, and remaining activity areas (Nodes).

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Response:

The approved Land Use amendment and proposed rezoning and subsequent development of the subject property, discourages urban sprawl by confining industrial uses to areas where residential development is discouraged (as noted above Policy 7.A.4.3 mandates that residential rezoning is discouraged in agricultural areas such as Node 15, thereby, encouraging the confinement of residential uses to residential and urban areas.

9. Policy 7.A.4.7: Future Land Use Categories (Densities and Intensities)

The following permitted uses and densities and intensities of use are hereby established for each land use category depicted on the future land use map. The LDC (reference Policy 7.A.1.1) shall include regulations pursuant to Policy 7.A.2.1 (b) with the following:

h. The industrial category includes approximately 8,262 acres which is approximately 2.1 percent of the county. This category for and allows intensive industrial development and uses and ancillary commercial uses and provides protection for such from adjacent or nearby adjacent properties. It is the intent of this policy to create protected industrial areas to facilitate the continued industrial operations within the county and provide jobs and employment security for present and future residents of the county. The intensity of use for lands within this category shall be defined by limiting the maximum amount of impervious surface to 85 percent and a floor area of 1.1. Also, the height area and bulk restrictions contained within the county's zoning ordinance will further limit and restrict the intensity of use.

Response:

The proposed development for this property include industrial land uses similar to those described for this future land use category making the proposed rezoning compatible with the future land use amendment granted for said property. Impervious surface areas will not exceed 85% or a floor area ratio of 1.1, all height, area, and bulk restriction will be adhered to, and all buffer requirements (as discussed above) will be met.

10. Policy 7.A.4.1: Location Criteria

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In addition to provisions contained within other portions of this plan, locational criteria for new nonresidential uses which are not part of a predominately residential development or a planned development or a planned unit development include:

D. Industrial uses:

- 1. Industrial uses shall be located so that the negative impacts of industrial land uses on the functions of natural systems shall, as a first priority, be avoided. When impacts are unavoidable, those impacts shall be minimized.**
- 2. Site for industrial development shall be accessible to essential public and private facilities and services at the levels of service adopted in this plan.**
- 3. New industrial uses which may be proposed for the MU-1 category may be permitted provided such use conforms to the ID-CP and ID-1 zoning category.**
- 4. Sites for industrial land use shall be located with convenient access to the labor supply, raw material source, and market areas.**
- 5. New industrial uses shall be located on parcels of land large enough to adequately support the type of industrial development proposed and minimize any adverse effects upon surrounding properties. Compatibility of land uses shall be ensured consistent with Policy 7.A.3.7.**
- 6. These industrial locational criteria apply to those future land use categories where industrial development is permitted (i.e. RAN # 13 , Cantonment, Industrial, etc.) and does not provide or permit industrial land use in those categories which do not provide for such uses.**

Response:

The proposed development for this property would be ideally located to minimize potential impacts on natural systems while providing a maximum level of access to essential public and private facilities and services. In addition, the subject property is large enough to adequately support the type of industrial development proposed and, due to the extensive natural buffering and the undeveloped nature of the area effects upon surrounding properties. The location of this development also allows for convenient delivery of goods to the urban areas of Escambia County in need as well as to rural areas in the northern part of the County.

Exhibit "A"

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2665 Solo Dos Familiaf
Pensacola, FL 32534
Phone (850) 478-5250
Fax (850) 479-5901

Conclusion

It is our contention that this proposed rezoning combined with the large scale amendment granted would not only be consistent with the Comprehensive Plan of Escambia County but would also compliment and further the goals of this pln. The character of the area is conducive to industrial uses as heavy industrial uses already present and the existing natural buffers would essentially eliminate any significant impact on sparse residential uses that exist in the surrounding areas. Furthermore, as discussed above, the property is an ideal location for industrial uses that expand or create new uses required to efficiently utilize modify and expand the production of other construction materials that are required for building and maintenance of roads which is an absolute necessity for the continued growth and prosperity of Escambia County.

Exhibit "A"

COMPARITIVE ANALYSIS

- A. POTABLE WATER:** Water service is available along Quintette Road within the area of the proposed rezoning. The service provider is Cottage Hill Water Works. The existing Service is provided for the 37 developed light industrial and heavy Industrial uses with a total monthly average consumption of 632,420 gallons. Commercial development of the parcel would be expected to consume less than one tenth percent of the utility's current excess capacity. Based on this average consumption, Cottage hill appears to have system-wide capacity to accommodate the potential impacts of the proposed rezoning.

There is also availability for individual uses to provide a well depending on the ultimate final use and water need. However any proposed use required little water and could be easily serviced requiring no potable water infrastructure extensions to accommodate the requested rezoning. The adopted level of service (LOS) standards for potable water are established in Comprehensive Plan Policy 10.D.2.3, and Cottage Hill's standard is 122 gallons per capita per day. Cottage Hill facilities currently have a design capacity of 2.16 million gallons of water per day and an average daily flow of 109,520 gallons with a 5% current demand of design capacity. Therefore, there will be no burden on the existing water supplier for the area and the proposed zoning change will not result in a reduction of service for the public facilities below the level of service currently provided in the comprehensive plan. Non-residential development has no associated population that can be used to evaluate the potential impacts on the provider's adopted per capita LOS.

- B. SEWER:** Emerald Coast Utility Authority (ECUA) nor any other provider presently has sewer collection lines that can serve the parcel. Sewer systems are approximately two miles north of Well Line Road, being the northerly limits of required connection of occupied structures to ECUA's system per Comprehensive Plan Policy 10.A.3.1. With the completion of the central county wastewater treatment facility the parcel may be included in an expanded ECUA service area. However any proposed use does not require the use of or extension of sewer service. The minimal need for sewer may be handled with an on-site sewage treatment and disposal system requiring permitting through the Escambia County Health Department. As such the proposed zoning change will not result in a reduction of service for the public facilities blow the level of service

Exhibit "B"

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2665 Solo Dos Familiaf
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Fax (850) 479-5901

provided in the Comprehensive Plan Policy 10.A.2.2 which is an average of 210 gallons per residential connection per day and peak of 350 gallons per residential connection per day. With the policy stating that the LOS requirements for non-residential uses shall be based upon an equivalent residential connection calculated by the provider and on the size of the non-residential water meter. However, with no services provided the parcel is limited to the onsite treatment and disposal.

- C. **SOLID WASTE DISPOSAL:** A combination of onsite garbage collection containers or dumpsters and individual containers will be provided for solid waste disposal and on site pick up by BFI Waste Systems, which provides solid waste disposal for the property. With no specific characterization or quantification of waste to be generated, in keeping with Comprehensive Plan Policy 10.B.2.3, the adopted LOS standard for solid waste disposal in the county is six pounds per capita per day. Solid waste from the parcel will be disposed at the Perdido Landfill. The current build-out of the 424-acre landfill facility is 74 acres with a recent mining project reclaiming 22 acres. Based on population growth projections and estimated annual Class 1 municipal solid waste (MSW) received, the estimated remaining life of the landfill is 70 years. The municipal solid waste received at the landfill includes both residential and non-residential sources, with any Class 1 MSW resulting from approval of the rezoning appears to be addressed broadly through the landfill documented accommodation of projected population growth. There will be no reduction of the existing level of service as required by the comprehensive plan.
- D. **STORMWATER MANAGEMENT:** In compliance with Comprehensive Plan Policy 10.C.2.2 retention ponds will be designed and constructed on the site to comply with post development run-off requirements not exceeding the predevelopment run-off rate from any proposed development. The ponds will be will be designed to attenuate, per county ordinance, a minimum 25 year critical duration storm event as well as provide, at a minimum, treatment of the first ½ inch of runoff. All proposed development will comply with design and performance standards pursuant to Chapter 62-25 F.A.C., in its entirety (including exemptions and Chapter 62-4 and 62-302 F.A.C. Any development of said parcel will not degrade the ability of a area-wide system to adequately retain/detain/store and control stormwater run-off. Any design and construction for all channels of stormwater systems under arterial and collector roads be predicated upon, at least a 100-year strom event. Other measures will include erosion and sediment control during the construction period as well as stabilization by vegetation once any construction is complete. The stormwater management plan will also have an

Exhibit "B"

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2665 Solo Dos Familiaf
Pensacola, FL 32534
Phone (850) 478-5250
Fax (850) 479-5901

accompanied maintenance plan to ensure the long term functioning of the system. In accordance with county ordinances, any stormwater discharge on the site shall be treated or managed on the site in accordance with federal, state and/or local permits prior to discharge from site. Any new development on the parcel must meet LOS requirements and may necessitate the construction of stormwater management facility complying with drainage LOS compliance would be reviewed as part of site development approval through a development review process.

- E. RECREATION AND OPEN SPACE:** Any proposed industrial development does not raise any significant issues with recreation and open space. With the granting of the large scale amendment to the future land use classification of the parcel limits non-residential uses which creates no potential for additional population and, therefore, no demand for recreation and open space acreage.
- F. TRAFFIC:** Associated with the Future Land Use Amendment the county's Transportation & Traffic Operations Division analyzed the impacts on area roads from trips generated by potential uses of the parcel. That analysis estimated the impacted road segments of Quintette Road, Palafox Highway, and U.S. Highway 29 would all maintain their levels of service established in Comprehensive Plan Policy 8.A.1.3 and would meet the test for concurrency prescribed by Land Development Code (LDC) Section 5.12.00. Potential trip generation was based on "general light industrial" land use as defined by Institute of Transportation Engineers. Using data specifically derived from a proposed use calculating maximum trips per hour will not impact the Level of Service of CR 184, Quintette Road from US 29 to the Santa Rosa County Line based on Escambia County Engineering Department, Transportation & Traffic Operations Division, Traffic and Level of Service Report stating currently operating at 72% of operating capacity and still has approximately 500 trips per day still available. Moreover, CR 184 is not a hurricane evacuation route. That use is a more trip-intensive use than possible heavy industrial use and is best-fit characterization of the potential impacts of industrial FLU. Additionally, the same land use designation was applied to the existing area asphalt plant during the traffic impact review.
- G. Schools:** With the granting of the large scale amendment to the future land use classification of the parcel limits non-residential uses which creates no potential for additional population and, therefore, no demand for school capacity.

Exhibit "B"

Panhandle Hold, LLC
Sols Dos Familiaf
Pensacola, FL 32534
Phone (850) 478-5250
Fax (850) 479-5901

REC'D JUN 07 2012

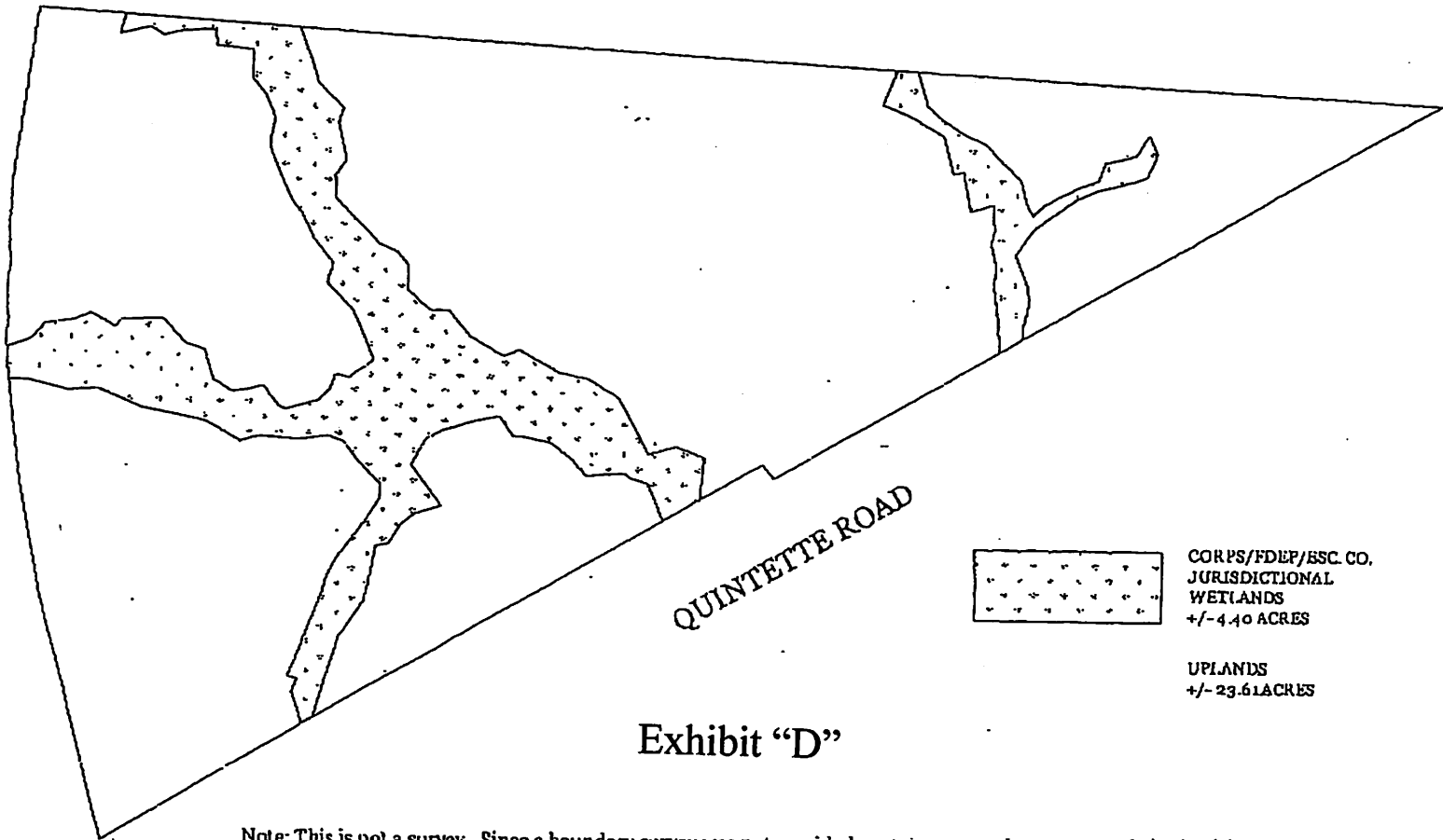
Site Description and Proposed Development

The proposed rezoning is located in the Southwest quarter of the Southeast quarter of Section 26, Township 2 North, Range 31 West, and shall border and have access to County Road 184/East Quintette Road (hereafter "the property"). The property address is the 100 Block of Quintette Road and is owned by Panhandle Holdings, LLC. The size of the property is a total of 27.5 acres.

The property is currently undeveloped land and is centrally located in a predominantly industrial corridor. The property has wooded and open areas providing significant natural buffers between the subject property and other existing zoning classification. The property is located in Activity Node 15 and is currently zoned VAG-1 with a Future Land Use of Industrial (ID) approved through a Future Land Use Amendment in 2008. The proposed use for the property is to create additional industrial use consistent in the area. Properties in the vicinity consist of mostly undeveloped wooded lots. Properties that are developed consist of a scattered mix of residential, agricultural, light industrial, and heavy industrial. Heavy and light industrial is the primary land use in the immediate vicinity which makes further industrial development consistent with existing use of the area.

For the above-mentioned reasons, the proposed zoning change to ID-2 is appropriate for the area promoting industrial development consistent with existing uses in the area.

Exhibit "C"



CORPS/FDEP/BSC. CO.
 JURISDICTIONAL
 WETLANDS
 +/- 4.40 ACRES

UPLANDS
 +/- 23.61 ACRES

Exhibit "D"

Note: This is not a survey. Since a boundary survey was not provided, certain assumptions were made in the field regarding the location of property corners. The dimensions of the property lines and corners were assumed using data from Escambia County Property Appraiser's Office. The attached sketch should be considered as approximate unless verified by survey or other means.

WETLAND
SCIENCES
 INCORPORATED

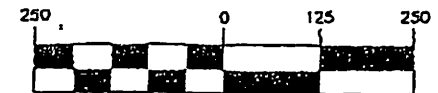
JURISDICTIONAL WETLAND SKETCH

PROJECT #2008-098

DATE: MAY 5, 2008

DRAWN BY: JAT

SCALE: 1" = 250'



1 inch = 250 ft.

AN ARCHAEOLOGICAL AND HISTORICAL SURVEY OF
THE PANHANDLE PAVING & GRADING PARCEL
ESCAMBIA COUNTY, FLORIDA



Panamerican Consultants, Inc.
4430 Yarmouth Place
Pensacola, Florida 32514

July 2008

**AN ARCHAEOLOGICAL AND HISTORICAL SURVEY OF
THE PANHANDLE PAVING & GRADING PARCEL
ESCAMBIA COUNTY, FLORIDA**

Prepared for:

Panhandle Grading & Paving
2665 Solo Dos Familias
Pensacola, Florida 32534

Prepared by:

Panamerican Consultants, Inc.
4430 Yarmouth Place
Pensacola, Florida 32514

Gregory A. Mikell, RPA
Principal Investigator

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ABSTRACT

In July 2008, Panamerican Consultants, Inc. (PCI), Pensacola, Florida, conducted a cultural resource assessment survey of the 27.5-acre Panhandle Paving and Grading (PP&G) tract on Quintette Road (SR 184) in Escambia County, Florida. The survey was designed to satisfy the requirements of Chapter 1A-46 of the *Florida Administrative Code*, and to comply with Chapters 267 and 373, Florida Statutes, as well as other state and regional regulatory requirements. The purpose of this investigation was to identify cultural resources, including archaeological sites, historic structures, and historic features, within the project area and assess their potential eligibility for listing in the National Register of Historic Places.

Located in east-central Escambia County east of the town of Cantonment, the PP&G project area consists of a 27.5-acre tract located on the north side of State Road 184 and immediately east of the CSX rail line. No archaeological sites or standing structures were found on the property. No further archaeological work or historic research is recommended for the property as identified by the current PP&G project.

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INTRODUCTION

Located in east-central Escambia County, east of the town of Cantonment, the Panhandle Paving and Grading (PP&G) project area is situated immediately north of State Road 184 (SR 184), which is also known as Quintette Road, and immediately east of the CSX rail line running north out of Pensacola (Figure 1). The project area includes a single tract of land covering 27.5 acres in Section 26 within Township 2 North, Range 31 West on the Molino, Fla. 1978 (photorevised [PR] 1987) USGS 7.5' topographic quadrangle (Figure 1). In mid-July, 2008, Panamerican Consultants, Inc., Pensacola, Florida, completed a cultural resource assessment survey of the PP&G parcel (Figures 1-4). This survey was completed in accordance with Chapters 267 and 373 of the Florida Statutes, and Florida's Coastal Management Program.

ENVIRONMENTAL SETTING

The PP&G tract is located on the sloping edges of a fairly broad ridge crest landform and surrounds the headwaters of Williams Creek. Williams Creek flows to the east for about 2 km into the Escambia River floodplain. The CSX rail line forms the western boundary of the parcel and has resulted in an alteration of the natural landscape and drainage characteristics therein (Figure 1). The project area occupies an area classified as broad ridge crests within an upland coastal pine forest environment (Hardin 1990). Natural vegetation consisted of mixed hardwood (live and water oak, hickory, and magnolia) and pine on the sloping margins of the ridge crest along drainage heads, but now the PP&G tract is in planted pine with only scattered hardwoods remaining.

The project area lies within the broad Gulf Coastal Plain Physiographic region. The Coastal Plain is a broad belt consisting primarily of unconsolidated sands, silts, and clays. Waggoner (1975:6) characterized the Coastal Plain of the northern Gulf Coast as "...a basically parallel series of cuestas forming a belted coastal plain. The belting resulted from the differential erosion of parallel strata of different materials with differing resistance. Cuestas have developed on the resistant strata, while the inner lowland strata have undergone intensive erosion and lowlands have resulted. The outcome is an undulating surface." Escambia County is divided into two physiographic areas: the Western Highlands and the Gulf Coast Lowlands (Cooke 1944; Marsh 1955). The project area is located in the Western Highlands division, which is described as a southward sloping plateau that has been dissected by numerous streams associated with three major drainages: the Perdido, Escambia, and Blackwater Rivers (Carlisle 1960). Within the PP&G tract, elevations range from 80 to 120 feet (ft.) above mean sea level (amsl).

SOILS

Norfolk- Ruston-Savannah soils are mapped in the PP&G project area (Carlisle 1960: General Soil Map). These soils are described as well-drained to moderately well-drained sandy loam soils with yellowish clay subsoils. Four specific soil types have been mapped within the project area. The dominant soil types are Lakeland, Ruston, and Norfolk soils, 0-5 and 5-12 percent slopes, and Lakeland loamy fine sand, 0-5 percent

slopes. Other soils present in the project area are mixed alluvial soils along Williams Creek (Carlisle 1960: Map Sheet 39).

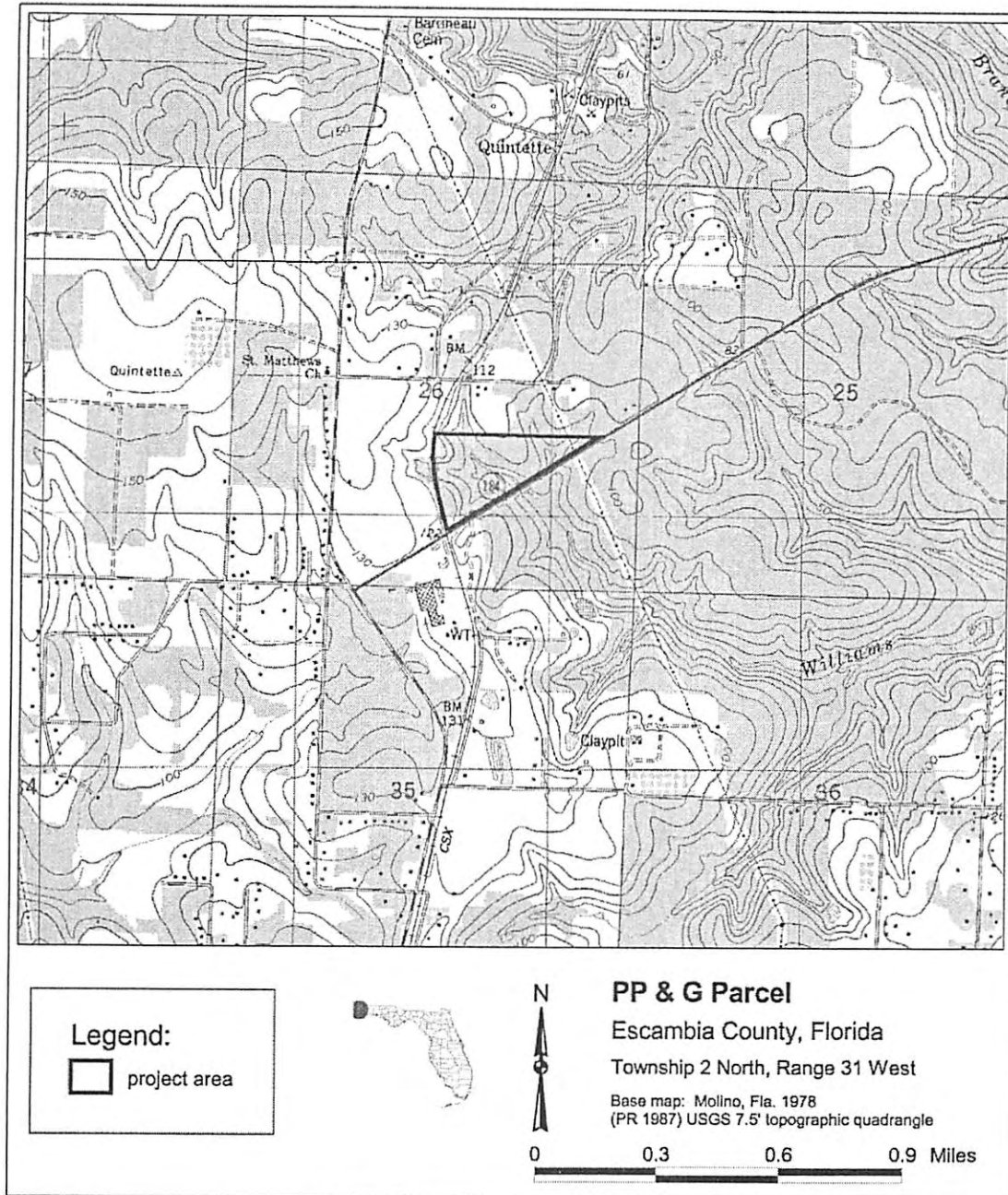


Figure 1. Project Location Map.

CLIMATE

The climate of Escambia County has been described as warm humid-temperate. Summers tend to be long, warm, and humid, while winters are short and mild. Temperatures are moderated by the Gulf of Mexico. Average temperatures in the summer are around 80° Fahrenheit (F), and those in the winter are roughly 54° F. Total annual precipitation averages 65 inches, with half of this typically falling in the summer

months. Destructive hurricanes are known to occur in roughly one year in eight (Carlisle 1960). The climate experienced in the historic past throughout the Florida Panhandle would have been very similar to the modern climate (Miller 1998).

FLORA AND FAUNA

The PP&G project area was predominantly characterized by planted pine and secondary hardwoods prior to recent clearing (Figure 2). The native vegetation that would have characterized this area prior to the planting of pine included scrub oak, water oak, longleaf and slash pine, and wiregrass (Carlisle 1960). Fauna native to such environments in Florida include a diverse variety of birds, mammals, and reptiles. Mammals include white-tailed deer, gray fox, spotted skunk, raccoon, bobcat, and several rodent species. The historic range of the Florida panther also includes the area (Fernald and Purdum 1996). The fauna observed at the time of the field investigation included various birds and rodents.

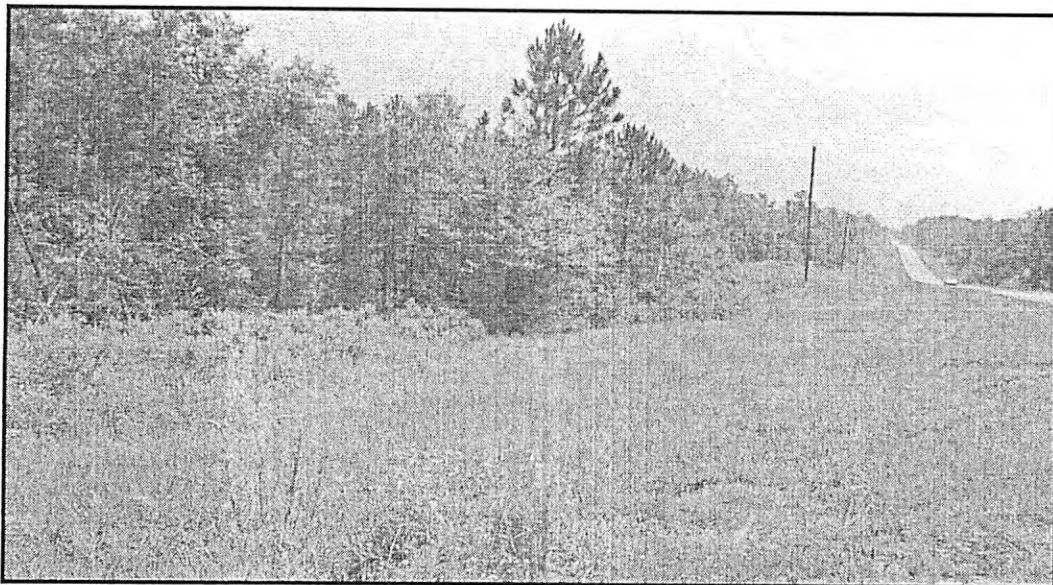


Figure 2. Photograph of the PP&G parcel along Quintette Road, view to the northeast.

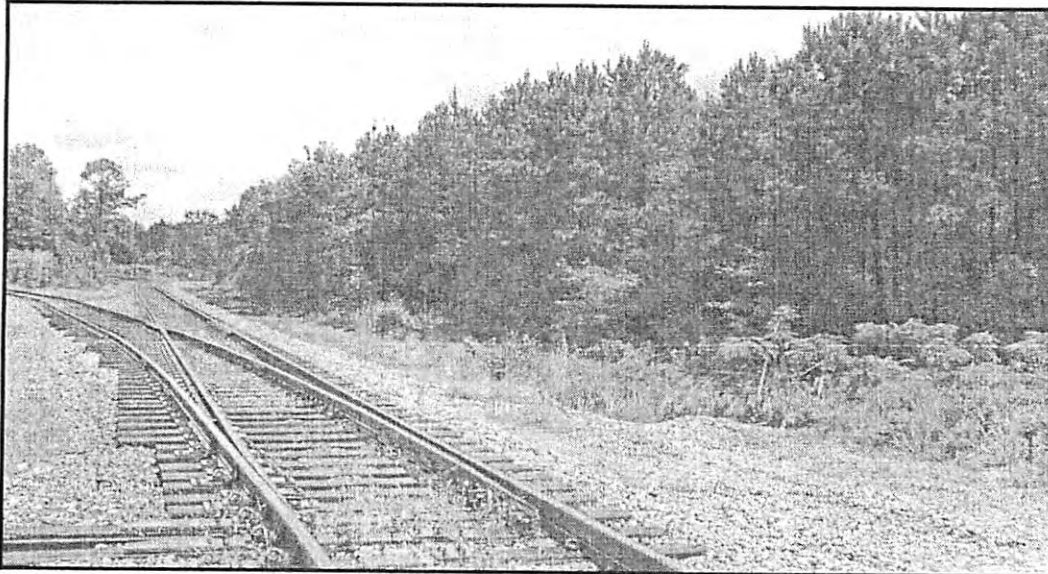


Figure 3. Photograph of the PP&G parcel along from the CSX rail line, view to the north.

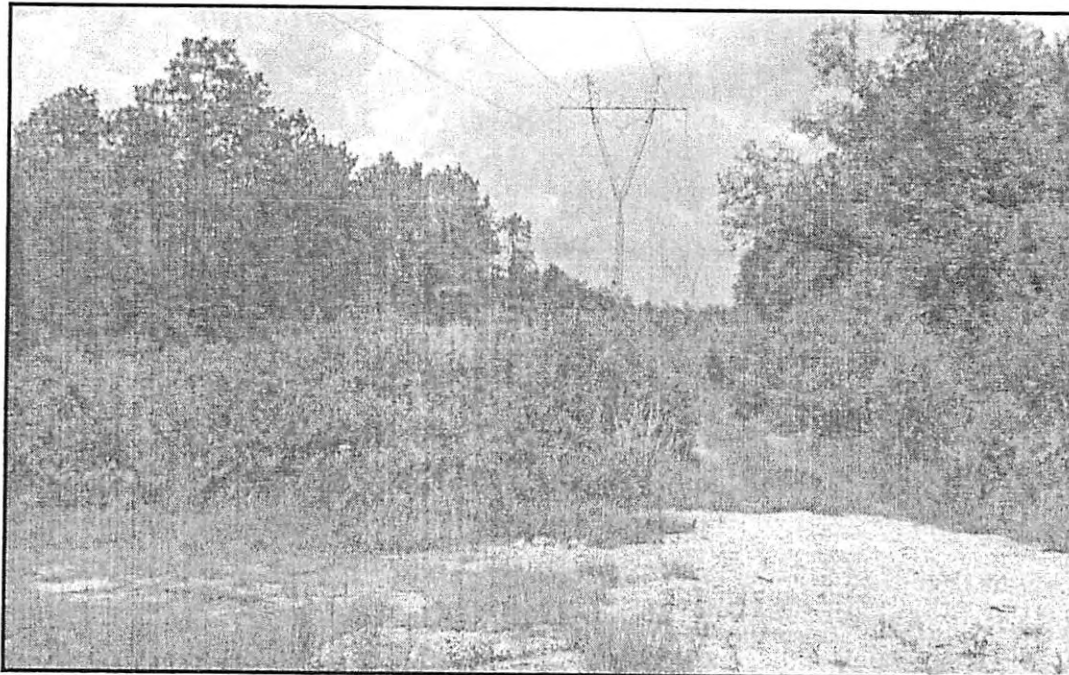


Figure 4. Photograph of the PP&G parcel where the Gulf Power Co. transmission line crosses the northeast corner, view to the north-northwest.

ARCHAEOLOGICAL AND HISTORICAL CONTEXT FOR NORTHWEST FLORIDA

ARCHAEOLOGICAL CONTEXT

The Escambia County area has a rich and varied cultural history. Settlement and use of the project area began thousands of years ago and continues today, as Escambia County is one of the fastest growing counties in Florida. Initially, small prehistoric populations settled on and hunted along the many streams that flow through the area, particularly on the Perdido and Escambia rivers and their tributaries. Population densities

grew slowly, and this is reflected by gradually increasing numbers of archaeological sites through time. The same is true of the historic period, as the Cantonment area was largely a rural farming community with limited industry and commerce until the mid-1900s. An overview of the prehistoric and historic contexts of northwest Florida culture history follows. Table 1 summarizes the prehistoric and historic chronology of northwest Florida in general.

Table 1. Prehistoric, Protohistoric, and Historic Cultural Sequence for Northwest Florida.

Stage	Period	General Dates	Culture
Paleo-Indian		14,000-10,500 B.P.	Unnamed
	Transitional	10,500-10,000 B.P.	Dalton
Archaic	Early	10,000-7000 B.P.	Kirk/Bolen
	Middle	7000-5000 B.P.	Unnamed
	Late	5000-3000 B.P.	Unnamed
Gulf Formational	Middle-Late	3000-2500 B.P.	Elliot's Point-Norwood
Woodland	Early	2500-1700 B.P.	Deptford
	Middle	1700-1550 B.P.	Santa Rosa/Swift Creek
	Late	1550-1000 B.P.	Weeden Island
Mississippian	Early-Middle	1000-450 B.P.	Fort Walton: Little's Bayou and Indian Bayou phases; Pensacola: Bottle Creek phase
	Late/Protohistoric	450-250 B.P.	Fort Walton: Fourmile Pt. phase; Pensacola: Bear Point phase
Colonial	First Spanish	A.D. 1528-1763	Spanish Colonial, Protohistoric and Early Historic Aboriginal
	British	A.D. 1763-1781	British Colonial
	Second Spanish	A.D. 1781-1821	Spanish Colonial, American Colonial
American	Early American-Civil War	A.D. 1821-1865	American
	Late 19th-early 20th century	A.D. 1865-1925	American
	Mid 20th century	A.D. 1925-1950s	American

PREHISTORIC CONTEXT

The prehistoric archaeological record for northwest Florida extends to between 10-12,000 years ago and indicates that prehistoric aboriginal populations were present until the time of contact with Spanish explorers in the sixteenth century. While the Paleo-Indian Stage is not well represented in the project area, the Archaic, Woodland, and Mississippian stages are represented by thousands of archaeological sites located throughout the Panhandle region. The following discussion of the prehistoric context for the project area relies primarily on data from sites west of the Tallahassee Red Hills and Apalachicola Valley areas, but also draws on information from archaeological sites of extra-regional significance as well.

Paleo-Indian Stage (14,000-10,000 B.P.)

The Paleo-Indian Stage (ca. 14,000-10,000 B.P.) is generally represented by cultural material complexes that include large, thin lanceolate stone points made on

bifacially worked blade flakes. "Classic" Paleo-Indian points exhibit a flute or channel flake scar at their base that apparently served some purpose in a specialized means of hafting. In Florida, Suwannee and Simpson types are predominant and are usually associated with a lithic tool kit of thumbnail scrapers, blades and flake knives, and graters. Generally speaking, most Paleo-Indian sites in the southeastern United States are surface lithic scatters, individual finds, or occur as components of multicomponent sites, and this is true of northwest Florida. While Florida has some well-documented Paleo-Indian sites, such as Harney Flats in the Tampa Bay area (8HI507) (Daniel and Wisenbaker 1987) that are an exception to the general situation, no well-documented Paleo-Indian sites are known in northwest Florida west of the Apalachicola drainage system. The distribution of known Paleo-Indian sites throughout Florida suggests that primary habitation areas were located along waterways and springs in central, north, and northwest Florida, including the nearby Chipola and Choctawhatchee rivers, and Holmes Creek (Waller and Dunbar 1977). Additional data suggests that the occurrence of Paleo-Indian sites can be expected in areas of Tertiary Karst deposits that are scattered across inland portions of the Florida Panhandle. In these areas, Paleo-Indian sites are most likely to be found adjacent to spring-fed lakes and ponds, and drainage heads along major divides, especially around springs.

The best evidence of Paleo-Indian occupation in west Florida is represented by point types that are viewed as Transitional or Terminal Paleo-Indian/Early Archaic (ca. 10,500-10,000 B.P.). This transitional period is marked by the appearance of the Dalton projectile point style across the Southeast and may reflect changes in technology related to an environment changing from the cooler, wetter conditions of the late Pleistocene forests to the warmer and drier conditions of the early Holocene where greater diversity in hunting and gathering practices is evident (Bense 1994; Milanich 1994). The Dalton projectile point type is most common, although specimens of the types known as Nuckolls and Wacissa have also been found in northwest Florida (Thomas and Campbell 1993). These point types are all related in age and represent a change in technology away from the production of fluted points.

The Paleo-Indian settlement pattern tends to reflect a strictly nomadic lifestyle based on hunting and gathering. If Paleo-Indian populations were intensively exploiting coastal environments in the project region, evidence is now submerged. Paleo-Indian-period Florida was a considerably larger landmass than present-day Florida. At about 8500 B.P., the sea level rose, prompted by a global warming trend. This rise in water level would have submerged any sites that were located on the former coast and in lower river deltas and valleys. With a rise in sea level, water table levels would also have risen, inundating spring-associated inland sites. Earlier Paleo-Indian and Dalton sites are rare, but do occur in proximity to the project area, particularly along the Escambia River drainages (Dunbar 1980; Waller and Dunbar 1977).

Archaic Stage (10,000-2500 B.P.)

Charles Fairbanks (1964:27) noted that in northwest Florida, Archaic sites are often found in the sandy uplands and sandy knolls adjacent to either lakes or swamps; as Fairbanks observed, however, very few of these sites are deeply stratified. Tesar (1980:34) also noted that these early sites tend to concentrate around river marsh and swamp habitats, where freshwater mollusks, fish, reptiles, and other game and food resources were readily available. The Escambia County area contains environments suitable for the occurrence of Archaic sites and many have been recorded in Escambia County and neighboring Escambia and Okaloosa Counties.

Archaeologists have divided the Archaic Stage into three periods: Early (10,000-7000 B.P.), Middle (7000-5000 B.P.), and Late (5000-3000 B.P.). Each of the periods is identified by certain technological and cultural developments. In much of northwest Florida, it is often difficult to distinguish between Archaic occupations because so many sites have been identified on the basis of only a few diagnostic artifacts and because so few stratified sites have been excavated and reported. This situation is especially true of Early and Middle Archaic sites, whereas the introduction of fiber-tempered pottery during the Late Archaic period makes these later Archaic sites more readily identifiable.

Following a transitional period commonly referred to as the Late or Terminal Paleo-Indian period, the Early Archaic period becomes recognizable archaeologically as a change in point manufacturing technologies and morphology. Specifically, the Early Archaic is distinguished from the Paleo-Indian by the disappearance of classic Paleo-Indian point types and the widespread occurrence of smaller projectile point types (such as Bolen or Kirk), drills, graters, adzes, and grinding stones. Caching of stone tools is also identified with the Early Archaic and, unlike the Paleo-Indian Stage, there is evidence of semi-nomadic settlement patterns that include seasonally occupied base camps and smaller resource extraction camps (Tesar 1980). The archaeological record indicates a continued reliance on hunting and gathering, but the more diverse tool assemblage hints at increasing specialization (Milanich 1994).

In terms of cultural materials, the Middle Archaic is distinguished from the Early Archaic by the appearance of a variety of new artifact types and craft media which including grooved groundstone axes, stone pendants, early bannerstone forms, a well developed bone-tool industry, atlatls, and new projectile point types (Griffin 1967). The quality and workmanship of many Middle Archaic artifacts suggests an increasing improvement in groundstone and bone tool industries.

Throughout the Southeast, the appearance of new tool types and large base camps has been presumed to represent the addition of refined and/or new economic and subsistence activities. In particular, an increased reliance on shellfish and the presence of large base camps located adjacent to lakes, swamps, and streams are hallmarks of the Middle Archaic in the Southeast. In the Florida Panhandle, the Middle Archaic marks the appearance of the Florida Archaic Stemmed point series (Newnan, Levy, Putnam, and Marion) and Savannah River Stemmed points, specialized tools such as microliths, burins, large chopping implements, and an array of expedient tools.

The Middle Archaic marks a shift from a more dispersed settlement pattern to one of more nucleated floodplain base camps with numerous satellite camps. This shift in settlement pattern may have been in response to Altithermal climatic conditions when post-glacial temperatures peaked. Middle Archaic economic adaptations involved hunting, fishing, and gathering technologies designed to exploit a limited number of primary resources, but appear associated with a more highly organized social system.

As mentioned above, the Late Archaic in northwest Florida witnessed the appearance of fiber-tempered pottery. The Late Archaic period throughout the Southeast is also marked by the appearance of a few very large sites, such as Poverty Point in Louisiana, the establishment of extensive trade networks, increased sedentism, the widespread distribution of stemmed projectile points, and refinement of Middle Archaic technologies. In northwest Florida, the Late Archaic is somewhat poorly understood because continued use of broad-bladed stemmed projectile points often make pre-ceramic Late Archaic and Middle Archaic sites indistinguishable. The early portion of the Late Archaic period marks the initial adaptive response to the establishment of modern estuary systems, with the initial appearance of shell middens, between 5000 and 6000 years ago (Mikell 1999, 2001; Mikell and Saunders 2007).

The settlement patterns evident throughout the Archaic Stage indicate a tendency toward sedentism and village life that seems to be well established by the Late Archaic-Woodland transition; pottery is, as a rule, closely associated with sedentary settlements. The Late Archaic-Woodland transition is often classified as the Gulf Formational period (Walthall and Jenkins 1976). The Gulf Formational bears evidence of significant changes from preceding Late Archaic cultures. Among these are apparent increases in population, the widespread appearance of dense village middens, possible experimentation with plant food production, and regional interaction and trade. A local Gulf Formational period regional complex related to Poverty Point of the lower Mississippi Valley, the Elliot's Point complex, has been identified on the Choctawhatchee Bay by various investigators (Fairbanks 1960; Lazarus 1958; Thomas and Campbell 1993:527-541). The Elliot's Point complex includes "designed" fired clay balls, a microlith industry, and other Poverty Point-like expressions.

Although fiber-tempered pottery is a Late Archaic/Gulf Formational phenomenon, pottery certainly is not as common on Late Archaic sites as it is on later sites. In northwest Florida, fiber-tempered pottery is tentatively identified with the Norwood series as defined by Phelps (1965). Norwood series pottery is found on sites from the Apalachee Bay west to Pensacola and inland into Alabama and Georgia. Willey (1949:359-60) recognized that in northwest Florida, fiber-tempered pottery types are found in association with the later Deptford complex, even though fiber-tempered pottery sites on the Georgia and South Carolina coast predate Deptford period pottery. The appearance of pottery during the Late Archaic signals a transition, which led to later developments during the Woodland Stage.

Woodland Stage (2500-1000 B.P.)

Deptford (2500-1700 B.P.)

Deptford sites have been recognized both in the Lower Atlantic slope and northeast Gulf Coast regions, and the Deptford period has been variously dated to between ca. 2600 and 1500 B.P. (Milanich 1973, 1994; Tesar 1980; Willey 1949). Deptford sites are identified through a series of paddle-malleated, sand-tempered ceramics. Common Deptford pottery types include Deptford Check Stamped, Deptford Simple Stamped, Deptford Linear Check Stamped and various associated net, fabric, dowel and cord impressed types, complicated stamped types, and plain pottery. These Deptford types commonly occur on coastal and river valley village sites that are indicative of sedentary occupations. Deptford sites on the Gulf Coast often contain ceramics associated with related cultures from as far away the Tombigbee and Alabama River Valley regions and indicate the presence of extensive trade networks.

In terms of settlement, Milanich and Fairbanks (1980:69-72) identify two favored locales for Deptford sites: 1) coastal live oak stands either on off-shore islands or on the mainland, but always near marshes or lagoons; or 2) inland river valleys. Milanich (1973:56) argues that Deptford was basically a coastal adaptation based on fishing and shellfish exploitation and that inland sites represent temporary, river valley resource extraction sites. Tesar (1980), on the other hand, argued that Deptford sites located in the Apalachicola Valley and near the interior lakes of Leon County represent permanent occupations of the interior and the establishment of an inland-coastal exchange network. Bense (1985) argues for a base camp-satellite camp settlement pattern in northwest Florida, where base camps are marked by the presence of shell middens that are almost exclusively on the coast in lower bay live oak/hickory hammocks or on barrier islands near brackish or fresh water sources. Deptford subsistence patterns reflect exploitation of a wide range of terrestrial and aquatic resources.

There are few documented Deptford burial mounds, but those that are known suggest that the initial appearance of burial mound mortuary ritual, which may be Hopewell-related and are known as the Yent complex (Sears 1962), occurred during the Deptford period. Yent complex artifacts indicate exchange and include exotic items such as copper, mica, conch shells, ear spools, and non-local ceramics, as well as burial mound construction. Deptford camps and village sites are common to the St. Andrew Bay area and the Choctawhatchee Basin; two of the best documented Deptford sites in the region are the Hawkshaw site (8ES1287) in Pensacola (Bense 1985) and Pirate's Bay (8OK183) in Fort Walton Beach (Thomas and Campbell 1985).

Santa Rosa/Swift Creek (1700-1550 B.P.)

Although Willey (1949) defined Santa Rosa/Swift Creek as a cultural period that is usually dated to between 1900 and 1500 B.P., there is a great deal of debate as to whether or not it is a true cultural period or a set of influences that effect a long transition between the clearly recognizable Deptford and Weeden Island periods. This is especially true for the region of northwest Florida west of the Apalachicola Valley and along the

immediate Gulf Coast. East of the Apalachicola Valley, Swift Creek culture forms a clear cultural period. Santa Rosa, which was apparently centered west of the project area, is believed to be only a religious phenomenon to the east of the Pensacola area. In essence, the Middle Woodland period culture of Escambia County was an amalgamation of different influences: Marksville from the lower Mississippi Valley, Hopewell from the Ohio Valley, the complicated stamped ceramic tradition (Swift Creek) from the central and northern Georgia region, and the indigenous Deptford and emergent Weeden Island cultures.

Santa Rosa/Swift Creek is identified by the presence of complicated stamped, incised, shell stamped, punctated, check stamped, and cord marked ceramics of the Santa Rosa and Swift Creek series. In northwest Florida, these ceramics are usually sand or grog-tempered and have a micaceous paste. Common Santa Rosa/Swift Creek types include early Swift Creek Complicated Stamped varieties, Alligator Bayou Stamped, Basin Bayou Incised, Santa Rosa Stamped and Punctated types, Gulf Check Stamped, West Florida Cord Marked, and Franklin Plain (Willey 1949).

There are numerous ceremonial structures in Escambia County that contain Santa Rosa/Swift Creek ceramics and apparently predate the Weeden Island period. Santa Rosa/Swift Creek mortuary practices included the use of exotic imported materials and goods, including galena, mica, hematite, and copper artifacts. This and other evidence suggests aesthetic and ideological affinities with the Hopewellian sphere of influence (Struever 1972) and perhaps direct or indirect ties with Mesoamerica via the Gulf or lower Mississippi Valley. Indirect ties to the Ohio River Hopewell and the lower Mississippi Marksville and Troyville are not questioned, but as Willey observed (1949:564), Santa Rosa/Swift Creek ceramics in northwest Florida are locally made, not imported. The socio-religious aspect of Santa Rosa/Swift Creek culture has been defined as the Green Point complex (Sears 1962); the Green Point and preceding Yent complexes appear to be closely related, with few differences aside from ceramic styles.

Settlement patterns for Santa Rosa/Swift Creek appear to be clusters of small villages located near coves, bayous, and marshes on larger bays and in the larger river valleys. Ceremonial structures are often located away from villages. Subsistence practices appear to change little between Deptford and Santa Rosa/Swift Creek, although Milanich (1973:54) suggests that Swift Creek people probably practiced horticulture. Sites with Santa Rosa and Swift Creek ceramics are common in northwest Florida. Santa Rosa/Swift Creek sites tend to be oriented toward the coast and larger rivers in northwest Florida, but a well known site, Bernath Place (8SR986), is located on Mulatto Bayou (Memory 1991; Phillips 1992).

Weeden Island (1550-1000 B.P.)

The hallmark of the Woodland Stage on the northern Gulf Coast of Florida is the Weeden Island period, which dates from as early as 1600 B.P. to about 1000 B.P. Weeden Island is best known for its exotic, non-utilitarian pottery and mortuary rituals, which included the construction of burial mounds. Willey (1949) defined Weeden Island ceramic assemblages as including "carry-overs" of some earlier Santa Rosa and Swift

Creek types as well as numerous new and distinctive types of sand tempered pottery. Common northwest Florida Weeden Island types include late varieties of Swift Creek Complicated Stamped; Weeden Island Punctated, Incised, Zoned Red-Painted, and Plain; Carrabelle Punctated and Incised; Indian Pass Incised; Keith Incised; Tucker Ridge Pinched; West Florida Cord Marked; and the ever-present Wakulla Check Stamped.

Recent research indicates that Weeden Island refers to several distinct regional cultures that shared similar basic ceremonial complexes related, in northwest Florida, to the Yent-Green Point complex (Sears 1962). The basic Weeden Island ceremonial complex may have been related to specific social and political patterns leading to the advent of chiefdoms (Milanich 1994), but not all Weeden Island traits are found within all regions of the Weeden Island culture area, which stretches from the Mobile Bay area to the Tampa Bay area along the Gulf Coast. Many Weeden Island “related” and Weeden Island “period” cultural complexes are found along the Gulf Coast and inland on major rivers as far from the coast as the upper Alabama River and the middle Chattahoochee River. Weeden Island sites literally dot the landscape of northwest Florida and several are located on the Escambia River and around Pensacola Bay.

Weeden Island was initially described as a coastal culture with no inland manifestations (Willey 1949; Willey and Woodbury 1942). More recent investigations indicate that Weeden Island sites, including major villages and ceremonial centers, are common well inland from the Gulf Coast within larger river valleys of north Florida and southern Georgia and Alabama (Kohler 1978; Milanich 1974; Milanich and Fairbanks 1980; Milanich et al. 1984; Sears 1956). Several researchers cite evidence of increasing centralization of authority and economic power during the Weeden Island period; this is especially true of evidence recovered from some of the larger ceremonial centers (Milanich and Fairbanks 1980; Sears 1956). This interpretation closely follows that of Percy and Brose (1974), who postulated that changes in Weeden Island settlement patterns were a result of increases in population and an increasing reliance on horticulture that fostered a more centralized system of authority and economic control, but “did not give rise to ranked chiefdoms where authority and political office were inherited.”

Weeden Island can be described as a dynamic culture that represents a widespread acceptance of a basic cultural and ideological framework, which spread over the entire northern Gulf Coast of Florida. The elaboration of earlier Woodland ceremonial, mortuary, and exchange traditions as seen in Weeden Island reflects a basic sociopolitical pattern that was associated with a hunting-gathering-horticultural adaptation to the Gulf Coastal Plain region. These sociopolitical practices were reinforced by a set of religious beliefs involving various ceremonies and practices, including archaeologically reconstructed burial mound mortuary treatment for at least a segment of the various populations associated with the Weeden Island phenomenon. Approximately 1300 B.P., for reasons that are currently not well understood, Weeden Island culture—or at least Weeden Island mortuary ritual and the production of exotic pottery—declines and disappears by between 1000 and 800 B.P., just prior to or in conjunction with an influx of Mississippian cultural and ideological influences.

Mississippian Stage (1000-250 B.P.)

Fort Walton and Pensacola (1000-250 B.P.)

The Mississippian Stage is represented in Escambia County by the closely related and sometimes inseparable Fort Walton and Pensacola traditions of northwest Florida and lower Alabama. The Fort Walton and Pensacola periods in northwest Florida date from about 1000 to 800 B.P. to 250 B.P. Fort Walton sites are common to the Choctawhatchee region and east to the Tallahassee Red Hills. Pensacola sites are common along the coast from the Choctawhatchee Bay to west of Mobile Bay and up the Mobile, Tensaw, lower Tombigbee, and lower Alabama rivers. The basic difference in these two closely related "cultures" is tempering agents used in pottery production and a greater reliance on agriculture by Fort Walton populations in the Tallahassee Red Hills region. Shared elements of Mississippian material culture such as ceramic styles and manufacturing technologies, copper and shell artifacts, and construction of flat-topped temple mounds are characteristic of several Gulf Coastal sites that are considered to be "...identical to those found at Etowah and Moundville" (Milanich and Fairbanks 1980:193). Moundville and Etowah are two well-known, major Mississippian centers located in west central Alabama and northwest Georgia, respectively.

Although one hallmark of Mississippian culture is intensive reliance on efficient agriculture, there is little evidence for this form of subsistence in northwest Florida outside the Tallahassee Red Hills region and the Apalachicola Valley. Despite this "missing ingredient," the coastal and marginal interior area manifestations of Fort Walton and Pensacola are clearly linked to the Mississippianization of the Gulf Coast region. In fact, Willey (1949) associated Fort Walton with other Mississippian cultures and described it as a coastal adaptation or variant since the type site (8OK6: Fort Walton Temple Mound), like several other large Fort Walton and Pensacola sites, is located on the coast. Willey also defined the Fort Walton ceramic series as including the following types: Lake Jackson Plain and Incised, Fort Walton Incised, Point Washington Incised, Marsh Island Incised, and the incised and plain varieties of the Pensacola series. Major Pensacola types include several varieties of D'Olive, Mound Place, Moundville, and Pensacola Incised, and varieties of Bell Plain and Mississippi Plain. Moundville derived ceramics, such as Moundville Incised and Moundville Engraved types, are also found in some Fort Walton and Pensacola assemblages. Pensacola ceramics tend to increase in frequency in later Fort Walton ceramic assemblages from sites located west of the Apalachicola Valley. Such an increase likely represents increasing social and economic influence from the Mobile Bay region late in the period (Mikell 1992).

Brose and Percy (1978) note that Fort Walton sites located west of the Apalachicola Valley are found primarily along the coast from St. Andrew Bay to Mobile Bay. These Fort Walton sites consist of a few ceremonial centers along with a number of small villages and campsites. Brose and Percy conclude that Fort Walton west of the Apalachicola appears to be a continuation of the Weeden Island socio-economic pattern with the addition of Mississippian social organization as derived from earlier Fort Walton developments in the Apalachicola Valley and Tallahassee Red Hills regions. Mikell (1992, 1993, 1995b) has defined three phases of the Fort Walton variant on

Choctawhatchee Bay: Little's Bayou (1000-800 B.P.), Indian Bayou (800-500 B.P.), and Fourmile Point (500-250 B.P.).

Fuller (1985, 1998), Milanich (1994), and Stowe (1985) view Pensacola as a Moundville derived coastal manifestation or variant. The area encompassed by the Pensacola variant includes the northern Gulf Coast west of Choctawhatchee Bay to the Pascagoula River in Mississippi and up the Tombigbee and Alabama River to about Jackson and Camden, Alabama, respectively. Three phases have been defined: Andrews Place (1000-800 B.P.), Bottle Creek (800-450 B.P.), and Bear Point (450-250 B.P.).

Apparently, the Fort Walton and Pensacola cultures remained viable in northwest Florida and southwestern Alabama (Fuller 1985, 1998; Fuller and Brown 1998; Fuller and Stowe 1982; Mikell 1994, 1995a, 1995b; Scarry 1990; Stowe 1985) until Spanish explorers introduced diseases that resulted in major declines in population which, in turn, undermined social and economic conditions to the point of decline and the eventual disappearance of this prehistoric culture. Fort Walton and Pensacola developed into the tribal groups and chiefdoms known as the Apalachee, Apalachicolas, Chatot or Chacato, Tomeh, Mobile, and the historically recorded Pensacola (Panzacola) by the time of the Hernando de Soto and Tristan de Luna expeditions (Knight 1984; Scarry 1990). The Chacato and Apalachicolas, who were likely descendants of the Fort Walton archeological culture, are believed to have occupied the Florida Panhandle region during the late prehistoric and Protohistoric periods, or between the early 1500s and 1700. Fort Walton/Pensacola sites or sites with Fort Walton and Pensacola components are quite common in the Choctawhatchee and Pensacola Bay areas, but are less common in inland areas not associated with larger rivers.

HISTORIC CONTEXT

As is the case with the prehistoric archaeological record, northwest Florida has a rich history and historic archaeological record. While much of the focus of historic archaeological investigation is associated with Spanish coastal exploration and European colonization of the Pensacola area, rural area settlement outside of Pensacola is also of key interest in the development of the area. While settlement in proximity to Pensacola began as early as the late eighteenth-century, settlement began in earnest by the early nineteenth-century. The Cantonment and Milton areas figured prominently in the settlement of the Pensacola area, particularly during the nineteenth and early twentieth centuries.

Aboriginal Cultures of the Colonial Period (A.D. 1528-1763)

In conjunction with the establishment of the Spanish mission system and the increasing emergence of European influence after A.D. 1650, the Leon-Jefferson period is recognized to the east of the project area. As a result of influences from European powers, Leon-Jefferson communities were concentrated in proximity to missions, trading posts, and forts (Jones et al. 1991; Milanich and Fairbanks 1980). Jones et al. (1991), Milanich (1994), and others have observed that new types of ceramics were introduced into late Fort Walton assemblages and that the major means of subsistence was based on

agriculture. Between 1601 and 1695, more than 100 missions were established in Spanish Florida, but few existed west of the Apalachicola River. Very few Leon-Jefferson sites are known west of the Apalachicola and those that are identified are poorly understood; the early historic aboriginal period for the project area is undefined.

As for the Pensacola Bay area, the apparent remnants of the prehistoric cultures underwent a major transition during the period of initial contact with Europeans. This period is referred to as the Protohistoric period. Don Diego Miruelo may have been the first European to sail into Pensacola Bay in 1516 and Alonzo Alvarez de Pineda is believed to have entered Pensacola Bay in 1519, but there are no records that confirm the Miruelo and Pineda expeditions actually entered Pensacola Bay. It is likely that Panfilo de Narvaez and Cabeca de Vaca were on Pensacola Bay in 1528 and Franciso Maldonado spent time on Pensacola and Mobile bays between 1540 and 1543, first exploring creeks and rivers west of Apalachicola Bay and later searching for survivors of the de Soto expedition. Maldonado named the bay Ochuse, the first known name for the Pensacola Bay. Little is known of the native populations that these explorers may have encountered on Pensacola Bay (Hann 1988).

By the time of de Luna's attempt to establish a colony at Pensacola in 1559, the aboriginal populations in the Pensacola area had been diminished, probably by disease. The last of the indigenous aboriginal cultures in the area were the Pensacola, who were decimated by raiding parties and tribal wars (Hann 1988). In the early 1700s, Creek tribes from the north in present-day Alabama and tribes associated with the Apalachee missions in the Tallahassee area moved into the Pensacola area. Beginning with Spanish settlement of the Pensacola area in the late seventeenth century (1698), records indicate various aboriginal groups sparsely inhabited the project area. By the early 1700s, most of the north Florida tribes, including the Apalachee, Apalachino, and Chato, had been devastated by attacks from the Georgia colonists and had retreated west as far as Mobile Bay. The vacant areas outside of Pensacola were then claimed and periodically settled by the Lower Creeks and their allies.

European Colonial Period (A.D. 1763-1821)

The Pensacola Bay system is one of a few bays on the Gulf Coast with a natural, permanently open pass sufficient for large colonial period ships. Early in the Protohistoric, or Spanish Exploratory period, the Spanish recognized the navigational advantages of Pensacola Bay and it was considered for a resupply point during the de Soto expedition. Two decades later, Pensacola Bay was selected as the site for a colonial settlement to be established by the Luna expedition in 1559. Because both these expeditions failed to identify valuable natural resources to exploit in the Southeast and revealed the difficulty in establishing and maintaining settlements, the Spanish chose to use the Southeast as a buffer zone or "borderland" to protect the lucrative mineral resources in the Mesoamerican area.

Luna's 1559 colony, the first European settlement in North America, was unsuccessful. Luna's attempt to establish a colony on Pensacola Bay preceded the establishment of St. Augustine by six years and the English settlement at Jamestown by

50 years. In August 1559, Luna established a settlement somewhere on Pensacola Bay, then called the Bay of Ochuse. The settlement, named Santa Maria Filipina for the Virgin Mary and Philip II, the King of Spain, has never been located, but one of Luna's ships has been identified in the shallow waters off Emanuel Point (Smith et al. 1998). Within a month of its establishment, the settlement was struck by a hurricane that destroyed most of Luna's ships and the colony's provisions. The attempt at colonization was abandoned within two years. Europeans did not settle the area again until 1698.

The Spanish revisited Pensacola Bay again in 1693 and 1695. In 1693, Andres de Pez and Carlos de Siguenza headed an expedition to Pensacola Bay; they carefully mapped the bay and named it Bahia Santa Maria de Galve. The Governor-elect of St. Augustine, Laeano de Torres, also visited the bay that year and described it as a good port capable of being easily fortified, but that no building stone was available and the Panzacola village was deserted. The occupation of Pensacola Bay was soon ordered and in 1695, Don Andres de Arriola reconnoitered the northern Gulf Coast, recommending establishing settlements on the Mississippi River rather than Pensacola. Arriola's recommendations were not followed, however, and eventually Pensacola Bay was chosen for occupation.

Despite a few intrusions by the French and English, Spain had the Southeast to itself until the successful establishment of the English colony and Charleston in 1670. In the Late Colonial period, the English expanded into Spanish territory on the Atlantic seaboard. The English encroachment was paralleled by French expansion down the Mississippi Valley. The English and French expansions were essentially uncontested, and as a result, Spanish holdings shrank rapidly during the seventeenth century. By 1698, the Spanish attempted to stop French expansion by establishing presidios at Pensacola in west Florida and in west central Louisiana. In fear of French aggression, the re-establishment of Pensacola became a priority and the settlement of Santa Maria de Galve was established under the command of Arriola. Santa Maria de Galve consisted of a settlement of 300 people and a fort located on present-day Naval Air Station Pensacola west of Fort Barrancas. The establishment of Santa Maria de Galve marks the beginning of the First Spanish period (1698-1763) of Florida history.

War broke out between Spain and France in 1718 and the Pensacola area, including Santa Maria de Galve, was taken by force. For several weeks, a small contingent of French soldiers was posted at the burned remnants of Santa Maria de Galve prior to their return to Mobile. When a peace treaty was signed between Spain and France in 1722, the area was returned to the Spanish. A new settlement was established on Santa Rosa Island in 1722 in an attempt to avoid constant attack by the Mobile and Creek Indians, who were allied with the French and English at various times. The new settlement was named Santa Rosa Punta de Sigeunza and has been documented archaeologically (Smith 1965). Santa Rosa Punta de Sigeunza was destroyed in 1752 by a hurricane. Following this, a third Spanish settlement at Pensacola was established on the mainland near the San Miguel mission, and a blockhouse was constructed in present-day downtown Pensacola between Seville Square and Ferdinand VII Plaza. Ferdinand VII, then King of Spain, ordered that that the settlement be renamed Panzacola, hence the name Pensacola of today. Fort San Miguel was built at Panzacola and cattle ranches

were established in the area.

Florida was transferred to the English in 1763 with the Treaty of Paris, ushering in the British period (1763-1781). The Spaniards departed, taking with them converted Catholic Indians. The British divided Florida into two colonies: West Florida with the capital at Pensacola and East Florida with the capital at St. Augustine. The British found at Pensacola what they described as a “hamlet of forty huts” (Hoffman 1980) and “one hundred huts and hovels clustered in and around a palisaded fort” (Rea 1974). The British rebuilt Pensacola, turning it into a bustling colonial town. The British built homes, set the town plans to a grid by building streets, and rebuilt the old Fort San Miguel, which had fallen into disrepair. By 1780, the British fort at Pensacola consisted of a five-sided cedar stockade with four two-story blockhouses.

In 1779, Spain and England were again at war. Under the command of General Bernardo de Galvez, the Spanish attempted to destroy the British military along the Gulf Coast and Mississippi River. Fearing invasion by the Spanish under Galvez, the British, under the command of General John Campbell, strengthened their defenses in Pensacola.

Beginning in April 1781, the Spanish laid siege to Pensacola, advancing to within one-half mile of the garrison in Pensacola. Following destruction of redoubts protecting the garrison, British forces were no longer able to defend Pensacola and General Campbell surrendered. General Galvez recaptured West Florida and it was returned to Spain in 1781. In 1783, East Florida was also returned to Spain. During the Second Spanish period (1781-1821), Pensacola remained the primary settlement in northwest Florida; however, other small communities were established in the area during the period.

The importance of the Galvez victory in British West Florida cannot be overestimated. All of Florida was formally ceded to Spain in 1783 and the Galvez campaign was also successful in contributing to the decline of British influence in North America in general. Galvez was significant in the American Revolutionary War (1776-1781) in that with the fall of British West Florida, Great Britain lost a strategic military base of operations and its only remaining foothold on the Gulf of Mexico. The fight for control of the Mississippi River and Gulf Coast also kept needed regiments and supplies from Lord Cornwallis during the Battle of Yorktown, the decisive final battle of the American Revolution. Pensacola grew for the next 40 years and became more of a town and less of a military outpost.

The Spanish did little to keep up military defenses in Pensacola, relying on defensive positions north and west of the town, continuing the British military pattern to protect the northern flank of the town and port. Fort George became Fort San Miguel, Prince of Wales Redoubt became Fort Sombrero, and Queen’s Redoubt was rebuilt as Fort San Bernardo. By the 1820s these forts each had fallen into disrepair. Spain’s hold on West Florida weakened as the new American nation grew, and in 1819, after repeated incursions by the American military under Andrew Jackson, Spain ceded Florida to the United States and the Early American period (1821-1861) began. Florida was officially passed from Spain to the United States on July 17, 1821.

Phillips (1993a, 1996) has recorded several water-powered mill sites in Okaloosa, Santa Rosa, and Escambia counties with Colonial period components indicative of British and Second Spanish settlement of the region. One of the earliest known water-driven mills is Arcadia (8SR384) located west of Bagdad. Arcadia was developed initially during the Second Spanish period (ca. 1817) and remained operational until the 1850s when industrial operations were shifted to Bagdad (Phillips 1993b). Many of the Colonial period settlers were Americans from the Carolinas looking for better land. These pioneering families settled near creeks and rivers such as Clear Creek and the Blackwater River on fertile land, essentially “squatting” in Spanish territory, but the Spanish could do little about American encroachment and eventually lost their colony to the United States following the War of 1812 and the Creek Wars of 1813 and 1816.

It was after the Creek Wars that vigorous settlement of the Florida Panhandle began outside of Pensacola. Settlement was hindered initially, however, by the transfer of large tract of land from Spain and various Indian tribes to John Forbes & Company, a Pensacola-based trading company that grew out of the Panton, Leslie & Company. Panton, Leslie & Company dominated the area economically between the 1760s and 1790s (Bense 1999; Carswell 1991). A number of conflicts between white settlers and Native American groups occurred in the Blackwater River area, including an incident in Milton. In April 1837, a group of Creeks came into town to trade, but since the town’s people considered them “fugitives”, hostilities broke out and one Creek man was captured and dragged under a raft of logs until he was dead. This event set in motion a series of reprisals in neighboring Walton County and the establishment of militia in Milton for protection (Rucker 1990).

Early American Period (A.D. 1821-1861)

Florida remained a U.S. territory until 1845, and this period was dominated by military activities. Large brick forts were built at several coastal ports, including Pensacola, and the American military waged three wars on the Seminoles. After statehood was granted in 1845, Pensacola’s social and economic character remained centered around the military presence. Military construction resulted in the development of the local brick industry and paved the way for expansion of the naval stores and timber industries. Between 1828 and 1850, brick manufacturing and export was a major enterprise in the area and in 1851, the first of many foreign shipments of lumber left the port of Pensacola. Several brickyards were constructed on the Perdido, Escambia, and Blackwater Rivers.

By the mid-1800s, numerous water-powered mills were constructed in the area to accommodate the booming lumber industry. An example near the project area is McVoy’s sawmill (8ES1965) on Clear Creek near the University of West Florida campus (Phillips 1993a). By the 1840s, steam-powered mills began replacing traditional water-powered mills and the focus of the timber industry shifted to the area rivers and bays. With this shift, larger mill towns such as Millview on Perdido Bay, Milton and Bagdad on the Blackwater River and Bay, and Century and McDavid in northern Escambia County began to form.

Civil War Period (A.D. 1861-1865)

Florida was part of the United States for only 16 years when it joined the Confederacy in 1861. The forts of the Pensacola Bay area were of critical importance during the Civil War period (1861-1865). Control of Fort Pickens, Fort McRee, and Fort Barrancas was imperative to the Confederacy so that Pensacola could remain a vital port. The Confederate Army seized Pensacola early in 1861, but later that year Union forces took Fort Pickens and controlled the pass from the Gulf of Mexico into Pensacola Bay. Fort Pickens, known as the Santa Rosa Island Garrison to the Union occupation force, was under the command of Colonel Harvey Brown. On October 9, 1861, Confederate General Richard H. Anderson led an attack on Fort Pickens from Pensacola, but was unsuccessful. Early in 1862, General Braxton Bragg ordered the military evacuation of Pensacola and Union forces took control of and occupied the remaining forts in the area and Pensacola until the end of the war. As the Confederate forces left Pensacola, they burned and destroyed port facilities and industrial properties from Pensacola to Milton and Bagdad.

Most of the population of Pensacola abandoned the city in 1862 and maintained a government in exile in Greenville, Alabama. The city was left open for occupation by Union troops for three years. Union troops were stationed in Seville Square and a small fort, Fort McClellan near Lee Square on Palafox Street. Skirmishes between Union and Confederate forces took place north and east of the city as well as near Beulah, Century, and Milton to the north of Pensacola. General Alexander Asboth set out with Union troops from Fort Pickens to conduct a raid on Marianna in late 1864. The fight to control Pensacola Bay, the abandonment of Pensacola, and Asboth's raid were the only major actions of the Civil War in the Panhandle. The Civil War left Pensacola in a general state of disrepair, but Reconstruction brought rapid growth and many changes as the city rebuilt. Arcadia and Bagdad were largely left out of the rebound, however, but Milton continued to develop and was established as the Escambia County seat in the 1870s.

Late-Nineteenth/Early-Twentieth Century and Mid-Twentieth-Century Periods (A.D. 1865-1950s)

Pensacola's port and rail systems were rebuilt immediately following the Civil War and the 1870s saw a resurgence of the timber trade. Great change came to the Panhandle when the Pensacola & Atlantic Railroad (later known as the Louisville & Nashville Railroad) was established in the 1880s. Pensacola's port and rail systems were rebuilt immediately following the Civil War and the 1870s saw a resurgence of the timber trade and the emergence of the turpentine industry. The Pensacola & Louisville and Mobile & Montgomery railroads connected Pensacola, and its 2,000-ft. long wharf on the bay to inland markets, such as Montgomery. In 1881-1882, Pensacola was connected to the Louisville & Nashville Railroad, providing additional rail connections to markets such as Jacksonville to the east. Prior to this time, transportation and communication along the Gulf Coast was maintained by horse and wagon or by flat-bottomed steamers and pole barges that made regular trips along the coast and up rivers to various landings. The Pensacola-St. Augustine Road was a major transportation artery to points east. By the 1830s stagecoaches began hauling mail and passengers between Tallahassee and

Pensacola. With the opening of the railroad, many new immigrants came to the area and the timber industry boomed. The population of Pensacola grew to 13,000 by the mid-1880s.

The establishment of railroads in western Florida opened up the timber and naval-stores industries. Ships from foreign ports arrived in Pensacola for the primary purpose of loading west Florida lumber. New communities were formed at rail depots. Timber-related industries were the driving economic force in the Panhandle until the turn-of-the-century. The building boom of the 1880s and 1890s transformed Pensacola from an isolated frontier town into an industrialized, regional trade center and port. The boom of the late nineteenth century was also an economic boom for the area. An influx of capital resulted in the construction of new churches, schools, hotels, factories, an opera house, a new courthouse, a railroad terminal, and customs house.

In the late 1800s and early 1900s, timber companies cut logging roads deep into Florida's forests, where they harvested thousands of acres of trees for lumber and naval stores. Logging companies typically installed temporary narrow-gauge tracks and used Shay type and other geared locomotives (Figure 6). Geared locomotive engines were well suited to travel on crudely built roadbeds with steep grades and tight radius curves. Pensacola area timber companies with private rail lines included the W.B. Harbeson Lumber Company, which constructed a lumber mill supported by a logging road and a railroad that extended some ten miles into the forests north of DeFuniak Springs. The Alger-Sullivan Lumber Company of Pensacola operated the 197-mile Escambia Railway, which extended through the pinewoods of west Florida and south Alabama. Alger-Sullivan operated one of the longest sawmill roads in the state and among the largest fleets of locomotives in the Southeast. The Bagdad Land & Lumber Company tapped the pine forests of west Florida and south Alabama with the forty-three mile Florida & Alabama Railroad. The Escambia Land and Manufacturing Company's 37-mile railroad, which was built in 1902 west of Pensacola near Perdido Bay, was acquired by the Escambia Mill Company in 1917 (Cline 1997; Stover 1955).

Tourism, agriculture, fishing, and military proprietorship have been the driving economic forces of the twentieth century. The Stock Market Crash of 1929 and the ensuing Great Depression caused the port to languish, but the outbreak of World War II rejuvenated the port. In 1943, the Municipal Port Authority was established, placing the port into public ownership and leading to revitalization. The past 50 years have been a period influenced heavily by the military presence at Pensacola Naval Air Station and its associated facilities, the port of Pensacola, and the growth of the tourist trade in the area. Whiting Field was established in 1943 and is viewed as an important factor in Milton's social and economic development. Whiting Field was one of several auxiliary air fields associated with NAS Pensacola developed to accelerate pilot and air crew training at the onset of the U.S. involvement in World War II.

PREVIOUS ARCHAEOLOGICAL INVESTIGATIONS

Previous Investigations

The earliest archaeological investigations in northwest Florida began in the 1880s with S.T. Walker's (1885) study of shell middens and shell mounds along the Gulf Coast. Walker investigated sites on Pensacola Bay and Santa Rosa Sound. At the turn of the twentieth century, Clarence B. Moore investigated numerous sites on the Gulf Coast, including several on Pensacola Bay, East Bay, and Santa Rosa Sound (Moore 1901, 1918). The next substantive investigations in the project area took place nearly 40 years later.

In 1939, Gordon Willey conducted an extensive investigation of the prehistory of the Florida Gulf Coast, including approximately 500 miles of coastline from Perdido Bay to the southwestern coastal region. In his well-known *Archaeology of the Florida Gulf Coast*, Willey (1949) developed a prehistoric temporal framework that still serves as the basis for the since refined chronologies of the Florida Gulf Coast. His work, which started Florida's modern area of archaeology, resulted in a synthesis where eight cultural periods and the first ceramic typologies for the Gulf Coast were defined. Several researchers followed up Willey's work in northwest Florida with limited investigations of the more "important" sites in the region, generating refined chronologies and culture characterizations for this area, especially for the Woodland and Mississippian stages (Brose 1984; Fairbanks 1960, 1964, 1965; Lazarus 1958, 1961; Percy 1974; Percy and Brose 1974; Sears 1977; Smith 1965). Cultural resource management investigations began in the region by the 1970s. Previous surveys in proximity to the PP&G project area are summarized in Table 2.

Table 2. Previous Surveys in Proximity of the PP&G Property.

State Survey Number	Project Title	Publication Date Authors Sponsor
Pending	An Archaeological and Historical Survey of The Links of Carrington Properties, Escambia County, Florida	2007; Mikell, Gregory A., Brantley Development Corp.

METHODOLOGY

The guidelines for the Historic Preservation Compliance Review Program of the Florida Department of State, Division of Historical Resources include specific testing requirements for each level of investigation. The guidelines for Phase I investigations were implemented and often exceeded during the current cultural resource assessment of the PP&G project area. State guidelines indicate that shovel testing in high probability areas should proceed at 25-meter intervals, with shovel tests in moderate probability areas at 50-meter intervals, and testing in low probability areas on a judgmental basis with approximately 10 percent of such areas subjected to testing. The guidelines indicate that judgmental testing also should be employed in areas of high and moderate site potential to supplement fixed transect interval testing (DHR 2004).

The guidelines further indicate that Phase I cultural resource assessment surveys should consist of an examination of the project area in a manner sufficient to locate and preliminarily evaluate all cultural resources that may be present. This is to be accomplished through the application of both systematic and judgmental visual and subsurface exploration techniques (DHR 2004).

Objectives and Expected Results

PCI's objectives were to discover, document, and record all cultural resources within the project area. Based on a review of several factors, including location of previously recorded archaeological resources in the area, topography, soils, and proximity to water, a predictive model was developed for the project area. The project area was considered to have a low to moderate probability for the occurrence of prehistoric archaeological sites due to an absence of reliable, potable water. The probability of encountering historic archaeological sites was considered moderate to high, however. As recently as the 1980s, furrowed row pine planting took place within much of the PP&G parcel. Aerial photographs of the project area show the extent of clearing within the project area in 1941 (Figure 5). Furrowed pine rows within the sandy environment may have disturbed the ground to depths as much as 50 cm below the surface. Based on the evidence of furrowed row silviculture, the probability of finding undisturbed archaeological remains within the tract was considered somewhat low.

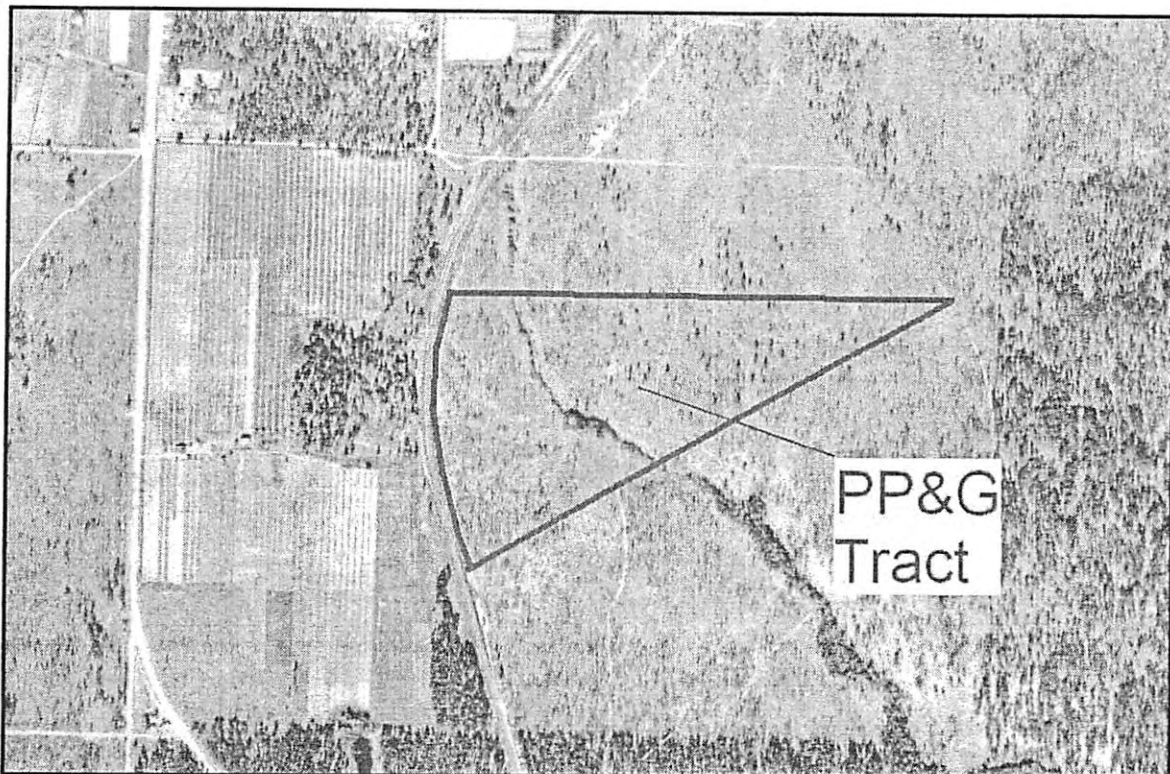


Figure 5. 1941 aerial photograph of the PP&G project area.
((Aerial Photography: Florida, A State University System of Florida PALMM Project:
<http://web.uflib.ufl.edu/digital/collections/FLAP/>).

Site File Search

A Florida Master Site File (FMSF) records review was conducted prior to initiation of fieldwork, using a GIS database, dated January 2008, provided by the FMSF. All files for sites within PP&G properties (n=0) and within 1.5 miles of the project area (n=3) were accessed for data and the primary report resources were obtained and consulted. Also, aerial photographs of the area of PP&G project area were consulted for an initial assessment of site occurrence probability.

Surface Reconnaissance and Subsurface Testing

Prior to shovel testing, a surface reconnaissance of the PP&G tract was conducted where possible. Following the establishment of the area of potential effects, a pedestrian walk-over was conducted to confirm high, moderate, and low probability areas for archaeological site occurrence and pin point where these areas could be tested. A search for surface artifacts (surface reconnaissance) was also conducted during the walk-over and areas were designated for shovel testing.

Shovel testing focused on areas that appeared to have the highest potential for archaeological sites given the absence of surface artifacts and standing structures within the PP&G tract. Shovel tests were placed along transects that adequately crossed various landforms at 25 to 50-m. Shovel tests were also placed judgmentally at various points within the properties. Shovel tests were excavated 50-x-50 cm by one meter deep (unless precluded by a natural barrier such as bedrock or groundwater) at intervals that never exceeded 50 meters, unless obvious disturbance precluded excavation. Soil removed from all shovel tests was screened through 1/4-inch (0.625-cm) hardware cloth dry screens. All shovel tests were backfilled. Horizontal provenience control was maintained through reference to topographic features, roads, and survey markers. Stratigraphy and soil types were recorded for each shovel test. All field procedures were documented in daily field journals and were supplemented by way of photographs and standardized field forms. Shovel tests and surface reconnaissance areas were mapped on a USGS quadrangle form field map. High-resolution, color digital photographs were taken of various areas within the tract. Field notes, map notation, and photo documentation of survey areas were maintained throughout the field phase.

RESULTS OF INVESTIGATIONS

Site File and Documents Search

A Florida Master Site File (FMSF) records review indicated that no previously recorded prehistoric archaeological sites or standing historic structures are located within the project area, although sites are recorded nearby. Three archaeological sites are recorded within one mile of the PP&G tract. No historic structures are recorded within or immediately adjacent to PP&G tract. The archaeological cultural resources identified within the general vicinity of the project areas are summarized in Table 3. The locations of previously recorded sites and previous surveys in proximity to the PP&G tract are depicted in Figure 6.

Table 3. Previously Recorded Sites within 1.5 Miles of the PP&G Property.

Site Number	Site Description	NRHP Eligibility	Reference
8ES1042	Historic artifact scatter, American 19 th to 20 th Century	No evaluation	Unknown recorder
8ES3332	Historic artifact scatter, American 20 th Century	Ineligible	Mikell 2007
8ES3333	Historic artifact scatter (homestead), American late 19 th to 20 th Century	Ineligible	Mikell 2007

A search of the Bureau of Land Management (BLM) General Land Office (GLO) homestead and land patent records indicated that the PP&G tract is located within the 1860 Theodore W. Brenard patent (cash entry, BLM GLO Accession/Serial No. FL0290_.207) issued for the southeast quarter of Section 26 and the east half of the southwest quarter of Section 26 (240 acres). A homestead is clearly visible to the west of the PP&G tract in 1941 (Figure 5) and several other homestead and other land patents are located in the area as well.

Surface Reconnaissance

The surface reconnaissance did not result in the observation or collection of historic or prehistoric surface artifacts of any kind. Modern refuse items were observed in many locations on the properties, but these materials result from refuse dumping and camping activities that appear to primarily post-date the 1950s. The previous clearing and erosion of a few areas and the presence of dirt roads facilitated the pedestrian survey. There are no standing structures in the project parcel.

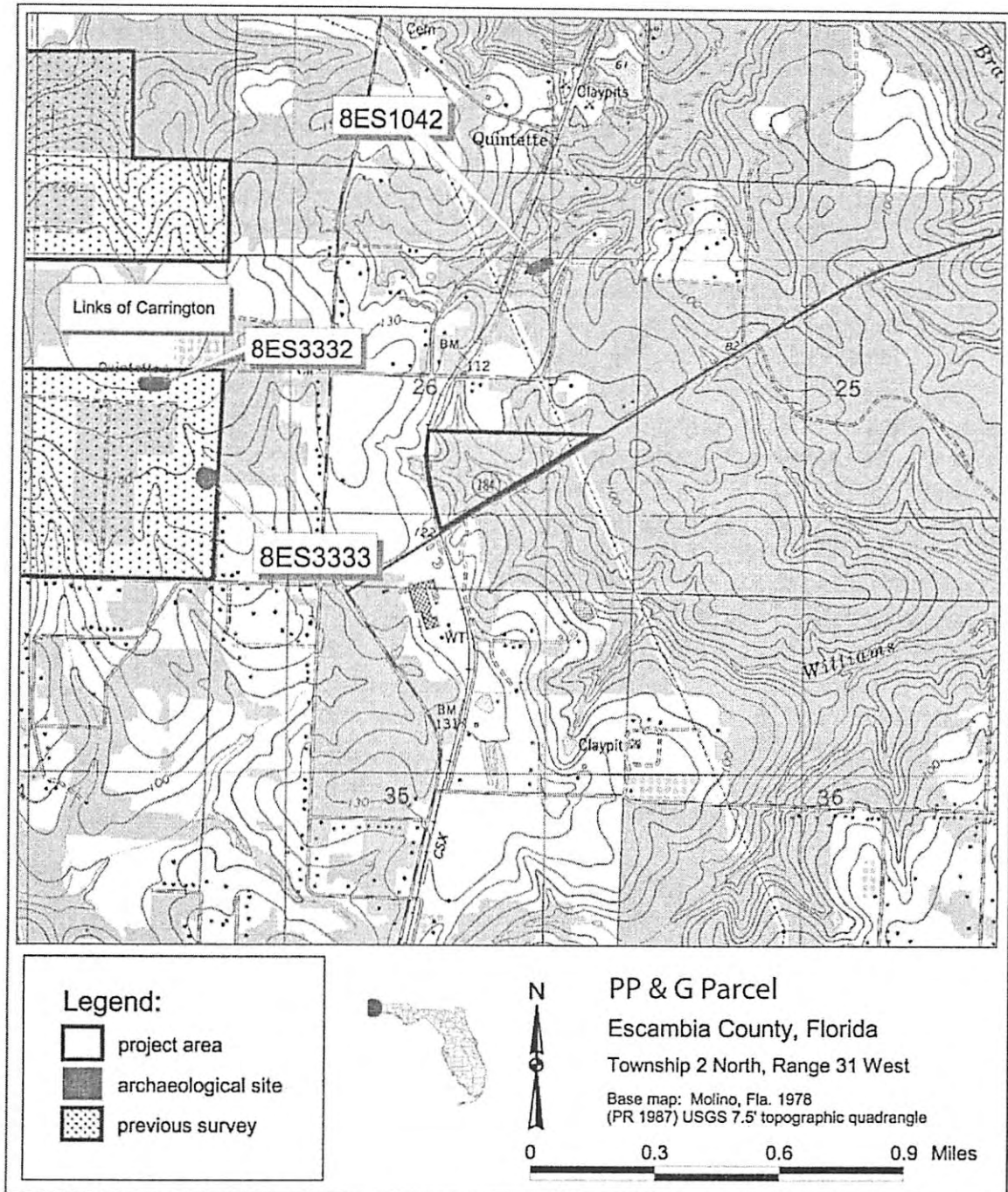


Figure 6. Map showing the PP&G parcel area with the locations of previously surveyed areas and previously recorded sites.

Subsurface Testing

Thirty-five (35) shovel tests were excavated within the PP&G project parcel (Figure 7). Like the surface reconnaissance, shovel testing did not result in the recovery of any prehistoric or historic artifacts or materials. In general, the PP&G tract is characterized by disturbed surface and shallow subsurface soils.

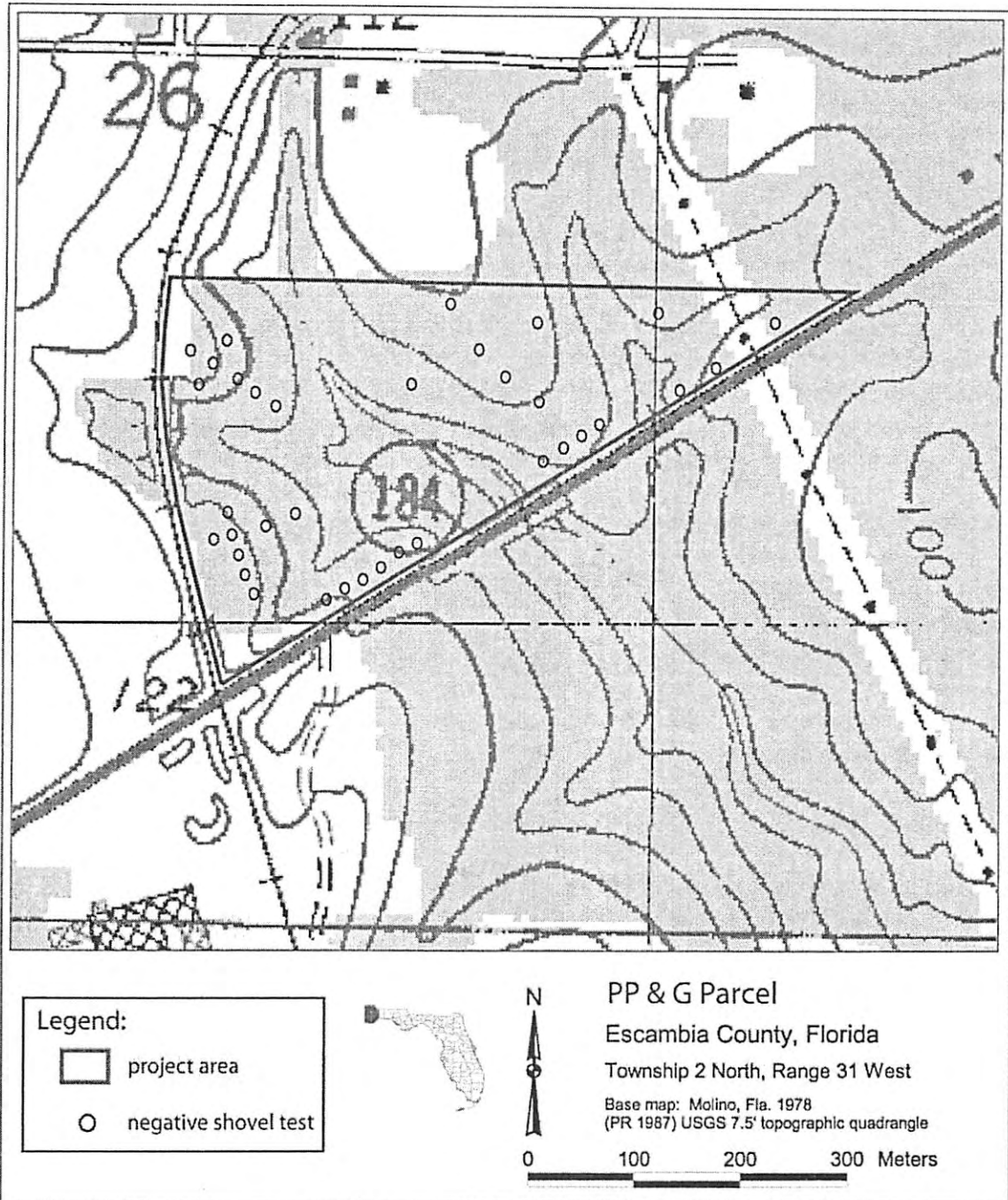


Figure 7. PP&G parcel map showing shovel test locations

SUMMARY AND RECOMMENDATIONS

No archaeological sites or standing structures were found in the PP&G parcel surveyed during the current project. The absence of prehistoric sites can be explained by a lack of reliable potable water within the parcel. Williams Creek within the PP&G tract is a sluggish stream in poorly drained wetlands. The wetlands were largely dry at the time of the survey. In terms of historic site occurrence, it is apparent that the PP&G parcel was not settled historically and limited-use silviculture has been the dominant type of land use in the area.

Because no standing structures or archaeological sites were identified within the PP&G project, which is primarily characterized by disturbed surface and shallow subsurface soils, no further archaeological or historic background investigations are recommended.

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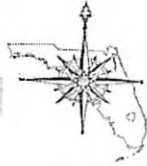
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APPENDIX A
SURVEY LOG SHEET

Ent D (FMSF
Survey # (FMSF only)



only) ___/___/___

Survey Log Sheet

Florida Master Site File
Version 2.0 9/97

Consult *Guide to the Survey Log Sheet* for detailed instructions.

Identification and Bibliographic Information

Survey Project (Name and project phase): Cultural Resource Assessment Survey of The PP&G Tract, Escambia County, Florida.

Report Title (exactly as on title page): An Archaeological and Historical Survey of The Panhandle Paving and Grading Tract, Escambia County, Florida.

Report Author(s) (as on title page— individual or corporate; last names first): Mikell, Gregory A.

Publication Date (year): 2008

Total Number of Pages in Report (Count text, figures, tables, not site forms) 32

Publication Information (If relevant, series and no. in series, publisher, and city. For article or chapter, cite page numbers. Use the style of *American Antiquity*: see *Guide to the Survey Log Sheet*.) _____

Supervisor(s) of Fieldwork (whether or not the same as author[s]; last name first): Mikell, Gregory A.

Affiliation of Fieldworkers (organization, city): Panamerican Consultants, Inc./ Pensacola, Florida

Key Words/Phrases (Don't use the county, or common words like *archaeology, structure, survey, architecture*. Put the most important first. Limit each word or phrase to 25 characters.): IP Landfill Expansion, Perdido River Drainage

Survey Sponsors (corporation, government unit, or person who is directly paying for fieldwork)

Name: Panhandle Paving & Grading, Inc.

Address/Phone: 2665 Solo Dos Familias, Pensacola, Florida 32534/850-433-8588

Recorder of *Log Sheet*: Panamerican Consultants, Inc./Pensacola Date *Log Sheet* Completed 7/14/08

Is this survey or project a continuation of a previous project? No Yes:

Previous survey #(s) [FMSF only] _____

Mapping

Counties (List each one in which field survey was done - do not abbreviate; use supplement sheet if necessary)

Escambia

USGS 1:24,000 Map(s): Map Name/Date of Latest Revision (use supplement sheet if necessary):

Molino, FL 1978 (PR 1987)

Description of Survey Area

Dates for Fieldwork: Start 7/11/08 End 7/14/08

Total Area Surveyed (fill in one) _____ hectares ca. 27.5 acres

Number of Distinct Tracts or Areas:

If Corridor (fill in one for each): **Width:** **Length:**

Survey Log Sheet of the Florida Master Site File

Research and Field Methods

Types of Survey (check all that apply): archaeological architectural historical/archival underwater other:

Preliminary Methods (✓Check as many as apply to the project as a whole. If needed write others at bottom).

- Florida Archives (Gray Building) library research- local public local property or tax records windshield
- Florida Photo Archives (Gray Building) library-special collection – nonlocal newspaper files aerial photography
- FMSF site property search Public Lands Survey (maps at DEP) literature search
- FMSF survey search local informant(s) Sanborn Insurance maps
- other (describe) BLM General Land Office homestead and land patent records _____

Archaeological Methods (Describe the proportion of properties at which method was used by writing in the corresponding letter. Blanks are interpreted as "None.")

F(-ew: 0-20%), S(-ome: 20-50%); M(-ost: 50-90%); or A(-ll, Nearly all: 90-100%). If needed write others at bottom.

Check here if NO archaeological methods were used.

- | | | |
|--|---|--|
| <input type="checkbox"/> M_ surface collection, controlled | <input type="checkbox"/> other screen shovel test (size: _____) | <input type="checkbox"/> block excavation (at least 2x2 M) |
| <input type="checkbox"/> surface collection, uncontrolled | <input type="checkbox"/> water screen (finest size: _____) | <input type="checkbox"/> soil resistivity |
| <input type="checkbox"/> A_ shovel test-1/4" screen | <input type="checkbox"/> posthole tests | <input type="checkbox"/> magnetometer |
| <input type="checkbox"/> shovel test-1/8" screen | <input type="checkbox"/> auger (size: _____) | <input type="checkbox"/> side scan sonar |
| <input type="checkbox"/> shovel test 1/16" screen | <input type="checkbox"/> coring | <input type="checkbox"/> unknown |
| <input type="checkbox"/> shovel test-unscreened | <input type="checkbox"/> test excavation (at least 1x2 M) | |
| <input type="checkbox"/> other (describe): _____ | | |

Historical/Architectural Methods (Describe the proportion of properties at which method was used by writing in the corresponding letter. Blanks are interpreted as "None.")

F(-ew: 0-20%), S(-ome: 20-50%); M(-ost: 50-90%); or A(-ll, Nearly all: 90-100%). If needed write others at bottom.

Check here if NO historical/architectural methods were used.

- | | | | |
|---|--|---|---|
| <input type="checkbox"/> building permits | <input type="checkbox"/> demolition permits | <input type="checkbox"/> neighbor interview | <input type="checkbox"/> subdivision maps |
| <input type="checkbox"/> commercial permits | <input type="checkbox"/> A_ exposed ground inspected | <input type="checkbox"/> occupant interview | <input type="checkbox"/> tax records |
| <input type="checkbox"/> interior documentation | <input type="checkbox"/> local property records | <input type="checkbox"/> occupation permits | <input type="checkbox"/> unknown |
| <input type="checkbox"/> other (describe): BLM GLO patent records _____ | | | |

Scope/Intensity/Procedures: Standard Phase I historic background and archaeological survey

Survey Results (cultural resources recorded)

Site Significance Evaluated? Yes No If Yes, circle NR-eligible/significant site numbers below.

Site Counts: Previously Recorded Sites: 0 Newly Recorded Sites: 0

Previously Recorded Site #'s (List site #'s without "8." Attach supplementary pages if necessary):

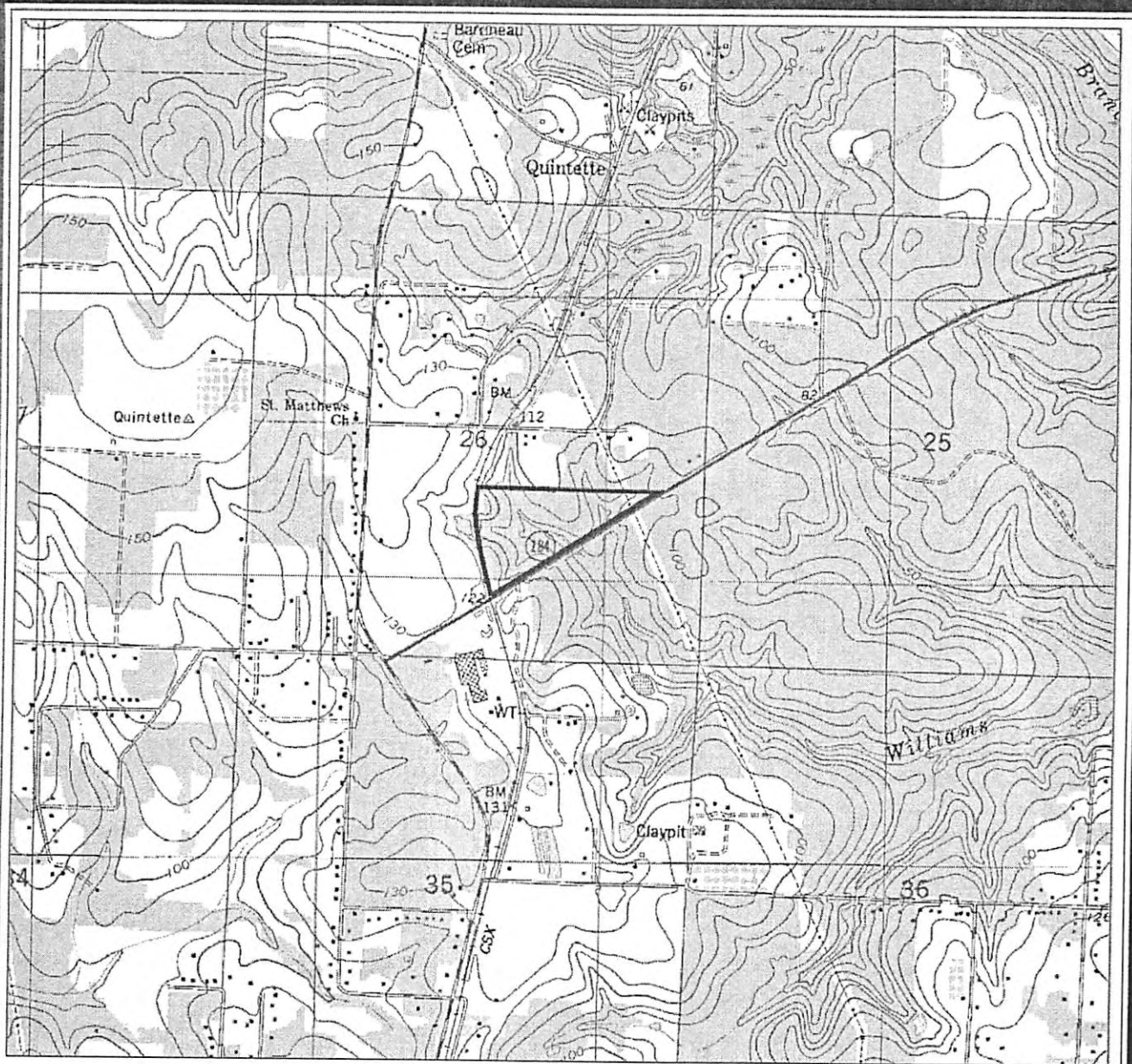
Newly Recorded Site #'s (Are you sure all are originals and not updates? Identify methods used to check for updates, ie, researched the FMSF records. List site #'s without "8." Attach supplementary pages if necessary.):

Site Form Used: SmartForm FMSF Paper Form Approved Custom Form: Attach copies of written approval from FMSF Supervisor.

DO NOT USE SITE FILE USE ONLY DO NOT USE

BAR Related	BHP
<input type="checkbox"/> 872 <input type="checkbox"/> 1A32 <input type="checkbox"/> CARL <input type="checkbox"/> UW # _____	<input type="checkbox"/> State Historic Preservation Grant <input type="checkbox"/> Compliance Review: CRAT

ATTACH PLOT OF SURVEY AREA ON PHOTOCOPIES OF USGS 1:24,000 MAP(S)



Legend:

□ project area

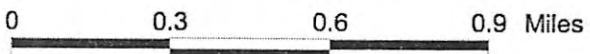


PP & G Parcel

Escambia County, Florida

Township 2 North, Range 31 West

Base map: Molino, Fla. 1978
(PR 1987) USGS 7.5' topographic quadrangle



APPENDIX B

PROCEDURES FOR DEALING WITH

UNEXPECTED DISCOVERIES

Every reasonable effort has been made during this investigation to identify and evaluate possible locations of prehistoric and historic archaeological sites; however, the possibility exists that evidence of historic resources may yet be encountered within the project limits. Should any evidence of historic resources be discovered during ground-disturbing activities, all work in that portion of the project site should stop. Evidence of historic resources includes aboriginal or historic pottery, prehistoric stone tools, bone or shell tools, historic trash pits, and historic building foundations. Should questionable materials be uncovered during the excavation of the project area, representatives of PCI, Pensacola, Florida, will assist in the identification and preliminary assessment of the materials.

In the unlikely event that human skeletal remains or associated burial artifacts are uncovered within the project site, all work in that area must stop. The district medical examiner and/or the State Archaeologist should be notified per the requirements of Chapter 872, *Florida Statutes*.

Panhandle Grading and Paving, Inc.
2665 Solo Dos Familiaf
Pensacola, FL 32534
Phone (850) 478-5250
Fax (850) 479-5901

Proximity to and Impact on Natural Resources

- A. **WELLHEADS:** The subject property is not within a wellhead protection zone established per Comprehensive Plan Policy 11.B.2.9. – i.e. all land within a 200 – ft radius of an existing or designated protected well head-nor will a proposed wellhead impact any wellheads. The nearest public potable water wellhead, Cottage Hill #3, is approximately 6,200 feet south of the site.
- B. **NATURAL RESOURCE INCLUDING WETLANDS:** Based on a survey by Wetland Sciences Incorporated, the reference property dose contain some regulated wetlands with a sketch being provided. The regulated wetlands are approximately 4.4 acres on said property. Large buffer will be left around the wetlands to ensure no destruction of these sensitive lands. The remaining property consist entirely of non regulated uplands. A letter confirming these findings and a map denoting the surveyed area are attached. Any development would require avoidance and minimization of wetland impacts, and mitigation of any unavoidable impacts, consistent with Comprehensive Plan Policies 11.A.1.5, 11.A.2.6, 11.B.3.5, and 11.B.3.8, among others, and implementing LDC regulations. Based on a USDA soils survey of Escambia County, the soils in the area consist primarily of loamy sand which is associated with upland ridge. These soils have a high infiltration rate and significant depth to groundwater, further reducing the potential for hydrated soils and wetland conditions. Accordingly, the proposed rezoning will have no adverse impact on the environmentally sensitive lands.
- C. **HISTORICALLY SIGNIFICANT SITES:** The subject property is not historically significant site nor is a historically significant site within the vicinity of the proposed parcel of land. The University of West Florida (UWF) performed an archaeological and historical resources review using Florida Master Site File research, a GIS archaeological probability analysis, and a search of historic maps and documents on file at UWF Archaeology Institute. No recorded archaeological sites, historic structures, cemeteries, or National Register of Historic Places properties were found. To further substantiate these findings a professional assessment of the parcel was performed by Panamerican Consulting, Inc. confirming that no historical or archeological sites exist on the parcel.

Exhibit "E"

ACCOUNT NUMBER	ESCROW CD	ASSESSED VALUE	MILLAGE CODE	PROPERTY REFERENCE NUMBER
12-0518-500		See Below	06	262N31-4230-000-001

2011 Real Estate 0109088.0000

OFFICE
 (850) 438-6500

N OF STATE RD 184 (AKA
 QUINTETTE RD) SW 1/4 OF
 NW 1/4 OF SE 1/4 LYING E OF
 CSX (FKA L & N) RR R/W
 See Tax Roll for extra legal.

REC'D JUN 07 2012

S - 026314 / 020646 1-89626 JMS68165
 PANHANDLE HOLDINGS LLC
 2665 SOLO DOS FAMILIAF
 PENSACOLA FL 32534-9432



AD VALOREM TAXES					
TAXING AUTHORITY	MILLAGE RATE	ASSESSED VALUE	EXEMPTION AMOUNT	TAXABLE AMOUNT	TAXES LEVIED
COUNTY	6.9755	1,974		1,974	13.77
PUBLIC SCHOOLS					
By Local Board	2.2480	1,974		1,974	4.44
By State Law	5.5730	1,974		1,974	11.00
SHERIFF	0.6850	1,974		1,974	1.35
WATER MANAGEMENT	0.0400	1,974		1,974	0.08
TOTAL MILLAGE					15.5215
AD VALOREM TAXES					30.64

2920
 2980
 2990
 > 1358 each

ESCAMBIA COUNTY TAX COLLECTOR * P.O. BOX 1312 * PENSACOLA, FL 32591-1312

RETAIN THIS
 PORTION
 FOR
 YOUR
 RECORDS

NON-AD VALOREM ASSESSMENTS		
LEVYING AUTHORITY	RATE	AMOUNT
FIRE		11.81
QUESTIONS ON ITEMS IN THIS SECTION ONLY CALL (850) 595-4960		
NON-AD VALOREM ASSESSMENTS		11.81

PLEASE
 PAY ONLY
 ONE
 AMOUNT
 SHOWN IN
 YELLOW
 SHADED
 AREA

COMBINED TAXES AND ASSESSMENTS					
			42.45	PAY ONLY ONE AMOUNT	See reverse side for important information
Nov 30 2011 \$ 40.75	Dec 31 2011 \$ 41.18	Jan 31 2012 \$ 41.60	Feb 29 2012 \$ 42.03	Mar 31 2012 \$ 42.45	Apr 30 2012 \$ 43.72

AMOUNT
 DUE
 IF PAID
 BY

IMPORTANT – PLEASE READ – INSTRUCTIONS AND INFORMATION

Office (850) 438-6500 ext. 252 • Pay online: www.escambiataxcollector.com • E-mail: ectc@escambiataxcollector.com
After hours payment by phone: (800) 601-1055

1. If you have **sold the property** described on this notice, please send this notice to the new owners or return it to the Tax Collector's office immediately.
2. Please verify the description of the property. **If any errors in the description are found, notify the Property Appraiser (850) 434-2735 as soon as possible.** This notice covers taxes for the calendar year January 1 through December 31 of the year indicated on the front. (Non-ad valorem assessments may be an exception.)
3. **Discounts** for early payments have been computed for you on the bottom of this notice. Please pay only one amount.
Schedule of Discounts: 4% in November 3% in December 2% in January 1% in February
Discounts are determined by postmark of payment. If discount period ends on a Saturday, Sunday, or legal holiday, discount is extended to the next business day only if delivered to a tax collector office that day during normal business hours.
4. Taxes become **delinquent** April 1.
NOTE: Prior year(s) tax amount is subject to increase if certificate is purchased or tax deed application is filed before payment is received.

For **real estate taxes**, a 3% minimum mandatory charge is imposed on April 1 and an advertising charge and additional fees are added May 1. Tax sale certificates will be sold on all unpaid accounts on or before June 1, resulting in additional charges. Taxes paid after certificate is issued must be in cash or certified funds.

For **tangible personal property taxes**, interest accrues at 1½% per month plus advertising and fees. Tax warrants will be issued on all unpaid personal property taxes.

If the postmark indicates your payment was mailed on or after April 1 (delinquent date), the amount due is determined by the date your payment is **RECEIVED** by the Tax Collector.

5. Fee Free: Debit card payments with PIN in person, and e-Check payments online and by phone. Payment by credit card will be charged a convenience fee. Acceptance of credit cards is subject to change. If paying by mail, please keep the top portion of the bill along with your cancelled check. **Please note, your taxes are not "paid" until your check clears the bank.**

6. **Important Dates** to Remember:

March 1	Deadline to file any new exemptions with Property Appraiser
January 31	Deadline for Tax Deferral Application
March 31	Last day for tax payment without interest
April 30	Deadline for new applications to enroll in installment plan
November	Tax bills mailed

Installment Payment Dates:

June	First Quarter
September	Second Quarter
December	Third Quarter
March	Fourth Quarter

7. **Tangible Personal Property** is a tax on personal property used in your business or rental unit such as equipment, furniture, and fixtures. The assessment is made by the Property Appraiser based upon a return you should have filed by April 1. If no return was filed, your assessment was based on the best information available. If your business operated during any part of the year, the taxes are due in full. There is no provision for proration. If you sold the business during the year, please forward this bill to the new owner, or return it to the Tax Collector's office immediately.

8. **Questions and Problems:**

Tax Collector: Responsible for preparation and mailing of tax notices based on information contained on the current tax roll certified by the Property Appraiser and non-ad valorem assessments provided by the levying authorities.

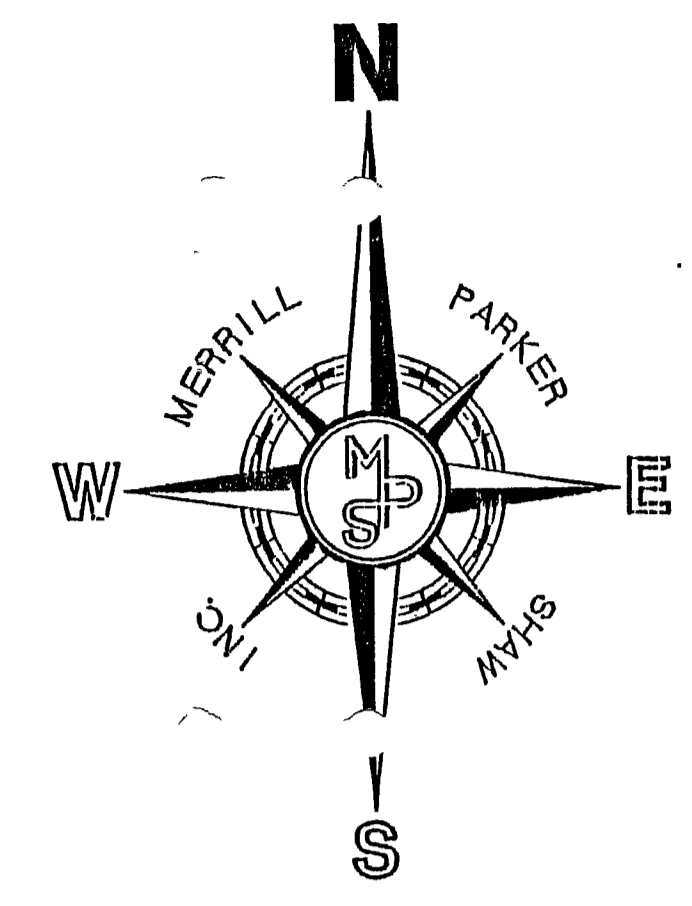
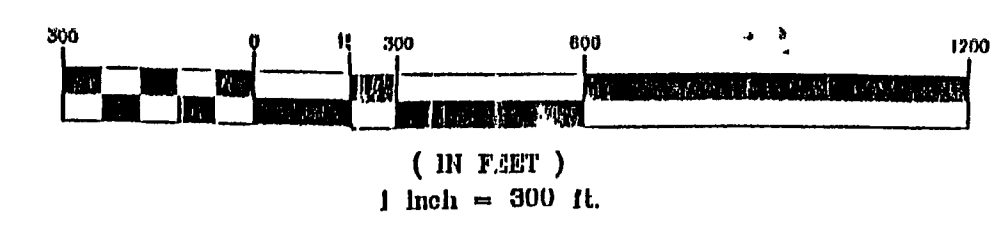
Property Appraiser: (Homestead Exemptions) Responsible for preparation of the current ad valorem tax roll, assessed value, exemptions, taxable value, assessed owner(s) name and address, address changes, and legal property description.
Phone (850) 434-2735, 221 Palafox Place, Suite 300, Pensacola, FL 32502. Web: www.escpa.org

Taxing Authorities: Responsible for setting ad valorem millage rates.

Levying Authorities: Responsible for setting non-ad valorem assessments.

BOUNDARY SURVEY

A PORTION OF SECTION 26,
TOWNSHIP-2-NORTH, RANGE-31-WEST,
ESCAMBIA COUNTY, FLORIDA.
(TRACT #FLO1E-09)

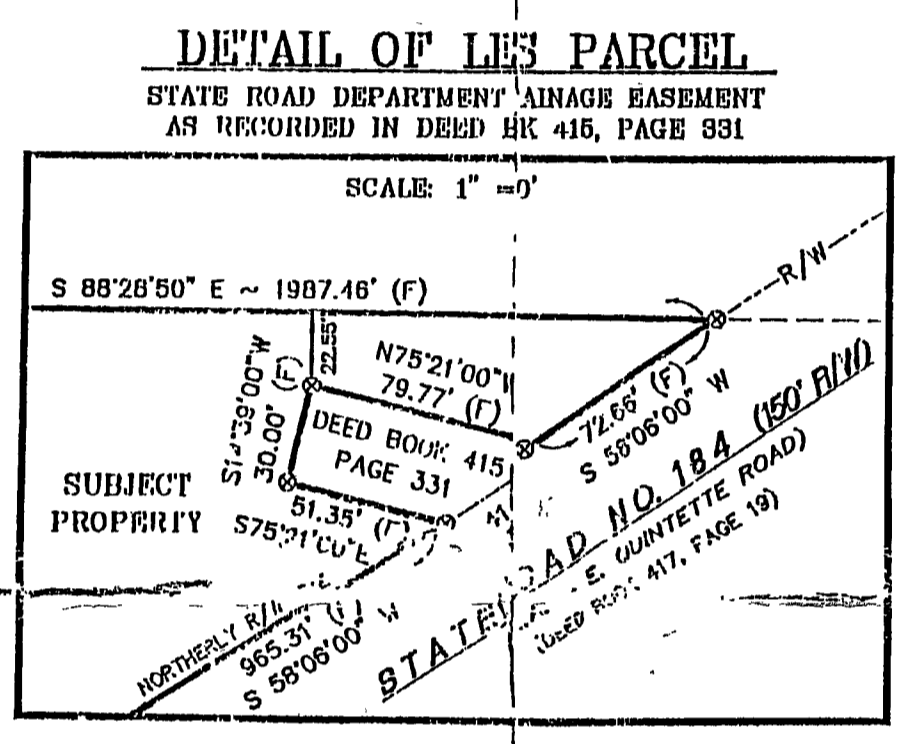


LEGEND:

- ⊙ ~ 4" DIAMETER ROUND CONCRETE MONUMENT, UNNUMBERED (FOUND)
- ⊠ ~ 4" X 4" CONCRETE MONUMENT, "ST. REGIS" (FOUND)
- ~ 4" X 4" PLAIN CONCRETE MONUMENT, UNNUMBERED (FOUND)
- ⊡ ~ 4" X 4" CONCRETE MONUMENT, NUMBER 1683 (FOUND)
- ⊜ ~ 8" X 8" CONCRETE MONUMENT, "SRD R/W" (FOUND)
- ~ 2" PLAIN IRON PIPE, UNNUMBERED (FOUND)
- ~ 1" PLAIN IRON PIPE, UNNUMBERED (FOUND)
- ⊙ ~ 3/4" CAPPED IRON PIPE, L.B. NO. 1292 (FOUND)
- ⊙ ~ 1/2" CAPPED IRON ROD, NUMBER 3578 (FOUND)
- ⊙ ~ 1/2" CAPPED IRON ROD, CORP. NUMBER 7174 (SET)
- F.E.M.A. ~ FEDERAL EMERGENCY MANAGEMENT AGENCY
- (D) ~ DESCRIPTION/DEED INFORMATION
- (F) ~ FIELD MEASUREMENT/INFORMATION
- (GOV'T) ~ GOVERNMENT
- N ~ NORTH, S ~ SOUTH
- E ~ EAST, W ~ WEST
- R ~ RADIUS
- Δ ~ DELTA ANGLE
- L ~ LENGTH OF ARC
- CH ~ CHORD DISTANCE
- CB ~ CHORD BEARING
- So ~ SPIRAL ANGLE
- Lo ~ LENGTH OF SPIRAL
- Ts ~ TANGENT SPIRAL DISTANCE
- Sch ~ SPIRAL CHORD DISTANCE
- Scb ~ SPIRAL CHORD BEARING
- ~ WIRE FENCE

DESCRIPTION: (AS FURNISHED)

PARCEL 2
Escambia County, Florida.
Township 2 North Range 31 West,
Section 26:
The Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 of the CSX (formerly L & N Railroad right-of-way); the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 of the CSX Railroad right-of-way; the South 1/2 of the Northwest 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4; less Dead Book 416, page 381 and Deed Book 417, page 10.
101.67 acres, more or less



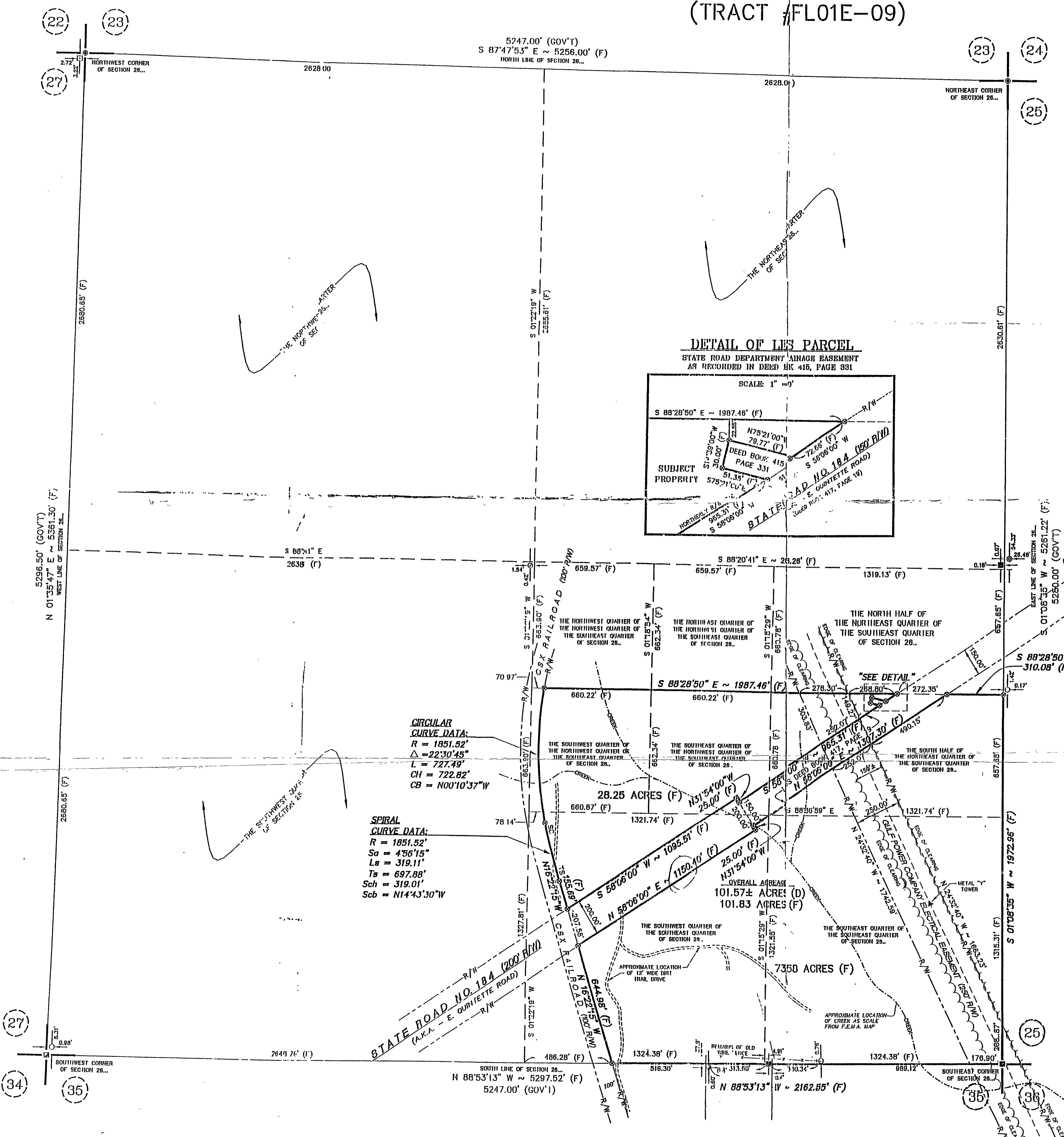
SURVEYOR'S NOTES:

1. THE NORTH (AND) BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE BEARING SOUTH 50 DEGREES 08 MINUTES 00 SECONDS WEST ALONG THE NORTHERLY RIGHT OF WAY LINE OF QUINETTE ROAD (STATE ROAD NO. 184, R/W WIDTHS) AS PER THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR STATE ROAD NO. 184, DATED 1954, SECTION NO. 4B25-101.
2. SOURCE INFORMATION: THE DESCRIPTION AS FURNISHED BY THE CLIENT, GOVERNMENT LAND OFFICE FIELD NOTES, SECTIONAL BREAKDOWN OF SECTION 26, TOWNSHIP NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR STATE ROAD NO. 184, DATED 1954, SECTION 4B25-101, AND EXISTING FIELD MONUMENTATION.
3. SECTION 26 TOWNSHIP 2 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, AS SHOWN HEREON WAS SUBDIVIDED (BROKEN-DOWN) IN ACCORDANCE WITH THE MANUAL OF SURVEYING INSTRUCTIONS OF 1973.
4. NO TITLE SEARCH WAS PERFORMED BY OR FURNISHED TO "MERRILL PARKER SHAW, INC." FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, RIGHTS-OF-WAY, EASEMENTS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, GOVERNMENTAL JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES AND/OR USE OF THE SUBJECT PROPERTY.
5. ONLY THOSE ABOVE GROUND VISIBLE ENCROACHMENTS, UTILITIES AND IMPROVEMENTS WERE FIELD LOCATED AS SHOWN HEREON, UNLESS OTHERWISE NOTED. UNDERGROUND ENCROACHMENTS, UTILITIES AND IMPROVEMENTS, IF ANY, WERE NOT FIELD LOCATED OR VERIFIED, UNLESS OTHERWISE NOTED.
6. THE SURVEY AS SHOWN HEREON DOES NOT DETERMINE OWNERSHIP.
7. THE MEASUREMENTS MADE IN THE FIELD, INDICATED THUSLY (F), AS SHOWN HEREON ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD.
8. THE SUBJECT PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "X", (AREAS OUTSIDE 500-YEAR FLOOD PLAIN), BASE FLOOD ELEVATION NOT APPLICABLE, AS DETERMINED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY, FLORIDA, (UNINCORPORATED AREAS), FIRM DATE: FEBRUARY 23, 2000, COMMUNITY PANEL NUMBERS: 120080 0240 F AND 120080 0245 F, MAP NUMBERS: 12033C0240 F AND 12033C0245 F, MAPS REISED: FEBRUARY 23, 2000.
9. FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAP IS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR ANY OTHER TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITHOUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER AND IS TO BE RETURNED UPON REQUEST.

CERTIFIED TO:

THAT THE SURVEY SHOWN HEREON MEETS THE FLORIDA MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN THE STATE OF FLORIDA, ACCORDING TO FLORIDA ADMINISTRATIVE CODE, CHAPTER 61G17-6, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

MERRILL PARKER SHAW, INC.
4528 N. DAVIS HIGHWAY, PENSACOLA, FL 32503
E. Wayne Parker 4/04/03
E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3683
CORPORATE NUMBER 7174 STATE OF FLORIDA



CIRCULAR CURVE DATA:
R = 1851.52'
Δ = 22°30'45"
L = 727.49'
CH = 722.82'
CB = N00°10'37"W

SPIRAL CURVE DATA:
R = 1851.52'
So = 4°56'15"
Lo = 319.11'
Ts = 697.88'
Sch = 319.01'
Scb = N14°43'30"W

Boundary Surv
COPYRIGHT © 2003 BY MERRILL PARKER SHAW, INC.

NO.	DATE	APPR.	REVISIONS:

<p style="text-align: center;">MERRILL PARKER SHAW, INC. PROFESSIONAL ENGINEERING & SURVEYING SERVICES 4528 N. DAVIS HWY. PENSACOLA, FL 32503 PHONE: 850/478-4828 FAX: 850/478-4824 FLORIDA CORPORATION NO. 1F 7174</p>	<p style="text-align: center;">E. WAYNE PARKER, P.L.S. NO. 3683, CORPORATION NO. 7174, STATE OF FLORIDA</p> <p style="text-align: center;">BOUNDARY SURVEY A PORTION OF SECTION 26, TOWNSHIP-2-NORTH, RANGE-31-WEST, ESCAMBIA COUNTY, FLORIDA.</p> <p style="text-align: center;">REQUESTED BY: MR. NAND GUPTA FOR: INTERNATIONAL PAPER REALTY CORPORATION</p>
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JOB NO. 03-702-1	SHEET 1	DATE 4/04/03
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FIELD BOOK: 24, PAGE 16 & 17
FIELD COMPLETION DATE: 4/02/03
SCALE: 1" = 300'
DRAWN: TRS
CHECKED: FWP



**2665 Solo Dos Familias
Pensacola, FL 32534**

**office (850) 478-5250
fax (850) 479-5901**

June 6, 2012

Re: Request for Rezoning of Parcel 26-2N-31 4230-000-000
Current Zoning VAG-1 – Proposed Zoning ID 2

Development Services Staff
To Whom It May Concern:

Please consider this correspondence an original request for rezoning from Triple L Farms, Inc. for the above-mentioned parcel. The owner of subject property respectfully seeks a change in zoning that will match Future Land Use Amendment from AA-15 to Industrial approved in 2008 and Conditional Use Granted for said property for mineral extraction in support of adjacent asphalt plant.

We will provide substantial, competent evidence the proposed rezoning is consistent with the Comprehensive Plan, county codes, compatible with surrounding uses, no adverse change in conditions, no negative impacts to natural environment, and is consistent with current development patterns furthering the goals, objectives, and policies set forth within while not creating a conflict with any portion of the county's Land Development Code. The rezoning of said parcel will provide for industrial uses within a corridor that is centrally located and having appropriate road frontage.

In closing, contact me at 478-5250 with any questions.

Respectfully Submitted,

A handwritten signature in blue ink that reads "William H. Joseph". The signature is fluid and cursive.

William H. Joseph,
Triple L Farms, Inc.



Development Services Department

Escambia County, Florida

APPLICATION

Please check application type:

Administrative Appeal

Development Order Extension

Conditional Use Request for: _____

Variance Request for: _____

Rezoning Request from: VAG-1 to: ID-2

Name & address of current owner(s) as shown on public records of Escambia County, FL

Owner(s) Name: Triple L Farms, Inc. Phone: (850) 478-5250
 Address: 2665 Solo Dos Familias, Pensacola, FL 32534 Email: William@penhandlepaving.com

Check here if the property owner(s) is authorizing an agent as the applicant and complete the Affidavit of Owner and Limited Power of Attorney form attached herein.

Property Address: 100 Block E. Quinttett Road
 Property Reference Number(s)/Legal Description: 26-2N-31 4230-000-000

By my signature, I hereby certify that:

- 1) I am duly qualified as owner(s) or authorized agent to make such application, this application is of my own choosing, and staff has explained all procedures relating to this request; and
- 2) All information given is accurate to the best of my knowledge and belief, and I understand that deliberate misrepresentation of such information will be grounds for denial or reversal of this application and/or revocation of any approval based upon this application; and
- 3) I understand that there are no guarantees as to the outcome of this request, and that the application fee is non-refundable; and
- 4) I authorize County staff to enter upon the property referenced herein at any reasonable time for purposes of site inspection and authorize placement of a public notice sign(s) on the property referenced herein at a location(s) to be determined by County staff; and
- 5) I am aware that Public Hearing notices (legal ad and/or postcards) for the request shall be provided by the Development Services Bureau.

William H. Joseph
 Signature of Owner/Agent

William H. Joseph 4/20/12
 Printed Name Owner/Agent Date

[Signature]
 Signature of Owner

Jerry F. Long Donald Long 4/7/12
 Printed Name of Owner Date

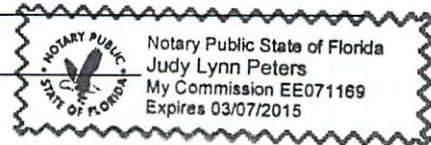
STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 6th day of June 20 12,
 by Donald Long

Personally Known OR Produced Identification . Type of Identification Produced:

Judy Lynn Peters
 Signature of Notary
 (notary seal must be affixed)

Judy Lynn Peters
 Printed Name of Notary



FOR OFFICE USE ONLY CASE NUMBER: Z-2012-15

Meeting Date(s): PB 7-9-12, BCC 8-9-12 Accepted/Verified by: _____ Date: 6-7-12

Fees Paid: \$ 1050 Receipt #: 556705 Permit #: PR 2120600014

3363 West Park Place Pensacola, FL 32505
 (850) 595-3475 * FAX: (850) 595-3481



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #:

Z-2012-15

CONCURRENCY DETERMINATION ACKNOWLEDGMENT

For Rezoning Requests Only

Property Reference Number(s): 26-2N-31 4230-000-001

Property Address: 100 Block East Quintette Road

I/We acknowledge and agree that no future development for which concurrency of required facilities and services must be certified shall be approved for the subject parcel(s) without the issuance of a certificate of concurrency for the development based on the actual densities and intensities proposed in the future development's permit application.

I/We also acknowledge and agree that approval of a zoning district amendment (rezoning) or Future Land Use Map amendment does not certify, vest, or otherwise guarantee that concurrency of required facilities and services is, or will be, available for any future development of the subject parcels.

I/We further acknowledge and agree that no development for which concurrency must be certified shall be approved unless at least one of the following minimum conditions of the Comprehensive Plan will be met for each facility and service of the County's concurrency management system prior to development approval:

- a. The necessary facilities or services are in place at the time a development permit is issued.
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- c. For parks and recreation facilities and roads, the necessary facilities are under construction at the time the development permit is issued.
- d. For parks and recreation facilities, the necessary facilities are the subject of a binding executed contract for the construction of the facilities at the time the development permit is issued and the agreement requires that facility construction must commence within one year of the issuance of the development permit.
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, F.S., or as amended, or an agreement or development order issued pursuant to Chapter 380, F.S., or as amended. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of Section 5.13.00 of the LDC. For wastewater, solid waste, potable water, and stormwater facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy.
- f. For roads, the necessary facilities needed to serve the development are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or are in place or under actual construction no more than three years after the issuance of a County development order or permit.

I HEREBY ACKNOWLEDGE THAT I HAVE READ, UNDERSTAND AND AGREE WITH THE ABOVE STATEMENT ON THIS 20th DAY OF April, YEAR OF 2012.

[Signature]
Signature of Property Owner

DONACH CONG
Printed Name of Property Owner

4/20/12
Date

Signature of Property Owner

Printed Name of Property Owner

Date



Development Services Department
Escambia County, Florida

FOR OFFICE USE:

CASE #: Z-2012-15

AFFIDAVIT OF OWNER AND LIMITED POWER OF ATTORNEY

As owner of the property located at 100 Block E. Quintette Road

Florida, property reference number(s) 26-2N-31 4230 -000-001

I hereby designate William H. Joseph for the sole purpose of completing this application and making a presentation to the:

- Planning Board and the Board of County Commissioners to request a rezoning on the above referenced property.
- Board of Adjustment to request a(n) _____ on the above referenced property.

This Limited Power of Attorney is granted on this 20th day of April the year of, 2012, and is effective until the Board of County Commissioners or the Board of Adjustment has rendered a decision on this request and any appeal period has expired. The owner reserves the right to rescind this Limited Power of Attorney at any time with a written, notarized notice to the Development Services Bureau.

Agent Name: William H. Joseph Email: William@panhandlepaving.com

Address: 2665 Solo Dos Familias, Pensacola, FL 325 Phone: (850) 478-5250

[Signature]
Signature of Property Owner

Donald Long 4/20/12
Printed Name of Property Owner Date

Signature of Property Owner

Printed Name of Property Owner Date

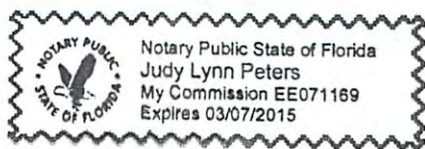
STATE OF Florida COUNTY OF Escambia

The foregoing instrument was acknowledged before me this 6th day of June 20 12, by Donald Long

Personally Known OR Produced Identification . Type of Identification Produced: _____

Judy Lynn Peters
Signature of Notary

Judy Lynn Peters (Notary Seal)
Printed Name of Notary



Rezoning Request

A Comparative Analysis and General Information for a Rezoning Request of 62.5 Acres in
Escambia County Florida

Property ID

26-2N-31 4230-000-000

Provided for

Triple L Farms. Inc.

2665 Solo Dos Familiaf

Pensacola Florida 32534

Provided by

Panhandle Grading and Paving, Inc.

2665 Solo Dos Familiaf

Pensacola Florida 32534

(850) 478-5250

REZONING CRITERA

a. Consistency with the Comprehensive Plan:

Levels of Services and infrastructure in the immediate area and surrounding areas will not be degraded as a result of a commercial industrial use on the property being proposed for the zoning change.

General legislative intent of industrial districts can be met and exceeded in keeping with Section 6.00.03 of the Comprehensive Plan. This property offers the ability to have sufficient space to meet the needs of the area economic and employment along with any expansion thereof combined with characteristics that lend themselves to buffering, open space, and other site development standards.

The location insures compatibility between existing industrial uses and proposed industrial uses while providing for separation between the industrial use and residential uses. With the insurance that any approved industrial use would be subject to performance standards to control objectionable influences.

See Exhibit "A" Consistency with the Comprehensive addressing specific policies of the Comprehensive Plan and responses to those policies as it relates to this specific parcel and the requested rezoning.

b. Consistency with this Code:

County Staff analysis estimated the impacted road segments of Quintette Road, Palafox Highway, and U.S. Highway 29 would all maintain their levels of service established in Comprehensive Plan Policy 8.A.1.3 and would meet the test for concurrency prescribed by Land Development Code (LDC) Section 5.12.00.

See attached Exhibit "B" Comparative Analysis addressing specific water service impact, sewer impacts, solid waste disposal, stormwater management, recreation and open space, traffic, and schools.

c. Compatibility with Surrounding Uses:

See attached Exhibit "C" Site Description detailing existing conditions and uses in the area and adjacent parcels.

d. Changed Conditions:

The property was granted a large scale Future Land Use Amendment designating the property as Industrial (ID) classification. Also considering the sister parcels, having a common owner, to the south were granted a Conditional Use for mineral extraction and a rezoning to Industrial for construction of an asphalt plant. The change in condition does not exist with this rezoning request making both classification of the property be compatible.

e. Effect on Natural Environment:

There are low lying areas located on the property as depicted on the wetlands survey, attached, performed by Wetland Sciences. The regulated wetlands are approximately ?? acres. On other development of sister parcels, with common owner, large buffers were established to ensure no destruction of sensitive lands.

See attached Exhibit "D" Wetland Determination with correspondence providing a narrative of these findings along with an Archaeological and Historical Survey performed by Panamerican Consultants, Inc.

Also, see attached Exhibit "E" Proximity to and Impact on Natural Resources.

f. Development Patterns:

The characteristics of the area is conducive to the requested rezoning in that industrial uses are already present and the existing natural buffers would essentially eliminate any significant impact on the sparse residential uses that exist in the surrounding areas.

Panhandle Grading and Paving, Inc.
 2665 Solo Dos Familiaf
 Pensacola, FL 32534
 Phone (850) 478-5250
 Fax (850) 479-5901

CONSISTENCY WITH THE COMPREHENSIVE PLAN

Key elements of the comprehensive plan have regarding the rezoning to ID-2 have been researched and reviewed for compliance. The specific policies and response to those policies have been provided.

1. **Section 6.03 Consistency With Comprehensive Plan**

No development activity may be approved unless it is found that the development is consistent with the Comprehensive Plan and that the provision of public facilities enumerated in Section 6.014 above will be available at prescribed levels of service concurrent with impact of development of those facilities.

Response:

The following is a review of the polices, goals, and objectives of the comprehensive Plan. Our assertion is that the a proposed industrial development is not only consistent with the goals, policies, and objectives of the comprehensive plan, it furthers them.

2. **6.00.03 General Legislative Intent of Industrial District.**

The industrial district established in this section (ID-P, ID-1, ID-2, and GID) are designed to promote and protect the health, safety, convenience, order, prosperity, and other aspects of the general welfare. The general goals include:

- A. To provide sufficient space in appropriate locations to meet the needs of the area's economic and employment base, and the expansion thereof, and foe all types of distribution, assembly, production and other industrial and related activities.
- B. To provide for compatibility between industrial and residential uses and other related activities by providing for the separation of these uses, and to ensure that appropriate space needs for industrial activities are available by discouraging the use of such space for residential purpose.
- C. To permit industrial development which is reasonably free from danger of fire, explosions, toxic and noxious matter, radiation, smoke, dust, or other particulate matter, and hazards from offensive noise, vibration, odorous, glare and other objectionable influences, by regulating the emissions of such nuisances, through appropriate performance standards.
- D. To protect industrial activities and uses from undue congestion by limiting the bulk of buildings and requiring off-street parking, open space, buffer strips and other appropriate site development standards.

Exhibit "A"

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- E. To promote the most desirable, efficient and appropriate use of land, to promote stability of industrial and related development, to strengthen the economic base of the county, to protect the character of these districts and their peculiar suitability for particular uses, to conserve the value of land and buildings, and to protect the interest of the county and its current and future residents and to achieve the objectives of the comprehensive plan including, but not limited to, objectives 7.A.4 and policies thereunder (i.e. 7.A.4.13) and policy 8.A.1.11.

Response:

As discussed in further detail below, the extensive buffering surrounding the property creates compatibility between industrial uses and residential uses and other related activities by providing for the separation of these uses. Any proposed development will be reasonably free from danger of fire , explosions, toxic and noxious matter, radiation, smoke, dust, or other particulate matter, and hazards from offensive noise, vibration, odorous, glare and other objectionable influences. The location, open spaces, and extensive buffering of the subject property provides for protection from any undue congestion. Furthermore, a proposed development on the subject parcel will promote the most desirable, efficient and appropriate use of land, as heavy industrial uses already exist in the immediate vicinity, and residential uses are discouraged. A proposed industrial development also protects the interest of the county and its current and future residents by placing an essential industry in a location that not only allows for the best service to the County – i.e. the efficient delivery of goods to all areas of the County, but also places and extremely minimal burden on existing infrastructures.

3. Section 7.04 Goals, Objectives and Policies:

Goals: 7.A.

Manage the future development of Escambia County in a manner consistent with the ability to provide adequate infrastructure and protect important resources.

Response:

The development as outlined in preliminary from above is well within the available services of the county's infrastructure and will not degrade any level of services below those prescribed. In fact, a proposed industrial development impacts on any level of service will be extremely minimal. Furthermore, prior to issuance of any development

Exhibit "A"

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order, county staff will thoroughly review, through the DRC process, the development concurrence.

4. **Objectives 7.A.2: Future Land Use and Natural Resources**

Coordinate future land uses with the appropriate topography, soils conditions and the availability of facilities and services by including regulations within the LDC pursuant to Policy 7.A.2.1 and Objective 11.B.3, among others (reference Policy 7.A.1).

Response:

A future land use amendment approved in 2008 on the subject property is consistent with this objective in that the topography, soils conditions, and available facilities and services are conducive to industrial development.

5. **Policy 7.A.3.7: Buffers**

The county shall ensure the compatibility of adjacent land uses by requiring buffers designed to protect the lower intensity use from the more intensive use (agricultural from residential, residential from commercial, etc.). the buffer shall function to:

- 1. Protect each land use, one from the other, from the intrusive effects of adjacent land use activities.*
- 2. Protect agricultural activities from trespass, pets, vehicles, noise and other disruptive impacts that may be associated with nonagricultural land use.*
- 3. Protect nonagricultural land uses from normal agricultural activities, such as application of pesticides and fertilizers, and the creation of noise, glare, odor, dust, and smoke.*
- 4. The negative impacts of the uses upon other must be minimized or, preferable eliminated by buffer such that the long term continuance of either use is not threatened by such impacts. In other words, incompatibility between uses is eliminated (or minimized) and the uses may be considered compatible (which means a condition in which land uses or other conditions can co-exist in relative proximity to each other in a stable fashion over time such that no use or condition is unduly negatively impacted directly or indirectly by another use or condition.*

Exhibit "A"

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5. *Types of buffers: The buffer may be a landscape natural barrier, a natural barrier or a landscape natural barrier supplemented with fencing or other manmade barriers, so long as the function of the buffer and the intent of this policy are fulfilled.*

Response:

The approved land use amendment and subsequent proposed industrial development will further these goals by providing an extensive buffer that allows the co-existence of surrounding land uses without any undue negative impact. Although there are very few land uses without any undue negative impact. Although there are very few land uses in the area that might be impacted, the subject property is buffered from any potential impacts on surrounding land uses by extensive wooded areas and open space on its northern and eastern boundaries. Additionally, the spares residential uses located on the easterly boundary has the potential to be buffered with natural buffering a majority of which is mostly opaque when viewed from the residential lot. Light industrial uses on its western boundary will have extensive buffering as well as a railroad right of way. The extensive natural buffering surrounding the parcel will allow for any proposed development to essentially eliminate any potential negative impact on surrounding land uses.

6. **Objective 7.A.4: Future Land Use Categories**

The county shall ensure that orderly and balanced growth and development of the county continues and that such growth is guided and directed in such a way as to provide for a clear separation of urban and rural uses.

Response:

An ID-2 land use category for the subject parcel was achieve through a future land use amendment which allows for heavy industrial development combined with the proposed rezoning of ID-2 keeps the subject property consistent with Objective 7.A.4 as heavy industrial uses are already in existence on adjacent properties and residential uses are extremely sparse. Allowing continued industrial development in the immediate area will not only be consistent with the industrial character of the immediate vicinity, but it will further the county's object of balance, compact and orderly development. It is important to note that residential development in the area is extremely sparse and further limited by the existing light industrial uses, making the subject property ideal for continued industrial development.

Exhibit "A"

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7. Policy 7.A.4.2 Public Facilities

Public facilities and services shall be located to minimize their cost, minimize negative impacts on the natural environment and maximize their efficiency. Cost alternatives, impacts on the environment and levels of efficiency shall be determined during the design phase and bid process utilized by the county to accomplish the installation or location of public facilities and/or services. In addition, the county will coordinate with the Emerald Coast Utility Authority, other water and/or sewer providers and state or federal agencies with facilities located in the county or with plans to expand facilities or create new facility in the county. Among other things, it is the intent of this policy that public facilities and services are available to support the densities and intensities of uses provided by this ordinance and the future land use map and that there is adequate and suitable for such utility facilities.

Response:

The subject site is ideal for this type of use because it requires limited infrastructure, and the infrastructure that is already present or readily obtainable. Although the area is rural, services such as solid waste collection are accessible and conveniently located for service to the subject property without environmental impacts, easement over adjacent properties or without degrading existing levels of services. In addition, as discussed above, there will be no impact on the local water system, as the owner will obtain potable water via a well. Also, impact on sewage service is not applicable as septic tanks will have to be installed in accordance with county/State health requirements. Consequently, the proposed development will not result in a reduction of services provided in the comprehensive plan.

8. Policy 7.A.4.3: Urban Sprawl

To promote compact development and discourage urban sprawl, residential rezoning and future land use map amendments to categorize allowing higher densities will be allowed for parcels located within the following Future Land Use categories: Residential, Urban Residential, Mixed Use 1, and Mixed use 2, provided that all other amendment criteria are met. Residential rezoning and future land use map amendments to categories allowing higher densities will be discouraged within the following future land use categories: Agricultural, Rural Residential, Low Density Residential, Mixed use 3, Mixed Use 4, Mixed Use 5, and remaining activity areas (Nodes).

Exhibit "A"

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2665 Solo Dos Familiaf
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Response:

The approved Land Use amendment and proposed rezoning and subsequent development of the subject property, discourages urban sprawl by confining industrial uses to areas where residential development is discouraged (as noted above Policy 7.A.4.3 mandates that residential rezoning is discouraged in agricultural areas such as Node 15, thereby, encouraging the confinement of residential uses to residential and urban areas.

9. Policy 7.A.4.7: Future Land Use Categories (Densities and Intensities)

The following permitted uses and densities and intensities of use are hereby established for each land use category depicted on the future land use map. The LDC (reference Policy 7.A.1.1) shall include regulations pursuant to Policy 7.A.2.1 (b) with the following:

h. The industrial category includes approximately 8,262 acres which is approximately 2.1 percent of the county. This category for and allows intensive industrial development and uses and ancillary commercial uses and provides protection for such from adjacent or nearby adjacent properties. It is the intent of this policy to create protected industrial areas to facilitate the continued industrial operations within the county and provide jobs and employment security for present and future residents of the county. The intensity of use for lands within this category shall be defined by limiting the maximum amount of impervious surface to 85 percent and a floor area of 1.1. Also, the height area and bulk restrictions contained within the county's zoning ordinance will further limit and restrict the intensity of use.

Response:

The proposed development for this property include industrial land uses similar to those described for this future land use category making the proposed rezoning compatible with the future land use amendment granted for said property. Impervious surface areas will not exceed 85% or a floor area ratio of 1.1, all height, area, and bulk restriction will be adhered to, and all buffer requirements (as discussed above) will be met.

10. Policy 7.A.4.1: Location Criteria

Exhibit "A"

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2665 Solo Dos Familiaf
Pensacola, FL 32534
Phone (850) 478-5250
Fax (850) 479-5901

In addition to provisions contained within other portions of this plan, locational criteria for new nonresidential uses which are not part of a predominately residential development or a planned development or a planned unit development include:

D. Industrial uses:

- 1. Industrial uses shall be located so that the negative impacts of industrial land uses on the functions of natural systems shall, as a first priority, be avoided. When impacts are unavoidable, those impacts shall be minimized.**
- 2. Site for industrial development shall be accessible to essential public and private facilities and services at the levels of service adopted in this plan.**
- 3. New industrial uses which may be proposed for the MU-1 category may be permitted provided such use conforms to the ID-CP and ID-1 zoning category.**
- 4. Sites for industrial land use shall be located with convenient access to the labor supply, raw material source, and market areas.**
- 5. New industrial uses shall be located on parcels of land large enough to adequately support the type of industrial development proposed and minimize any adverse effects upon surrounding properties. Compatibility of land uses shall be ensured consistent with Policy 7.A.3.7.**
- 6. These industrial locational criteria apply to those future land use categories where industrial development is permitted (i.e. RAN # 13 , Cantonment, Industrial, etc.) and does not provide or permit industrial land use in those categories which do not provide for such uses.**

Response:

The proposed development for this property would be ideally located to minimize potential impacts on natural systems while providing a maximum level of access to essential public and private facilities and services. In addition, the subject property is large enough to adequately support the type of industrial development proposed and, due to the extensive natural buffering and the undeveloped nature of the area effects upon surrounding properties. The location of this development also allows for convenient delivery of goods to the urban areas of Escambia County in need as well as to rural areas in the northern part of the County.

Exhibit "A"

Panhandle Grading and Paving, Inc.
2665 Solo Dos Familiaf
Pensacola, FL 32534
Phone (850) 478-5250
Fax (850) 479-5901

Conclusion

It is our contention that this proposed rezoning combined with the large scale amendment granted would not only be consistent with the Comprehensive Plan of Escambia County but would also compliment and further the goals of this plan. The character of the area is conducive to industrial uses as heavy industrial uses already present and the existing natural buffers would essentially eliminate any significant impact on sparse residential uses that exist in the surrounding areas. Furthermore, as discussed above, the property is an ideal location for industrial uses that expand or create new uses required to efficiently utilize modify and expand the production of other construction materials that are required for building and maintenance of roads which is an absolute necessity for the continued growth and prosperity of Escambia County.

Exhibit "A"

Panhandle Grading and Paving, Inc.
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COMPARITIVE ANALYSIS

- A. POTABLE WATER:** Water service is available along Quintette Road within the area of the proposed rezoning. The service provider is Cottage Hill Water Works. The existing Service is provided for the 37 developed light industrial and heavy Industrial uses with a total monthly average consumption of 632,420 gallons. The current commercial development of the parcel consumes none of the utility's current excess capacity. Based on this average consumption, Cottage hill appears to have system-wide capacity to accommodate the potential impacts of the proposed rezoning.

There is also availability for individual uses to provide a well depending on the ultimate final use and water need. However any proposed use required little water and could be easily serviced requiring no potable water infrastructure extensions to accommodate the requested rezoning. The adopted level of service (LOS) standards for potable water is established in Comprehensive Plan Policy 10.D.2.3, and Cottage Hill's standard is 122 gallons per capita per day. Cottage Hill facilities currently have a design capacity of 2.16 million gallons of water per day and an average daily flow of 109,520 gallons with a 5% current demand of design capacity. Therefore, there will be no burden on the existing water supplier for the area and the proposed zoning change will not result in a reduction of service for the public facilities below the level of service currently provided in the comprehensive plan. Non-residential development has no associated population that can be used to evaluate the potential impacts on the provider's adopted per capita LOS.

- B. SEWER:** Emerald Coast Utility Authority (ECUA) nor any other provider presently has sewer collection lines that can serve the parcel. Sewer systems are approximately two miles north of Well Line Road, being the northerly limits of required connection of occupied structures to ECUA's system per Comprehensive Plan Policy 10.A.3.1. With the completion of the central county wastewater treatment facility the parcel may be included in an expanded ECUA service area. However any proposed use does not require the use of or extension of sewer service. The minimal need for sewer may be handled with an on-site sewage treatment and disposal system requiring permitting through the Escambia County Health Department. As such the proposed zoning change will not result in a reduction of service for the public facilities blow the level of service

Exhibit "B"

Panhandle Grading and Paving, Inc.
2665 Solo Dos Familiaf
Pensacola, FL 32534
Phone (850) 478-5250
Fax (850) 479-5901

provided in the Comprehensive Plan Policy 10.A.2.2 which is an average of 210 gallons per residential connection per day and peak of 350 gallons per residential connection per day. With the policy stating that the LOS requirements for non-residential uses shall be based upon an equivalent residential connection calculated by the provider and on the size of the non-residential water meter. However, with no services provided the parcel is limited to the onsite treatment and disposal.

- C. **SOLID WASTE DISPOSAL:** A combination of onsite garbage collection containers or dumpsters and individual containers will be provided for solid waste disposal and on site pick up by BFI Waste Systems, which provides solid waste disposal for the property. With no specific characterization or quantification of waste to be generated, in keeping with Comprehensive Plan Policy 10.B.2.3, the adopted LOS standard for solid waste disposal in the county is six pounds per capita per day. Solid waste from the parcel will be disposed at the Perdido Landfill. The current build-out of the 424-acre landfill facility is 74 acres with a recent mining project reclaiming 22 acres. Based on population growth projections and estimated annual Class 1 municipal solid waste (MSW) received, the estimated remaining life of the landfill is 70 years. The municipal solid waste received at the landfill includes both residential and non-residential sources, with any Class 1 MSW resulting from approval of the rezoning appears to be addressed broadly through the landfill documented accommodation of projected population growth. There will be no reduction of the existing level of service as required by the comprehensive plan.
- D. **STORMWATER MANAGEMENT:** In compliance with Comprehensive Plan Policy 10.C.2.2 the site dose comply with post development run-off requirements not exceeding the predevelopment run-off rate from any proposed development. Any designed storm improvements shall attenuate, per county ordinance, a minimum 25 year critical duration storm event as well as provide, at a minimum, treatment of the first ½ inch of runoff. All proposed development will comply with design and performance standards pursuant to Chapter 62-25 F.A.C., in its entirety (including exemptions and Chapter 62-4 and 62-302 F.A.C. Any development of said parcel will not degrade the ability of a area-wide system to adequately retain/detain/store and control stormwater run-off. Any design and construction for all channels of stormwater systems under arterial and collector roads be predicated upon, at least a 100-year strom event. Other measures will include erosion and sediment control during the construction period as well as stabilization by vegetation once any construction is complete. The stormwater management plan will also have an accompanied maintenance plan to ensure the long

Exhibit "B"

Panhandle Grading and Paving, Inc.
2665 Solo Dos Familiaf
Pensacola, FL 32534
Phone (850) 478-5250
Fax (850) 479-5901

- term functioning of the system. In accordance with county ordinances, any stormwater discharge on the site shall be treated or managed on the site in accordance with federal, state and/or local permits prior to discharge from site. Any new development on the parcel must meet LOS requirements and may necessitate the construction of stormwater management facility complying with drainage LOS compliance would be reviewed as part of site development approval through a development review process.
- E. RECREATION AND OPEN SPACE:** Any proposed industrial development does not raise any significant issues with recreation and open space. With the granting of the large scale amendment to the future land use classification of the parcel limits non-residential uses which creates no potential for additional population and, therefore, no demand for recreation and open space acreage.
- F. TRAFFIC:** Associated with the Future Land Use Amendment the county's Transportation & Traffic Operations Division analyzed the impacts on area roads from trips generated by potential uses of the parcel. That analysis estimated the impacted road segments of Quintette Road, Palafox Highway, and U.S. Highway 29 would all maintain their levels of service established in Comprehensive Plan Policy 8.A.1.3 and would meet the test for concurrency prescribed by Land Development Code (LDC) Section 5.12.00. Potential trip generation was based on "general light industrial" land use as defined by Institute of Transportation Engineers. Using data specifically derived from a proposed use calculating maximum trips per hour will not impact the Level of Service of CR 184, Quintette Road from US 29 to the Santa Rosa County Line based on Escambia County Engineering Department, Transportation & Traffic Operations Division, Traffic and Level of Service Report stating currently operating at 72% of operating capacity and still has approximately 500 trips per day still available. Moreover, CR 184 is not a hurricane evacuation route. That use is a more trip-intensive use than possible heavy industrial use and is best-fit characterization of the potential impacts of industrial FLU. Additionally, the same land use designation was applied to the existing area asphalt plant during the traffic impact review.
- G. Schools:** With the granting of the large scale amendment to the future land use classification of the parcel limits non-residential uses which creates no potential for additional population and, therefore, no demand for school capacity.

Exhibit "B"

Panhandle Hold, LLC
Sols Dos Familiaf
Pensacola, FL 32534
Phone (850) 478-5250
Fax (850) 479-5901

REC'D JUN 07 2012

Site Description and Proposed Development

The proposed rezoning is located in the Southwest quarter of the Southeast quarter of Section 26, Township 2 North, Range 31 West, and shall border and have access to County Road 184/East Quintette Road (hereafter "the property"). The property address is the 100 Block of Quintette Road and is owned by Panhandle Holdings, LLC. The size of the property is a total of 62.5 acres.

The property is currently undeveloped land and is centrally located in a predominantly industrial corridor. The property has wooded and open areas providing significant natural buffers between the subject property and other existing zoning classification. The property is located in Activity Node 15 and is currently zoned VAG-1 with a Future Land Use of Industrial (ID) approved through a Future Land Use Amendment in 2008. The proposed use for the property is to create additional industrial use consistent in the area. Properties in the vicinity consist of mostly undeveloped wooded lots. Properties that are developed consist of a scattered mix of residential, agricultural, light industrial, and heavy industrial. Heavy and light industrial is the primary land use in the immediate vicinity which makes further industrial development consistent with existing use of the area.

For the above-mentioned reasons, the proposed zoning change to ID-2 is appropriate for the area promoting industrial development consistent with existing uses in the area.

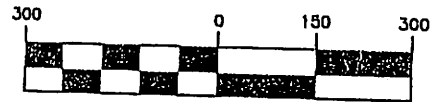
Exhibit "C"



CORPS / DEP/ESC. COUNTY
JURISDICTIONAL WETLANDS
+/- 5.94 ACRES

UPLANDS
+/- 62.62 ACRES

GRAPHIC SCALE



(IN FEET)
1 inch = 300 ft.



QUINETTE RD

EXISTING UNIMPROVED
ROAD CROSSING

Exhibit "D"

Note: This is not a survey. Since a boundary survey was not provided, certain assumptions were made in the field regarding the location of property corners. The dimensions of the property lines and corners were assumed using data from Escambia County Property Appraiser's Office. The attached sketch should be considered as approximate unless verified by survey or other means.

WETLAND
SCIENCES
INCORPORATED

JURISDICTIONAL WETLAND SKETCH

PROJECT # 2004-291

DATE: NOVEMBER 09, 2007

DRAWN BY: KJM

SCALE: 1" = 300'

WETLAND
SCIENCES
I N C O R P O R A T E D

November 9, 2007

Richard Duane
Panhandle Grading & Paving, Inc.
P.O. Box 3717
Pensacola, FL 32516

Re: *Flagged Non-Binding Wetland Jurisdictional Determination*
Parcel ID# 26-2N-31-4230-000-000, Escambia County, Florida
WSI Project #2004-291

Dear Mr. Duane,

As requested, Wetland Sciences, Inc. has completed a flagged wetland jurisdictional determination within the above-cited parcel. Wetland Sciences, Inc. did identify a wetland complex within the subject property (See attached sketch). This wetland complex will fall within the regulatory jurisdiction of the US Army Corps of Engineers (Corps) under *33 CFR 320-330*, the Florida Department of Environmental Protection (DEP) under *Chapter 62-340 F.A.C.* and Escambia County.

Please be advised that various development activities within the jurisdictional wetlands, such as filling, mechanical land-clearing, and construction of some piling supported structures will require permitting from the State of Florida Department of Environmental Protection, the United States Army Corps of Engineers, and Escambia County. In addition, Escambia County regulates those lands thirty feet landward of the DEP wetland jurisdictional line.

Also be advised, the information presented within this report represents the professional opinion of the scientist that performed the work and is intended to furnish the client with a rough approximation of the status of wetland resources on the site under consideration. It is the responsibility of the regulatory agencies to verify our approximation before this determination can be considered legally binding. Although the above-cited conclusions are provided with some degree of confidence, it is essential that field confirmations authenticate our findings.

Finally, I have included a statement of our firm for services rendered and expenses incurred associated with this effort. If you find this statement in order, please place it in line for payment.

If you have any questions, please do not hesitate to contact my supervisor, Keith Johnson, or me at (850) 453-4700.

WETLAND SCIENCES, INC.



For Kevin McAuliffe
Biologist

Enclosures: As indicated

**Triple L Farms, LLC Mineral Extraction
Sit Plan Table of Contents**

- | | |
|--|--|
| 1) Total Acreage within Project Boundaries: | 24.5 |
| 2) Total Acreage of Environmentally Sensitive Lands within Project Boundaries: | None |
| 3) Total Acreage within Project Boundaries Not identified Environmentally Sensitive: | 24.5 |
| 4) Acreage of each different Environmentally Sensitive Lands listed by agency or agencies Exerting Jurisdiction: | As Performed By: Wetland Sciences, Inc.
5.94 acres Jurisdictional Wetlands Corps./DEP/County |
| 5) Acreage of proposed impacts to Environmentally Sensitive Land: | None |
| 6) Acreage of proposed preservation (List independently for each category of environmentally sensitive land: | 5.94 acres Jurisdictional Wetlands
5.51 acres Permanent Buffering |
| 7) Total Acreage of buffer within the project Boundaries pre and post development: | 5.51 acres (75' separation from wetlands per conditional use requirements) 17.3 Acers of perpetual buffer around the extraction limits.
By order of Conditional Use CU-2006-03. |

2) No impact are to be made to wetlands and/or endangered habitat as a result of mineral extraction. See attached determination by Wetland Sciences, Inc.

3) No previous impacts to wetland per attached determination by Wetland Sciences, Inc. The road to be utilized for transport of extracted minerals between the two properties is existing with little or no improvements made. Only activities in the area near the jurisdictional wetlands are maintenance and control of stormwater runoff.

Proximity to and Impact on Natural Resources

- A. WELLHEADS:** The subject property is not within a wellhead protection zone established per Comprehensive Plan Policy 11.B.2.9. – i.e. all land within a 200 – ft radius of an existing or designated protected well head-nor will a proposed wellhead impact any wellheads. The nearest public potable water wellhead, Cottage Hill #3, is approximately 6,200 feet south of the site.
- B. NATURAL RESOURCE INCLUDING WETLANDS:** Based on a survey by Wetland Sciences Incorporated, the reference property dose contain some regulated wetlands with a sketch being provided. The regulated wetlands are approximately 5.54 acres on said property. Large buffer will be left around the wetlands to ensure no destruction of these sensitive lands. The remaining property consist entirely of non regulated uplands. A letter confirming these findings and a map denoting the surveyed area are attached. Current development has required avoidance and minimization of wetland impacts, and in the event of unavoidable impacts mitigation shall be pursued, consistent with Comprehensive Plan Policies 11.A.1.5, 11.A.2.6, 11.B.3.5, and 11.B.3.8, among others, and implementing LDC regulations. Based on a USDA soils survey of Escambia County, the soils in the area consist primarily of loamy sand which is associated with upland ridge. These soils have a high infiltration rate and significant depth to groundwater, further reducing the potential for hydrated soils and wetland conditions. Accordingly, the proposed rezoning will have no adverse impact on the environmentally sensitive lands.
- C. HISTORICALLY SIGNIFICANT SITES:** The subject property is not historically significant site nor is a historically significant site within the vicinity of the proposed parcel of land. No recorded archaeological sites, historic structures, cemeteries, or National Register of Historic Places properties were found.

OR BK 5408 PG0069
Escambia County, Florida
INSTRUMENT 2004-239381

DEED DOC STAMPS PD @ ESC CO \$ 872.20
05/14/04 ERNIE LEE MAGNA, CLERK

This instrument prepared by:
Richard M. Colbert, Esquire
Clark, Partington, Hart, Larry,
Bond, Stackhouse & Stone
Post Office Box 13010
Pensacola, FL 32591-3010

8/10/04
877-20

Parcel ID Number: 26-2N-31-4230-000-000

STATE OF FLORIDA
COUNTY OF ESCAMBIA

GENERAL WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, that **WILMER L. THRIFT, JR. and SYLVIA L. THRIFT**, husband and wife, whose mailing address is: Post Office Box 45, Cantonment, Florida 32533, for and in consideration of Ten Dollars (\$10.00) Dollars and other good and valuable considerations, the receipt of which is hereby acknowledged, does bargain, sell, convey and grant unto **TRIPLE L. FARMS, INC.**, a Florida corporation, Grantee, whose mailing address is Post Office Box 3717, Pensacola, Florida 32516, Grantee's heirs and assigns, forever, the following described property, situated, lying and being in the County of Escambia, State of Florida, described on the Exhibit "A" attached hereto and made a part hereof.

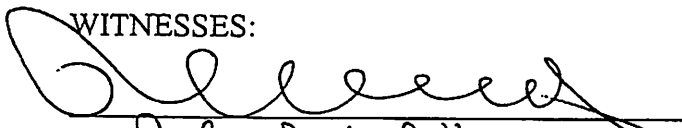
Subject to that certain mortgage dated April 28, 2003, in favor of Farm Credit of Northwest Florida, ACA, recorded in Official Records Book 5127 at Page 584 of the Public Records of Escambia County, Florida, which Grantee hereby assumes and agrees to pay.

Subject to zoning and other requirements imposed by governmental authorities; valid easements and mineral reservations of record affecting the property, if any, which are not hereby reimposed; and taxes for the current year and subsequent years. Together with all and singular the tenements, hereditaments, and appurtenances thereunto belonging or in anywise appertaining, free from all exemptions and right of homestead.

Grantors covenant that they are lawfully seized of an indefeasible estate in fee simple in the said property and have a good right to convey the same; that said property is free from encumbrances; that said Grantee shall have the peaceable and quiet possession thereof; and that Grantors fully warrant the title to said property and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantors have signed and sealed these presents, effective the 25th day of March, 2004.

WITNESSES:


Richard M. Colbert
Print/Type Name of Witness


WILMER L. THRIFT, JR.


JACQUELYN P. BOOZER


SYLVIA L. THRIFT

OR BK 5408 PG0070
Escambia County, Florida
INSTRUMENT 2004-239381

EXHIBIT "A"

The Southwest $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ lying East of the CSX (formerly L&N) Railroad right of way; the Southeast $\frac{1}{4}$ of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; the Southwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ lying East of the CSX Railroad right-of-way; the South $\frac{1}{2}$ of the Northeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ and the Southeast $\frac{1}{4}$ of the Southeast $\frac{1}{4}$; less Deed Book 415, Page 331 and Deed Book 417, Page 19, all lying and being in Section 26, Township 2 North, Range 31 West, Escambia County, Florida.

Lying South of State Rd. 184 (aka East Quintette Rd.)

LESS AND EXCEPT THE FOLLOWING PARCEL:

COMMENCING AT THE SOUTHEAST CORNER OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 31 WEST, ESCAMBIA, FLORIDA; THENCE GO NORTH 88 DEGREES 53 MINUTES 13 SECONDS WEST ALONG THE SOUTH LINE OF SAID SECTION 26 A DISTANCE OF 2162.55 FEET TO THE EASTERLY RIGHT OF WAY LINE OF THE CSX RAILROAD (100' R/W); THENCE GO NORTH 16 DEGREES 22 MINUTES 15 SECONDS WEST A DISTANCE OF 26.21 FEET ALONG SAID EASTERLY RIGHT OF WAY LINE OF THE CSX RAILROAD TO THE POINT OF BEGINNING; THENCE CONTINUE NORTH 16 DEGREES 22 MINUTES 15 SECONDS WEST ALONG SAID EASTERLY RIGHT OF WAY LINE OF THE CSX RAILROAD A DISTANCE OF 618.77 FEET TO THE SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 184 (200' R/W); THENCE GO NORTH 58 DEGREES 06 MINUTES 00 SECONDS EAST ALONG SAID SOUTHERLY RIGHT OF WAY LINE OF STATE ROAD NO. 184 A DISTANCE OF 374.59 FEET; THENCE DEPARTING SAID SOUTHERLY R/W LINE, GO SOUTH 16 DEGREES 22 MINUTES 34 SECONDS EAST A DISTANCE OF 946.99 FEET; THENCE GO NORTH 88 DEGREES 53 MINUTES 13 SECONDS WEST A DISTANCE OF 580.46 FEET TO THE POINT OF BEGINNING. THE ABOVE DESCRIBED PARCEL OF LAND IS SITUATED IN SECTION 26, TOWNSHIP 2 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, AND CONTAINS 9.95 ACRES.

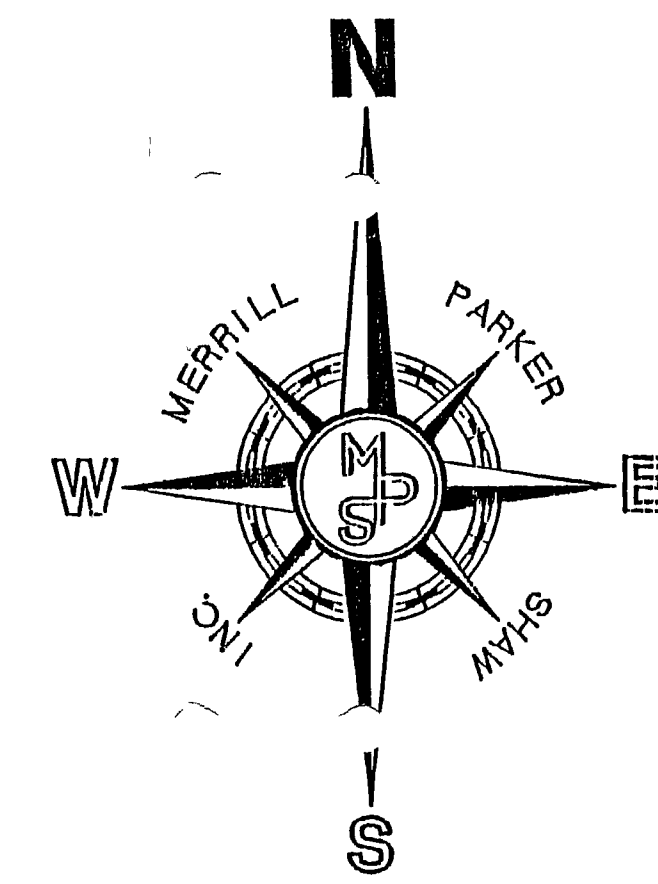
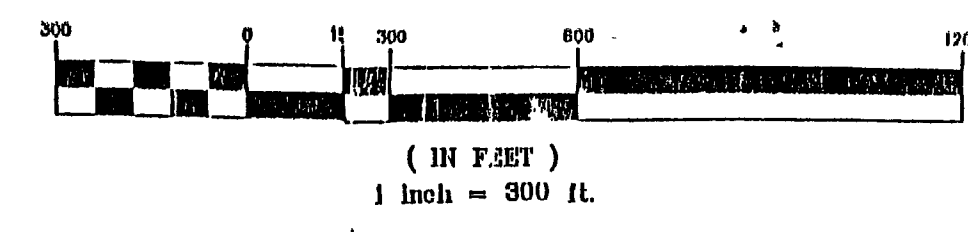
RCD May 14, 2004 10:50 am
Escambia County, Florida

ERNIE LEE MAGAHA
Clerk of the Circuit Court
INSTRUMENT 2004-239381



BOUNDARY SURVEY

A PORTION OF SECTION 26,
TOWNSHIP-2-NORTH, RANGE-31-WEST,
ESCAMBIA COUNTY, FLORIDA.
(TRACT #FLO1E-09)

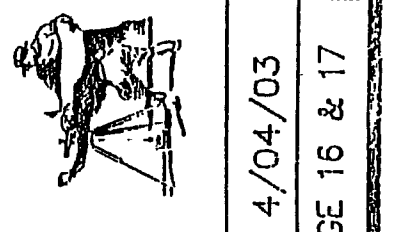


- LEGEND:**
- ⊙ ~ 4" DIAMETER ROUND CONCRETE MONUMENT, UNNUMBERED (FOUND)
 - ⊠ ~ 4" X 4" CONCRETE MONUMENT, "ST. REGIS" (FOUND)
 - ⊡ ~ 4" X 4" PLAIN CONCRETE MONUMENT, UNNUMBERED (FOUND)
 - ⊓ ~ 4" X 4" CONCRETE MONUMENT, NUMBER 1663 (FOUND)
 - ⊔ ~ 8" X 8" CONCRETE MONUMENT, "SRD R/W" (FOUND)
 - ⊕ ~ 2" PLAIN IRON PIPE, UNNUMBERED (FOUND)
 - ⊖ ~ 1" PLAIN IRON PIPE, UNNUMBERED (FOUND)
 - ⊗ ~ 3/4" CAPPED IRON PIPE, L.B. NO. 1292 (FOUND)
 - ⊘ ~ 1/2" CAPPED IRON ROD, NUMBER 3578 (FOUND)
 - ⊙ ~ 1/2" CAPPED IRON ROD, CORP. NUMBER 7174 (SET)
 - F.E.M.A. ~ FEDERAL EMERGENCY MANAGEMENT AGENCY
 - (D) ~ DESCRIPTION/DEED INFORMATION
 - (F) ~ FIELD MEASUREMENT/INFORMATION
 - (GOV'T) ~ GOVERNMENT
 - N ~ NORTH, S ~ SOUTH
 - E ~ EAST, W ~ WEST
 - R ~ RADIUS
 - Δ ~ DELTA ANGLE
 - L ~ LENGTH OF ARC
 - Ch ~ CHORD DISTANCE
 - Cb ~ CHORD BEARING
 - Sa ~ SPIRAL ANGLE
 - La ~ LENGTH OF SPIRAL
 - Sch ~ SPIRAL CHORD DISTANCE
 - Scb ~ SPIRAL CHORD BEARING
 - X --- ~ WIRE FENCE

Boundary Survey
COPYRIGHT © 2000 BY MERRILL PARKER SHAW, INC.

NO.	DATE	APPL.	REVISIONS:

NOT VALID WITHOUT THE SIGNATURE, SEAL AND EXPIRATION DATE OF LICENSED SURVEYOR AND NUMBER



MERRILL PARKER SHAW, INC.
PROFESSIONAL ENGINEERING & SURVEYING SERVICES
4828 N. DAVIS HWY
PENSACOLA, FL 32503
PHONE: (850) 478-4828
FAX: (850) 478-4824
CORPORATION IN FLORIDA
STATE NO. 7174

SCALE: 1" = 300'
DRAWN: TRS
CHECKED: EWP
DATE: 4/04/03

FIELD COMPLETION DATE: 4/02/03
FIELD BOOK: 24, PAGE 16 & 17

BOUNDARY SURVEY
A PORTION OF SECTION 26,
TOWNSHIP-2-NORTH, RANGE-31-WEST,
ESCAMBIA COUNTY, FLORIDA.

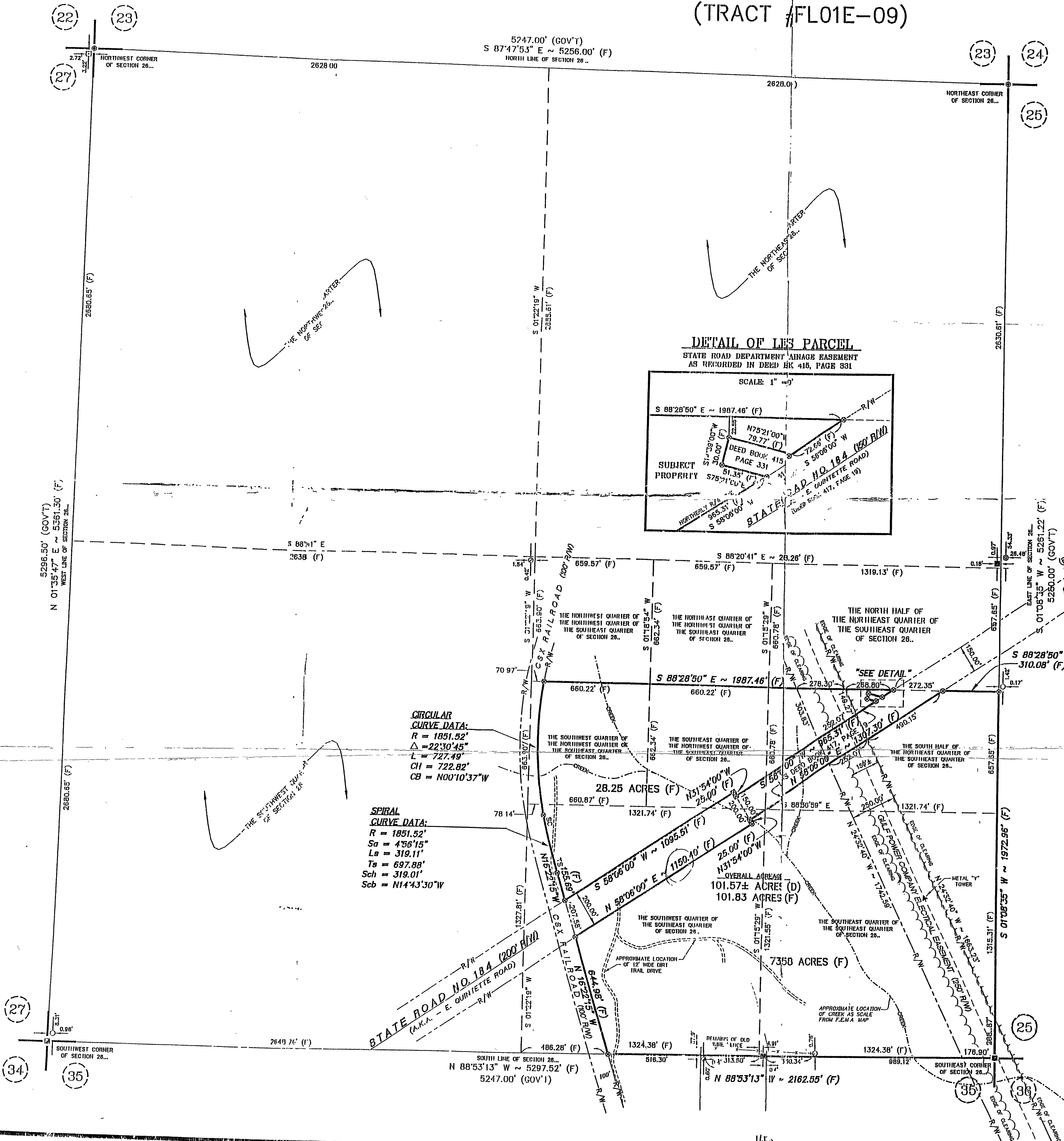
REQUESTED BY: M.F. NAND GUPTA
INTERNATIONAL PAPER REALTY CORPORATION

(TRACT # FLO1E-09)

MERRILL PARKER SHAW, INC.
4528 N. DAVIS HIGHWAY, PENSACOLA, FL 32503

E. Wayne Parker 4/04/03
E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3683
CORPORATE NUMBER 7174 STATE OF FLORIDA

JOB NO. SHEET
03-702-1



DESCRIPTION: (AS FURNISHED)

PARCEL B
Escambia County, Florida.
Township 2 North Range 31 West,
Section 26:
The Southwest 1/4 of the Northwest 1/4 of the Southeast 1/4 lying East of the CSX (formerly L & N Railroad right-of-way; the Southeast 1/4 of the Northwest 1/4 of the Southeast 1/4 of the Southeast 1/4 of the Southeast 1/4 lying East of the CSX Railroad right-of-way; the South 1/2 of the Northeast 1/4 of the Southeast 1/4 and the Southeast 1/4 of the Southeast 1/4; less Deed Book 415, page 331 and Deed Book 417, page 16.
101.67 acres, more or less

- SURVEYOR'S NOTES:**
- THE NORTHROW AND BEARINGS AS SHOWN HEREON ARE REFERENCED TO THE BEARING 03 SOUTH 58 DEGREES 00 MINUTES 00 SECONDS WEST ALONG THE NORTHWEST RIGHT OF WAY LINE OF QUINCY ROAD (STATE ROAD NO. 184, R/W 200 FEET) AS PER THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR STATE ROAD NO. 184, DATED 1954, SECTION NO. 4825-101.
 - SOURCE INFORMATION: THE DESCRIPTION AS FURNISHED BY THE CLIENT, GOVERNMENT LAND OFFICE FIELD NOTES, SECTIONAL BREAKDOWN OF SECTION 26, TOWNSHIP 2 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION RIGHT OF WAY MAP FOR STATE ROAD NO. 184, DATED 1954, SECTION 4825-101, AND EXISTING FIELD MONUMENTATION.
 - SECTION 26 OF TOWNSHIP 2 NORTH, RANGE 31 WEST, ESCAMBIA COUNTY, FLORIDA, AS SHOWN HEREON WAS SUBDIVIDED (BROKEN-DOWN) IN ACCORDANCE WITH THE MANUAL OF SURVEYING INSTRUCTIONS OF 1973.
 - NO TITLE SEARCH WAS PERFORMED BY OR FURNISHED TO "MERRILL PARKER SHAW, INC." FOR THE SUBJECT PROPERTY. THERE MAY BE DEEDS OF RECORD, UNRECORDED DEEDS, RIGHTS-OF-WAY, EASEMENTS, BUILDING SETBACKS, RESTRICTIVE COVENANTS, GOVERNMENT JURISDICTIONAL AREAS OR OTHER INSTRUMENTS WHICH COULD AFFECT THE BOUNDARIES AND/OR USE OF THE SUBJECT PROPERTY.
 - ONLY THE ABOVE GROUND VISIBLE ENCROACHMENTS, UTILITIES AND IMPROVEMENTS WERE FIELD LOCATED AS SHOWN HEREON, UNLESS OTHERWISE NOTED. UNDERGROUND ENCROACHMENTS, UTILITIES AND IMPROVEMENTS, IF ANY, WERE NOT FIELD LOCATED OR VERIFIED, UNLESS OTHERWISE NOTED.
 - THE SURVEY AS SHOWN HEREON DOES NOT DETERMINE OWNERSHIP.
 - THE MEASUREMENTS MADE IN THE FIELD, INDICATED THUSLY (F), AS SHOWN HEREON ARE IN ACCORDANCE WITH THE UNITED STATES STANDARD.
 - THE SUBJECT PROPERTY AS SHOWN HEREON IS LOCATED IN FLOOD ZONE "X", (AREAS OUTSIDE 500-YEAR FLOOD PLAIN), BASE FLOOD ELEVATION NOT APPLICABLE, AS DETERMINED FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY FLOOD INSURANCE RATE MAP OF ESCAMBIA COUNTY FLORIDA, (UNINCORPORATED AREAS), FIRM FINE DATE: FEBRUARY 23, 2000, COMMUNITY PANEL NUMBERS: 120060 0240 F AND 120080 0245 F, MAP NUMBERS: 1203300240 F AND 1203300245 F, MAPS REISED: FEBRUARY 23, 2000.
 - FEDERAL AND STATE COPYRIGHT ACTS PROTECT THIS MAP FROM UNAUTHORIZED USE. THIS MAPS NOT TO BE COPIED OR REPRODUCED IN WHOLE OR PART AND IS NOT TO BE USED FOR ANY OTHER TRANSACTION. THIS DRAWING CANNOT BE USED FOR THE BENEFIT OF ANY OTHER PERSON, COMPANY OR FIRM WITH OUT PRIOR WRITTEN CONSENT OF THE COPYRIGHT OWNER AND IS TO BE RETURNED UPON REQUEST.

CERTIFIED TO:
THAT THE SURVEY SHOWN HEREON MEETS THE FLORIDA MINIMUM TECHNICAL STANDARDS SET FORTH BY THE BOARD OF PROFESSIONAL SURVEYORS & MAPPERS IN THE STATE OF FLORIDA, ACCORDING TO FLORIDA ADMINISTRATIVE CODE, CHAPTER 61C17-6, PURSUANT TO CHAPTER 472.027, FLORIDA STATUTES.

MERRILL PARKER SHAW, INC.
4528 N. DAVIS HIGHWAY, PENSACOLA, FL 32503
E. Wayne Parker 4/04/03
E. WAYNE PARKER, PROFESSIONAL LAND SURVEYOR
REGISTRATION NUMBER 3683
CORPORATE NUMBER 7174 STATE OF FLORIDA

REC'D JUN 0 7 2012



Development Services Department

Escambia County, Florida

PLANNING BOARD REZONING PRE-APPLICATION SUMMARY FORM

26-2N-31-4230-000-001
26-2N-31-4230-000-000
Property Reference Number

William Joseph
Name

100 BIK E Quintette Rd
Address

Owner Agent

Referral Form Included? **Y / N**

MAPS PREPARED

- Zoning
- FLU
- Aerial
- Other: _____

PROPERTY INFORMATION

Current Zoning: VAG-1 Size of Property: 67.5 +/-
 Future Land Use: I Commissioner District: 5
 Overlay/AIPD: NA Subdivision: NA
 Redevelopment Area*: _____
 *For more info please contact the CRA at 595-3217 prior to application submittal.

COMMENTS

Desired Zoning: ID-2

Is Locational Criteria applicable? No If so, is a compatibility analysis required? _____

Applicant has 2 parcels (2 PRN) separated by quintette Rd.
Had FLU change on both parcels to I. Had Conditional Use
on southern portion.
PB meeting July 9th
BCC meeting August 9th

- Applicant will contact staff for next appointment
- Applicant decided against rezoning property
- Applicant was referred to another process
 - BOA
 - DRC
 - Other: _____

Process Name

Staff present: Allyson Cain Date: 6/6/12

Applicant/Agent Name & Signature: William Joseph

No comment made by any persons associated with the County during any pre-application conference or discussion shall be considered either as approval or rejection of the proposed development, development plans, and/or outcome of any process.



Development Services Department

Building Inspections Division

3363 West Park Place
Pensacola, Florida, 32505
(850) 595-3550
Molino Office - (850) 587-5770

RECEIPT

Receipt No. : 556708

Date Issued. : 06/07/2012

Cashier ID : KLHARPER

Application No. : PRZ120600014

Project Name : Z-2012-15

PAYMENT INFO

Table with 4 columns: Method of Payment, Reference Document, Amount Paid, Comment. Includes a row for 'Check' with amount \$1,050.00 and App ID PRZ120600014.

Received From : PANHANDLE GRADING & PAVING, INC

Total Receipt Amount : \$1,050.00

Change Due : \$0.00

APPLICATION INFO

Table with 5 columns: Application #, Invoice #, Invoice Amt, Balance, Job Address. Includes row for PRZ120600014 with invoice # 649722 and amount 2,100.00.

Summary row: Total Amount : 2,100.00, Balance Due on this/these Application(s) as of 6/7/2012: \$0.00



Development Services Department
Building Inspections Division
 3363 West Park Place
 Pensacola, Florida, 32505
 (850) 595-3550
 Molino Office - (850) 587-5770

RECEIPT

Receipt No. : **556705**

Date Issued. : 06/07/2012

Cashier ID : KLHARPER

Application No. : PRZ120600014

Project Name : Z-2012-15

PAYMENT INFO

Method of Payment	Reference Document	Amount Paid	Comment
Check	2811	\$1,050.00	App ID : PRZ120600014
		\$1,050.00	Total Check

Received From : PANHANDLE GRADING & PAVING INC

Total Receipt Amount : **\$1,050.00**

Change Due : \$0.00

APPLICATION INFO

Application #	Invoice #	Invoice Amt	Balance	Job Address
PRZ120600014	649722	2,100.00	\$0.00	100 QUINTETT RD, CANTONMENT, FL, 32533

Total Amount :	2,100.00	\$0.00	Balance Due on this/these Application(s) as of 6/7/2012
-----------------------	-----------------	---------------	---

SMITH ALEX A
500 GREENBERRY DR
CANTONMENT FL 32533

TURNER LLOYD
444 E QUINTETTE RD
CANTONMENT FL 32533

TAYLOR JAMES S JR & LINDA F
4325 CEYLON CT
DENVER CO 80249

AMERICAN CONCRETE SUPPLY INC
PO BOX 849
GONZALEZ FL 32560

SOUTHEASTERN PIPE & PRECAST
2900 N HWY 95A
CANTONMENT FL 32533

TAITE MABEL
291 S CHIPPER RD
CANTONMENT FL 32533

JOHNSON BARBARA
291 CHIPPER RD
CANTONMENT FL 32533

TRIPLE L FARMS INC
PO BOX 3717
PENSACOLA FL 32516

PANHANDLE HOLDINGS LLC
2665 SOLO DOS FAMILIAF
PENSACOLA FL 32534

GROUP III ASPHALT INC
PO BOX 3687
PENSACOLA FL 32516

PENSACOLA ENGINEERING INC
PO BOX 86
CANTONMENT FL 32533-0086

JONES LEON B JR TRUST
NRRE-OPS 250 RIVERCHASE PKY
EAST BIRMINGHAM AL 35244

SOULE MARGHERITA J
NRRE-OPS PO BOX 11566
BIRMINGHAM AL 35202

LAMB JOHN & CAROLYN
PO BOX 715
CANTONMENT FL 32533-0715

HOUDASHELT WILLIAM
2491 EASTMAN LN
CANTONMENT FL 32533

ROWELL JOHN C & FRANCES B
10940 TARA DAWN CIR
PENSACOLA FL 32534

MARQUIS FRANCIS G JR
2483 EASTMAN LN
CANTONMENT FL 32533

BURGDORF BRIAN
7187 E HWY 190
LAMPASAS TX 76550

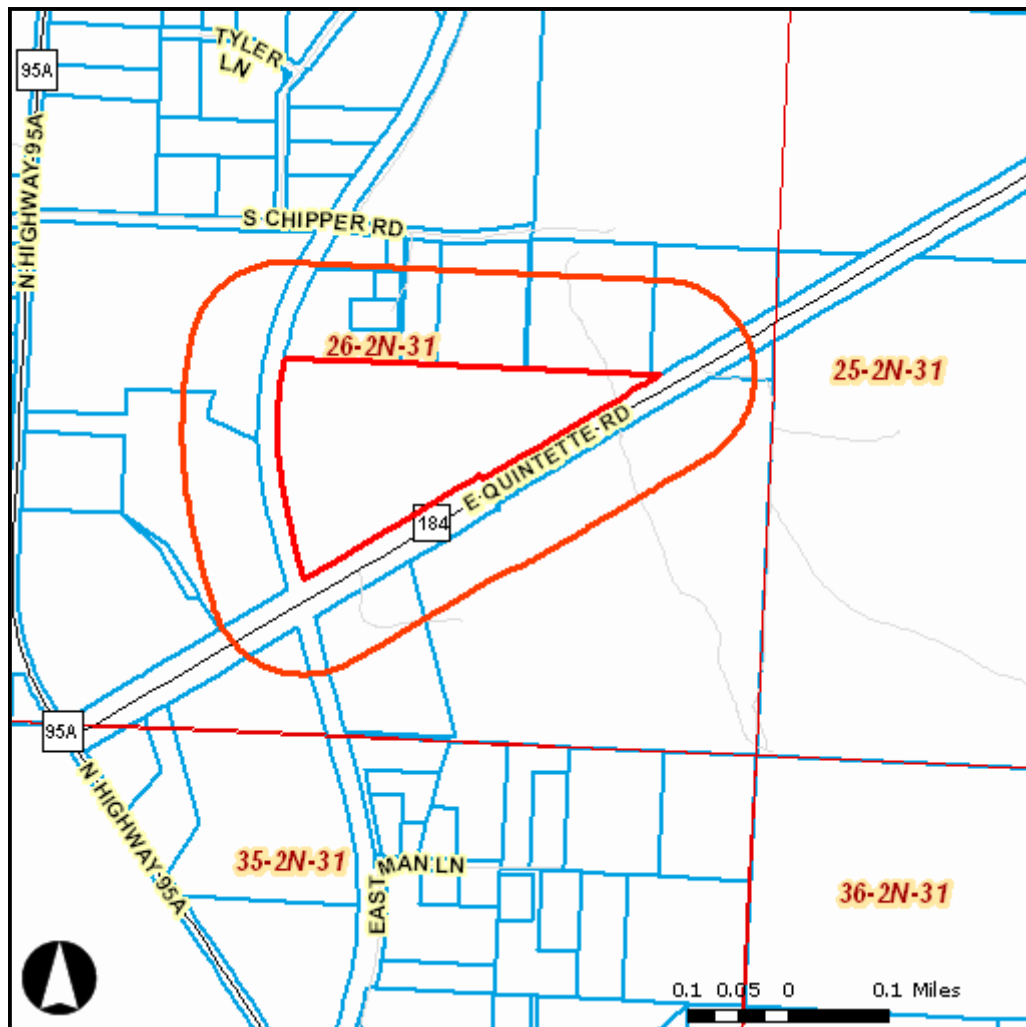
FEDERAL NATIONAL MORTGAGE
8100 NATIONS WAY
JACKSONVILLE FL 32256

RITCHEY ROBERT T
2433 EASTMAN LN
CANTONMENT FL 32533

ALLEN DIANE
2451 EASTMAN LN
CANTONMENT FL 32533

ORTEGA TEODORO K & ESTELA R
471 TANGLEWOOD DR
PENSACOLA FL 32503

ECPA Map



Map Grid



Major Roads

- City Road
- County Road
- Interstate
- State Road
- US Highway

All Roads

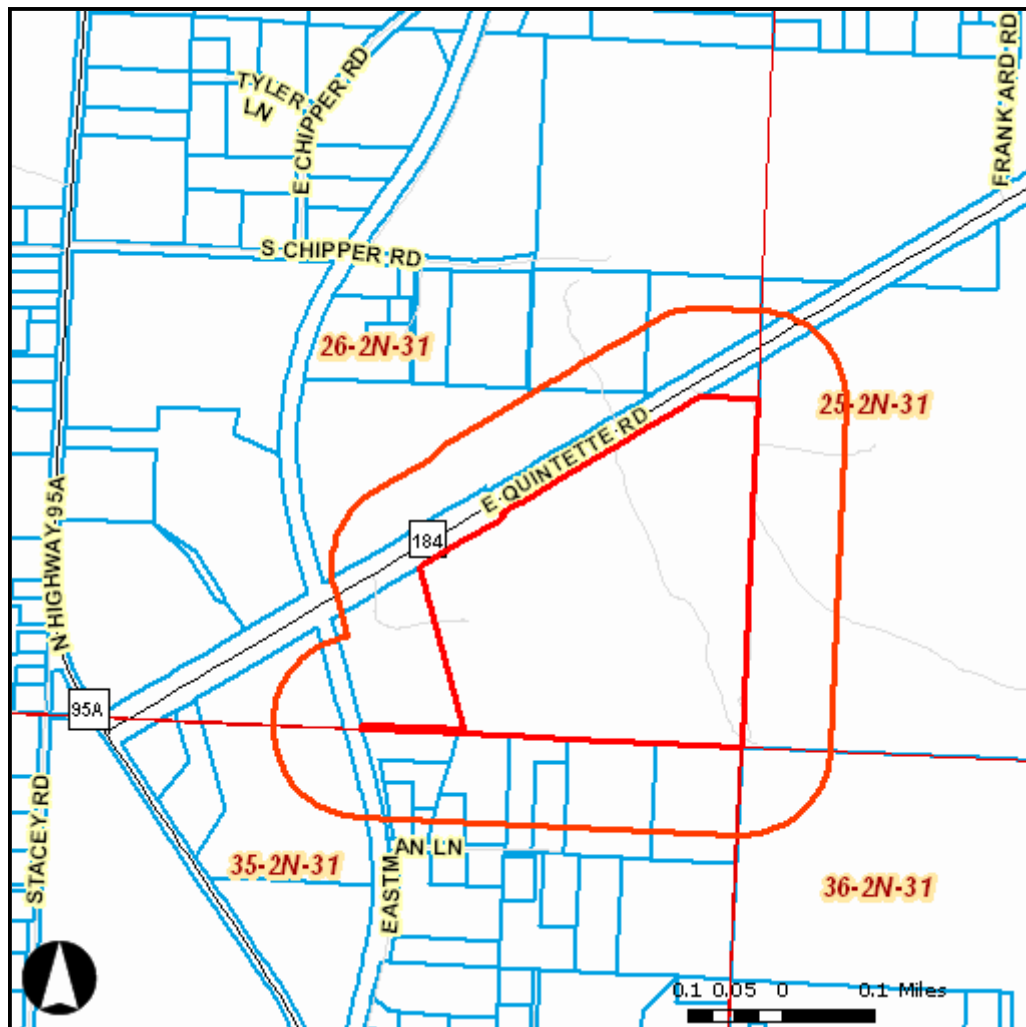


Property Line



PLEASE NOTE: This product has been compiled from the source data of the Inter-Local Mapping and Geographic Information Network (IMAGINE) project of Escambia County. The ESCAMBIA COUNTY PROPERTY APPRAISER I-MAP Service is for reference purposes only and not to be considered as a legal document or survey instrument. Relying on the information contained herein is at the user's own risk. We assume no liability for any use of the information contained in the I-MAP Service or any resultant loss.

ECPA Map



Map Grid



Major Roads

- City Road
- County Road
- Interstate
- State Road
- US Highway

All Roads



Property Line



PLEASE NOTE: This product has been compiled from the source data of the Inter-Local Mapping and Geographic Information Network (IMAGINE) project of Escambia County. The ESCAMBIA COUNTY PROPERTY APPRAISER I-MAP Service is for reference purposes only and not to be considered as a legal document or survey instrument. Relying on the information contained herein is at the user's own risk. We assume no liability for any use of the information contained in the I-MAP Service or any resultant loss.

Agent



BOARD OF COUNTY COMMISSIONERS ESCAMBIA COUNTY, FLORIDA

Development Services Department
3363 West Park Place, Pensacola, FL 32505
(850) 595-3475 - Phone
(850) 595-3481 - FAX
www.myescambia.com

Escambia County Planning Board Public Hearing Speaker Request Form

Please Print Clearly

Meeting Date: July 9, 2012

Rezoning Quasi-judicial Hearing

Rezoning Case #: Z-2012-15

OR

Regular Planning Board Meeting

Agenda Item Number/Description:

In Favor Against

*Name: William H. Joseph

*Address: 2791 Glen Eden Dr. *City, State, Zip: Pensacola, FL 32514

Email Address: William@panhandleparking.com Phone: (850) 478-5250

Please indicate if you:

would like to be notified of any further action related to the public hearing item.

do not wish to speak but would like to be notified of any further action related to the public hearing item.

All items with an asterisk * are required.

Chamber Rules

1. All who wish to speak will be heard and granted uniform time to speak (normally 3 – 5 minutes).
2. You must sign up to speak. This form must be filled out and given to the Clerk in order to be heard.
3. When the Chairman calls you to speak, come to the podium, adjust the microphone so you can be heard, then state your NAME and ADDRESS for the record.
4. Please keep your remarks BRIEF and FACTUAL.
5. Should there be a need for information to be presented to the Board, please provide 13 copies for distribution. The Board will determine whether to accept the information into evidence. Once accepted, copies are given to the Clerk for Board distribution.
6. Speakers will refrain from the use of obscene language, "fighting words" likely to incite violence from the individual(s) to whom the words are addressed, or other language which is disruptive to the orderly and fair progress of discussion at the meeting.
7. During public hearings, at the Chairman's discretion, if there is a controversial item in which Escambia County citizens are involved, he may institute a provision against clapping, if he/she feels that clapping or the noise will deter open speech between the two parties.



BOARD OF COUNTY COMMISSIONERS

Escambia County, Florida

AI-2923

Growth Management Report 11. 2.

BCC Regular Meeting

Public Hearing

Meeting Date: 08/09/2012

Issue: 5:45 p.m. - A Public Hearing- Amendment to the Official Zoning Map

From: T. Lloyd Kerr, AICP, Department Director

Organization: Development Services

RECOMMENDATION:

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

That the Board adopt an Ordinance to amend the Official Zoning Map to include the rezoning cases heard by the Planning Board on July 9, 2012, and approved during the previous agenda item and to provide for severability, inclusion in the code, and an effective date.

BACKGROUND:

Rezoning cases Z-2012-13, Z-2012-14 and Z -2012-15 were heard by the Planning Board on July 9, 2012. Under the Land Development Code (LDC), the Board of County Commissioners reviews the record and the recommended order of the Planning Board and conducts a Public Hearing for adoption of the LDC Zoning Map Amendment.

As a means of achieving the Board's goal of "decreasing response time from notification of citizen needs to ultimate resolution," the Board is acting on both the approval of the Planning Board's recommendation and the LDC Map Amendment for this month's rezoning cases. The previous report item addresses the Board's determination regarding the Planning Board's recommendation. This report item addresses only the Public Hearing and adoption of the Ordinance amending the LDC Official Zoning Map.

BUDGETARY IMPACT:

No budgetary impacts are expected as a result of the recommended Board action.

LEGAL CONSIDERATIONS/SIGN-OFF:

A copy of the standardized Ordinance has initially been provided to the County Attorney's Office for review regarding compliance with rezoning requirements in Florida Statutes and the Land Development Code.

PERSONNEL:

No additional personnel are anticipated for the implementation of this recommended Board action.

POLICY/REQUIREMENT FOR BOARD ACTION:

The Board Chairman will need to sign the Ordinance to amend the Official Zoning Map.

IMPLEMENTATION/COORDINATION:

This Ordinance, amending the Land Development Code Official Zoning Map, will be filed with the Department of State following adoption by the Board.

This Ordinance is coordinated with the County Attorney's Office, the Development Services Department and interested citizens. The Development Services Department will ensure proper advertisement.

Attachments

Draft Ordinance

ORDINANCE NUMBER 2012-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES (1999), THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING ARTICLE 6, SECTION 6.02.00, THE OFFICIAL ZONING MAP; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

Section 1. Purpose and Intent.

The Official Zoning Map of Escambia County, Florida, as adopted by reference and codified in Part III of the Escambia County Code of Ordinances (1999), the Land Development Code of Escambia County, Florida, as amended: Article 6, Section 6.02.00, and all notations, references and information shown thereon as it relates to the following described real property in Escambia County, Florida, is hereby amended as follows.

Case No.:	Z-2012-13
Address:	4020 Rockey Branch Rd
Property Reference No.:	24-2N-31-1302-000-000
Property Size:	20.24 (+/-) acres
From:	P, Public
To:	VAG-1, Villages Agriculture District
FLU Category:	REC, Recreation

Case No.:	Z-2012-14
Address:	Black Rd
Property Reference No.:	43-4N-31-1005-001-002; 43-4N-31-1005-002-002 43-4N-31-1005-000-001
Property Size:	14.83 (+/-) acres
From:	VAG-1, Villages Agriculture District

To: VR-1, Villages Rural Residential District
FLU Category: RC, Rural Community

Case No.: Z-2012-15
Address: 100 Block E Quintette Rd
Property Reference No.: 26-2N-31-4230-000-000
26-2N-31-4230-000-001
Property Size: 95.0 (+/-) acres combined
From: VAG-1, Villages Agriculture District
To: ID-2, General Industrial District
FLU Category: I, Industrial

Section 2. Severability.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 3. Inclusion in Code.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by F.S. § 125.68 (2010); and that the sections, subsections and other provisions of this Ordinance may be renumbered or re-lettered and the word “ordinance” may be changed to “section,” “article,” or such other appropriate word or phrase in order to accomplish such intentions.

INTENTIONALLY LEFT BLANK

Section 4. Effective Date.

This Ordinance shall become effective upon filing with the Department of State.

DONE AND ENACTED by the Board of County Commissioners of

Escambia County Florida, this _____ day of _____, 2012.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Wilson B. Robertson, Chairman

ATTEST: ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT

Deputy Clerk

(SEAL)

ENACTED:

FILED WITH DEPARTMENT OF STATE:

EFFECTIVE DATE:



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2660

Growth Management Report 11. 3.

BCC Regular Meeting

Public Hearing

Meeting Date: 08/09/2012

Issue: 5:46 p.m. - A Public Hearing - LDC Ordinance - Article 13 - Requirements for Piers on Pensacola Beach

From: T. Lloyd Kerr, AICP, Department Director

Organization: Development Services

RECOMMENDATION:

5:46 p.m. - A Public Hearing Concerning the Review of an LDC Ordinance Article 13 - "Piers, Basins and Marinas"

That the Board of County Commissioners (BCC) review and adopt an Ordinance amending the Escambia County Land Development Code (LDC), amending Article 13, "Piers, Basins and Marinas."

BACKGROUND:

At the April 11, 2012, Santa Rosa Island Authority (SRIA) Regular Board Meeting, Article 13, Section 13.12 c. n. was reviewed, and staff expressed concerns and recommended the minor change to allow a more practical guideline for new residential construction of boat lifts. The SRIA Board approved the recommendation and has forwarded it on to the Planning Board for review.

BUDGETARY IMPACT:

No budgetary impact is anticipated by the adoption of this Ordinance.

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached Ordinance has been reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any recommended legal comments are attached herein.

PERSONNEL:

No additional personnel are required for implementation of this Ordinance.

POLICY/REQUIREMENT FOR BOARD ACTION:

The proposed Ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities."

IMPLEMENTATION/COORDINATION:

Implementation of this Ordinance will consist of an amendment to the LDC and distribution of a copy of the adopted Ordinance to interested citizens and staff.

The proposed Ordinance was prepared in cooperation with the Santa Rosa Island Authority, Development Services Department, the County Attorney's Office and all interested citizens. The Development Services Department will ensure proper advertisement.

Attachments

Legal Sign off, Draft Ordinance and Clean Copy

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: SRIA Boat Lift Ordinance- Article 13

Date: 05/14/12

Date requested back by: 05/21/12

Requested by: Allyson Cain

Phone Number: 595-3547



(LEGAL USE ONLY)

Legal Review by 

Date Received: May 14, 2012

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

I made minor changes to the punctuation, formatting and citations.

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ORDINANCE NUMBER 2012-

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES (1999), THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING ARTICLE 13, SECTION 13.12.C.1.n., INCREASING THE MAXIMUM HEIGHT FOR SUPPORTING PILES FOR BOAT LIFTS FROM SEVEN FEET TO TWELVE FEET; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS land under the jurisdiction of the Santa Rosa Island Authority is unique to Escambia County, the State of Florida and the United States of America. All property within this jurisdiction is owned by Escambia County and the Santa Rosa Island Authority is charged with the stewardship of the Island to protect the public interest of the citizens of Escambia County; and,

WHEREAS this unique requirement for stewardship of public property requires that the Santa Rosa Island Authority take great care in its protection of this asset. The Santa Rosa Island Authority is also responsible for ensuring that all construction, development and redevelopment on the Island is consistent with applicable local, state and federal regulations including but not limited to construction of a dock, pier or any other structure or activity which is to be located on a tidal area; and,

WHEREAS Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Article 13, Section 13.12.C.1.n. requires that boat lifts may be approved adjacent to piers if the supporting pilings for the boatlift does not extend more than seven feet above the high water mark; and,

WHEREAS it has been the experience of the Santa Rosa Island Authority Environmental and Developmental Services Department as well as marine contractors operating on the Island that pilings extending up to seven feet above the high water mark generally only extend vertically up two feet from the dock itself, which presents not only a tripping hazard on the dock but also an engineering and safety hazard because the boatlift cannot be engineered to allow the boat to be raised parallel to the dock for safe boarding; and,

WHEREAS the above outlined safety and engineering hazards can be eliminated by extending the pilings for the boatlift from seven feet above the high water mark to twelve feet above the high water mark; and,

1 **WHEREAS** the Santa Rosa Island Authority unanimously recommended to the
2 Board of County Commissioners on April 11, 2012 to amend Part III of the Escambia
3 County Code of Ordinances, the Land Development Code of Escambia County, Article
4 13, Section 13.12.C.1.n., to increase the maximize allowable height for supporting piles
5 for boat lifts from seven feet above the high water mark to twelve feet above the high
6 water mark; and,
7

8 **WHEREAS** the Board of County Commissioners believes that the amendment to
9 Part III of the Escambia County Code of Ordinances, the Land Development Code of
10 Escambia County, Article 13, Section 13.12.C.1.n., as recommended by the Santa Rosa
11 Island Authority and the Escambia County Planning Board will eliminate safety and
12 engineering hazards relating to the construction of boat lifts on the Island.
13

14 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
15 **COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:**
16

17 **Section 1.** The findings as outlined in the WHEREAS clauses above are hereby
18 adopted.
19

20 **Section 2.** Part III of the Escambia County Code of Ordinances, the Land Development
21 Code of Escambia County, Article 13, Section 13.12.C.1.n., is hereby amended as
22 follows (words underlined are additions and words ~~stricken~~ are deletions):
23

24 **13.12.C.1.** *Requirements for piers to be constructed on Pensacola Beach.*

- 25 n. Structures above the decks of piers are not allowed; however, boatlifts may
26 be approved adjacent to piers if the supporting piles for the boatlift do not
27 extend more than ~~seven feet~~ **twelve feet** above mean high water. Plans
28 and applications must be accompanied by letters from the adjoining
29 lessees stating that they have reviewed the plans and either do or do not
30 object to the proposed construction. Existing structures that were
31 previously approved by the SRIA may remain as long as they are properly
32 maintained. If these structures are destroyed, they may not be rebuilt.

33
34 **Section 3.** **Severability.**
35

36 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
37 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way
38 affect the validity of the remaining portions of this Ordinance.
39
40
41
42

1 **Section 4. Inclusion in Code.**

2
3 It is the intention of the Board of County Commissioners that the provisions of this
4 Ordinance shall be codified as required by F.S. § 125.68 (2011); and that the sections,
5 subsections and other provisions of this Ordinance may be renumbered or re-lettered
6 and the word "ordinance" may be changed to "section," "article," or such other
7 appropriate word or phrase in order to accomplish such intentions.
8

9 **Section 5. Effective Date.**

10
11 This Ordinance shall become effective upon filing with the Department of State.
12

13 **DONE AND ENACTED** this _____ day of _____, 2012.
14

15
16 **BOARD OF COUNTY COMMISSIONERS**
17 **OF ESCAMBIA COUNTY, FLORIDA**

18
19 **By:** _____
20 **Wilson B. Robertson, Chairman**

21
22 **ATTEST: ERNIE LEE MAGAHA**
23 **Clerk of the Circuit Court**

24
25 **By:** _____
26 **Deputy Clerk**

27 **(SEAL)**

28
29 **ENACTED:**

30
31 **FILED WITH THE DEPARTMENT OF STATE:**

32
33 **EFFECTIVE DATE:**
34
35

**Ordinance
Clean Copy**

ORDINANCE NUMBER 2012-

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES (1999), THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING ARTICLE 13, SECTION 13.12.C.1.n., INCREASING THE MAXIMUM HEIGHT FOR SUPPORTING PILES FOR BOAT LIFTS FROM SEVEN FEET TO TWELVE FEET; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS land under the jurisdiction of the Santa Rosa Island Authority is unique to Escambia County, the State of Florida and the United States of America. All property within this jurisdiction is owned by Escambia County and the Santa Rosa Island Authority is charged with the stewardship of the Island to protect the public interest of the citizens of Escambia County; and,

WHEREAS this unique requirement for stewardship of public property requires that the Santa Rosa Island Authority take great care in its protection of this asset. The Santa Rosa Island Authority is also responsible for ensuring that all construction, development and redevelopment on the Island is consistent with applicable local, state and federal regulations including but not limited to construction of a dock, pier or any other structure or activity which is to be located on a tidal area; and,

WHEREAS Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Article 13, Section 13.12.C.1.n. requires that boat lifts may be approved adjacent to piers if the supporting pilings for the boatlift does not extend more than seven feet above the high water mark; and,

WHEREAS it has been the experience of the Santa Rosa Island Authority Environmental and Developmental Services Department as well as marine contractors operating on the Island that pilings extending up to seven feet above the high water mark generally only extend vertically up two feet from the dock itself, which presents not only a tripping hazard on the dock but also an engineering and safety hazard because the boatlift cannot be engineered to allow the boat to be raised parallel to the dock for safe boarding; and,

WHEREAS the above outlined safety and engineering hazards can be eliminated by extending the pilings for the boatlift from seven feet above the high water mark to twelve feet above the high water mark; and,

WHEREAS the Santa Rosa Island Authority unanimously recommended to the Board of County Commissioners on April 11, 2012 to amend Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Article

13, Section 13.12.C.1.n., to increase the maximize allowable height for supporting piles for boat lifts from seven feet above the high water mark to twelve feet above the high water mark; and,

WHEREAS the Board of County Commissioners believes that the amendment to Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Article 13, Section 13.12.C.1.n., as recommended by the Santa Rosa Island Authority and the Escambia County Planning Board will eliminate safety and engineering hazards relating to the construction of boat lifts on the Island.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

Section 1. The findings as outlined in the WHEREAS clauses above are hereby adopted.

Section 2. Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Article 13, Section 13.12.C.1.n., is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

13.12.C.1. Requirements for piers to be constructed on Pensacola Beach.

- n. Structures above the decks of piers are not allowed; however, boatlifts may be approved adjacent to piers if the supporting piles for the boatlift do not extend more than ~~seven feet~~ **twelve feet** above mean high water. Plans and applications must be accompanied by letters from the adjoining lessees stating that they have reviewed the plans and either do or do not object to the proposed construction. Existing structures that were previously approved by the SRIA may remain as long as they are properly maintained. If these structures are destroyed, they may not be rebuilt.

Section 3. Severability.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 4. Inclusion in Code.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by F.S. § 125.68 (2011); and that the sections, subsections and other provisions of this Ordinance may be renumbered or re-lettered

and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Effective Date.

This Ordinance shall become effective upon filing with the Department of State.

DONE AND ENACTED this _____ day of _____, 2012.

**BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA**

By: _____
Wilson B. Robertson, Chairman

**ATTEST: ERNIE LEE MAGAHA
Clerk of the Circuit Court**

By: _____
Deputy Clerk

(SEAL)

ENACTED:

FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE:



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1899

Growth Management Report 11. 4.

BCC Regular Meeting

Public Hearing

Meeting Date: 08/09/2012

Issue: 5:48 p.m. - A Transmittal Hearing- Repeal & Replace Comprehensive Plan Ordinance 2012-18

From: T. Lloyd Kerr, AICP, Department Director

Organization: Development Services

RECOMMENDATION:

5:48 p.m. - A Public Hearing- Concerning the Review to Repeal & Replace Comprehensive Plan Ordinance 2012-18

That the Board of County Commissioners review and approve for transmittal to the Department of Economic Opportunity (DEO) Ordinance 2012-18 in its entirety.

BACKGROUND:

On May 17, 2012, the Board of County Commissioners adopted Comprehensive Plan Ordinance 2012-18. Subsequently, staff discovered that an outdated version of the Comprehensive Plan had been inadvertently incorporated in the ordinance requiring amending the Comprehensive Plan by repealing and replacing in its entirety Ordinance 2012-18.

At the July 9, 2012 Planning Board meeting, the Board recommended approval of the Ordinance to be transmitted to DEO.

BUDGETARY IMPACT:

No budgetary impact is anticipated by the adoption of this Ordinance.

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached Ordinance has been reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any recommended legal comments are attached herein.

PERSONNEL:

No additional personnel are required for implementation of this Ordinance.

POLICY/REQUIREMENT FOR BOARD ACTION:

The proposed Ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities."

IMPLEMENTATION/COORDINATION:

Implementation of this Ordinance will consist of a text amendment to the Comprehensive Plan and distribution of a copy of the adopted Ordinance to interested citizens and staff.

The proposed Ordinance was prepared in cooperation with the Development Services Department, the County Attorney's Office and all interested citizens. The Development Services Department will ensure proper advertisement.

Attachments

Legal Sign off, Draft Ordinance and Clean Copy

Comp Plan 2030

Original BCC Rec for 2012-18

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Comprehensive Plan:2030 Repealing & Replacing Ord. 2012-18

Date: 6/18/2012

Date requested back by: 6/19/2012

Requested by: Allyson Cain

Phone Number: 595-3547



(LEGAL USE ONLY)

Legal Review by 

Date Received: 6/18/2012

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:
Include minor changes - wordy and format.

ORDINANCE NO. 2012-____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AMENDING THE ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2030, AS AMENDED; REPEALING AND REPLACING IN ITS ENTIRETY ORDINANCE NO. 2012-18; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Escambia County Board of County Commissioners adopted Ordinance 2012-18 on May 17, 2012; and

WHEREAS, it was subsequently discovered that an outdated version of the Comprehensive Plan was inadvertently incorporated in the ordinance; and

WHEREAS, the Board of County Commissioners of Escambia County, Florida, finds that it is appropriate to amend its Comprehensive Plan by repealing and replacing in its entirety Ordinance No. 2012-18;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Purpose.

The purpose of this ordinance is to repeal and replace the Escambia County Ordinance 2012-18 to correct an outdated version of the Comprehensive Plan that was inadvertently incorporated in it.

Section 2. Repeal and Replacement of Ordinance 2012-18.

Ordinance 2012-18 is hereby repealed and the Escambia County Comprehensive Plan: 2030 shall be amended as shown in the Exhibit A attached to this ordinance and codified in Part II of the Escambia County Code of Ordinances (additions are underlined and deletions are ~~struck through~~).

Section 3. Severability.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the holding shall in no way affect the validity of the remaining portions of this ordinance.

1 **Section 4. Inclusion in the code.**

2
3 The Board of County Commissioners intends that the provisions of this ordinance
4 will be codified as required by Section 125.68, Florida Statutes, and that the sections of
5 this ordinance may be renumbered or relettered and the word "ordinance" may be
6 changed to "section," "article," or such other appropriate word of phrase in order to
7 accomplish its intentions.
8

9 **Section 5. Effective date.**

10
11 Pursuant to Section 163.3184(3)(c)4, Florida Statutes, this ordinance shall not
12 become effective until 31 days after the Department of Economic Opportunity notifies
13 Escambia County that the plan amendment package is complete. If timely challenged,
14 this ordinance shall not become effective until the Department of Economic Opportunity
15 or the Administration Commission enters a final order determining the ordinance to be in
16 compliance.
17

18 DONE AND ENACTED this _____ day of _____, 2012.

19
20 BOARD OF COUNTY COMMISSIONERS
21 ESCAMBIA COUNTY, FLORIDA
22

23
24 By: _____
25 Wilson B. Robertson, Chairman

26 ATTEST: Ernie Lee Magaha
27 Clerk of the Circuit Court

28 By: _____ Date Executed: _____
29 Deputy Clerk

30
31 (SEAL)

32
33 ENACTED:

34
35 FILED WITH THE DEPARTMENT OF STATE:

36
37 EFFECTIVE DATE:

38
39
40 ATTACHMENTS: Escambia County Comprehensive Plan: 2030

**Ordinance
Clean Copy**

ORDINANCE NO. 2012-_____

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Section 5. Effective date.

Pursuant to Section 163.3184(3)(c)4, Florida Statutes, this ordinance shall not become effective until 31 days after the Department of Economic Opportunity notifies Escambia County that the plan amendment package is complete. If timely challenged, this ordinance shall not become effective until the Department of Economic Opportunity or the Administration Commission enters a final order determining the ordinance to be in compliance.

DONE AND ENACTED this ____ day of _____, 2012.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

By: _____
Wilson B. Robertson, Chairman

By: _____
Deputy Clerk

Date Executed: _____

(SEAL)

ENACTED:

FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE:

ATTACHMENTS: Escambia County Comprehensive Plan: 2030

ESCAMBIA COUNTY COMPREHENSIVE PLAN

2030

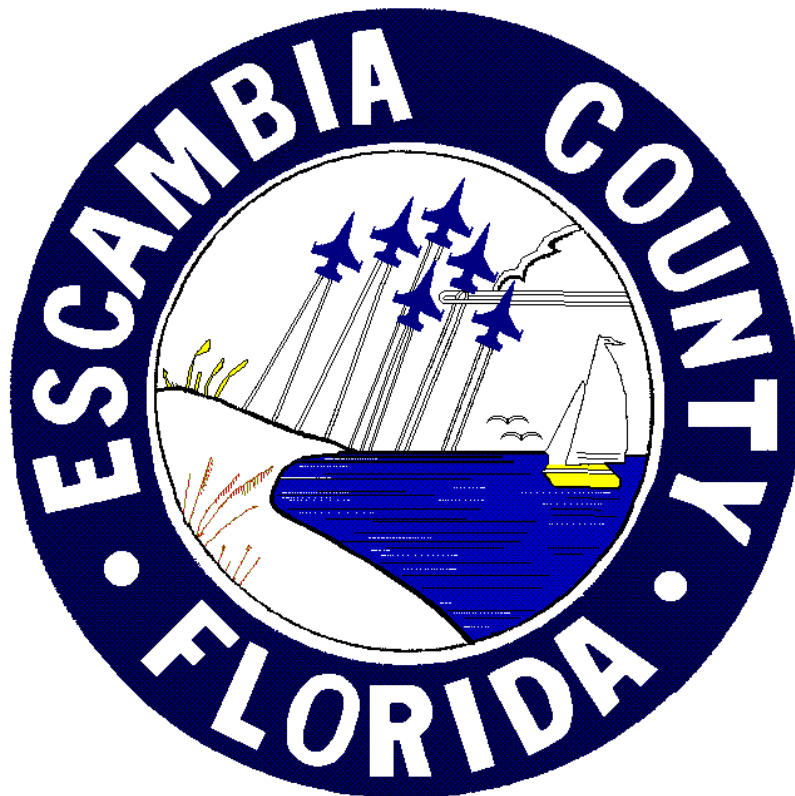


Table of Contents

Part II of the Escambia County Code of Ordinances (1999), the Escambia County Comprehensive Plan, as amended, is further amended to read as set forth on the following pages attached hereto, which includes the following chapters:

- Chapter 1: Legal
- Chapter 2: Administration
- Chapter 3: Definitions
- Chapter 4: Public Participation
- Chapter 5: General Requirements
- Chapter 6: Concurrency Management System
- Chapter 7: Future Land Use
- Chapter 8: Mobility
- Chapter 9: Housing
- Chapter 10: Infrastructure
- Chapter 11: Coastal Management
- Chapter 12: Conservation
- Chapter 13: Recreation and Open Space
- Chapter 14: Intergovernmental Coordination Element;
- Chapter 15: Capital Improvement Element;
- Chapter 16: Public Schools Facilities Element

Chapter 1 Legal.

Section 1.01 Title.

This ordinance shall be known as the "Escambia County Comprehensive Plan: 2030".

Section 1.02 Jurisdiction.

The lands subject to this ordinance shall include all unincorporated areas of Escambia County.

Section 1.03 Intent.

It is the intent of this ordinance to provide orderly growth management for those areas identified in section 1.02 above. This ordinance is not intended to terminate growth but rather to provide mechanisms for growth management in order to serve the citizens, visitors and property owners of Escambia County. Implementation of this ordinance is designed to maintain and improve the quality of life for all citizens of the county.

The Board of County Commissioners of Escambia County finds that the goals, objectives, policies and regulations set forth hereunder are a necessary and proper means for planning and regulating the development and use of land in the county and for otherwise protecting and promoting the public health, safety, and general welfare of its citizens. It is the intent of this ordinance that the comprehensive plan sets general guidelines and principles concerning its purposes and contents and that this ordinance shall be construed broadly to accomplish its stated purposes and objective.

Section 1.04 Effect on previous plan.

This ordinance/comprehensive plan supersedes and replaces the Escambia County Comprehensive Plan, which was adopted by the Board of County Commissioners on October 20, 1993, as amended.

Chapter 2 Administration.

Section 2.01 Local planning agency.

(1) The Escambia County Planning Board is hereby established by the Board of County Commissioners (BCC) of Escambia County as the Local Planning Agency (LPA).

(2) Duties: The duties of the LPA shall be as specified in Section 163.3174, Florida Statutes, and include:

- a. Be responsible for the preparation of the Escambia County Comprehensive Plan and make recommendations to the BCC regarding the adoption of the plan;
- b. Monitor the effectiveness and status of implementation of the comprehensive plan and recommend to the BCC any changes in the plan as may, from time to time, be required;
- c. Monitor, review and prepare periodic reports required by Section 163.3191, Florida Statutes, including regular assessments of the plan and preparation of the evaluation and appraisal report on the plan;
- d. Review any proposed land development regulations, codes or amendments thereto and make recommendations to the BCC as to the consistency of proposed regulations, codes or amendments with the comprehensive plan;
- e. Perform any other function, duty or responsibility assigned to it by the Escambia County BCC or by general or special law; and,
- f. Additional duties and responsibilities may be placed upon the LPA by inclusion of such duties and responsibilities within the Land Development Code (LDC).

(3) Resources: The LPA may utilize any resources provided it by the BCC in furtherance of the duties and responsibilities of the LPA. These resources may include, but are not limited to, facilities and equipment of the County, temporary assignment of employees, utilization of County committees, boards or authorities, consultants, persons or entities to prepare or assist in the preparation of the plan, amendments thereto or any other land development regulation, proposed or existing, as it may deem appropriate.

Section 2.02 Administration.

The Escambia County Administrator shall administer this ordinance with the assistance of other personnel within the County, as necessary. Policy direction and guidance shall be provided by the LPA and the BCC. In addition, assistance may be provided pursuant to Section 2.01(3) above.

Section 2.03 Public participation and notices.

Refer to Chapter 4 for public participation and notices.

Chapter 3 Definitions.

Section 3.01 Definitions.

The definitions listed here are hereby adopted. In addition, any words not defined here shall be defined as found in Chapter 163, pt. II, Florida Statutes, and ~~Rule 9J-5, Florida Administrative Code,~~ which ~~are~~ is which is hereby adopted by reference. There may be other definitions contained in the chapters (elements) of this ordinance and such definitions are not "in conflict" with the definitions in rule or law. Also, the additional definitions, if any, relate to terms or phrases not otherwise defined.

Section 3.02 Germane definitions.

The Escambia County Land Development Code (land development regulations) will contain specific definitions germane to any items within the Land Development Code (LDC).

Section 3.03 Singular and plural terms; gender; general interpretation.

Unless the context clearly indicates otherwise, singular words include the plural, person or man includes both genders and words not otherwise defined shall have those meanings commonly and customarily ascribed to them and as can be found in any standard dictionary reference books.

Section 3.04 Definitions.

Avigation easement: An easement that gives a clear property right to maintain flight operations in the airspace above the property.

Buffer: A designated area with natural and/or manmade features functioning to minimize or eliminate adverse impacts on adjoining land uses, or wetlands as defined by Section 373.019(22) Florida Statutes.

Commercial use: Any nonresidential use that is typically carried out for the purpose of monetary gain, including, but not limited to, any business use or activity at a scale greater than a home occupation.

Compact development: A development pattern typically featuring narrow streets, multifunction structures (such as residential over retail), multifamily housing, front porches, small lots, wide sidewalks, neighborhood parks, community landscaping, easily walkable distances from residences to local commercial uses, places of employment and schools.

Concurrency: The condition or circumstance that at the time new demands are placed on public facilities, facility capacities will meet or exceed the adopted level of service (LOS) standards established by the Comprehensive Plan.

Conservation: The act of preserving, guarding, or protecting; keeping in a safe or entire state; preservation.

Conservation subdivision: A form of residential subdivision characterized by clustered compact lots, common open space and natural features, used to protect agricultural lands, open space or other natural or historical resources while allowing for the maximum number of dwellings under applicable zoning and subdivision regulations.

Deficiencies: Inadequacies, insufficiencies, or the falling short of a prescribed norm.

Density: The number of dwelling units per acre of land.

Development: The carrying out of any building activity or mining operation, the making of any material change in the use or appearance of any structure or land, or the dividing of land into three or more parcels. Specific activities or uses involving or excluded from development are defined in Section 380.04, Florida Statutes.

Enhance: To make greater, as in value, beauty, or effectiveness; to augment.

Environmentally sensitive lands: Those areas of land or water that are determined by the BCC as being necessary to conserve or protect natural habitats and ecological systems. The following classifications are those that have been determined by Escambia County to be environmentally sensitive:

- a. Wetlands as defined herein, and wetlands as defined by the U.S. Army Corps of Engineers.
- b. Shoreline Protection Zones.
- c. Aquatic preserves and the Escambia River Management Area.
- d. Outstanding Florida Waters as defined by Rule 62.302.700 Florida Administrative Code and as defined and approved by the Florida Legislature.
- e. Habitats of threatened or endangered species as defined by the U.S. Fish and Wildlife Service (USFWS), the Florida Fish and Wildlife Conservation Commission (FWC) or other state or federal agencies.
- f. Essential fishery habitat (EFH), including seagrasses.
- g. Floodplain areas defined on the FEMA Flood Insurance Rate Map (FIRM) as areas of special flood hazard subject to a one percent annual chance of flooding.
- h. Potable water wells, cones of influence, and potable water well fields.

Existing communities: Established residential or mixed-use areas; developed land that contains homes, businesses, and/or other civic and community uses.

Farm worker: A person who works on, but does not own, a farm; an agricultural laborer (may be permanent or temporary).

Financial feasibility: The ability of a proposed land use or change of land use to justify itself from an economic point of view.

Floodway: The channel of a river or other watercourse and the adjacent land areas that must be reserved to discharge the base flood without cumulatively increasing the water surface elevation more than one foot.

Floor Area Ratio (FAR): A standard measure of the intensity of non-residential land use, calculated by dividing the total gross floor area of all structures on a lot by the total area of the lot.

Group home/group home facility: An occupied residence, licensed by the State of Florida, in which a family living environment is provided for six or fewer unrelated residents with developmental disabilities, as defined in Section 393.063, Florida Statutes, including such supervision and care by support staff as may be necessary to meet the physical, emotional, and social needs of its residents.

Hazardous material: A poison, corrosive agent, flammable substance, explosive, radioactive chemical, or any other material that can endanger human or animal health or well-being if handled improperly.

Hazardous waste: Material or a combination of materials that require special management techniques because of their acute and/or chronic effects on air and water quality; on fish, wildlife, or other biota; or on the health and welfare of the public. Such materials include, but are not limited to, volatile, chemical, biological, explosive, flammable, radioactive and toxic materials regulated pursuant to Chapter 62-730, Florida Administrative Code.

Historic/cultural resource: Any prehistoric or historic district, site, building, object, or other real or personal property of historical, architectural, or archaeological value, and folk life resources. These properties or resources may include, but are not limited to, monuments, memorials, Indian habitations, ceremonial sites, abandoned settlements, sunken or abandoned ships, engineering works, treasure trove, artifacts, or other objects with intrinsic historical or archaeological value, or any part thereof, relating to the history, government, and culture of the state.

Impervious surface: Any surface that does not allow, or minimally allows, the penetration of water, and is highly resistant to infiltration by water.

Impervious Surface Ratio: A standard measure of the intensity of land use calculated by dividing the total area of all impervious surfaces within a lot by the total area of the lot.

Incompatible/compatible development: Incompatible development is new development proposed to be constructed next to existing development where the proximity of the two kinds of development each would diminish the usefulness of the other, or be detrimental to existing operations. The incompatibility can arise from either land use or structure size and design. Compatible development is new development proposed to be constructed next to existing development where proximity of the two kinds of development each would complement or enhance the usefulness of the other.

Infill development: The development of new housing or other land uses on vacant or underutilized land in existing developed areas; focuses on the reuse and repositioning of obsolete or underutilized buildings and sites.

Infrastructure: Facilities and services needed to sustain land use activities, including but not limited to roads, potable water service, wastewater service, solid waste facilities, stormwater management facilities, power grids, telecommunication facilities, and public schools.

Invasive species: A non-indigenous or exotic species that is not native to the ecosystem under consideration and that has the ability to establish self-sustaining, expanding, free-living populations that may cause economic and/or environmental harm, or harm to human health.

Low-impact landscaping: Landscape design practices that apply Florida-Friendly landscaping principles to reduce water consumption, use of horticultural chemicals, loss of native vegetation and wildlife habitat, stormwater runoff, and other negative environmental impacts.

Mitigation: Methods used to alleviate or lessen the impact of development.

Mixed-use: Any use that includes both residential and nonresidential uses.

Mobile/manufactured home: A complete, factory-built, single-family dwelling, constructed in accordance with the federal Manufactured Housing Construction and Safety Standards (the HUD Code) and transportable in one or more sections on a permanent chassis for site installation with or without a permanent foundation. Mobile home is the term used for manufactured homes built prior to June 15, 1976 when the HUD Code became effective.

Multi-family development: Residential development containing multi-family dwellings exclusively or predominantly.

Multi-modal: A transportation system that involves multiple methods of transporting people and/or goods; may include pedestrian activity, bicycling, transit (buses and/or rail), and the automobile.

Native vegetation: Vegetation that exists naturally, without intervention by humans, in a specific geographic area.

Natural Resources: Resources provided by the natural environment, including air, water, soils, wetlands, beaches, flood plains, forests, fisheries, wildlife, and any other such environmental resource identified by Florida Statute for conservation and protection.

Non-conforming use: Any lawfully established use of a structure, land, or water, in any combination that does not conform to the land use regulations of the zoning district or future land use category in which the use is located.

Non-residential use: A use characterized by the absence of residences and the presence of primary land uses that include retail, commercial, office, industrial, civic or recreation uses.

Open space: Land or portions of land preserved and protected, whether public or privately owned and perpetually maintained and retained for active or passive recreation, for resource protection, or to meet lot coverage requirements. The term includes, but is not limited to, required yards, developed recreation areas and improved recreation facilities, natural and landscaped areas, and common areas.

Paratransit system: A form of public transportation service characterized by the flexible routing and scheduling of small vehicles such as taxis, vans and small buses, to provide shared-occupancy, doorstep or curbside personalized transportation service.

Performance-oriented controls: A set of criteria or limits relating to certain characteristics that a particular use or process may not exceed; regulations are based upon the intensity and impacts of an activity, rather than land use.

Preserve: To protect natural resources and/or historic and cultural resources from the negative impacts of human activity, including land development or natural resource extraction, such as mining or logging. Preservation may include permanently protecting land, structures and/or wetlands and water bodies via purchase, conservation easement, regulations, or other methods, and may include the restoration and management of natural or historic resources.

Primary dune: The first natural or manmade dune located landward of the beach with sufficient vegetation, height, continuity, and configuration to offer protective

value. The landward extent occurs at the point where there is a distinct change from a relatively steep slope to a relatively mild slope.

Redevelopment: The removal and replacement, rehabilitation or adaptive reuse of an existing structure or structures, or of land from which previous improvements have been removed.

Residential use: Any use for residences, domiciles, or dwellings, including, but not limited to, single-family houses, townhouses, condominiums, and apartments.

Restoration: The act of repairing damage to a site with the aim of restoring the site as closely as possible to its natural condition before it was disturbed.

Revitalization: The renewal and improvement of older commercial and residential areas through any of a series of actions or programs that encourage and facilitate private and public investment.

Rural: A sparsely developed area, where the land is primarily used for agricultural purposes.

Shoreline, Natural: Undeveloped or restored areas of shoreline fronting the waters of marine, estuarine, or riverine systems such as bays, bayous, rivers, and streams.

Sprawl: Haphazard growth of dispersed, leap-frog and strip development in suburbs and rural areas and along highways; typically automobile-dependent, single use, resource-consuming and low-density development in previously rural areas and disconnected from existing development and infrastructure.

Street, collector: A street providing service that is of relatively moderate traffic volume, moderate trip length, and moderate operating speed, and which distributes traffic between local streets or arterial streets.

Street, major arterial: A street providing service that is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. Note: Every United States numbered highway is an arterial street.

Street, minor arterial: A street providing connections between major activity centers of the county, which augments the major arterial system for local and inter-county traffic by feeding traffic from collector and local street systems onto major arterials.

Suburban area: A predominantly low-density residential area located immediately outside of an urban area or a city and associated with it physically and socioeconomically.

Threatened and endangered species habitat. An area that contains, or shows factual evidence of, a species that is listed as "threatened", "endangered", or "species of special concern", including all such areas that are classified as "critical habitat" by the Florida Fish and Wildlife Conservation Commission (FWC).

Urban area: A highly developed area that contains a variety of industrial, commercial, residential, and cultural uses.

Urban forest: Collectively, the trees and other vegetation within and around the developed areas of the county.

Water-dependent uses: Uses that require access to water bodies, such as commercial boating or fishing operations.

Water-related uses: Uses that do not require a waterfront location to function, but are often essential to the efficient functioning of water-dependent uses and can be essential to their economic viability, such as shops, restaurants, parking, boat sales, or fish processing plants.

Wetlands: Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances does or would support, a prevalence of vegetation typically adapted for life in saturated soils. Soils present in wetlands generally are classified as hydric or alluvial, or possess characteristics that are associated with reducing soil conditions. The prevalent vegetation in wetlands generally consists of facultative or obligate hydrophytic macrophytes that are typically adapted to areas having soil conditions described above. These species, due to morphological, physiological, or reproductive adaptations, have the ability to grow, reproduce or persist in aquatic environments or anaerobic soil conditions. Florida wetlands generally include, but are not limited to, swamps, marshes, bayheads, bogs, cypress domes and strands, sloughs, wet prairies, riverine swamps and marshes, hydric seepage slopes, tidal marshes, mangrove swamps, and other similar areas.

Wildlife habitat: An area that offers feeding, roosting, breeding, nesting, and refuge areas for a variety of existing and future native wildlife species.

Chapter 4 Public Participation.

Section 4.01 Purpose.

This chapter establishes procedures in accordance with Section 163.3181, Florida Statutes, to provide for broad dissemination of information regarding comprehensive plans and amendments, the planning process, the adoption or amendment of the Land Development Code (LDC) and other matters pertaining to the regulation or use of land or structures. In addition, it is the intent of this chapter to provide the public opportunity for written or verbal comments, processes for public hearings, provision for open discussion, communications programs, information services and consideration of and response to public comments.

Section 4.02 Intent.

It is the intent of this chapter that all citizens affected by comprehensive planning and land development regulation proposals are encouraged to participate and be afforded the opportunity for input throughout the preparation and enactment process. The provisions of this chapter apply to the formal adoption process of the comprehensive plan, amendments to the comprehensive plan, preparation or amendment of the LDC, including regulation of land subdivision, open space provisions, stormwater management, floodplain development, environmentally sensitive areas, signage, parking, innovative land development regulations, consideration of the Evaluation and Appraisal Report (EAR), and any other matters deemed appropriate by the Board of County Commissioners (BCC).

Section 4.03 Public participation and affected parties.

For the purposes of this chapter the terms, "citizen participation" and "public participation" are synonymous and apply to affected persons, substantially affected persons and aggrieved or adversely affected parties, as defined in current state statute.

Section 4.04 Public notice.

(1) So as to notify property owners, interested citizens and affected parties, Escambia County will advertise in a newspaper of general circulation within the County that a public hearing will be held to consider any of the matters described in section 4.02 above. The advertisement will include an identification of who is holding the hearing, as well as the date, time, place and general subject of the hearing and the location where copies of the proposed matter may be reviewed. The advertisement will encourage the public to provide written and/or verbal comments on the matters under consideration.

(2) All public hearings shall be held at approximately the time specified in the advertisement and shall be conducted Monday through Thursday.

(3) Escambia County will conform to the applicable notice requirements for adoption or amendment of the comprehensive plan or land development code as prescribed in Sections 125.66, 163.3184, and 163.3187, Florida Statutes.

Section 4.05 Workshops.

(1) Whenever possible, workshops shall be advertised to notify the public and interested parties that a workshop meeting is scheduled to discuss the subjects of the scheduled workshop. However, workshops may be held without advertising, provided a public announcement is made at a public meeting of the BCC or LPA and a notice of the workshop is posted in the County courthouse and other public places as appropriate.

(2) Workshops may be held at any time deemed appropriate to facilitate the timely exchange of information regarding the subject of the workshop.

(3) County staff shall provide to the Local Planning Agency (LPA) the total number of citizens that attended the workshop meeting at the next publicly advertised LPA meeting.

Section 4.06 Notification and status reports.

Escambia County will periodically provide notification to the media by announcements of public hearings and workshops at the regular public meetings of the BCC regarding the status of matters under consideration by the department or the LPA.

Section 4.07 Local Planning Agency.

Prior to BCC approval, adoption and/or enactment of regulations, as appropriate, of any matter listed in section 4.02, the LPA shall hold at least one public hearing in conformance with the notice requirements described herein. The hearing may be continued to an announced time certain upon a majority vote of the members present.

(1) The LPA public hearing shall afford members of the public reasonable opportunity to present their views on any matter under consideration. The chairman may, at his discretion, rule out-of-order public comments he deems repetitious or not germane to the matter under discussion.

(2) The sequence of activities regarding the matters under consideration shall be as follows:

- a. Announcement of the matter for consideration by the chairman;
- b. Presentation of staff reports/comments, if any, whether written or verbal;
- c. Presentation by the applicant or principle proponent of the matter;
- d. Comments from the proponents and opponents of the matter. All speakers will be required to complete speaker request forms so that an

- accurate record of participants can be maintained;
- e. Close public input except for direct questions as may be initiated by the members of the LPA; and
- f. LPA discussion, debate and recommendation by majority vote prior to considering the next matter, adjournment, or tabling for a time certain.

(3) The LPA shall transmit its recommendation on each matter decided to the BCC at the public hearing held for each matter by the BCC.

(4) The LPA shall not initiate consideration of agenda items later than 12:00 midnight, unless agreement to do so is obtained by majority vote of the members present. Agenda items not considered due to time will be tabled until a time certain.

Section 4.08 Board of County Commissioners.

As soon as practical after the LPA makes a recommendation regarding any matter described in section 4.02, the BCC shall hold at least one public hearing to consider the recommendation and pursuant to the notice requirements described herein (reference Section 4.04). The hearing may be continued to an announced time certain upon a majority vote of the commissioners present.

(1) The BCC hearing shall afford members of the public reasonable opportunity to present their views on any matter under consideration. The chairman may, at his/her discretion rule out of order public comments he deems repetitious or not germane to the matter under discussion.

(2) The sequence of activities regarding matters under consideration shall be as follows:

- a. Announcement of the matter for consideration by the chairman;
- b. Presentation of LPA and/or staff reports/comments, if any, whether written or verbal;
- c. Presentation by the applicant or principal proponent of the matter;
- d. Comments from the proponents and opponents of the matter. All speakers will be required to complete speaker request forms so that an accurate record of participants can be maintained;
- e. Close public input except for direct questions as may be initiated by members of the BCC;
- f. BCC discussion, debate and approval, adoption or enactment, as appropriate for the specific matter, by majority vote prior to considering the next matter, adjournment or tabling until a time certain; and
- g. The BCC shall not initiate agenda items later than 11:00 p.m., unless agreement to do so is obtained by majority vote of the members present. Agenda items not considered due to time will be tabled until a time certain.

Section 4.09 Advisory committees.

The LPA and/or the BCC may, from time to time, appoint advisory committees to provide information and/or participate in the matters listed in section 4.02. Advisory committees shall be subject to the notice requirements described herein.

Chapter 5 General Requirements.

Section 5.01 Format.

The Comprehensive Plan meets the format requirements of Section, Chapter 9J-5, Florida Administrative Code. Florida Statutes 163.3177, Florida Statutes.

Section 5.02 Combined elements.

The traffic circulation element, the mass transit element, and the port, aviation and related facilities element have been combined into the Mobility Element to avoid repetition and provide clarity. The requirements of Sections 163.3177 and 163.3178, Florida Statutes and Chapter 9J-5, Florida Administrative Code have been met within ~~these~~ this combined element.

Section 5.03 Support documents.

Support data, analysis and documents are not adopted as part of this ordinance. Support data, analysis and documents will be available for public inspection while the comprehensive plan is being considered for adoption and while it is in effect at the offices of the Escambia County Planning Division and at the office of the County Clerk in the County Courthouse in Pensacola. Support data, analysis, and other documentation are found in the foundation documents.

This ordinance contains references to various chapters, appendices or contents of the foundation documents. The references are included for clarity and ease of review by the reader. The reference is not to be construed as making the foundation document or causing the foundation document contents to be made part of this ordinance or the County's Comprehensive Plan.

Section 5.04 Preparation date.

The preparation of this plan started in 1987 and has continued through December 2010 with public hearings and workshops. This ordinance is being transmitted to the Florida Department of ~~Community Affairs (FDCA)~~ Economic Opportunity (FDEO) for compliance review after a final public hearing.

Section 5.05 Name of preparer.

This ordinance was prepared by the Escambia County Planning Board sitting as the Local Planning Agency (LPA) and the Escambia County Staff. Professional and technical assistance and production of this ordinance (plan) and the foundation documents have been provided by MSCW, Inc. Support information in the foundation documents have been taken from the data and analysis used to support the 2007 Evaluation and Appraisal Report (EAR) and supplemented, revised or replaced with information gathered, collected, analyzed or generated by MSCW, Inc. and County staff.

Section 5.06 Data and analysis.

Copies or summaries of foundation and support data, analysis and adopted documents shall be submitted to ~~FDCA~~FDEO after approval by the BCC.

Section 5.07 Population projections.

This ordinance is based upon the Bureau of Economic and Business Research (BEBR), University of Florida, Mid-Range Projections. The population projections are included within the foundation documents supporting this plan. Population projections will be updated annually or the most current projections available.

Section 5.08 Level of service standards.

Level of service (LOS) standards are as established in the elements contained within this ordinance for roads, mass transit, wastewater, solid waste, stormwater, potable water, public schools and recreation. The Concurrency Management Element provides a location listing for LOS standards.

Section 5.09 Planning time frame.

The time frame for planning used in this ordinance is through the year 2030 with a five year time frame for the capital improvements element starting with the County budget year beginning October 1, 2009.

Section 5.10 Internal consistency.

Each chapter (element) is consistent with the other chapters and this ordinance shall be construed in its entirety as the County's comprehensive plan. The Future Land Use Map (FLUM) included and adopted as part of this ordinance reflects goals, objectives and policies contained within this ordinance.

The goals, objectives and policies of this ordinance are based on data contained within the foundation documents. Where data is relevant to several elements, the same data has been used to support said elements.

Section 5.11 Plan implementation.

Among other means, this comprehensive plan shall be implemented by the adoption of land development regulations. In addition to the requirements in Section 163.3202, Florida Statutes, the Land Development Code (LDC) shall address regulations of specific items contained in the goals, objectives and policies of this ordinance.

Section 5.12 Monitoring and evaluation.

An EAR shall be prepared at the end of each five-year time frame for the purpose of evaluating and appraising the implementation of this comprehensive plan. The EAR shall address items contained in Section Rule 9J-5.005(7), Florida Administrative Code, as amended 163.3191, Florida Statutes. In addition, continuous monitoring shall be maintained by the concurrency management system. The Capital Improvements Element and various portions of this plan shall be reviewed on an annual basis pursuant to OBJ CIE 1.4.

The EAR Steering Committee appointed pursuant to Policy CIE 1.1.1 shall prepare a draft EAR for consideration by the LPA consistent with the time frames

established by rule for submission of the EAR. The LPA shall promulgate its report (EAR) to the Board of County Commissioners (BCC) and the report shall address:

- a. Citizen participation in the process;
- b. Updating appropriate base line data;
- c. The extent to which objectives within the plan have been accomplished (or not accomplished) in the first five-year period of the plan;
- d. The expectations for accomplishing the objectives in the second five-year period covered by the plan;
- e. Accomplishments in the first five-year period;
- f. Identification of problems and opportunities for achieving the desired ends as expressed within the goals, objectives and policies of the plan;
- g. Recommendations regarding any new goals, objectives or policies or modifications to existing goals, objectives and policies to correct unanticipated problems;
- h. A detailed analysis of the effectiveness of the continuous monitoring and evaluation of the plan pursuant to the Concurrency Management Element; and
- i. Any other matters deemed relevant or appropriate by the committee, the LPA or the BCC.

Section 5.13 Procedural requirements.

This Comprehensive Plan shall be considered, adopted and amended pursuant to the procedural requirements of Sections ~~163.3104~~163.3161--163.3215, Florida Statutes. Refer to Chapter 4, Public Participation, for notices and public hearings.

Any applicant requesting an amendment to this ordinance may be responsible for and pay all costs associated with the amendment including required Evaluation and Appraisal Reports.

Chapter 6 Concurrency Management.

The purpose of the Concurrency Management System Element is to ensure that all necessary public facilities and services are available to support new development. The Concurrency Management System Element must establish Levels of Service standards for public services and facilities, and delineate a system for the implementation of concurrency, in a way that is timely, fair, and cost-efficient, pursuant to Rule 9J-5.0055, Florida Administrative Code.

GOAL CMS 1 CONCURRENCY MANAGEMENT SYSTEM

Escambia County shall adopt a Concurrency Management System to ensure that facilities and services needed to support development are available concurrent with the impacts of such development.

OBJ CMS 1.1 Level of Service Standards

Ensure that Escambia County's adopted Level of Service (LOS) standards for roadways, mass transit, potable water, wastewater, solid waste, stormwater, public schools and recreation will be maintained.

POLICIES

CMS 1.1.1 Oversight. The Escambia County planning staff shall be responsible for ensuring compliance with the Concurrency Management System and shall report on such compliance to the Local Planning Agency (LPA) and Board of County Commissioners (BCC) on an annual basis, in accordance with the Capital Improvements Element.

CMS 1.1.2 Primary Tasks. The County Administrator, or designee, shall be responsible for the five primary tasks described below:

- a. Maintaining an inventory of existing public facilities and capacities or deficiencies;
- b. Determining concurrency of proposed development that does not require BCC approval;
- c. Providing advisory concurrency assessments and recommending conditions of approval to the BCC for those applications for development orders that require BCC approval;
- d. Reporting the status of all public facilities covered under this system to the BCC and recommending a schedule of improvements for those public facilities found to have existing deficiencies; and
- e. Administering the Proportionate Fair Share Program as outlined in the Land Development Code (LDC) and the Escambia County Concurrency Management System Procedure Manual, if the County CMS-1 and an applicant choose to utilize this program to mitigate transportation impacts

on transportation facilities found to have deficient capacity during the process of testing for concurrency.

CMS 1.1.3 Information and Data. Escambia County will collect and make available to the public information regarding various public facilities. The information shall be updated on an annual basis consistent with the reports required by the Capital Improvements Element. The information will contain data such as:

- a. design capacity for roadways and roadway types;
- b. existing and adopted LOS for all roadways;
- c. programmed roadway system improvements in the current year by the County and improvements to be made to the roadway system by the private sector;
- d. design capacity of potable water and wastewater facilities and the identification of any deficiencies within such systems;
- e. the existing and adopted LOS standards for water and wastewater systems;
- f. programmed potable water and wastewater facility improvements;
- g. design capacity for solid waste facilities including transfer stations and landfills;
- h. existing and proposed LOS standards for stormwater management systems;
- i. existing and proposed provisions of recreation and open space facilities by the County or the private sector; and
- j. the School Board Educational Facilities Report which contains information detailing existing facilities, their locations, and projected needs. The report also contains the School Board's financially feasible Five-Year District Facilities Work Program.

OBJ CMS 1.2 Coordination and Timing of Concurrency Determination

Coordinate establishing LOS standards for the above-named facilities with state, regional or local entities having operational and maintenance responsibility for such facilities, in accordance with Rule 9J-5.015(3)(b)3, Florida Administrative Code.

POLICIES

CMS 1.2.1 Concurrency Determination. The test for concurrency shall be met and the determination of concurrency shall be made prior to the approval of an application for a development order or permit that contains a specific plan for development, including the densities and intensities of the proposed development. If an applicant fails concurrency, he/she may apply to satisfy the requirements of the concurrency management system through the proportionate fair share program. For applicants participating in the proportionate fair share

program, the BCC must approve a proportionate fair share agreement before a certificate of concurrency can be issued. A multi-use Development of Regional Impact (DRI) may satisfy the transportation concurrency requirements of the concurrency management system and of Section 380.06, Florida Statutes, by payment of a proportionate share contribution in accordance with the terms of Section 163.3180(12), Florida Statutes.

CMS 1.2.2 Allocation of Capacity. Capacity shall be allocated upon issuance of a development order for a preliminary plat, site plan, or Planned Unit Development (PUD); or phased or longer term project; or DRI. The allocation of capacity, however, shall be subject to the following sunset provisions:

- a. Capacity approved and assigned to a preliminary plat and construction plan will remain allocated for a period of two years from the date of issuance of the development order or as extended by the BCC.
- b. Capacity approved and assigned to a site plan shall remain allocated for a period of 18 months from the date of the issuance of the development order or as extended by the BCC.
- c. Capacity approved and assigned to longer term projects or DRI will remain allocated for a period as established in an enforceable development agreement.
- d. Capacity approved and assigned to a development order subject to the condition that the applicant will satisfy all transportation concurrency requirements through a proportionate fair share agreement shall remain allocated for a period of 12 months from the date of the conditional development order. The applicant will be required to adhere to the timeframes detailed in the concurrency management provisions of the LDC or the conditional development order will be considered null and void and the capacity will be revoked. Once the proportionate fair share agreement is approved, the allocation of capacity will be subject to the applicable conditions of items (a) through (c) above.

OBJ CMS 1.3 Standards

Establish concurrency management system requirements and LOS standards.

POLICIES

CMS 1.3.1 Consistency with Comprehensive Plan. No development activity may be approved unless it is found that the development is consistent with the Escambia County Comprehensive Plan and that the provision of the facilities enumerated in CMS 1.2.2 will be available at prescribed LOS concurrent with the impact of the development on those facilities.

CMS 1.3.2 Minimum Requirements. At a minimum, the Concurrency Management System shall ensure that at least one of the following standards will be met prior to issuance of a development permit or order:

- a. The necessary facilities and services are in place at the time a development permit is issued; or
- b. A development permit is issued subject to the condition that the necessary facilities and services will be in place and available to serve the new development at the time of the issuance of a certificate of occupancy; or
- c. The necessary facilities are under construction at the time a permit is issued. This provision only relates to parks and recreation facilities and roads; or
- d. The necessary facilities and services are the subject of a binding executed contract for the construction of the facilities or the provision of services at the time the development permit is issued. This provision only relates to parks and recreation facilities. The LDC will include a requirement that the provision or construction of the facility or service must commence within one year of the issuance of the development order or permit; or
- e. The necessary facilities and services are guaranteed in an enforceable development agreement. An enforceable development agreement may include, but is not limited to, development agreements pursuant to Section 163.3220, Florida Statutes, or an agreement or development order issued pursuant to Chapter 380, Florida Statutes. For transportation facilities, all in-kind improvements detailed in a proportionate fair share agreement must be completed in compliance with the requirements of the LDC. For potable water, wastewater, solid waste, stormwater and public school facilities, any such agreement will guarantee the necessary facilities and services to be in place and available to serve the new development at the time of the issuance of a certificate of occupancy; or
- f. The necessary facilities needed to serve new developments are included in the first three years of the applicable Five-Year Florida Department of Transportation (FDOT) Work Program or in place or under actual construction no more than three years after the issuance, by the County, of a development order or permit. This provision only relates to roads. The Five-Year FDOT Work Program is attached herein to this ordinance as Exhibit A.
- g. The necessary concurrency standards for public school facilities shall be consistent with Chapter 16, Public School Facilities Element.

CMS 1.3.3 LOS During Construction. The provisions of CMS 1.3.2 above notwithstanding, the prescribed LOS for any system or systems may be downgraded during construction of new facilities if, upon completion of the new facilities, the prescribed LOS will be met and maintained.

CMS 1.3.4 **LOS Standards.** The adopted LOS standards in this ordinance are as indicated in the following policies:

LOS	Policy
Roads	MOB 1.1.2
Mass Transit	MOB 2.2.3
Wastewater	INF 1.1.9
Solid Waste	INF 2.1.4
Stormwater Management	INF 3.1.9
Potable Water	INF 4.1.7
Recreation/Open Space	REC 1.3.6
Public Schools	PSF 2.1.2

CMS 1.3.5 **Phased construction.** The construction of any development project may be phased or staged so as to coincide with the phased or staged construction of infrastructure facilities so that the LOS for such facilities are maintained upon completion of each phase or stage of the development project.

OBJ CMS 1.4 Methods

Establish the quantitative methods for determining LOS compliance and maintaining LOS standards.

POLICIES

CMS 1.4.1 **Responsibility.** The LDC shall designate responsibility within the Escambia County government for determining prior to the issuance of a development order or building permit whether LOS standards are met and will be maintained. The LDC may place the burden of demonstrating compliance upon the developer or applicant. To be approved, applications for development approval shall provide sufficient information showing compliance with LOS standards.

CMS 1.4.2 **Quantitative Methods.** The LDC shall include quantitative methods for determining LOS that may be impacted by any particular development application. In addition, the LDC will fully describe the process for a finding of compliance with LOS.

CMS 1.4.3 **Impact Calculation.** The LDC shall include standardized quantitative methods to be used in determining the impact of any proposed development upon the public facilities and services within the County (roads, stormwater, potable water, wastewater, solid waste, recreation and open space, and public schools).

Applications for development approval shall include the projected impact upon public facilities and services upon occupancy or use of the proposed development. Any deviation from the standardized methods within the LDC must have the prior approval of the BCC before such data may be used for determining or projecting impacts of the proposed development.

CMS 1.4.4 Exemption to concurrency requirement. For the purpose of issuing a development order or permit, a proposed development may be deemed to have a de minimis impact and may not be subject to the concurrency requirements of ~~Rule 9J-5.0055(3)(c) 1-4, Florida Administrative Code~~, only if all of the conditions specified in Section 163.3180(6), Florida Statutes, are met.

Chapter 7 Future Land Use Element.

The purpose and intent of the Future Land Use Element is to establish future land patterns that support and encourage compact, mixed-use urban development, support transit, reduce vehicle miles traveled and reduce greenhouse gases. The Future Land Use Element shall also provide a clear separation between urban, suburban and rural areas and provide protection for existing agricultural areas.

GOAL FLU 1 FUTURE DEVELOPMENT PATTERN

Escambia County shall implement a planning framework that defines, supports and facilitates the desired future development pattern in Escambia County while protecting and preserving natural and historic resources.

OBJ FLU 1.1 Growth Strategies

Apply accepted planning principles and utilize innovative and flexible planning strategies to achieve orderly and balanced growth and development.

POLICIES

FLU 1.1.1 Development Consistency. New development and redevelopment in unincorporated Escambia County shall be consistent with the Escambia County Comprehensive Plan and the Future Land Use Map (FLUM). The 2030 FLUM is attached herein to this ordinance as Exhibit B.

FLU 1.1.2 Land Development Code. Escambia County shall adopt and maintain within a Land Development Code (LDC) those specific and detailed provisions necessary and desirable to implement goals, objectives, and policies of the Comprehensive Plan. The provisions shall include regulations for use of land and water, subdivision of land, flood-prone areas, on-site vehicular use, stormwater drainage, signage, and concurrency of infrastructure and services. LDC regulations shall also provide for open space, compatibility of adjacent uses, correction of nonconforming uses and structures, and protection of potable water sources, environmentally sensitive lands, and other natural resources. Additionally, the LDC shall document the administrative processes necessary to implement its regulations, including development approval and permitting, rezoning, appeal of administrative decisions, variances or exceptions to standards, and public notification of those processes. Other policies within the Comprehensive Plan may prescribe more specific LDC content.

FLU 1.1.3 Principles and Methodologies. Escambia County shall ensure that all future development is consistent with accepted planning principles and professionally accepted methodologies.

FLU 1.1.4 Zoning Districts. Escambia County shall, through LDC provisions, utilize various zoning districts to implement land use, density, intensity, and other development standards consistent with accepted planning principles and the designated future land use categories of the Comprehensive Plan and FLUM. Within a given future land use category there shall be one or more implementing zoning districts, and development standards for each parcel shall be those of the applicable zoning district. Additionally, the County shall adopt and maintain parcel-based zoning district maps, and the LDC shall contain provisions for map amendments (rezoning), including the minimum criteria necessary for approval of an amendment.

FLU 1.1.5 Density Clustering: The LDC shall include provisions for density clustering outside of the site areas intended for preservation and within the site areas intended for development.

FLU 1.1.6 Subdivision Regulations. Escambia County shall, through LDC provisions, apply uniform subdivision regulations, including requirements to provide paved roads and stormwater management.

FLU 1.1.7 Performance-oriented Controls. The LDC shall include performance oriented land development controls. These are intended to protect and preserve important natural resources; provide incentives for design improvements to existing subdivisions and neighborhoods and encourage better design for newly proposed subdivisions or neighborhoods; provide incentives for minimizing adverse impacts on adjacent lands or uses; and encourage a mix of housing types.

FLU 1.1.8 Planned Unit Development. Escambia County shall, through LDC provisions, promote and encourage the use of the Planned Unit Development (PUD) process that will allow expansion of uses, increased site specific densities, clustering, or other incentives to achieve innovative land use design superior to that produced by the strict application of standard development regulations. Generally, the PUD process shall be limited to a development that is planned, developed, and considered as a single project. The LDC shall establish minimum PUD design criteria, including minimum site area and open space.

FLU 1.1.9 Buffering. In the LDC, Escambia County shall ensure the compatibility of adjacent land uses by requiring buffers designed to protect lower intensity uses from more intensive uses, such as residential from commercial. Buffers shall also be used to protect agricultural activities from the disruptive impacts of nonagricultural land uses and protect nonagricultural uses from normal agricultural activities.

FLU 1.1.10 Locational Criteria. The LDC shall include locational criteria for broad categories of proposed non-residential land uses. The site criteria for such uses shall address the transportation classification of, and access to, adjoining streets, the proximity of street intersections and large daily trip generators (i.e. college or university), the surrounding land uses, the ability of a site to accommodate the proposed use while adequately protecting adjoining uses and resources, and other criteria that may be appropriate to those categories of uses.

FLU 1.1.11 Public Schools. Escambia County shall coordinate with the Escambia County School Board to plan the siting and development of public schools, consistent with the Intergovernmental Coordination and Public Schools Facilities Elements. Schools shall be collocated with parks or other civic uses such as public libraries where possible, to promote joint use of facilities and encourage compact land use patterns. Schools shall be located in close proximity to residential areas and accessible by various modes of transportation.

FLU 1.1.12 Family Conveyance Exception. Escambia County shall, through LDC provisions, continue to allow property owners to convey parcels of property to a grandparent, parent, step-parent, adopted parent, sibling, child, step-child, adopted child or grandchild for use solely as a homestead by that individual without regard to maximum residential densities established in the applicable zoning districts. However, the LDC may impose other limitations. The family conveyance provision shall apply only once to any individual.

FLU 1.1.13 Administrative Appeal Procedure. Consolidation of future land use categories and zoning districts on the 2030 FLUM and associated Zoning Map is intended to simplify administration while respecting private property rights. Any property owner contending that a parcel of land had greater development rights under the future land use and zoning in place prior to the adoption of the 2030 FLUM and associated Zoning Map may submit a written request to the County for a determination under the vested rights provisions of the LDC.

OBJ FLU 1.2 Historic Resources

Protect and preserve Escambia County's historical resources.

POLICIES

FLU 1.2.1 State Assistance. Escambia County shall utilize all available resources of the Florida Department of State, Division of Historical Resources in the identification of archeological and/or historic sites or structures within the County. The County will utilize guidance, direction and technical assistance received from this agency to develop provisions and regulations for the preservation and protection of such sites and structures. In addition, the County will utilize assistance from this agency together with other sources, such as the

University of West Florida, in identifying newly discovered historic or archaeological resources. The identification will include an analysis to determine the significance of the resource.

FLU 1.2.2 LDC Provisions. Escambia County shall include provisions in the LDC that require identification and preservation of significant archeological and/or historic sites or structures within the County. The provisions will include protection for all sites listed on the Florida Master Site File and will be developed in cooperation with the Department of State, Division of Historical Resources. The provisions also will include requirements that provide for the cessation of land disturbing activities any time artifacts with potential historical significance are revealed during construction activities on any site with potential historical significance. The purpose of the cessation is to allow time to determine the significance of any artifact or historical evidence found on the site. Normally, determinations will be made by those approved to make such determinations by the Division of Historical Resources.

FLU 1.2.3 Density Clustering. Escambia County shall include density clustering provisions in the LDC to protect significant historical or archaeological sites. The density clustering provisions will allow for historical or archaeological areas within a larger site to remain intact and an appropriate proportion of the density that may otherwise have been permitted within those areas to be clustered on a non-sensitive portion of the site.

OBJ FLU 1.3 Future Land Use Map Designations

Designate land uses on the FLUM to discourage urban sprawl, promote mixed use, compact development in urban areas, and support development compatible with the protection and preservation of rural areas.

POLICIES

FLU 1.3.1 Future Land Use Categories. General descriptions, range of allowable uses and residential densities and non-residential intensities for all future land use categories in Escambia County are outlined in Table 1.

FLUM Designation	General Descriptions	Range of Allowable Uses	Standards
Agriculture (AG)	Intended for routine agricultural and silvicultural related activities and very low density residential uses. Also allows for commercial activity limited to those endeavors	<ul style="list-style-type: none"> • Agriculture • Silviculture • Residential • Recreational • Public and Civic • Limited Ancillary or Supportive 	<p>Residential Minimum Density: None</p> <p>Maximum Density: 1 du/20 acres</p> <p>Non-Residential</p>

	ancillary to agricultural and silvicultural pursuits or in support of agricultural activities such as seed, feed and food outlets, farm equipment and repair and veterinary services.	Commercial	<p>Minimum Intensity: None</p> <p>Maximum Intensity: 0.25 Floor Area Ratio (FAR)</p>
Rural Community (RC)	Intended to recognize existing residential development and neighborhood serving nonresidential activity through a compact development pattern that serves the rural and agricultural areas of Escambia County.	<ul style="list-style-type: none"> • Agriculture • Silviculture • Residential • Recreational Facilities • Public and Civic • Compact, traditional neighborhood supportive commercial 	<p>Residential Minimum Density: None</p> <p>Maximum Density: 2 du/acre</p> <p>Non-Residential Minimum Intensity: None</p> <p>Maximum Intensity: 0.25 Floor Area Ratio (FAR)</p>
Mixed-Use Suburban (MU-S)	Intended for a mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses.	<ul style="list-style-type: none"> • Residential • Retail and Services • Professional Office • Recreational Facilities • Public and Civic 	<p>Residential Minimum Density: 2 du/acre</p> <p>Maximum Density: 10 du/acre</p> <p>Non-Residential Minimum Intensity: None</p> <p>Maximum Intensity: 1.0 Floor Area Ratio (FAR)</p> <p>Escambia County intends to achieve the following mix of land uses for new development within a ¼ mile of arterial roadways or transit corridors by 2030:</p> <p>a) Residential – 8% to 25%</p>

			<p>b) Public/Rec/Inst. – 5% to 20%</p> <p>c) Non-Residential: Retail/Service – 30% to 50%</p> <p>Office – 25% to 50%</p> <p>In areas beyond a ¼ mile of arterial roadways or transit corridors, the following mix of land uses is anticipated:</p> <p>a) Residential – 70% to 85%</p> <p>b) Public/Rec/Inst. – 10% to 25%</p> <p>c) Non-Residential – 5% to 10%</p>
Mixed-Use Urban (MU-U)	Intended for an intense mix of residential and nonresidential uses while promoting compatible infill development and the separation of urban and suburban land uses within the category as a whole.	<ul style="list-style-type: none"> • Residential • Retail and Services • Professional Office • Light Industrial • Recreational Facilities • Public and Civic 	<p>Residential Minimum Density: 3.5 du/acre</p> <p>Maximum Density: 25 du/acre</p> <p>Non-Residential Minimum Intensity: 0.25 Floor Area Ratio (FAR)</p> <p>Maximum Intensity: 2.0 Floor Area Ratio (FAR)</p> <p>Escambia County intends to achieve the following mix of land uses for new development within a ¼ mile of arterial roadways or transit corridors by 2030:</p> <p>a) Residential – 8% to</p>

			<p>25%</p> <p>b) Public/Rec/Inst. – 5% to 20%</p> <p>c) Non-Residential: Retail/Service – 30% to 50%</p> <p>Office – 25% to 50%</p> <p>Light Industrial – 5% to 10%</p> <p>In areas beyond a ¼ mile of arterial roadways or transit corridors, the following mix of land uses is anticipated:</p> <p>a) Residential – 70% to 85%</p> <p>b) Public/Rec/Inst. – 10% to 25%</p> <p>c) Non-Residential – 5% to 10%</p>
<p>Mixed-Use Perdido Key (MU-PK)</p>	<p>Intended for a complementary mix of residential, commercial and tourism (resort) related uses.</p> <p>Residential development in the MU-PK FLUM category shall be limited to 7,150 dwelling units and 1,000 lodging units.</p>	<p>Single family and multi-family residential; condominiums; hotels/motels, commercial, active and passive recreational facilities, plazas and other civic uses; public and quasi-public facilities (including government facilities, public utilities, religious facilities and organizations).</p> <p>Up to 16% of the land in the MU-PK FLUM category may be developed in resort/tourist related uses and in small scale commercial uses.</p> <p>Also, the types of small scale commercial uses allowed will be strictly controlled pursuant to the Perdido Key</p>	<p>Residential Minimum Density: None</p> <p>Maximum Density: 5 <u>25</u> du/acre (based on proposed zoning districts)</p> <p>Building heights in residential areas may be no more than eight stories, or two stories less than an adjacent structure, if the adjacent structure is greater than eight stories and existed on June 1, 1997.</p> <p>Non-Residential Minimum Intensity: None</p>

		<p>zoning districts.</p> <p>In the low and medium density residential zoning districts the non-residential uses may include churches, public utilities and facilities, parks and recreation areas, golf courses, tennis courts, swimming pools, etc. In the medium density residential zoning districts, non-residential uses may also include kindergarten and childcare centers and professional offices (architects, engineers, lawyers, consultants, medical/dental, real estate, insurance, etc.)</p> <p>The uses allowed in the commercial district include a full range of commercial enterprise activities and are contingent upon conformity of such uses with all requirements of this Plan and the Perdido Key zoning regulations, thereby assuring that such commercial development is undertaken in an environmentally sensitive manner. When using density transfers, densities may not be transferred to parcels south of Perdido Key Drive.</p>	<p>Maximum Intensity: 1.1 Floor Area Ratio (FAR)</p> <p>Building heights in commercial areas may be no more than eight stories plus two stories for parking. Building heights in the commercial core area will be based on percentage of lot coverage.</p>
<p>Mixed-Use Pensacola Beach (MU-PB)</p>	<p>Intended for a complementary mix of uses on the developable lands at Pensacola Beach and is designed to accommodate and encourage innovative land development types and arrangements.</p>	<p>The location and distribution of uses shall generally follow the distribution of uses included in the 1988 Pensacola Beach Land Utilization Plan, which is included in Chapter 1 of the Foundation Document and Chapter 85-409, Laws of</p>	<p>Mix of uses shall be approx. 35% residential, 15% commercial/tourism (resort) and 50% open space/recreation.</p> <p>Also, densities may be increased, decreased</p>

	<p>Residential development in the MU-PB FLUM category shall be limited to 4,128 dwelling units and 726 lodging units.</p>	<p>Florida.</p> <p>Other allowable uses include public utilities and facilities, religious and educational facilities and medical facilities. Note: Laws of Florida, Chapter 85-409, prohibits residential or commercial development of a specified parcel within this category. Further, provisions within the Land Utilization Plan provide that environmental studies be completed prior to approving any development or use of the specified parcel.</p>	<p>or transferred on any particular parcel to provide protection to important natural resources, accommodate the provision of adequate and functional open space and the provision of a complimentary mix of recreation uses within the Pensacola Beach Community.</p> <p>Site specific densities and uses will be further defined by the lease agreements for individual parcels, the 1985 Bond Validation Compromise and Settlement, and Special Acts of the legislature regarding land use, ownership and development on Pensacola Beach. However, development thresholds established by this Policy shall not be exceeded unless this Comprehensive Plan has been amended and such amendment provides for increased development thresholds.</p>
<p>Commercial (C)</p>	<p>Intended for professional office, retail, wholesale, service and general business trade. Residential development may be permitted only if secondary to a primary commercial development.</p>	<ul style="list-style-type: none"> • Residential • Retail and Services • Professional Office • Light Industrial • Recreational Facilities • Public and Civic 	<p>Residential Minimum Density: None</p> <p>Maximum Density: 25 du/acre</p> <p>Non-Residential Minimum Intensity:</p>

			None Maximum Intensity: 1.0 Floor Area Ratio (FAR)
Industrial (I)	Intended for a mix of industrial development and ancillary office and commercial uses that are deemed to be compatible with adjacent or nearby properties. Industrial areas shall facilitate continued industrial operations within the County and provide jobs and employment security for present and future residents.	<ul style="list-style-type: none"> • Light to Intensive Industrial • Ancillary Retail and Office • No new residential development is allowed 	Residential Minimum Density: None Maximum Density: None Non-Residential Minimum Intensity: None Maximum Intensity: 1.0 Floor Area Ratio (FAR)
Conservation (CON)	Intended for the conservation of important natural resources, such as wetlands, marshes and significant wildlife habitats. This may include passive recreational opportunities for citizens of and visitors to the County.	<ul style="list-style-type: none"> • Passive parks and trails • Preservation lands • Educational uses that use natural amenities for public benefit • No new residential development is allowed 	Residential Minimum Density: None Maximum Density: None Non-Residential Minimum Intensity: None Maximum Intensity: None
Recreation (REC)	Recreational opportunities for the Escambia County citizens including a system of public and private park facilities.	<ul style="list-style-type: none"> • Active and passive recreation activities and amenities • Park facilities such as boat launch, basketball courts, tennis courts, baseball and softball fields • Meeting halls and the like • No new residential development is allowed 	Residential Minimum Density: None Maximum Density: None Non-Residential Minimum Intensity: None Maximum Intensity: 0.5 Floor Area Ratio (FAR)
Public (P)	Provides for uses or facilities owned or managed by the federal,	<ul style="list-style-type: none"> • Public Parks • Local, Regional, State or Federal Facilities 	Residential Minimum Density: None

	state or county government or other public institutions or agencies.	<ul style="list-style-type: none"> • Public structures or lands • Quasi-public Facilities providing public services 	Maximum Density: None Non-Residential Minimum Intensity: None Maximum Intensity: None
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OBJ FLU 1.4 Protect Existing Communities

Escambia County shall protect and enhance existing communities by eliminating nonconforming uses and structures over time and through an active code enforcement program.

POLICIES

FLU 1.4.1 Nonconformity. Escambia County shall prohibit expansion of nonconforming land uses or structures within the County. The LDC shall restrict any activity that would expand the land use in question, improve structures or expand improvements associated with a nonconforming land use.

FLU 1.4.2 Code Enforcement. Escambia County shall conduct a combination of complaint-driven and systematic code enforcement actions to reduce property maintenance code violations; this process shall continue to use a hearing examiner (code enforcement special magistrate) when appropriate.

OBJ FLU 1.5 Sustainable and Energy Efficient Development

Escambia County shall promote sustainable and energy efficient development by encouraging compact, mixed- and multi-use land use patterns.

POLICIES

FLU 1.5.1 Reduction of Green House Gases and Single Occupant Vehicle Trips. The County will direct growth toward lands designated for higher intensity, mixed use development, especially the Mid-West Sector Plan Overlay area and major transportation corridors in the Mixed Use Urban Future Land Use category, to encourage compact, mixed or multiple use developments that are walkable and can be served by public transportation, thereby establishing opportunities for reduced reliance on single occupant vehicle trips and reduction in automobile generated greenhouse gas emissions.

FLU 1.5.2 Use of Planned Unit Development. Escambia County shall support the use of the Planned Unit Development process to create developments that incorporate sustainable development practices, including:

- a. A variety of nonresidential uses in close proximity to residential uses;
- b. A variety of uses mixed as compact vertical or horizontal development;
- c. Active first floor retail and service uses in multi story buildings;
- d. Convenient access to typical daily needs;
- e. A system of streets that are attractive and safe for pedestrians and bicycle use;
- f. Walking/bicycling trails and wide pedestrian sidewalks as referenced in Chapter 8, Mobility Element and the Safe Routes to Schools Program;
- g. Greenspaces, such as pocket parks, trails, greenbelts and natural areas; and
- h. Travel mode choice, including walking, bicycling, bus/transit and automobile.

FLU 1.5.3 New Development and Redevelopment in Built Areas. To promote the efficient use of existing public roads, utilities and service infrastructure, the County will encourage redevelopment in underutilized properties to maximize development densities and intensities located in the Mixed Use-Suburban, Mixed Use-Urban, Commercial and Industrial Future Land Use districts categories (with the exception of residential development).

FLU 1.5.4 Compact Development and Maximum Densities and Intensities. To ensure developments are designed to be compact and to accommodate travel mode choice, especially for short, local trips, the County will require minimum densities in the Mixed-Use-Suburban Future Land Use category and encourage the maximum densities and intensities in the Mixed Use-Urban Future Land Use category.

GOAL FLU 2 DEVELOPMENT AND PUBLIC SERVICES

Escambia County shall promote urban strategies for compact development, efficient provision of infrastructure and urban services, and the protection of natural resources. Urban strategies shall include infill development, mixed-use development and coordinated land use and transportation planning.

OBJ FLU 2.1 Urban Development

Direct growth toward those areas where infrastructure and services exist to support development at approved densities and intensities.

POLICIES

FLU 2.1.1 Infrastructure Capacities. Urban uses shall be concentrated in the urbanized areas with the most intense development permitted in the Mixed-Use Urban (MU-U) areas and areas with sufficient central water and sewer system capacity to accommodate higher density development. Land use densities may be increased through Comprehensive Plan amendments. This policy is intended to direct higher density urban uses to those areas with infrastructure capacities sufficient to meet demands and to those areas with capacities in excess of current or projected demand. Septic systems remain allowed through Florida Health Department permits where central sewer is not available.

FLU 2.1.2 Compact Development. To promote compact development, FLUM amendments and residential rezonings to allow higher residential densities may be allowed in the Mixed-Use Urban (MU-U) and Mixed-Use Suburban (MU-S) future land use categories.

FLU 2.1.3 CHHA Density. Consistent with the goals, objectives and policies of the Coastal Management Element, Escambia County will not support rezonings and FLUM amendments to categories allowing higher densities within the Coastal High Hazard Area (CHHA).

FLU 2.1.4 Residential Density and Non-residential Intensity Bonuses. Through specific LDC criteria that implement the urban development objective, mixed use projects may be allowed to be developed above the maximum residential density and non-residential intensity permitted in the zoning district but not to exceed the FLU limits.

OBJ FLU 2.2 Provision of Public Services

Promote orderly and balanced growth and development as a fiscal management technique to provide cost-efficient public services and facilities.

POLICIES

FLU 2.2.1 Location. Public facilities and services shall be located to minimize their cost and negative impacts on the natural environment and maximize their efficiency. Cost alternatives, impacts on the environment and levels of efficiency shall be discussed during the design phase and bid process utilized by the County to accomplish the installation or location of public facilities and/or services. In addition, the County will coordinate with the Emerald Coast Utilities Authority, other water and/or sewer providers and state or federal agencies with facilities located in the County or with plans to expand existing facilities or create new facilities in the County. Among other things, it is the intent of this policy that public facilities and services are available to support the densities and intensities

of uses provided by this plan and the FLUM and that there is adequate and suitable land available for such utility facilities.

FLU 2.2.2 Land Acquisition. Escambia County shall include land acquisition within its Capital Improvements Element and its Capital Improvements Program (CIP) when necessary to provide for public lands for County owned facilities.

FLU 2.2.3 Right-of-way Dedication. Escambia County shall continue to require dedication of adequate rights-of-way as approved by the County.

FLU 2.2.4 Existing Facilities. Prior to embarking on the construction of new capital improvements, Escambia County will consider the feasibility of upgrading or rehabilitating existing facilities to determine if the rehabilitation of present facilities would be in the best interest of the County and its citizens.

OBJ FLU 2.3 Infill Development

Encourage infill development in appropriate urbanized areas where infrastructure is sufficient to meet demands, such as in MU-U and MU-S.

POLICIES

FLU 2.3.1 Area Designation. The Englewood and Brownsville Redevelopment Areas, as adopted by the BCC, are hereby designated as an Urban Infill and Redevelopment Area in conformance with Section 163.2514(2), Florida Statutes. The County shall pursue similar designation for the remaining adopted redevelopment areas.

FLU 2.3.2 Community Redevelopment Areas. Escambia County shall use its fiscal resources to encourage infill residential, commercial and public development, particularly in the Community Redevelopment Areas.

OBJ FLU 2.4 Community Redevelopment

The Community Redevelopment Agency (CRA) will continue to implement the recommendations of the 1995 Community Redevelopment Strategy, as may be updated from time to time.

POLICIES

FLU 2.4.1 Strategy. The CRA and other County agencies shall implement the recommendations of the 1995 Community Redevelopment Strategy through the Palafox, Englewood, Brownsville, Warrington and Barrancas Redevelopment Plans, as may be updated from time to time.

FLU 2.4.2 **Block Grants.** Escambia County shall direct its Community Development Block Grant (CDBG) efforts primarily to the Community Redevelopment Areas, but in any case, the program requirements promulgated by the U.S. Department of Housing and Urban Development (HUD) shall be met.

FLU 2.4.3 **Unsafe Conditions.** Escambia County shall utilize and administer its provisions for removal or repair of structures that are unsafe or constitute a health hazard. Also, the County will continue to target CDBG funds primarily for improvement to areas or structures where unsafe or substandard conditions exist.

FLU 2.4.4 **Needs Identification.** Escambia County shall identify neighborhoods showing initial signs of distress and evaluate the need for revitalization and enhancement, which is anticipated to be complete by December 2011. Distressed neighborhoods may be scheduled for targeted code enforcement and for supplemental public infrastructure and park improvements through the CIP.

GOAL FLU 3 RURAL STRATEGIES

Escambia County shall promote rural strategies, including protecting agriculture, silviculture and related activities, protecting and preserving natural resources and guiding new development toward existing rural communities.

OBJ FLU 3.1 Rural Development

All new development within rural areas, including commercial development, that is compatible with the protection and preservation of rural areas, shall be directed to existing rural communities.

POLICIES

FLU 3.1.1 **Infrastructure Expenditures.** Escambia County shall limit the expenditure of public funds for infrastructure improvements or extensions that would increase the capacity of those facilities beyond that necessary to support the densities and intensities of use established by this plan unless such expenditures are necessary to implement other policies of this plan.

FLU 3.1.2 **Water Facility Extensions.** Escambia County shall coordinate with potable water providers on any extensions of potable water facilities in rural area.

FLU 3.1.3 **FLUM Amendments.** During consideration of FLUM amendments, Escambia County shall consider the impacts of increased residential densities to the agriculture and silviculture industries and public facility maintenance and operation expenditures (i.e. roads, water, sewer, schools,) needed to serve the proposed development.

FLU 3.1.4 Rezoning. Escambia County shall protect agriculture and the rural lifestyle of northern Escambia County by permitting rezonings to districts allowing higher residential densities in the Rural Community (RC) future land use category.

FLU 3.1.5 New Rural Communities. To protect silviculture, agriculture and agriculture-related activities Escambia County shall not support the establishment of new rural communities.

FLU 3.1.6 Residential Clustering. Clustering of residential units in the Agriculture (AG) and Rural Community (RC) future land use categories shall only be permitted for subdivisions of 10 or more dwelling units, with preservation of at least 80 percent of the project site in a perpetual conservation easement as contemplated in, Section 704.06, F.S., and in conjunction with a PUD to ensure the project is compatible with surrounding properties and protects the rights of adjacent property owners. The minimum lot size shall be $\frac{1}{4}$ acre and the maximum residential density permitted in the future land use category shall not be exceeded.

FLU 3.1.7 Farm Worker Housing. Group quarters, temporary housing, and other residential structures for the use of permanent and/or temporary farm workers may be permitted in areas of agricultural activity. Although, in no case shall such uses exceed the maximum intensity specified in the applicable future land use category or densities exceed 8 dwelling units per gross acre. This provision is intended to preserve and promote agricultural uses by making it possible for farm workers to both work and reside on or near property devoted to agricultural uses.

FLU 3.1.8 Conservation Subdivisions. Escambia County shall, by December 2012, review the appropriateness of allowing conservation subdivisions in the future land use categories.

GOAL FLU 4 MILITARY INSTALLATIONS

Escambia County shall support the missions of local military installations.

OBJ FLU 4.1 Compatibility and Encroachment.

Recognize the economic and historical significance of retaining local military installations and address compatibility and encroachment issues through implementation of the recommendations of the 2003 Joint Land Use Study (JLUS).

POLICIES

FLU 4.1.1 Planning Objective. Escambia County shall consider the protection of public health, safety and welfare as a principal objective of land use planning around military airfields.

FLU 4.1.2 Airfield Influence Planning Districts. Escambia County shall provide for Airfield Influence Planning Districts (AIPDs) as a means of addressing encroachment, creating a buffer to lessen impacts from and to property owners, and protecting the health, safety and welfare of citizens living in close proximity to military airfields. The overlay districts shall require density and land use limitations, aviation easements, building sound attenuation, real estate disclosures, and Navy (including other military branches where appropriate) review of proposed development based on proximity to Clear Zones, Accident Potential Zones (APZs), aircraft noise contours, and other characteristics of the respective airfields. The districts and the recommended conditions for each are as follows:

A. Airfield Influence Planning District--1 (AIPD-1): Includes the current Clear Zones, Accident Potential Zones and noise contours of 65 Ldn and higher, (where appropriate) as well as other areas near and in some cases abutting the airfield.

1. Density restrictions and land use regulations to maintain compatibility with airfield operations; and
2. Mandatory referral of all development applications to local Navy officials for review and comment within ten working days; and
3. Required dedication of aviation easements to the county for subdivision approval and building permit issuance; and
4. Required sound attenuation of buildings with the level of sound protection based on noise exposure; and
5. Required disclosure for real estate transfers.

B. Airfield Influence Planning District--2 (AIPD-2): Includes land that is outside of the AIPD -1 but close enough to the airfield that it may affect, or be affected by, airfield operations.

1. Mandatory referral of all development applications to local Navy officials for review and comment within ten working days; and
2. Required dedication of aviation easements to the county for subdivision approval and building permit issuance; and
3. Required sound attenuation of buildings with the level of sound protection based on noise exposure; and
4. Required disclosure for real estate transfers; and

5. No County support of property rezonings that result in increased residential densities in excess of JLUS recommendations.

The three installations in Escambia County - Naval Air Station Pensacola (NASP), Navy Outlying Field (NOLF) Saufley and NOLF Site 8, are each utilized differently. Therefore, the size and designations of the AIPD Overlays vary according to the mission of that particular installation. The Escambia County Land Development Code details and implements the recommendations. The AIPD Overlays Map is attached herein to this ordinance as Exhibit C.

FLU 4.1.3 Infrastructure Impacts. Escambia County shall review, in coordination with other agencies or organizations that provide necessary infrastructure (i.e. streets and utilities), the possible growth-inducing impacts of service extensions into AIPD's.

FLU 4.1.4 Information Access. Escambia County shall continue to maintain an interactive page on its website as a tool for all users to access information concerning airfield influence planning districts, noise zones and accident potential zones. The County is committed to continuous improvement and expansion of the website, with links to other information sources as needed.

FLU 4.1.5 Land Acquisition. Escambia County shall seek dedicated sources of funds for acquiring the development rights or outright purchase of select lands for public purpose. The land acquisition program shall be designed to serve multiple, complementary goals, including the elimination of possible development from lands near airfields, the protection of the environment, the maintenance of agricultural uses, and the conservation of quality open spaces.

FLU 4.1.6 Supporting Infrastructure. Section 288.980(4), Florida Statutes, creates the "Defense Infrastructure Grant Program" to support local infrastructure projects deemed to have a positive impact on the military value of installations within the state. Escambia County shall support and proceed with infrastructure projects that would have a positive impact on local military installations, pursuing all assistance available.

FLU 4.1.7 Military Representation. Pursuant to Section 163.3175, Florida Statutes, a representative of the military installations located within Escambia County shall be placed on the Planning Board as an ex officio, nonvoting member. The selection of the representative will initially be by a Memorandum of Agreement between the Commanding Officers of Naval Air Station Pensacola and Naval Air Station Whiting Field. The Interlocal Agreement with the Navy details the procedures and responsibilities of both parties.

FLU 4.1.8 JLUS Implementation. The Local Planning Agency, the Planning Board, shall function as the JLUS Implementation Oversight Committee to guide

the implementation of technically sound, community-based, collaborative planning. The duties of the JLUS Implementation Oversight Committee shall include, at a minimum, annual meetings, with others scheduled as necessary, to:

- a. Monitor the timely completion of the implementation of the JLUS recommendations; and
- b. Make policy decisions and recommendations concerning the JLUS implementation to the BCC; and
- c. Monitor the effectiveness of the implemented recommendations in controlling encroachment; and
- d. If necessary in the future, recommend additional measures to ensure compatible development in the AIPD's.

GOAL FLU 5 MID-WEST ESCAMBIA COUNTY OPTIONAL SECTOR PLAN

Escambia County shall utilize the Optional Sector Plan process to encourage cohesive and sustainable development patterns within central Escambia County, emphasizing urban form and the protection of regional resources and facilities.

OBJ FLU 5.1 Conceptual Long-term Build-out Overlay

Adopt a conceptual long-term buildout overlay for the Mid-West Optional Sector Plan area as authorized by the Florida Department of Community Affairs.

POLICIES

FLU 5.1.1 The Long-Range Conceptual Framework Map, attached and incorporated in this Ordinance as Exhibit D, identifies the location, type and extent of land uses, regionally significant public facilities, and regionally significant natural resources. This area shall be depicted on the Future Land Use Map as the Optional Sector Plan (OSP) and be evaluated in future statutorily required evaluation & appraisal reports.

FLU 5.1.2 Development within the OSP area shall support and further the following general principles:

Economic Development

- a. Promote economic development and job creation
- b. Promote the fiscally efficient use of land and infrastructure
- c. Provide adequate retail and service opportunities to meet the needs of the surrounding community

Transportation

- a. Create a highly interconnected, multi-modal transportation system that efficiently links housing to employment and retail opportunities
- b. Develop a hierarchy of transportation corridors that would increase mobility and accessibility within the OSP while respecting existing residential development
- c. Create an interconnected and accessible pedestrian and bicycle network
- d. Reduce vehicle trips (VT) and vehicle miles traveled (VMT) through the use of compact, mixed-use and transit-oriented development patterns

Environment

- a. Establish a “green infrastructure” network of interconnected recreation areas and open space
- b. Identify, protect and when impacted by development restore key ecosystems
- c. Identify, protect and when impacted by development restore wildlife habitat and corridors
- d. Reduce greenhouse gas (GHG) emissions

Community Design

- a. Create a hierarchy of place
- b. Promote compact neighborhood design
- c. Create neighborhoods that would provide a broad range of housing options varying in size, style, cost and type of ownership
- d. Provide neighborhood schools and parks within close proximity to housing consistent with Chapter 16, Public Schools Facilities Element.
- e. Construct resource-efficient homes and businesses

FLU 5.1.3 The total maximum development scenario of the Mid-West Escambia County Optional Sector Plan shall be limited to 12,175,000 sq. ft. of non-residential development and 23,000 residential dwelling units. Any future amendments to this total shall result in a balanced jobs-to-housing ratio.

OBJ FLU 5.2 Economic Development

Adopt development guidelines that implement the economic development principles of the Optional Sector Plan area.

POLICIES

FLU 5.2.1 The OSP shall contain two Regional Employment Districts. The Northern Regional Employment District is intended to recognize and build upon the County’s pre-existing investment in the Central Commerce Park. The Southern Regional Employment District is intended to create an immediate

opportunity for significant economic development and job creation proximate to Interstate 10 and existing population centers.

The location of these districts shall be generally consistent with the conceptual long-term buildout overlay. The intent of these districts is to support economic development and improve the jobs-to-housing balance in central Escambia County. These districts are intended to contain predominantly industrial, distribution and office uses. Development within the Regional Employment Districts shall be consistent with the following standards:

Northern Regional Employment District

<i>Development Standards</i>	
Maximum Size	400 net acres*
Maximum FAR	.50
Maximum Gross Floor Area	2,500,000 sq. ft.

**Net acres are to be defined as gross acreage less waterbodies and wetlands.*

<i>Land Use Mix*</i>	<i>Minimum</i>	<i>Maximum</i>
Residential	0%	10%
Office	20%	60%
Commercial	0%	5%
Industrial	20%	60%
Recreation/Public	5%	No Maximum

**Percentages apply to the Northern Regional Employment District as a whole and not by individual parcel.*

Southern Regional Employment District

<i>Development Standards</i>	
Maximum Size	1,600 net acres*
Maximum FAR	.50
Maximum Gross Floor Area	8,000,000 sq. ft.

**Net acres are to be defined as gross acreage less waterbodies and wetlands.*

<i>Land Use Mix*</i>	<i>Minimum</i>	<i>Maximum</i>
Residential	0%	10%
Office	20%	60%
Commercial	0%	5%
Industrial	20%	60%
Recreation/Public	5%	No Maximum

**Percentages apply to the Southern Regional Employment District as a whole and not by individual parcel.*

FLU 5.2.2 In order to minimize public expenditures and maximize the efficient use of public infrastructure and services such as utilities and roads, development within the OSP shall be in the form of clustered, compact neighborhoods and centers.

OBJ FLU 5.3 Transportation

Adopt development guidelines that implement the transportation principles of the Optional Sector Plan area.

POLICIES

FLU 5.3.1 Transportation infrastructure within the OSP shall be designed as a network of hierarchical local, collector and arterial roadways that form a curvilinear grid pattern that respects the natural environment while providing a high degree of interconnectivity.

FLU 5.3.2 Local and collector streets, sidewalks, bike lanes and multi-use paths shall contribute to a system of fully-connected and attractive routes from individual neighborhoods to neighborhood, village, town and employment centers. Their design should encourage pedestrian and bicycle use by being spatially defined by buildings, trees, and lighting; and by discouraging high speed vehicular traffic.

FLU 5.3.3 Neighborhood, Village and Town Centers shall be transit-oriented and designed to accommodate current and future transit systems.

FLU 5.3.4 Land uses adopted within the OSP shall result in an appropriate job to housing balance that reduces overall vehicle miles traveled (VMT) locating residential uses within close proximity to jobs.

OBJ FLU 5.4 Environment

Adopt development guidelines that implement the environmental principles of the Optional Sector Plan area.

POLICIES

FLU 5.4.1 "Green infrastructure" shall be defined as an interconnected network of preservation areas, open space, parks, greenbelts and other natural areas that support the function of natural systems, allow the natural management of stormwater, support wildlife migration patterns, and promote community access to recreational areas. Throughout the OSP these areas shall be constructed, restored and maintained to the greatest extent possible.

FLU 5.4.2 Wherever possible, the natural terrain, drainage and vegetation of the area shall be preserved.

FLU 5.4.3 Environmentally sensitive areas shall be preserved in a way that will maintain their integrity as wildlife habitat consistent with the definition in Chapter 3, Definitions. The County shall require mandatory clustering on the upland areas of properties that are impacted by environmentally sensitive areas; however, for those properties that lack an adequate amount of uplands, limited development in the OSP would be permitted if a taking would result.

FLU 5.4.4 Key wildlife corridors shall be identified and protected from the impacts of development.

FLU 5.4.5 Measures shall be implemented to reduce greenhouse gas (GHG) emissions consistent with the intent of Chapter 2008-191, Laws of Florida. The implementation of this policy shall include but not be limited to the following measures:

- a. Reduction of vehicle miles traveled (VMT) by encouraging the design of compact, walkable, mixed-use, transit-oriented neighborhoods.
- b. Creation of a highly interconnected, multi-modal transportation that incorporates facilities for current and future transit systems.
- c. Promotion of alternative (non-fossil fuel) energy sources.

FLU 5.4.6 To ensure appropriate identification, protection and management of regionally significant natural resources within the OSP, the following process is established:

1. Regionally significant natural resources, including waterbodies, wetlands, listed species habitat, unique vegetative communities and publicly owned lands acquired for conservation purposes, shall be identified at the long-term master plan level utilizing publicly available data. These resources shall be depicted on the long-term master plan framework map as "Anticipated Conservation Areas."
2. At the Detailed Specific Area Plan (DSAP) level, Anticipated Conservation Areas shall be subject to further study and refinement. Methods such as photo-interpretation and ground-truthing shall be utilized to verify and, where appropriate, revise Anticipated Conservation Area boundaries. These areas shall be depicted as Low Impact Natural Resource Areas (LINRA) on the DSAP land use map. LINRA designation is intended to identify areas of regionally significant natural resources within the Mid-West Escambia County Sector Plan. It is anticipated that these areas will be subject to further delineation under the State of Florida's

Environmental Resource Permit (ERP) program and may be regulated accordingly.

3. Land within a DSAP and located within areas designated as LINRAs will be evaluated during the development review process for environmental significance. Land uses, densities, and intensities will be that of the underlying land use plan. However, wetlands and other environmentally sensitive lands as defined in Section 3.04 will be subject to the relevant requirements of Conservation Policies 1.3.7, 1.3.8 and Conservation Objective 1.4. Lands identified through the permitting process for preservation shall be protected through the recordation of conservation easements consistent with Section 704.06, Florida Statutes.

OBJ FLU 5.5 Community Design

Adopt development guidelines that implement the community design principles of the Optional Sector Plan area.

POLICIES

FLU 5.5.1 The OSP shall contain mixed-use town, village and neighborhood centers. The location of these centers shall be generally consistent with the conceptual long-term build-out overlay. The intent of these centers is to provide recreation, retail, service, and employment opportunities within close proximity to residential neighborhoods. These centers and the surrounding neighborhoods shall be linked by interconnected, multi-modal transportation corridors containing pedestrian, bicycle, public transit and auto facilities, thereby encouraging alternative forms of travel and reducing both Vehicle Trips (VT) and Vehicle Miles Traveled (VMT). Prior to site development a conceptual plan will be provided to the county to demonstrate these standards set forth below.

A. Town Center

The Town Center is intended to be the retail center of the OSP and capture a market area approximately 5 to 15 miles in size. The design of the Town Center is intended to be compact, mixed-use and similar in nature to traditional downtown cores. The Town Center shall be designed to accommodate approximately 500,000 to 1,000,000 sq. ft. of non-residential uses predominantly comprised of retail and office space. The Town Center shall contain significant residential opportunities. Residential uses shall be limited to multi-family units which may be located above

ground floor office or retail uses. In addition, higher density single-family development may occur within ½ mile of the Town Center. Development within the Town Center shall be consistent with the following standards:

<i>Development Standards</i>	
Maximum Size	500 net acres*
Maximum FAR	1.0
Maximum Gross Floor Area	1,200,000 sq. ft.
Minimum Residential Density	10.0 du. ac.

**Net acres are to be defined as gross acreage less waterbodies and wetlands.*

<i>Land Use Mix*</i>	<i>Minimum</i>	<i>Maximum</i>
Residential**	30%	50%
Office	20%	40%
Commercial	20%	40%
Industrial	Not Permitted	
Recreation/Public	15%	No Maximum

**Percentages shall be applied to the Town Center as a whole and not by individual parcel.*

B. Village Centers

Village Centers are intended to be sub-area retail centers and capture a market area approximately ½ to 2 miles in size. The design of Village Centers shall be compact, mixed-use and similar in nature to traditional, small town main streets. Village Centers shall be designed to accommodate approximately 40,000 to 200,000 sq. ft. of non-residential uses predominantly comprised of retail and office space. In addition, Village Centers may contain centralized park and recreation, community and educational facilities. Development within the Village Centers shall be consistent with the following standards:

<i>Development Standards</i>	
Maximum Size	40 net acres*
Maximum FAR	.50
Maximum Gross Floor Area	200,000 sq. ft.
Minimum Residential Density	7.0 du. ac.

**Net acres are to be defined as gross acreage less waterbodies and wetlands*

<i>Land Use Mix*</i>	<i>Minimum</i>	<i>Maximum</i>
Residential**	20%	40%
Office	10%	25%
Commercial	15%	30%
Industrial	Not Permitted	
Recreation/Public	10%	No Maximum

**Percentages shall be applied to each Village Center as a whole and not by individual parcel.*

***Residential uses shall be limited to multi-family and may be located above ground floor office or commercial.*

C. Neighborhood Centers

Neighborhood Centers are intended to provide small, neighborhood serving retail and service opportunities with a market area approximately ¼ to 1 mile in size. The design of Neighborhood Centers shall be compact and pedestrian oriented. Neighborhood Centers shall be designed to accommodate approximately 1,000 to 15,000 sq. ft. of non-residential uses. In addition, Neighborhood Centers may contain centralized park and recreation, community and educational facilities. Neighborhood Centers shall be generally located as indicated on the Optional Sector Plan long-range conceptual framework map. Additional neighborhood centers may be considered where market data and analysis demonstrate the trade area will support an additional center. Development within the Neighborhood Centers shall be consistent with the following standards:

<i>Development Standards</i>	
Maximum Size	5 net acres*
Maximum FAR	.25
Maximum Gross Floor Area	15,000 sq. ft.
Minimum Residential Density	5.0 du. ac.

**Net acres are to be defined as gross acreage less waterbodies and wetlands.*

<i>Land Use Mix*</i>	<i>Minimum</i>	<i>Maximum</i>
Residential**	-	-
Office	0%	20%
Commercial	0%	35%
Industrial	Not Permitted	
Recreation/Public	20%	No Maximum

**Percentages shall be applied to each Neighborhood Center as a whole and not by individual parcel. **Residential uses shall be limited to multi-family and must be located above ground floor office or commercial.*

FLU 5.5.2 The OSP shall contain a mixture of residential neighborhoods that vary in regards to dwelling unit type and density. The location of these neighborhoods shall be generally consistent with the conceptual long-term build-out overlay. The intent of these neighborhoods is to provide a variety of housing options and within close proximity to schools and parks as well as retail, service, and employment opportunities. The location and design of new neighborhoods shall be such that they ensure the continued protection of natural resources and existing neighborhoods, promote a strong sense of community, and provide access to nearby recreational opportunities.

A. Traditional/Urban Neighborhoods

Traditional/Urban Neighborhoods are intended to be high density, compact communities adjacent to centralized retail and service opportunities. Traditional Urban Neighborhoods shall be designed in a manner that creates a strong sense of place through the layout of the streets, arrangements of open space, appearance of streetscapes and linkage of neighborhoods to supporting services. To allow the efficient use of land and infrastructure, increase walkability and support existing and future transit systems, Traditional/Urban Neighborhoods shall be located within ½ mile of Town, Village or Neighborhood centers and contain a variety of housing types ranging on average from 5 to 25 dwelling units per gross acre. Individual sites may have density greater than 25 units per gross acre provided the average density stays within the 5 to 25 dwelling units range.

B. New Suburban Neighborhoods

Residential development greater than ½ mile from Town, Village or Neighborhood centers shall be in the form of New Suburban Neighborhoods. These neighborhoods are intended to be medium density communities comprised of a highly interconnected transportation system including pedestrian, bicycle, and automobile networks. A variety of housing types ranging from 3 to 10 dwelling units per gross acre shall be permitted.

C. Conservation Neighborhoods

Residential neighborhoods greater than 1/2 mile from Town, Village or Neighborhood centers with a density less than 2.5 dwelling units per gross acre shall only be permitted as Conservation Neighborhoods. Conservation Neighborhoods are intended to replace typical suburban neighborhoods with a more efficient and environmentally protective development pattern. Conservation Neighborhoods shall be low density, clustered communities with a distinct “edge” consisting of interconnected open space. This open space shall serve to protect and preserve areas of significant natural resources and wildlife habitat while offering passive recreational opportunities to residents. Conservation Neighborhoods shall

be required to preserve a minimum of 50% open space. Open space shall be preserved in perpetuity through a conservation easement.

FLU 5.5.3 Escambia County recognizes the number of pre-existing neighborhoods within the OSP. These neighborhoods range from loosely associated subdivisions of land to historical communities with a strong sense of place. Through the Detailed Specific Area Plan (DSAP) process, residents of existing neighborhoods will be asked to provide input regarding new development within the OSP. In addition, existing neighborhoods will be provided the opportunity to either redevelop or more strongly establish their existence through the use of organizing elements such as signage and designation of a community park or center.

FLU 5.5.4 To reduce the impacts and costs of transportation and create a neighborhood focal point, the County shall encourage the location of schools, consistent with Chapter 16, Public Schools Facilities Element, within residential neighborhoods or adjacent to centers. Co-location with community parks shall be encouraged.

FLU 5.5.5 Residential and non-residential construction within the OSP shall promote green building principles intended to reduce overall energy and water consumption.

OBJ FLU 5.6 Specific Area Plans

Adopt procedures and guidelines for the development and approval of detailed specific area plans.

POLICIES

FLU 5.6.1 Development within the OSP shall be subject to the adoption of Detailed Specific Area Plans (DSAP). Each DSAP must be a minimum of 1,000 acres in size and developed in sufficient detail to allow evaluation of the interrelationship of its parts and establish consistency with principles and criteria contained in FLU 5.1.1-FLU 5.5.5. Until and unless a DSAP is approved by the Escambia County Board of County Commissioners and found in compliance by the Florida Department of ~~Community Affairs~~ Economic Opportunity, the property in the OSP shall maintain the underlying future land use category (e.g. Agricultural, Rural Community, Mixed-Use Suburban) and zoning district (e.g. the agricultural, the rural community, the mixed-use low density zonings or the equivalents), except for those projects that are vested.

All applications for development approvals (i.e. lot splits, special exceptions, variances, etc.) on any property within the OSP shall be reviewed on a case-by-case basis for the effect of such development approval on adopted or future DSAPs and in compliance with the general principles established in FLU Policy

5.1.2. At a minimum, development of a DSAP must include the following information:

I. DSAP Boundary Determination Analysis

Conduct a preliminary site analysis of the proposed DSAP area to determine appropriate boundaries. This analysis shall include the following:

1. Identification of the extent and location of natural resources.
2. Identification of the environmental opportunities and constraints to development within the area.
3. Identification of the net usable land area.
4. Determination of a maximum development scenario based upon the uses, densities and intensities identified in the Conceptual Long-term Build-out Overlay.
5. A Jobs-to-housing balance assessment consistent with policy FLU 5.3.4 and utilizing a professionally acceptable methodology.
6. Identification of public facilities and services available to the area; available capacity; potential deficiencies; and an approximation of necessary improvements.

The final boundaries for a DSAP must be approved by Escambia County before initiating a conceptual DSAP as described in Section II below.

II. Conceptual DSAP

The intent of the Conceptual DSAP process is to prepare an initial plan for public review and comment. A Conceptual DSAP shall address the following:

1. The location of neighborhoods, centers and regional employment districts generally consistent with the conceptual long-term buildout overlay. For neighborhoods, a computation of density shall be provided along with the permitted uses and proposed lot sizes. For centers, a computation of density and intensity shall be provided, as well as the area and percentage of land use mix consistent with the categories found in FLU 5.5.1. For regional employment districts, a computation of the area, intensity and percentage of land use mix consistent with the categories found in FLU 5.2.1 shall be provided.

2. Circulation routes for pedestrians, bicycles, transit and automobiles, including consideration for connection with the surrounding area. For each facility to be included in the DSAP, design criteria should be included addressing:
 - Roadway cross-sections
 - On street parking (if applicable)
 - Pedestrian, Bicycle and Transit facilities
 - Landscape and streetscape standards
3. Location and size/capacity of major infrastructure components including wastewater, water, re-use water, stormwater and solid waste.
4. Design criteria proposed for each land use category proposed for the DSAP including, but not limited to:
 - Typical lot size
 - Setbacks
 - Height
 - Density
 - Floor Area Ratio (commercial)
 - Signage
5. Strategies for the integration of existing development.

The Conceptual DSAP shall be presented to the public at an information workshop. This workshop is to be advertised in a manner consistent with Chapter 4, Public Participation. In addition, each property owner in the DSAP and each property owner within 1,000 feet of the boundary of the DSAP must be notified of the workshop. Substantial compliance with the provisions of this policy regarding the various methods for providing notice shall be sufficient to constitute notice to all affected parties. Comments from the public must be documented and included in a report to Escambia County.

III. Preliminary DSAP.

Based on the results of the informational workshop described in Section II., prepare a Preliminary DSAP shall be prepared. At a minimum, this plan shall consist of the following elements:

1. Statement of the community goals and objectives to be accomplished by the DSAP.
2. DSAP exhibits including:
 - a. A detailed land use plan indicating the distribution, extent and location of future land uses, including the proposed

locations for transportation facilities (auto, transit, bike, pedestrian), major community services (water and wastewater plants, fire and police substations, government buildings), neighborhood school(s), parks and any conservation areas.

- b. A detailed public facilities plan identifying regionally significant public facilities, including public facilities outside the jurisdiction of Escambia County, anticipated impacts of future land uses on these facilities and required improvements consistent with Chapter 9J-2, Florida Administrative Code. In addition, this plan shall include the following components:
 - i. A transportation analysis consistent with Chapter 9J-2, indicating the general location of all arterial and collector roadways necessary to serve the DSAP, their right-of-way width, and design cross section. It should also address the proposed location of transit routes and the manner in which they can be integrated into the regional transportation system. The general location of all bikeways and pedestrian paths should demonstrate access to all schools, commercial and civic areas from any point in the DSAP. The transportation analysis should be accompanied by a report demonstrating the impact on transportation facilities and documenting the timing and estimated cost for transportation improvements required by development of the DSAP. Prior to initiation of any transportation analysis, the County shall consult with the Florida Department of Transportation (FDOT) regarding the analysis methodology in regards to impacts to the Florida Intrastate Highway System (FIHS). Each DSAP shall analyze the cumulative traffic impact of all previously approved DSAPs on the area road network, including the FIHS. Prior to approval of any DSAP, the Florida DOT shall have the opportunity to comment on the traffic analysis in regards to impacts to any State roads.
 - ii. A public improvements analysis that identifies the location and size of the water and wastewater systems necessary to support development of the DSAP. The analysis shall address demand, the location and size of plants, major distribution and collection systems, the design performance standards

that will be used in the review and approval of all development plans processed for the individual land use categories, the proposed source of funding, and the approximate timing for construction.

- c. A housing analysis addressing the need for affordable and workforce housing within the DSAP, the ability of the DSAP to provide a sustainable balance of housing units to employment opportunities, and potential impact of the proposed plan on existing neighborhoods and infill opportunities throughout the County.
- d. A detailed natural resource analysis that identifies specific measures to assure the protection of regionally significant natural resources and other important resources both within and outside the jurisdiction of Escambia County, including those resources identified in Chapter 9J-2, Florida Administrative Code.
- e. An energy efficiency analysis addressing the ability to reduce greenhouse gas emissions and improve energy efficiency within the DSAP.
- f. A land use need analysis addressing the amount of land necessary to accommodate both the projected population and future employment opportunities and promote sustainable development patterns.

The Preliminary DSAP shall be presented to the public at an informational workshop as per the requirements of Section II.

IV. Final DSAP and Report

Refinements to the Preliminary DSAP documents, based on the informational workshop described in IV, shall be prepared. The resulting Final DSAP shall be submitted to Escambia County for review and approval by the Planning Board and Board of County Commissioners. DSAP's prepared by an individual property owner or other venture must be presented through the County planning staff to the Board of County Commissioners. The DSAP will not be effective until approved by the Escambia County Board of County Commissioners. and found in compliance by the Florida Department of Community Affairs.

V. Changes to an Existing DSAP.

Any addition or deletion of property or changes to the neighborhood, center or district boundaries in an approved DSAP shall ~~be processed as~~

~~an amendment to the Comprehensive Plan, following~~ follow the County's established processes. It shall include an evaluation and analysis of the impacts to the approved or planned land uses and the ability of the proposed amendment to meet the principles and guidelines outlined in this plan. Such additions or deletions shall not be designed to create remnant areas or fragmented DSAPs.

FLU 5.6.2 Approval of zoning changes shall be based on consistency with the OSP principles and guidelines outlined in FLU 5.1.1-5.5.4. Specifically, such changes shall consider the impact on the overall DSAP in terms of the central focus of the land uses in the DSAP, with higher density in general proximity to Centers.

FLU 5.6.3 Once a DSAP is adopted by the Board of County Commissioners, all applications for development approval (i.e., lot splits, special exceptions, variances) under the existing zoning shall be evaluated for compatibility with the adopted DSAP.

FLU 5.6.4 Applications for a comprehensive plan amendment to establish a DSAP shall include an analysis matrix indicating compliance with the specific requirements of Sec. 163.3245, Florida Statutes.

FLU 5.6.5 OSP design criteria shall be incorporated into the Land Development Code within one year of the adoption of the first DSAP. All development within the boundary of an adopted DSAP shall comply with the OSP design criteria and other applicable provisions of the LDC. Where OSP design criteria conflict with other LDC provisions, the OSP criteria shall govern.

FLU 5.6.6 Should a development be proposed requiring an amendment to the OSP, which the County Local Planning Agency determines is contrary to the intent of the OSP planning concept and, therefore, should not be exempt from the requirements of Section 380.06 Florida Statutes, the applicant may be required, with concurrence by the ~~FDCA~~FDEO, to be processed as a DRI.

OBJ FLU 5.7 Adequate Public Facilities and Services

Adopt procedures and guidelines for the provision of adequate public facilities to serve the OSP and subsequent DSAPs.

POLICIES

FLU 5.7.1 Each DSAP shall be evaluated to determine whether adequate public facilities and services exist or will be in existence to serve the identified needs of the DSAP.

FLU 5.7.2 Prior to or in conjunction with the approval of an DSAP by the Escambia Board of County Commissioners, the land for the following public facilities shall be conveyed to Escambia County or a development agreement addressing the timely conveyance of such lands shall be approved by Escambia County.

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- Land for identified schools sites, consistent with Chapter 16, Public Schools Facilities Element.
- Land for identified parks and recreation facilities
- Right-of-way for identified collector and arterial roadways necessary to serve the DSAP
- Land for identified potable water and wastewater treatment facilities
- Right-of-way for all utilities necessary to serve the DSAP

FLU 5.7.3 Procedures and guidelines governing the provision of adequate public facilities and services shall not replace or supersede and provisions of the Escambia County concurrency management system.

OBJ FLU 5.8 Intergovernmental Coordination

Adopt procedures to ensure intergovernmental coordination to address extrajurisdictional impacts.

FLU 5.8.1 To provide for intergovernmental coordination to address extrajurisdictional impacts within the jurisdiction of the Florida Department of ~~Economic Opportunity~~ Economic Opportunity under Chapter 9J-2, F.A.C., the County shall provide to adjacent municipalities and counties, other units of government providing services but not having regulatory authority over the use of land, state and regional regulatory agencies, and the Escambia County School Board, information and copies of appropriate material related to the applications for a DSAP. The material provided shall include information indicating issues of regional significance in the region, or containing regional policies. It shall include material describing planning, permitting or review requirements of state, regional or local significance. It shall also include detailed identification of regionally significant public facilities, including public facilities outside the jurisdiction of Escambia County, anticipated impacts of future land uses on those facilities, and required improvements consistent with Chapter 9J-2, F.A.C. The adjacent municipalities, counties, other units of government and regulatory agencies shall have the opportunity to review and provide comments to the County, to ensure communication and coordination are used to minimize any potential adverse impacts.

Chapter 8 Mobility Element.

The purpose of the Mobility Element, serving as the Transportation Element, is to establish the desired and projected transportation system in Escambia County and to plan for future motorized and non-motorized traffic circulation systems. This element provides guidelines to prepare for and establish an effective multi-modal transportation system.

GOAL MOB 1 TRANSPORTATION

Escambia County shall provide a safe, cost-effective and functional roadway and transportation system for all residents and visitors to Escambia County.

OBJ MOB 1.1 Transportation System

Continue to provide a safe, convenient, efficient and cost-effective multimodal transportation system and roadway network for present and future residents.

POLICIES

MOB 1.1.1 New Development. Future developments will pay all costs and construct all roads within the development as well as existing and proposed access roads (internal and external) to Escambia County standards so that the roads, upon construction, may be accepted into Escambia County's road system. Nothing in this policy shall be interpreted to preclude the County from requiring the development to pay all costs to the County associated with construction of any transportation improvement made necessary by the development.

MOB 1.1.2 Level of Service (LOS) Standards. Levels of Service (LOS) based on annualized p.m. peak hour conditions will be used to evaluate facility capacity and for issuance of development orders. LOS standards for all roadways are hereby established as shown below according to the functional classification of roadways identified on the 2005 Federal Functional Classifications Map. The Mobility Series is attached herein to this ordinance as Exhibit E. The Mobility Series includes the 2005 Federal Functional Classifications Map, the Number of Lanes – Escambia County Map, the FL-AL TPO Prioritized Bicycle & Pedestrian Projects Map, the Transportation Improvement Program FY 2010-2014 Major Projects Map, the Traffic Volume & Level of Service Report, and the FL-AL TPO Long Range Plan (future roadway). The FDOT LOS standards are also used for SIS facilities.

Roadway Functional Classification	Annualized P.M. Peak Hour Level of Service Standard
Florida Intrastate System Roads	
Principal Arterial (SIS Rural)	B
Principal Arterial (SIS Urbanized)	C
Transportation Regional Incentive Program and Emerging SIS Connector Funded Roads	
Minor Arterial (Urbanized)	D
Other State and Local Roads	
Principal and Minor Arterial (Rural)	C
Principal and Minor Arterial (Urbanized)	D
Major and Minor Collector (Rural or Urbanized)	E

MOB 1.1.3 On-site Facilities. All new private developments, including but not limited to planned unit developments, shopping centers, multifamily residential projects and other projects with internal circulation and parking needs shall be required to provide safe and convenient on-site traffic flow, facilities for non-motorized transportation and sufficient vehicular parking to accommodate the needs of the development. This policy does not apply to residential subdivisions.

MOB 1.1.4 Non-motorized Transportation. All new public road construction projects in urban areas or community redevelopment areas shall accommodate non-motorized transportation. At a minimum, sidewalks and bicycle facilities should be included. Consideration should also be given to include storage racks, striping, or signage.

MOB 1.1.5 Maintenance and Reconstruction Priorities. Escambia County shall continue its practice of maintaining and/or reconstructing County roads on an “on-going” basis through implementation of the Capital Improvements Program (CIP) and Concurrency Management System. The County shall utilize CIE 1.2.2 together with any cost/benefit analysis, traffic analysis and analysis of the physical condition of the various roadways within the County. Said analyses may be performed by Escambia County or others.

MOB 1.1.6 Participation in Transportation Planning Organization. Escambia County will participate in and cooperate with the preparation of the Florida Alabama Transportation Planning Organization’s (TPO’s) Cost Feasible Plan and will continue its active participation with the TPO to ensure that the TPO recommendations and activities are consistent with this ordinance. In addition, the County will continue to encourage the TPO to request funding for the Florida Department of Transportation (FDOT) by the governor and the legislature.

MOB 1.1.7 Planning for Major Commercial Use. Applications for large-scale commercial development review shall address adequate traffic circulation, parking and access management measures that are necessary to minimize access to impacted State and County road segments, promote compatibility and

functional relationship of adjacent land uses and provide adequate buffer and landscape requirements. Escambia County shall encourage joint access agreements with adjacent property owners, encourage a mix of land uses that place less traffic intensive land uses adjacent to arterial segments, provide incentives for not platting commercial lots with direct access to arterial segments and apply density bonuses for converting commercial land uses to residential land uses.

MOB 1.1.8 Future Transportation Corridors. Escambia County shall preserve future transportation corridors as identified in the TPO Fiscal year (FY) 2010-2014 Plan Maps MOB 2A-C. The TPO FY 2010-2014 Plan is attached herein to this ordinance as Exhibit F.

MOB 1.1.9 Access Management. Escambia County shall promote access management by limiting the number of conflict points that a motorist experiences during travel; separating conflict points as much as possible when they cannot be eliminated; and control turning movements to facilitate traffic flow on affected roadways.

MOB 1.1.10 Commuter Assistance Programs. Escambia County will support the TPO commuter assistance programs in order to reduce the number of vehicle miles traveled per capita in the community and region.

MOB 1.1.11 Cross-Access. Escambia County will incorporate requirements for cross-access easements and connections for commercial sites in the LDC. The County will prioritize the implementation of this policy based on corridor planning efforts. The regulations will be implemented on private properties along roadways with proper connection spacing and an access management plan.

MOB 1.1.12 Ozone Task Force Recommendations. Escambia County will implement the following recommendations of the 2001 Escambia County Ozone Task Force Report so as to modify peak hour demand and reduce the number of vehicle miles traveled per capita in the community and region.

- a. Implement flex work hours (i.e. extended hours, four-day work week) for government employees during peak ozone season June through September).
- b. Provide information about benefits of flex work hours to local industry and encourage use of such programs.
- c. Encourage mixed use development offering sidewalks and bicycle paths.
- d. Accelerate bicycle/pedestrian improvements.
- e. Promote telecommuting and teleconferencing.

MOB 1.1.13 Safe Routes to School. Pursuant to Section 1006.23, Florida Statutes, Escambia County, the Escambia County School Board and the Community Traffic Safety Team shall coordinate to prepare a "Safe Routes to

School” (SRTS) master plan for each public school, and then implement construction of improvements (e.g., sidewalks, shoulders) to encourage walking to school. SRTS improvements shall be focused to provide priority to improvements within the following radii:

Elementary School – ½ mile radius

Middle and High School – 1 mile radius

MOB 1.1.14 Required Bicycle and Pedestrian Facilities. Escambia County shall, through LDC provisions, require the installation of sidewalks along the street frontage of new development to provide connectivity and utility for existing sidewalks in the vicinity of the development. New development along routes shown on the TPO Bicycle and Pedestrian Plan, the County’s Bicycle and Pedestrian Plan, or the SRTS Plan shall install sidewalks and/or bicycle facilities as specified by those plans for any street frontage of the development that coincides with those routes. New development in proximity to a school shall install sidewalks consistent with policies PSF 1.4.5 and PSF 1.4.6.

MOB 1.1.15 Coordination with School District. Escambia County will coordinate with the Escambia County School District regarding new school siting and needs at existing schools when determining locations for improvements to pedestrian facilities.

MOB 1.1.16 Sidewalk Planning Participation. Escambia County will seek public input from citizens, the School Board of Escambia County and the development community regarding sidewalk needs and priorities.

MOB 1.1.17 Intelligent Transportation System. Escambia County will cooperate with FDOT studies now underway that address intelligent transportation system opportunities to improve system efficiency and enhance safety.

MOB 1.1.18 Roadway Improvement Recommendations. Escambia County will study roadway segments that are estimated to exceed the adopted LOS standard and recommend specific improvements to address deficiencies. Those recommendations will be targeted toward short- and mid-range improvements. These projects will be identified in the County’s CIP. The County will continue to work with the TPO to address long range improvements identified in the Cost Feasible Plan and County Transportation Plan.

MOB 1.1.19 Interregional and Intrastate Function Protection. Escambia County will maintain adopted LOS standards on arterial and collector roadways that parallel the State’s Strategic Intermodal System (SIS) and Florida Intrastate Highway System (FIHS) to protect the system’s interregional and intrastate functions.

MOB 1.1.20 Interstate Interchange Additions. Escambia County shall only promote the construction of additional interchanges on Interstate-10 and Interstate-110 if they protect the system's interregional and intrastate functions.

MOB 1.1.21 Interstate Crossing Additions. Escambia County will work with the TPO to strengthen the local roadway network by providing additional north-south and east-west crossings of Interstate-10 and Interstate-110, thereby protecting the FIHS interregional and intrastate functions.

MOB 1.1.22 Road Improvement Funding Partnerships. Escambia County will pursue partnerships with FDOT, the Federal Highway Administration (FHA) and private development entities to identify potential new revenue streams for roadway improvements and capacity enhancements at both the state and federal levels.

MOB 1.1.23 Public-private Partnerships. Escambia County will consider public-private partnerships (P-3s) as a valid mechanism to obtain transportation funding from additional sources.

OBJ MOB 1.2 Transportation Concurrency Exception Areas

Establish Transportation Concurrency Exception Areas (TCEAs) to promote and enhance:

- a. Urban redevelopment,**
- b. Infill development,**
- c. A variety of transportation choices and opportunities including automobile, pedestrian, bicycle and transit,**
- d. Escambia County's economic viability,**
- e. Desirable urban design and form,**
- f. A mix of residential and non-residential uses,**
- g. Streetscaping/landscaping of roadways within the County, and**
- h. Pedestrian and bicyclist comfort, safety and convenience.**

Consistent with Section 163.3180, Florida Statutes, a TCEA may be established within areas designated for:

- a. Urban infill development;**
- b. Urban redevelopment;**
- c. Downtown revitalization;**
- d. Urban infill and redevelopment under Section 163.2517, Florida Statutes; or**
- e. An urban service area that includes lands appropriate for compact, contiguous urban development, which does not exceed the amount of land needed to accommodate the**

projected population growth at densities consistent with the adopted comprehensive plan within the 10-year planning period, and which is served or is planned to be served with public facilities and services as provided by the Capital Improvements Element.

POLICIES

MOB 1.2.1 TCEAs Established. The following TCEAs are hereby established, and the TCEA Map is attached herein to this ordinance as Exhibit G:

- a. Warrington TCEA - That area coterminous with the area approved in 1995 as the Warrington Redevelopment Area and including the Sunset Avenue Corridor of Navy Point;
- b. Fairfield Drive TCEA - That area coterminous with the approved Englewood-Ebonwood and Palafox Redevelopment Areas and including a portion of the Brownsville Redevelopment Area.

The Transportation Concurrency Exception Areas will continue to be reviewed annually to ensure they meet the TCEA requirements; results of this review will be reported in the County's Comprehensive Plan Implementation Annual Report.

MOB 1.2.2 LOS Exemptions. All land uses and development located within the Warrington and Fairfield Drive TCEAs shall be exempted from transportation concurrency for roadway LOS standards. Developments outside of the TCEA that impact roadways within the TCEA shall be required to meet transportation concurrency standards.

MOB 1.2.3 Transportation Improvements. Transportation concurrency exceptions granted within the TCEA shall not relieve development from being required to construct transportation improvements that are required due to traffic safety and/or operating conditions.

MOB 1.2.4 TCEA Proportionate Fair Share. Within the TCEAs, development or redevelopment shall be required to mitigate transportation impacts proportional to those impacts based on trip generation (including all phases) by providing the following:

- a. Sidewalk connections from the development to existing and planned public sidewalk along the development frontage.
- b. Cross-access connections/easements or joint driveways, where available and economically feasible.
- c. Deeding of land or conveyance of required easements along the property frontage to the County, as needed, for the construction of public sidewalks, bus turn-out facilities, and/or bus shelters. Such deeding or conveyance of required easements, or a portion of same, shall not be required if it would render the property unusable

for development. The placement of a bus shelter and related facilities on private property with an appropriate agreement with the County may be used in lieu of deeding or conveyance of easements, if agreeable to the County.

d. Closure of existing excessive, duplicative, or unsafe curb cuts or narrowing of overly wide curb cuts at the development site, as defined in the Access Management portion of the LDC.

e. Provide safe and convenient on-site pedestrian circulation such as sidewalks and crosswalks connecting buildings and parking areas at the development site.

f. Funding of corridor assessments and TCEA mobility studies to ensure goals are maintained.

OBJ MOB 1.3 Transportation and Land Use

Assure the continual coordination of land use decisions with the future traffic circulation system by coordinating traffic circulation improvements with the future land use maps and maintaining consistency between land use decisions and traffic circulation system improvements.

POLICIES

MOB 1.3.1 **Consistency.** All plans and proposals for development and redevelopment and all land use decisions shall be reviewed for consistency with the Future Land Use Map (FLUM).

MOB 1.3.2 **Non-motorized Transportation Facilities.** Escambia County shall provide or require the provision of non-motorized transportation facilities to link residential areas with recreational and commercial areas in a safe manner. This may include the construction of sidewalks, bike lanes, installation of signage, striping of roadways, or the like so as to accommodate non-motorized transportation facilities.

OBJ MOB 1.4 Coordinated Transportation Planning

Continually coordinate Escambia County's decision-making process with the plans and programs of TPO and FDOT.

POLICIES

MOB 1.4.1 **TPO Participation.** Escambia County will participate and cooperate with the preparation of the TPO's Cost Feasible Plan. The County's participation will continue to be the provision of representation on the TPO and its several committees, paying its fair share of the cost to operate the TPO, and assuring that projects required within Escambia County are included within the TPO and FDOT plans.

MOB 1.4.2 Regional Priorities. Escambia County will coordinate with the TPO and FDOT to ensure that regional priorities are included in County decision-making.

MOB 1.4.3 Interstate System Improvements. In cooperation with the TPO and FDOT, Escambia County will support improvements to the federal interstate system located within the County. In addition the County shall support the construction of a new roadway segment that links Interstate- 10 with Interstate- 65.

MOB 1.4.4 Transportation Improvement Plans. Escambia County will participate in and review the annual updates of the TPO five-year Transportation Improvement Plan and FDOT five-year Work Program to ensure that activities of the County and the transportation improvement plans of other agencies are consistent.

OBJ MOB 1.5 Corridor Preservation

Provide for the protection of existing and future rights-of-way from encroachment by including appropriate regulations within the LDC.

POLICIES

MOB 1.5.1 Standard Right-of-way. Within any Project Development and Environmental Impact study for a capacity improvement project, standard right-of-way shall be considered as follows:

Major Collectors	80'
Major Arterials	125'
Beltways	300'

MOB 1.5.2 Setback Regulation. Escambia County shall, through zoning district provisions in the LDC, apply setbacks that will aid in the protection of existing and future rights-of-way, including transportation corridors, from building encroachments.

MOB 1.5.3 Density and Intensity Regulation. Escambia County shall regulate density and intensity within the existing or designated transportation corridor areas that may interfere with right-of-way needs.

MOB 1.5.4 Right-of-way Set Aside. Escambia County may require the set aside of right-of-way necessary to comply with programmed roadway widening or, as necessary, for proposed transportation corridors.

MOB 1.5.5 Scenic Roadway Designation. Because of their unique scenic character and related historic and tourist significance, Scenic Highway (SR-10A) and Perdido Key Drive (SR 292) are designated “scenic roadways.” Parcels adjacent to these rights-of-way shall be the subject of specific sign controls in the LDC.

MOB 1.5.6 Proposed Transportation Corridors. Escambia County shall make efforts to inform the public about the location of proposed transportation corridors. Such proposed transportation corridors are to be initially designated in this section, the adopted TPO's “Cost Feasible Plan”, the proposed or adopted County Capital Improvement Plan or in any proposed or adopted Development of Regional Impact (DRI) or development plan. Transportation corridor protection regulations shall be incorporated in the LDC.

The Beulah Expressway is designated as a proposed transportation corridor. Maps and descriptions of the proposed north/south corridor and the east/west connecting corridors are on file as Exhibits A and B to Ordinance 2007-02D.

OBJ MOB 1.6 Automobile Use and Greenhouse Gas Reduction.

Through encouraging compact, mixed and multi-use developments and alternative mode transportation strategies Escambia County shall strive to reduce average per capita Vehicle Miles Traveled (VMT) within the County, overall contributing to a reduction in automobile generated greenhouse gas (GHG) emissions, Reducing the County average annual per capita Vehicle Miles Traveled (VMT) by 2.0% annually starting in 2010 totaling a 40% reduction by the year 2030, as compared to the FDOT 2008 baseline.

Escambia Average Annual Per Capita Vehicle Miles Traveled (VMT)

Year	Target Reductions
2010:	2008 Baseline (10,170 VMT)
2015:	10.0 percent decrease (9,150 VMT)
2020:	20.0 percent decrease (8,140 VMT)
2025:	30.0 percent decrease (7,120 VMT)
2030:	40.0 percent decrease (6,100 VMT)

POLICIES

MOB 1.6.1 Funding Research for VMT Reduction. Escambia County shall seek funding to support advocacy and research regarding VMT reduction, including establishing ongoing VMT modeling and monitoring on a County-wide basis and for development projects.

MOB 1.6.2 Vehicle Miles Traveled Reduction Strategies. Through its Land Development Code, Escambia County shall implement the following

transportation and travel mode strategies in a long term effort to reduce average per capita Vehicle Miles Traveled (VMT) within the County:

- a. Require developments of over 200 acres to provide a highly interconnected system of complete streets (for pedestrians, bicycles and vehicles) to encourage the reduction of automobile use, trips and trip lengths.
- b. Require developments of over 200 acres to provide a connected network of pedestrian and bicycle facilities to promote biking and walking within new developments and redeveloping areas.
- c. Support appropriately located compact, high density mixed-use development within the Mid-West Sector Plan Overlay, Mixed-Use Urban, Mixed-Use Suburban and Commercial future land use districts.
- d. Coordinate with the Florida Department of Transportation to improve traffic management on State roads to reduce the aggregate time spent at traffic signals.
- e. Provide expedited development review to developments that can show, at project build-out, a 20% increased automobile trip internal capture using accepted FDOT methodologies or an average annual per person VMT that is 20% less than the Escambia County average, based upon most recent FDOT data.

GOAL MOB 2 TRANSIT

Escambia County shall encourage the provision and use of a safe, efficient and financially feasible mass transit transportation system, which is responsive to community needs, consistent with land use policies, is environmentally sound, and promotes economic opportunity and energy conservation.

OBJ MOB 2.1 Bus Fleet

Ensure safe and efficient operation of the bus fleet.

POLICIES

MOB 2.1.1 Fleet Replacement. Escambia County Area Transit (ECAT) shall replace the bus fleet at 10 years or 500,000 miles, as recommended by the Federal Transit Administration. The ECAT Map Series is attached herein to this ordinance as Exhibit H.

MOB 2.1.2 Preventative Maintenance. ECAT shall conduct preventative maintenance of bus fleet according to the preventive maintenance plan.

OBJ MOB 2.2 Mass Transit and Growth Patterns

Operate an efficient and accessible fixed route mass transportation service in support of the projected growth patterns of the service area while maintaining or increasing ECAT's operating ratio.

POLICIES

MOB 2.2.1 Route Modernization. ECAT shall modernize service from the existing radial route system into a modified grid system to improve efficiency.

MOB 2.2.2 Service Area Adjustments. ECAT shall realign or adjust existing routes to provide service to areas requiring service while at the same time reducing service to lower use areas in order to provide more efficient service to more riders at comparable cost.

MOB 2.2.3 LOS Standard. ECAT shall establish and maintain a mass transit LOS standard as measured by a 60-minute maximum period of wait throughout the current areas and hours of service.

MOB 2.2.4 Transportation Development Plan. ECAT shall consider and/or implement recommendations contained within the current transportation development plan.

MOB 2.2.5 Transportation Development Plan Implementation. Upon completion of the TPO Transit Development Plan Update, Escambia County will amend the comprehensive plan to address (1) the establishment of land use and site design guidelines in public transit corridors, to assure the accessibility of new development to public transit; (2) the establishment of numerical indicators against which the achievement of mobility goals can be measured; and (3) coordination with the Future Land Use element, to encourage land uses that promote public transportation.

MOB 2.2.6 Marketing Strategy. ECAT shall develop marketing strategies to maximize the advertisement program within fiscal constraints.

MOB 2.2.7 User Fee/Fare Policy. ECAT shall develop a fare policy to provide for routing fare increases in order to ensure the transit riders pay a fair share of costs (user fee policy).

OBJ MOB 2.3 Annual Review of Transit System

Provide for an efficient and safe transit system for all users.

POLICIES

MOB 2.3.1 Annual Operation Review. ECAT shall annually review the operation (i.e., bus routes, maintenance procedures, etc.) of the normal mass transit system and the paratransit system to identify and correct deficiencies of those operations.

MOB 2.3.2 Annual Facilities Review. ECAT shall provide for annual review and maintenance of all mass transit and paratransit facilities, with the exception of the bus fleet, to ensure that buildings and other related facilities are in proper working order and are supporting the continued efficiency of the operations.

OBJ MOB 2.4 Mass Transit ROW

Designate and protect future mass transit rights-of-way and corridors.

POLICIES

MOB 2.4.1 Consistency Review. ECAT shall provide for the review of the future mass transit map prior to the issuance of any land use certificate to determine if development would conflict with any existing or future mass transit rights-of-way or corridors as approved by the Board of County Commissioners (BCC).

MOB 2.4.2 Special Review Process. ECAT shall develop a special review and approval mechanism for any land use certificate that is found to be in conflict with existing or future mass transit rights-of-way or corridors approved by the BCC.

OBJ MOB 2.5 Handicapped Services

Provide service to the handicapped as required by U.S. Department of Transportation Regulation 49 CFR Part 27 and to other transportation disadvantaged persons.

POLICIES

MOB 2.5.1 Paratransit System Support. ECAT shall contract or otherwise provide for the coordinated paratransit system to fulfill the federal requirements for transporting handicapped passengers and shall contract or otherwise provide for the system to fulfill federal requirements for transporting handicapped passengers.

MOB 2.5.2 Vehicle Rehabilitation. ECAT shall provide assistance to the coordinated system by rehabilitating vehicles or other similar programs that will support their efforts.

MOB 2.5.3 Service Improvements. In order to continually improve services, education and individual transit training for disabled passengers and volunteer companions should be provided.

GOAL 3 PORTS

Escambia County shall advocate and promote the economic viability of port operations in Escambia County consistent with balanced utilization of transportation facilities, natural resources, and available waterfront land.

OBJ MOB 3.1 Port Facilities

Support the operation and expansion as necessary of port facilities through intergovernmental coordination and in a manner consistent with the goals, objectives and policies in the Future Land Use, Coastal Management and Conservation Elements of this plan.

POLICIES

MOB 3.1.1 Coordinated Support. Escambia County shall support continued port operation and/or development coordination with appropriate agencies, both governmental and private, recognizing that port facilities in Escambia County are within the planning jurisdiction of the City of Pensacola.

MOB 3.1.2 Consistency with Plan. Escambia County shall support the activities of port facilities to the extent consistent with the goals, objectives, and policies contained in the Future Land Use, Coastal Management, Conservation, and Mobility Elements.

MOB 3.1.3 Industrial Land Use Designation. Escambia County shall consider port facilities in Escambia County to be water dependent or water related industrial land uses. Any such facilities located within the jurisdiction of Escambia County shall be considered as industrial land uses on the FLUM.

MOB 3.1.4 Port and Navigation Projects. Escambia County shall support projects, which serve to maintain or expand port operations or navigation to the extent that such projects meet all applicable permit requirements and standards, consistent with appropriate objectives and policies in the Future Land Use, Coastal Management and Conservation Elements. The County shall advocate federal and state public works programs and projects that provide funding for such projects.

OBJ MOB 3.2 Access to Port Facilities

Ensure that surface transportation access to port facilities is properly integrated with the traffic circulation portion of this element and with other modes of surface and water transportation.

POLICIES

MOB 3.2.1 Public-Private Coordination. Escambia County shall coordinate with appropriate public and private sector agencies to provide adequate access to port facilities.

MOB 3.2.2 Coordinated Intermodal Transportation. Escambia County shall encourage and support balanced intermodal management of surface and water transportation through coordination of roadway, rail, and port facilities.

OBJ MOB 3.3 Coastal Conservation and Port Services

Promote balanced utilization of coastal areas and resources consistent with sound conservation principles and the need for continued provision of port services.

POLICIES

MOB 3.3.1 Resource Impact Mitigation. Escambia County shall coordinate with the City of Pensacola to ensure mitigation of adverse structural and nonstructural impacts upon adjacent natural resources consistent with applicable permit requirements.

MOB 3.3.2 Qualified County Support. Escambia County shall advocate only those port maintenance and expansion projects that meet applicable permit requirements and environmental standards.

GOAL MOB 4 AVIATION FACILITIES

Escambia County shall provide public aviation facility services sufficient to meet current and future economic development and passenger needs and protect naval aviation facilities.

OBJ MOB 4.1 Airport Master Plan

Support the implementation activities set forth in the adopted airport master plan for the Pensacola Gulf Coast Regional Airport as directed by the BCC.

POLICIES

MOB 4.1.1 Coordinated Land Uses. Escambia County shall coordinate adjacent land uses with the City of Pensacola and the airport master plan to provide development patterns that are compatible with airport development.

MOB 4.1.2 Incompatible Development. Escambia County shall enforce adopted land development regulations that restrict the height, density and intensity of development in areas adjacent to the airport boundaries and clear zones to ensure that incompatible land uses will not be allowed to encroach on airport facilities and hinder airport activities.

MOB 4.1.3 County Review. Escambia County shall review and comment on proposed airport development and/or expansion that may impact the County.

MOB 4.1.4 Stormwater Management. Escambia County shall work with the City of Pensacola and Florida Department of Environmental Protection (FDEP) to ensure that adequate stormwater management techniques are provided for existing and future airport development.

OBJ MOB 4.2 Naval Aviation Facilities

Evaluate development proposals for property located within the established Airfield Influence Planning District (AIPD) overlays of the existing Naval aviation facilities within Escambia County to ensure compatibility and to protect airfield facilities from encroachment of incompatible land uses. The Naval aviation facilities in Escambia County are of significant value to the County, and protecting these important economic resources requires the prevention of the development of airfield hazards and incompatible land uses.

POLICIES

MOB 4.2.1 Airfield Influence Planning Districts. To promote an orderly transition and rational organization of land uses, protect the health, safety and welfare of the public, and maintain the mission of the military facilities, Escambia County establishes AIPD overlays over and around each of the military aviation facilities within Escambia County.

MOB 4.2.2 Development Plan Review. The Navy shall designate a representative from NAS Pensacola and from NAS Whiting Field to function as ex officio members of the Escambia County Development Review Committee (DRC). As part of the regular DRC process, the County will forward the weekly DRC agenda to the Navy designee. When a development is proposed within the AIPD overlay areas, the County will include a copy of the submitted development plans. The Navy designee will review the development plans for land use

compatibility with the Navy mission in relation to proposed structure height, density and intensity of land use and will submit comments to County staff to be forwarded to the applicant.

MOB 4.2.3 Military Representation. Pursuant to Section 163.3175, Florida Statutes, a representative of the military installations located within Escambia County shall be placed on the Planning Board as an ex officio, nonvoting member. The Navy's Planning Board representative shall coordinate with the Navy Base Commanding Officers to review and comment on all proposed Comprehensive Plan and LDC amendments that would affect the intensity, density or use of the land within the AIPDs. The comments shall address the impacts such proposed Comprehensive Plan or LDC changes may have on the mission of the military installations. They shall include:

- a. Whether such proposed changes will be incompatible with the safety and noise standards contained in the Air Installations Compatible Use Zones (AICUZs) study adopted by the military installation for that airfield or the AIPD adopted by the County for that airfield;
- b. Whether such changes are incompatible with the findings of the Joint Land Use Study (JLUS) for the area;
- c. Whether the military installation's mission will be adversely affected by the proposed actions of the County.

MOB 4.2.4 JLUS Amendment. Needs of the Navy may be identified that require an amendment to the completed JLUS. When a determination is made that such an amendment is desirable, the Commanding Officer is encouraged to provide information concerning any community planning assistance grants that may be available to the County through the Department of Defense, Office of Economic Adjustment.

MOB 4.2.5 Interlocal Agreement. An interlocal agreement to determine the details of the coordination between the Navy and Escambia County shall include, but not be limited to, the individual responsibilities of the County and the Navy; the method by which the Navy will appoint a Planning Board representative; the length of the term of appointment; the details of the coordination required to produce, receive and transmit any Navy comments to the State; establish who will be responsible for forwarding the comments; the method by which the Navy will apprise the County of any available grants and the details to be reported on the Annual Report on Comprehensive Plan Implementation. The Military Interlocal Agreement became effective September 2003.

MOB 4.2.6 County-Navy Coordination. Escambia County shall coordinate with the Navy to effectively regulate land uses in areas covered by the AIPD overlays and the AICUZ to support the Navy's aviation mission while protecting the private property rights of the land owners.

MOB 4.2.7 Compliance Monitoring. Escambia County shall monitor development in the AIPDs for compliance with the JLUS recommendations and AICUZ study requirements. Rezoning to a higher density will be discouraged. The compatibility requirements will be revised as the mission of the military facility changes or removed if the facility closes.

MOB 4.2.8 Encroachment Control Planning. Escambia County shall utilize information provided by the Navy, such as the AICUZ Study Program Procedures and Guidelines (OPNAVINST 11010.36C) or approved successor and Aircraft Noise Survey, together with the recommendations of the JLUS when developing plans to control the encroachment of incompatible development in the vicinity of Naval Air Station Pensacola and Navy Outlying Landing Fields Saufley and Site 8, to ensure protection of each installation's aviation mission.

MOB 4.2.9 Infrastructure Impact Report. A formal information exchange between the County, FDOT, Emerald Coast Utilities Authority (ECUA) and other utility service providers in the area will be established to explore the growth inducing impacts of utility expansion and infrastructure improvements within the AIPD overlay areas in relation to the JLUS recommendations. Annual reporting of the status of the planned utility expansion and infrastructure improvements will be included in the Comprehensive Plan Implementation Annual Report.

MOB 4.2.10 Annual Assessment. Pursuant to Section 163.3191(n) Florida Statutes, and beginning in Fiscal Year 2004/2005, the County shall conduct an annual assessment of the effectiveness of the criteria adopted pursuant to Section 163.3177(6)(a), Florida Statutes, in achieving compatibility with military installations in areas designated as AIPDs. This assessment shall be based on a compilation of data for the calendar year and shall compare the current years' development with the previous years' development relevant to the following in each AIPD:

- a. Single-family residential building permits in each AIPD area based on the number of permits issued, and broken down by Accident Potential Zone (APZ) and AIPD area.
- b. Number of residential units (high density) approved and permitted.
- c. Extension of sewer and water lines in the AIPD Overlay areas as reported by ECUA (or relevant potable water distributors).
- d. Number of units approved in preliminary and final subdivision plats.
- e. Number of site plans for commercial projects approved.
- f. Number of communication towers approved.
- g. Number of variances and/or conditional use requests and approvals.
- h. Number of rezoning requests/approvals.

i. Number of future land use amendments.

The intent is to measure the increase or decrease in residential development activity within the AIPDs to determine the effectiveness of the measures adopted to control residential density and encourage commercial development, as recommended by the JLUS. The County shall review the collected data to ensure compliance with the intent of the JLUS recommendations. In addition, analysis of the collected data over a period of time will assist in determining what future changes may be required to enhance or improve the County's efforts to control encroachment on the military installations. The reports shall be included in the Annual Comprehensive Plan Implementation Report, and shall be further analyzed for inclusion in the Evaluation and Appraisal of the Comprehensive Plan required every seven years.

Chapter 9 Housing Element.

The purpose of the Housing Element is to provide guidance for the development of safe, sanitary and affordable housing for all residents of Escambia County. In particular, the goals, objectives and policies contained in this element are intended to identify and address current and future deficits in the provision of moderate, low and very-low income housing, group homes, foster care facilities and housing for those with special needs. In addition, this element is intended to provide guidance to public and private sector housing providers, as well as the residents of Escambia County, regarding redevelopment of existing neighborhoods, removal of substandard housing, relocation assistance and critical housing assistance programs.

GOAL HOU 1 PROVISION OF HOUSING

Escambia County shall provide safe, sanitary and affordable housing for the current and future residents of the County.

OBJ HOU 1.1 Housing Delivery Process

Provide guidance and direction to both the public and private sectors to assist in the provision of adequate housing that varies in type, density, size, tenure, ownership, cost and location.

POLICIES

HOU 1.1.1 Residential Areas. The Escambia County Future Land Use Map (FLUM) and Zoning maps shall identify areas suitable for residential development and/or redevelopment.

HOU 1.1.2 Site Development Criteria. The Escambia County Land Development Code (LDC) shall include site development criteria for all housing types including affordable and special needs housing.

HOU 1.1.3 Permitting Process. The LDC shall include an efficient and reasonable permitting process for residential development. This process shall include the use of checklists and referrals to appropriate regulatory agencies.

HOU 1.1.4 Adequate Infrastructure. To assure the sustainability of residential communities, Escambia County shall require new residential development to locate where adequate infrastructure is available.

HOU 1.1.5 Mixed-use Development. Escambia County shall encourage mixed-use development, which places housing within close proximity to nonresidential opportunities such as retail and employment centers.

HOU 1.1.6 Ownership Types. Escambia County shall recognize the need to provide a mix of ownership types, including for-sale and rental units, to meet the diverse needs of County residents.

HOU 1.1.7 Housing Types. Escambia County's Future Land Use Element and LDC shall provide for a mix of housing types including, but not limited to, single-family residential, multi-family residential, mobile and manufactured homes, live-work units, accessory dwellings and other residential types that vary in density, size, cost and location.

OBJ HOU 1.2 Affordable Housing

Assure the provision of safe, sanitary and affordable housing for moderate, low and very-low income residents.

POLICIES

HOU 1.2.1 Definition. Escambia County shall define affordable housing as residential dwelling units with monthly rents or mortgage payments (including taxes and insurance) that do not exceed 30 percent of median annual gross income for the following households:

- a. Moderate Income Household: 81-120 percent of area median family income
- b. Low Income Household: 51-80 percent of area median income
- c. Very-Low Income Household: 0-50 percent of area median income

HOU 1.2.2 Location. Escambia County shall allow the location of affordable housing in any residential FLUM category provided the housing is compatible with all applicable rules and regulations of the LDC.

HOU 1.2.3 Development Types. Escambia County shall promote affordable housing opportunities by allowing cluster developments, zero-lot line developments, planned unit developments and other types of housing layouts that may reduce the cost of individual dwelling units.

HOU 1.2.4 Mobile or Manufactured Home Location. Escambia County shall designate areas on both the FLUM and Zoning maps that are suitable for the location of mobile or manufactured homes.

OBJ HOU 1.3 Special Needs Housing

Ensure adequate housing opportunities are available in residential areas or areas of residential character to accommodate citizens with special needs.

POLICIES

HOU 1.3.1 **Location Criteria.** The LDC shall include criteria guiding the location of housing for group homes, foster care facilities and households with special needs.

HOU 1.3.2 **Compatible Zoning.** Escambia County shall allow foster care facilities and group homes, housing six or fewer residents, in any residential zoning category. Group homes, housing seven or more residents, may be located in any medium density, high density or mixed-use category.

HOU 1.3.3 **Senior Needs.** Escambia County shall encourage the development of accessible and affordable senior housing within close proximity to support services and public infrastructure.

OBJ HOU 1.4 Existing Neighborhoods and Redevelopment

Protect the character of existing residential neighborhoods, provide opportunities for redevelopment and infill development and reduce the number of substandard housing units through the continued implementation of structural and aesthetic improvement programs.

POLICIES

HOU 1.4.1 **Preservation and Infill.** The LDC shall include standards that maintain existing neighborhood character while allowing compatible infill development.

HOU 1.4.2 **Regulation Enforcement.** Escambia County shall implement strategies that enhance enforcement of existing regulations (i.e., abandoned property regulations, litter regulations, sign regulations, etc.), which maintain the aesthetics of existing residential areas.

HOU 1.4.3 **Construction Inspection.** The LDC shall contain provisions for inspection procedures during the construction and reconstruction of residential units.

HOU 1.4.4 **Improvement Aid.** Escambia County shall continue to allocate loan and grant assistance to moderate, low and very-low income homeowners to aid in the improvement of substandard dwelling units.

HOU 1.4.5 **Unsafe Building Abatement.** Escambia County shall enforce the Unsafe Building Abatement Ordinance, which requires the removal of housing stock with structural deficiencies.

HOU 1.4.6 Substandard Home Removal. Escambia County shall report annually the number of substandard homes removed as a result of code enforcement actions and Neighborhood Enterprise Foundation, Inc. (NEFI) programs.

HOU 1.4.7 Infrastructure Improvements. Escambia County shall continue its efforts, through the Community Redevelopment Agency (CRA), to complete the activities necessary to improve the infrastructure in specified redevelopment neighborhoods.

HOU 1.4.8 Rental Units. Escambia County shall support the acquisition, rehabilitation and/or development of rental units, by the private sector and local Community Housing Development Organizations (CHDOs), for occupancy by moderate, low and very-low income families meeting the occupancy criteria of Title 24 of the Code of Federal Regulations (CFR), Part 92.

HOU 1.4.9 Housing Stock Conservation/Rehabilitation. Escambia County's housing agencies and the CRA shall continue to administer programs that further the conservation or rehabilitation of existing housing stock.

OBJ HOU 1.5 Relocation Assistance

Provide housing assistance, including relocation housing, for persons displaced by public programs, projects or housing rehabilitation.

POLICIES

HOU 1.5.1 Grants. Escambia County shall pursue grants to provide for relocating moderate, low and very-low income persons displaced during the housing rehabilitation process.

HOU 1.5.2 County Policy. Escambia County shall utilize its "Relocation Policy" that was developed in compliance with Public Law 93-383 (The Housing and Community Development Act of 1974) and adopted by the Escambia County Board of County Commissioners (BCC) on November 28, 1988, including any revisions thereto.

OBJ HOU 1.6 Housing Programs

Continue implementation of critical housing programs.

POLICIES

HOU 1.6.1 Program Information. Escambia County shall continue its housing outreach program to assure dissemination of housing information.

HOU 1.6.2 **Non-discrimination.** Escambia County shall enforce its nondiscrimination policies and provisions so as to ensure access to housing opportunities by all segments of the County's population.

HOU 1.6.3 **Low-Interest Mortgage Loans.** Escambia County shall cooperate with appropriate local, state and federal agencies to facilitate bond-backed low-interest mortgage loans for home purchase by qualified individuals or families.

HOU 1.6.4 **Housing Finance Authority.** Escambia County shall participate with the Escambia County Housing Finance Authority (HFA) in the issuance of bonds to provide low interest mortgage loans for home purchases by qualified families.

HOU 1.6.5 **Neighborhood Enterprise Foundation Reports.** Escambia County shall receive, review and respond to the annual reports produced by NEFI as such reports relate to this comprehensive plan and/or the provision of safe, sanitary and affordable housing for all citizens of Escambia County.

HOU 1.6.6 **State and Federal Assistance.** Escambia County shall participate in the following programs or any replacement or supplemental programs, which may be developed by state, federal or other appropriate agencies:

- a. HUD Section 8 Rental Voucher Program existing housing program, for rent supplements to qualified low-income families;
- b. The Community Development Block Grant (CDBG) Program;
- c. The Consolidated Plan pursuant to the Cranston-Gonzalez National Affordable Housing Act;
- d. The Home Investments Partnership Program (HOME); and
- e. The State Housing Initiatives Partnership (SHIP) Program, among others.

HOU 1.6.7 **Neighborhood Enterprise Foundation.** Escambia County shall provide assistance, through NEFI to provide affordable homeownership opportunities for moderate, low and very-low income homebuyers.

HOU 1.6.8 **SHIP Fund Initiatives.** Escambia County shall use SHIP funds to expand and/or enhance ongoing activities designed to develop new affordable housing initiatives conforming to the statutory requirements of Chapter 420, Florida Statutes. Such funds may be used to:

- a. Provide local cash match for federal or state housing programs such as HOME, Housing Opportunities for People Everywhere (HOPE), McKinney Act Programs, Florida Housing Finance Corporation (FHFC) programs, etc.;
- b. Provide down-payment assistance, construction subsidies, mortgage reduction, mortgage interest rates subsidies, and/or

direct mortgage loans to moderate, low and very-low income families;

c. Provide appropriately targeted grants and loans in support of moderate and substantial rehabilitation/preservation of substandard housing owned and/or occupied by low and very-low income families;

d. Support the availability and enhancement of emergency home repair assistance for low and very-low income families;

e. Provide assistance for construction or rehabilitation of housing designed to address families with special needs; and

f. Utilize funds to supplement existing and future FHFC, Escambia County HFA, and/or Florida Department of ~~Community Affairs (DCA)~~Economic Opportunity (FDEO) affordable housing projects undertaken for the benefit of lower income families within the County.

HOU 1.6.9 County-Private Partnerships. Escambia County shall seek partnerships with private and non-profit organizations in an effort to improve coordination among participants involved in housing production and delivery. In particular, the County shall continue its partnerships with nonprofit housing providers such as Community Enterprise Investments, Inc., Circle Inc. and Habitat for Humanity.

HOU 1.6.10 County-City Partnerships. Escambia County, in partnership with the City of Pensacola, shall ensure the continued administration of the HUD Section 8 Rental Voucher Program, intended to aid eligible families and individuals in acquiring safe, sanitary and affordable housing.

HOU 1.6.11 Florida Housing Coalition. Escambia County shall participate with the Florida Housing Coalition (FHC) so as to provide opportunities for low cost home ownership for families meeting eligibility requirements.

OBJ HOU 1.7 Data and Monitoring

Escambia County shall continually monitor the success of its housing objectives and policies.

POLICIES

HOU 1.7.1 Housing Inventory. Escambia County shall collect housing inventory data every five years during the update to the individual CRA plans.

HOU 1.7.2 Special Needs Housing. Escambia County shall update inventories of providers of special needs housing (group and foster homes, facilities for the homeless, etc.) on an annual basis, including quantity and location.

HOU 1.7.3 EAR Housing Review. Escambia County shall review its regulatory and permitting process and evaluate changes necessary to improve the public and private sector housing delivery process. The review shall be concurrent with state-mandated Evaluation and Appraisal Reports (EARs). During each review, opportunities for involvement of the County with private sector providers shall be analyzed.

HOU 1.7.4 Annual Housing Review. Escambia County shall examine its housing needs and implementation activities annually so as to maintain up-to-date information on the housing delivery process program and the success of prior activities.

OBJ HOU 1.8 Energy Efficient Housing.

Escambia County shall encourage energy efficiency in the design and construction of new residential housing.

POLICIES

HOU 1.8.1 Energy Efficient Incentive Programs. The County, by 2012, shall develop an incentive program to encourage residential construction that meets the energy efficiency criteria of the United States Green Building Council (USGBC) Leadership in Energy and Environmental Design (LEED) rating systems, Florida Green Building Coalition (FGBC) certification, US Environmental Protection Agency (EPA) Energy Star program, or a similar third-party green building certification. The incentive program may include educational materials, expedited permitting, and/or public recognition.

HOU 1.8.2 No Prohibition for Energy Conservation. The County shall not prohibit the use of energy-efficient or alternative-energy practices for residences, such as photovoltaic panels, passive solar orientation of buildings, or strategic placement of landscaping materials to reduce energy consumption.

HOU 1.8.3 Energy Efficiency Enforcement. The County shall continue to enforce the minimum energy efficiency requirements of the Florida Building Code.

Chapter 10 Infrastructure Element.

The purpose of the Infrastructure Element is to provide guidance in the provision of services necessary to accommodate existing and future development in a way that is environmentally sensitive, efficient, and cost-effective. Included within this Element are goals, objectives and policies regarding potable water provision, wastewater treatment, solid waste disposal, stormwater management and aquifer protection. The adequate provision of these services is intended to promote orderly growth within areas best suited to accommodate development, protect sensitive natural resource systems and rural and agricultural areas, and preserve the public health, safety, and general welfare of Escambia County's citizens.

GOAL INF 1 WASTEWATER

Escambia County shall ensure the provision of environmentally safe and efficient wastewater collection, treatment, and disposal concurrent with the demand for such services.

OBJ INF 1.1 Provision of Wastewater Service

Ensure the safe and efficient provision of wastewater services through coordination with service providers, maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies and protection of natural resources.

POLICIES

INF 1.1.1 Service Agreements. Wastewater service shall be provided at established levels of service within Escambia County consistent with the Interlocal Agreement between the County and the Emerald Coast Utility Authority (ECUA), the Escambia County Utilities Authority Act, Chapter 2001-324, Laws of Florida, and agreements with other wastewater providers.

INF 1.1.2 Provider Consistency with Plan. Escambia County shall coordinate with ECUA and other providers relative to their capital improvements and program formulation to assure consistency with this Comprehensive Plan.

INF 1.1.3 Effluent Disposal. Escambia County shall cooperate with and assist appropriate regulatory agencies and central sewer systems to provide for additional techniques and methods for effluent disposal so as to improve the ability of ECUA (and other providers) to obtain the requisite permits for treatment upgrades and capacity expansions as they become necessary.

INF 1.1.4 Required Septic Tank Retirement. Escambia County shall, in coordination with the Escambia County Health Department and wastewater service providers, require all onsite sewage treatment and disposal system (i.e.,

septic tank) users to connect to an available central sewer system within the times prescribed by Section 381.00655, Florida Statutes. Sewer availability shall also be as defined in Florida Statutes.

INF 1.1.5 Service Location Principles. Public wastewater services shall be located in a manner that minimizes their cost and negative impacts on the natural environment and maximizes their efficiency. Escambia County will cooperate, assist, and encourage the service providers to provide wastewater service within the urbanized areas, and to limit extensions of wastewater infrastructure into rural areas.

INF 1.1.6 Package Treatment Plants. Escambia County shall encourage owners of package treatment plants not in compliance with Florida Department of Environmental Protection (FDEP) permit requirements to connect their systems to the ECUA regional system where available. Package plants will be permitted in rural areas when such plants are necessary to protect the health and safety of citizens or to preserve important resources.

INF 1.1.7 Coordination on System Expansions. Escambia County shall coordinate with ECUA and other wastewater service providers on the extensions of sanitary sewer collection lines and the siting or increase in capacity of wastewater treatment facilities to meet future needs.

INF 1.1.8 Concurrency Management. Escambia County shall ensure the maintenance of Level of Service (LOS) standards through implementation of the County's Concurrency Management System and consistency with the Capital Improvements Element.

INF 1.1.9 Level of Service (LOS) Standards. Average LOS standard for wastewater service shall be 210 gallons per residential connection per day and the peak LOS shall be 350 gallons per residential connection per day. For nonresidential uses, the LOS requirements shall be based upon an Equivalent Residential Connection (ERC), as may be recalculated by the service provider from time to time, and on the size of the nonresidential water meter. Escambia County shall continue to work with the water providers to ensure adequate capacity is available.

INF 1.1.10 Facility Funding. The construction, maintenance and operation of facilities will be the responsibility of ECUA or other service providers and funded by user fees, special assessments, developer contributions and state or federal grants or other means. Escambia County may consider additional funding mechanisms as appropriate.

INF 1.1.11 LOS Monitoring. Escambia County shall monitor development to ensure that the LOS standards are maintained concurrent with development, consistent with the Capital Improvements Element.

INF 1.1.12 LOS Evaluation and Revision. By December 2011, Escambia County shall develop a report evaluating the current Level of Service standard for wastewater service provision. This report shall examine alternative LOS standards and establish a five-year plan to achieve and maintain a LOS that is sufficient to meet the County's projected needs. Upon completion of this report, recommendations for revisions to adopted LOS standards and other related policies identified within this report shall be adopted as amendments to the Escambia County Comprehensive Plan within 18 months. The LOS will be maintained before, during and after study period. The purpose of the proposed study is to evaluate and, if necessary, revise the current LOS standards for potable water and wastewater.

INF 1.1.13 Required New Service Connection. All new structures intended for human occupancy shall connect to the ECUA wastewater system unless ECUA has determined that it is not feasible to provide wastewater service to the proposed structures. Those structures not required to connect to the ECUA wastewater system shall not be issued a building permit until the applicant has obtained the appropriate permit from the Health Department.

GOAL INF 2 SOLID WASTE

Escambia County shall ensure the provision of environmentally safe and cost effective solid waste collection and disposal concurrent with the demand for such services.

OBJ INF 2.1 Provisions of Solid Waste Services

Ensure the safe and efficient provision of solid waste services through coordination with service providers, maximized use of existing landfill facilities, maintenance of appropriate levels of service, promotion of recycling and reuse, and protection of natural resources.

POLICIES

INF 2.1.1 Facility Funding. The construction, maintenance, and operation of solid waste facilities will be funded by user fees.

INF 2.1.2 Perdido Landfill Operation. Escambia County shall provide and operate the Perdido Landfill so as to accommodate the municipal solid waste disposal needs of the entire County.

INF 2.1.3 Perdido Landfill Expansion. Escambia County shall acquire property adjacent to the Perdido Landfill so as to accommodate the long-term expansion of the facility and provide solid waste disposal capacity for future generations.

INF 2.1.4 Level of Service (LOS) Standards. The LOS standard for solid waste disposal shall be 6 pounds per capita per day.

INF 2.1.5 Concurrency Management. Escambia County shall continuously monitor growth and development to ensure that the LOS standard is maintained concurrent with development, consistent with the Capital Improvements Element.

INF 2.1.6 LOS Evaluation and Revision. By December 2011, Escambia County shall develop a report evaluating the current LOS standard for solid waste service provision. This report shall examine alternative LOS standards and establish a five-year plan to achieve and maintain a LOS that is sufficient to meet the County's projected needs. Upon completion of this report, recommendations for revisions to adopted LOS standards and other related policies identified within this report shall be adopted as amendments to the Escambia County Comprehensive Plan within 18 months.

INF 2.1.7 Recycling Program. Escambia County shall cooperate with ECUA, franchised haulers and other entities involved in the collection or generation of solid waste and recycling of waste products, in the continued development and implementation of a recycling program within the County. It is the goal of Escambia County to comply with the statewide goal of reducing the amount of recyclable solid waste disposed of in waste management facilities, landfills or incineration facilities by at least 75 percent by 2020.

INF 2.1.8 Recycling Education. Escambia County shall continue its public education and information campaigns aimed at informing the general public and specific solid waste generators of the benefits of recycling and other techniques designed to improve the useful life of the municipal solid waste management facilities within the County.

GOAL INF 3 STORMWATER MANAGEMENT

Escambia County shall ensure the provision of environmentally safe and efficient stormwater management concurrent with the demand for such services.

OBJ INF 3.1 Provision of Stormwater Management

Ensure the safe and efficient provision of stormwater management through maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies and protection of natural resources.

POLICIES

INF 3.1.1 Existing Deficiencies. Escambia County shall not issue development permits for projects, which fail to meet the design and performance criteria for correcting existing deficiencies.

INF 3.1.2 County System Improvements. Escambia County shall continue its practice of enhancing localized and regional drainage systems to increase the LOS associated with development prior to current stormwater management requirements.

INF 3.1.3 Maintenance and Inspection. Escambia County shall continue its periodic inspection and maintenance program of stormwater control structures to insure the proper functioning of such structures.

INF 3.1.4 Stormwater Management Enforcement. Escambia County shall continue enforcement of its stormwater management ordinance, consistent with the Capital Improvements Element and in cooperation with the municipalities and regulatory agencies, pursuant to the detailed guidance provided by Escambia County's stormwater management plan.

INF 3.1.5 Vegetated Drainage Swales. Where soil conditions permit, Escambia County may allow the use of vegetated swales on all new roadways and drainage rights-of-way.

INF 3.1.6 Facility Improvement Planning. Escambia County shall utilize the best available information contained in the 1994 Stormwater Management Plan and its subsequent updates to assist in the planning of capital stormwater projects. The goal of the project planning shall be to retrofit existing areas of the County to as near to current stormwater levels of service as possible. Updated information shall be added to the stormwater management plan as funding allows, to support development and allow planning staff to plan for the future and minimize or eliminate facility deficiencies.

INF 3.1.7 Concurrency Management. Escambia County shall ensure the provision of stormwater management facilities concurrent with the demand for such facilities as created by development or redevelopment through implementation of the Concurrency Management System.

INF 3.1.8 Developer Responsibilities. Installation of stormwater management facilities made necessary by new development shall be the responsibility of the developer.

INF 3.1.9 Level of Service (LOS) Standards. Stormwater management LOS standards shall be considered met if the application includes a stormwater management plan certified by a registered and licensed professional engineer

documenting the project's design, and subsequent construction is in compliance with the adopted LOS standard and such plan has been reviewed, inspected and approved by the County Engineer or designee. The minimum standards to be certified are:

- a. The post development run-off rate shall not exceed the pre-development run-off rate for a 25-year storm event, up to and including an event with greatest intensity. However, the County Engineer may reduce detention/retention storage requirements for developments that provide a direct discharge of treated stormwater to the Gulf of Mexico, Escambia Bay, Pensacola Bay, or Perdido Bay.
- b. Compliance with environmental resource permitting and other stormwater design and performance standards of the Florida Department of Environmental Protection and Northwest Florida Water Management District as prescribed in the Florida Administrative Code.
- c. The contribution of the new development to any existing, functioning area-wide drainage system shall not degrade the ability of the area-wide system to adequately retain/detain/store and control stormwater run-off.
- d. The design and construction for all major channels of stormwater systems under arterial and collector roads shall be predicated upon, and designed to control stormwater from, at least a 100-year storm event.

INF 3.1.10 Natural Drainage Features. Existing functioning drainage features shall be utilized whenever sufficient capacity is available within such features. Utilization of natural drainage features shall be required when such use does not impact sensitive natural resources. The Land Development Code (LDC) shall include land use regulations that require site specific development plans to protect natural drainage features and incorporate such features into the site planning and development process.

INF 3.1.11 Untreated Stormwater. Channeling untreated run-off directly into receiving waters shall be prohibited. Thus, no new "direct" discharge of untreated stormwater shall be permitted. Note: For the purposes of this plan, adequate vegetative filtration of sheet flow from pervious surfaces may be considered "treatment".

GOAL INF 4 POTABLE WATER

Escambia County shall ensure provision of environmentally safe and efficient potable water procurement, treatment and distribution concurrent with the demand for such services.

OBJ INF 4.1 Provision of Potable Water Service

Ensure the safe and efficient provision of potable water services through coordination with service providers, maximized use of existing facilities, maintenance of appropriate levels of service, correction of existing deficiencies, water conservation and protection of natural resources.

POLICIES

INF 4.1.1 Service Agreements. Potable water service shall be provided at established levels of service within Escambia County consistent with the Interlocal Agreement between the County and ECUA, the Escambia County Utilities Authority Act and franchise agreements between Escambia County and other water service providers that were in operation on August 1, 1981.

INF 4.1.2 Cooperation with Service Providers. Escambia County shall cooperate with the various water service providers to provide for the timely and efficient provision of potable water facilities or to correct facility deficiencies.

INF 4.1.3 Existing Facility Utilization. The LDC shall contain provisions, regulations and incentives to encourage new development to utilize existing potable water facilities and systems to serve the needs of the development.

INF 4.1.4 Concurrency Management. Escambia County shall ensure the provision of potable water facilities concurrent with the demand for such facilities, but no later than the certificate of occupancy, as created by development or redevelopment through implementation of the Concurrency Management System.

INF 4.1.5 Facility Funding. All costs for potable water facilities shall be the responsibility of the service providers and shall be funded by user fees, special assessments, developer contributions and state or federal grants or other means. Escambia County may consider additional funding mechanisms as appropriate.

INF 4.1.6 Developer Responsibility. The cost of water line extensions made necessary by new development shall be the responsibility of the developer unless otherwise funded by the service provider.

INF 4.1.7 Level of Service (LOS) Standards. The LOS standard for potable water service within Escambia County shall be 250 gallons per residential connection per day. For non-residential uses, the LOS requirements shall be based upon an Equivalent Residential Connection (ERC) to be calculated by the service provider at the time of application. Escambia County shall continue to work with the water providers to ensure adequate capacity is available.

INF 4.1.8 LOS Compliance Agreements. Escambia County shall implement the Interlocal Agreement between Escambia County and the ECUA, and shall execute agreements with the other entities providing water service in the unincorporated areas of Escambia County, to establish procedures for assurance of compliance with LOS standards.

INF 4.1.9 LOS Evaluation and Revision. By December 2011, Escambia County shall develop a report evaluating the current LOS standard for potable water service provision. This report shall examine alternative LOS standards and establish a five-year plan to achieve and maintain a LOS that is sufficient to meet the County's projected needs. Upon completion of this report, recommendations for revisions to adopted LOS standards and other related policies identified within this report shall be adopted as amendments to the Escambia County Comprehensive Plan within 18 months.

INF 4.1.10 Conservation and Monitoring. Escambia County shall promote conservation of potable water resources and periodically monitor per capita water consumption to confirm decreases over the planning time frame.

INF 4.1.11 Mandated Conservation Measures. Escambia County shall require compliance with all state and federal mandated water conservation measures.

INF 4.1.12 Area of Water Resource Concern. An area of water resources concern may be established by the Northwest Florida Water Management District (NFWFMD) to protect the area's water resources from depletion, salt water intrusion, or contamination, or from any other activity, which may substantially affect the quality or quantity of the area's water resources. Within such area, the NFWFMD may establish lower permit thresholds, maximum and minimum levels, and stipulate any limiting conditions as necessary to monitor, manage, and control the use of water. Escambia County shall cooperate with the NFWFMD in its enforcement of regulations if an area of water resources concern is established within Escambia County.

INF 4.1.13 Additional Conservation Opportunities. Escambia County shall implement water conservation measures for County owned and operated facilities. These measures may include, but not be limited to, the use of reclaimed water for irrigation and the use of drought tolerant landscaping. In addition, the County shall explore opportunities for establishing and coordinating water conservation programs with local potable water providers.

GOAL INF 5 AQUIFER RECHARGE PROTECTION

Escambia County shall protect and provide for the rainfall recharge of the sand and gravel aquifer, the principal source of the County's potable water.

OBJ INF 5.1 Aquifer Protection

Utilize LDC provisions, state funding, aquifer modeling, and other tools and resources to safeguard the long-term integrity of the sand and gravel aquifer.

POLICIES

INF 5.1.1 Groundwater Recharge Protection. Escambia County shall, through LDC provisions, protect groundwater recharge quantity and quality by regulating lot coverage, extent of impervious surfaces, land uses, open space and stormwater management throughout the County.

INF 5.1.2 Abandoned Wells. Escambia County shall cooperate with the NFWFMD to obtain state funding for an abandoned well plugging program, including requests to the legislature to fund the program. Further, Escambia County and its officials shall notify the NFWFMD anytime information becomes available to the County regarding the location, or possible location, of an abandoned well. County officials shall immediately communicate the location of any abandoned well to the NFWFMD so that the district may initiate appropriate actions.

INF 5.1.3 Wellhead Protection. Wellhead protection zones shall be located based in part upon the most current NFWFMD three-dimensional sand and gravel aquifer computer model. Compliance with design and performance standards pursuant to Chapter 62.532 Florida Administrative Code, is required to adopt FDEP minimum wellhead protection standards. The Potable Wells Wellhead Protection Areas Map is attached herein to this ordinance as Exhibit I.

INF 5.1.4 Cooperation. Escambia County shall cooperate with ECUA, the City of Pensacola and the NFWFMD in the use and application of the three-dimensional sand and gravel aquifer computer model and use the results of the model in the protection of public potable water wells and wellfields. The method of cooperation between Escambia County and the other agencies will be embodied within an Interlocal Agreement.

INF 5.1.5 Development Review. Escambia County shall employ the three-dimensional sand and gravel aquifer computer model in reviewing applications for development approval in areas with public potable water system wells as defined by statute.

Chapter 11 Coastal Management Element.

The purpose of the Coastal Management Element is to address both the natural hazards and the natural resources particular to Escambia County as a coastal county. The element establishes the necessary protection from hazards, including limiting public expenditures that subsidize development in areas subject to natural disasters. Additionally, the element ensures an orderly and balanced utilization of coastal zone resources that conserves and restores their quality.

GOAL COA 1 HAZARD MITIGATION

Escambia County shall reduce the exposure of people and property to natural hazards and limit public expenditures in coastal areas subject to destruction by natural disaster.

OBJ COA 1.1 General Hazard Mitigation

Reduce the exposure of people and property to natural hazards.

POLICIES

COA 1.1.1 Building Code. Escambia County shall, through adoption of the Florida Building Code, regulate the construction, alteration, use, maintenance and other aspects of buildings and structures to minimize the exposure to wind, flood, fire and other hazards.

COA 1.1.2 Flood Hazard Maps. Escambia County shall, through Land Development Code (LDC) provisions and adoption of the County Flood Insurance Study with accompanying Flood Insurance Rate Maps, regulate land use and development within areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA).

COA 1.1.3 Flood Elevation. Escambia County shall, as supported by federal emergency management regulations (Title 44, Code of Federal Regulations (CFR) 60.1) and the County's experience of significant flood hazard events, require additional height above the base flood elevation to more effectively reduce the exposure of people and property to losses from flood hazards.

COA 1.1.4 Beach and Dune Systems. The County shall protect and enhance the primary dune system. The LDC shall contain provisions requiring dune protection and shall specifically require the planting of sea oats by new development in primary dune areas. dune enhancement projects shall through the local hazard mitigation strategy. Dune enhancement projects may include the planting of native salt tolerant dune vegetation, installation of sand fences, beach/dune renourishment, and other similar activities that assure the existence, integrity and function of dunes.

COA 1.1.5 **Stormwater Management.** Escambia County shall, through LDC provisions and periodic drainage basin studies, improve existing public stormwater management systems and assure the provision of adequate drainage facilities concurrent with the demand for such facilities to reduce the exposure of people and property to flood hazards.

COA 1.1.6 **Wastewater Systems.** Escambia County shall, through LDC provisions and coordination with sanitary sewer providers, expand environmentally safe and efficient wastewater collection, treatment and disposal systems, especially in developed areas where elimination of septic tanks may improve public health and safety through reduced contamination of surface water and groundwater resources.

COA 1.1.7 **Future Land Use and Zoning.** Escambia County shall, through Future Land Use categories, zoning districts, and LDC provisions, regulate land use and development to reduce the exposure of people and property to natural hazards.

COA 1.1.8 **Mitigation Strategy.** Escambia County shall, particularly through the Local Mitigation Strategy (LMS), coordinate with other local and regional governing and regulating authorities, private and civic organizations, and others with interest in mitigation strategies and initiatives, to reduce the exposure of people and property to natural hazards.

COA 1.1.9 **Emergency Management.** Escambia County shall update and implement its Comprehensive Emergency Management Plan, utilizing best available information and data, including recommendations and guidance provided in the Northwest Florida Hurricane Study (U.S. Army Corps of Engineers, July 1999), the Escambia County Hurricane Evacuation Clearance Time Model prepared by PBS&J, subsequent revisions to these, and other appropriate sources as they become available.

COA 1.1.10 **Report Recommendations.** Escambia County shall incorporate recommendations from various interagency hazard mitigation reports, as practical.

OBJ COA 1.2 Coastal High-Hazard Area

Direct population concentrations away from coastal high-hazard areas, limiting development within those areas and any public expenditure that subsidizes development there.

POLICIES

COA 1.2.1 **Establishment and Adoption.** The Coastal High-Hazard Area (CHHA) of Escambia County shall be established as “the area below the elevation of the Category 1 Storm Surge Line as established by a Sea, Lake, and Overland Surges from Hurricane (SLOSH) computerized storm surge model.” Escambia County adopted the Coastal High-Hazard Area Map as the delineation of the CHHA and will use the most current SLOSH model to maintain the map. The CHHA Map is attached herein to this ordinance as Exhibit J.

COA 1.2.2 **Expenditure Limits.** Public expenditures within the CHHA shall be limited to the provision or support of recreation uses (i.e., parks), improvements required to increase public beach access, erosion control devices and infrastructure necessary to correct pre-existing deficiencies.

COA 1.2.3 **Facilities Criteria.** Escambia County shall not place new public facilities within the CHHA unless the following criteria are met:

- a. The facility is necessary to protect human lives or preserve important natural resources; and
- b. The service provided by the facility cannot be provided at another location outside the CHHA; and
- c. The facility is designed to provide the minimum capacity necessary to meet Level of Service (LOS) standards for its service area and its sizing is consistent with the densities and intensities reflected on the future land use map.

COA 1.2.4 **Infrastructure Inventory.** Escambia County shall maintain an inventory of infrastructure located within the CHHA. The 1995 report on coastal infrastructure shall be updated annually. The Comprehensive Plan Implementation Committee shall produce a report for consideration by the Escambia County Board of County Commissioners (BCC) that presents opportunities to relocate or replace such infrastructure.

COA 1.2.5 **Prohibited Uses.** Escambia County shall, through LDC provisions, prohibit the location of new group homes, nursing homes, or other uses that have special evacuation requirements in the CHHA.

COA 1.2.6 **Mobile Home Development.** The Escambia County shall, through LDC provisions, not allow new mobile home developments within the CHHA.

COA 1.2.7 **Post-disaster Assessment.** Escambia County staff shall, as part of the post-disaster review of a hurricane or other major storm event, reassess the current and future populations within the CHHA and provide recommendations to the BCC within 12 months of the storm event.

OBJ COA 1.3 Population Evacuation

Maintain the capability to promptly and safely evacuate people from hazard prone areas in the event of an impending hurricane or other natural disaster.

POLICIES

COA 1.3.1 Evacuation Zones. Escambia County shall establish and maintain hurricane evacuation zones based on storm intensity categories.

COA 1.3.2 Infrastructure Improvements. Escambia County shall, by ordinance, provide for funding sources for infrastructure improvements necessary to meet hurricane evacuation standards including, but not limited to, the creation of tax increment financing districts. Following the adoption of any such ordinance, the Five-Year Schedule of Capital Improvements shall be amended to identify the tax increment, or other financing funds allocated and available for each infrastructure improvement. The identification and availability of such funding shall be a prerequisite to approval of any development that requires an increase or expansion of infrastructure.

COA 1.3.3 Roadway Clearance Times. Escambia County shall maintain a 12-hour roadway clearance time for hurricane evacuation to the nearest shelter that is reasonably expected to accommodate existing residents, a percentage of tourists, and any new residents that are expected from development approvals or potential future land use amendments that increase density. Time to the nearest shelter with adequate capacity shall be assessed based upon a category five storm event as measured on the Saffir-Simpson scale.

COA 1.3.4 Transportation Planning. Escambia County shall support critical roadway segment improvements through participation with the Florida-Alabama Transportation Planning Organization (TPO) and interaction with the Florida Department of Transportation (FDOT) to further reduce hurricane evacuation times. The Evacuation Routes / Evacuation Zones Map is attached herein to this ordinance as Exhibit K.

COA 1.3.5 Special Needs Evacuees. Escambia County shall implement the evacuation procedures for special needs evacuees as outlined in the Comprehensive Emergency Management Plan. The Division of Emergency Management will maintain a voluntary register of people who need assistance during an evacuation as required by Chapter 252, Florida Statutes. The Division of Emergency Management will ensure that an annually updated list of special needs shelters is available and maintained at the emergency operations center.

COA 1.3.6 Interstate Highway Improvements. Escambia County shall support improvements to the Interstate Highway System serving northwest Florida.

Specifically, the County shall support and encourage the construction of a new segment of interstate connecting I-10 and I-65; however, the County's support is contingent upon the location of the connecting segment being within or in close proximity to Escambia County so as to provide improved hurricane evacuation times from the County's coastal areas.

COA 1.3.7 Coordination with Alabama. Escambia County will continue yearly intergovernmental coordination efforts with State of Alabama officials regarding hurricane evacuation.

COA 1.3.8 Development Impact Analysis. The Comprehensive Plan Implementation Annual Report shall include an analysis of proposed and new developments' impact on hurricane evacuation times. The BCC, upon receipt of the report from the Local Planning Agency (LPA), will address any deficiencies identified in the report and take corrective measures as necessary. The report and recommendations will consider the actual development that has occurred during the evaluation period (preceding 12 months) as well as the projected development anticipated to be approved during the succeeding evaluation period. The needed corrective actions by the BCC will maintain or reduce the County's adopted roadway clearance time.

COA 1.3.9 Development Orders. All development order applications that propose 50 or more dwelling and/or lodging units (on a one-time or cumulative basis) within the CHHA shall be evaluated for impact to roadway evacuation times to shelter. Additionally, through LDC provisions, the County may require such evaluation of other developments based on the number and location of new units proposed. Escambia County shall not issue a development order for a project if it is determined that the proposed development would cause the adopted roadway evacuation time for hurricane evacuation to shelter to be exceeded.

Hurricane evacuation times shall be evaluated based on all existing and vested development in the County, including individual building permits for buildings that are not part of a larger development plan approval.

COA 1.3.10 Notifications. Escambia County shall notify households of their need to evacuate at various threat levels. Hotels, motels and other similar facilities shall conspicuously post the need for evacuation, evacuation routes and shelter locations.

COA 1.3.11 Roadway Lane Changes. Escambia County shall allow reverse laning on multi-lane roadways and evacuation routes during evacuation events in cooperation with public safety officials (Florida Highway Patrol, Escambia County Sheriff's Office, Gulf Breeze and Pensacola Police Departments, etc.).

COA 1.3.12 **Shelter Locations.** The Escambia County Division of Emergency Management shall identify appropriate shelter locations for evacuees. The Division of Emergency Management shall work with the Escambia County School District, the University of West Florida, Pensacola Junior College, and the Northwest Florida Chapter of the American Red Cross (ARC) to identify additional shelter capacity, based on ARC 4496 structural criteria, through mitigation projects and the incorporation of enhanced hurricane protection areas into new construction projects. The County may establish a County-wide fee to pay for hurricane evacuation shelters and other necessary mitigation measures, operational capabilities, and infrastructure necessary to maintain the adopted hurricane evacuation LOS.

COA 1.3.13 **Adopted Routes.** Escambia County's Hurricane Evacuation Route Map identifies the adopted hurricane evacuation routes.

COA 1.3.14 **Roadway Improvements.** Escambia County shall promote, to the greatest extent possible, roadway improvements identified by state and local transportation organizations as critical to hurricane evacuation.

OBJ COA 1.4 Redevelopment

Reduce or eliminate unsafe conditions and inappropriate land use through post-disaster redevelopment and as other opportunities occur.

POLICIES

COA 1.4.1 **National Flood Insurance.** Escambia County shall participate in the National Flood Insurance Program (NFIP) in conformance with Public Law 93-288.

COA 1.4.2 **Post-Disaster Plan.** Escambia County shall implement the Post Disaster Redevelopment Plan whose purpose is to reduce or eliminate the exposure of human life and public and private properties to natural hazards. Additionally, the plan distinguishes between immediate repair and cleanup actions needed to protect public health and safety and long-term repair and redevelopment activities. To assist with the implementation of this policy, the County shall maintain an inventory of areas that have experienced repeated damage from coastal storms. The County will use the inventory in guiding and directing redevelopment activities, including those activities associated with repairing or relocating infrastructure.

COA 1.4.3 **Priority Recovery Actions.** Escambia County shall give permitting priority to immediate recovery actions needed to protect public health and safety following hurricane storm events or natural disasters. Such priority actions will include, but not be limited to, debris removal; roadway and infrastructure repair; water use restrictions, if necessary; access restrictions, if required to protect lives

or property; and other similar activities needed to assure the safe movement of people, goods and supplies within the impacted area. Long-term repair or recovery actions, such as relocating infrastructure, rebuilding of damaged structures and the like, will be distinguished from the short-term actions herein described.

COA 1.4.4 Structure Damage Criteria. The Post Disaster Redevelopment Plan shall be re-evaluated within one (1) year of a disaster or a minimum of every five (5) years if no disasters occur. The Post Disaster Redevelopment Plan will provide a process and criteria for the relocation, removal or modification of damaged structures. The criteria will include, but not be limited to:

- a. Compliance with national flood insurance minimum elevation and construction standards;
- b. Conformance with coastal construction standards pursuant to Chapter 161, Florida Statutes;
- c. Hazard mitigation sufficiency;
- d. Extent of damage;
- e. The impact the removal or modification of the structure would have on:
 1. Important natural resources;
 2. Infrastructure;
 3. The need to protect lives and property;
 4. Financial feasibility; and
- f. Consistency with the requests, recommendations or permits issued by state or federal regulatory agencies.

COA 1.4.5 Public Safety Recommendations. The Escambia County Public Safety Official shall make recommendations to the BCC, as needed, regarding Comprehensive Plan and ordinance amendments to insure consistency with the Comprehensive Emergency Management Plan and applicable inter-agency hazard mitigation reports.

COA 1.4.6 Intergovernmental Task Force. An Intergovernmental Task Force, as outlined in the Post Disaster Redevelopment Plan, shall foster cooperation between local governments during pre-disaster planning, post-disaster mitigation analysis, and redevelopment. Additionally, the task force will be activated and mobilized for a minimum of 60 days following a disaster declaration. The task force will make recommendations concerning predisaster planning, post-disaster mitigation analysis, and redevelopment for inclusion in the Comprehensive Plan Implementation Annual Report of every fiscal year during which it was mobilized.

COA 1.4.7 Local Mitigation Strategy. Escambia County shall maintain and update the adopted LMS (approved by FEMA in 2004) at five-year intervals. The Planning Official shall ensure LMS coordination among the County's Emergency Management, the Emergency Medical Services, 911 Communication, Fire

Services, law enforcement agencies, ARC, civic groups, other local, state, and regional agencies and Escambia County planning staff to predict and assign future responsibilities for pre-disaster planning, response, recovery, and mitigation activities.

OBJ COA 1.5 Levels of Service

Ensure that satisfactory LOS standards, consistent with Escambia County Concurrency Management System, are maintained within the coastal area.

POLICIES

COA.1.5.1 Concurrency Management. Escambia County will ensure that required infrastructure is available to serve proposed development or redevelopment in the coastal areas by implementing the concurrency management system described in the Concurrency Management System Element and implemented through the Infrastructure, Mobility and Capital Improvement Elements.

COA 1.5.2 Evacuation Requirements. All proposed development or redevelopment within the coastal area shall be consistent with safe evacuation requirements established by this plan and the Escambia County LDC.

GOAL COA 2 COASTAL RESOURCE PROTECTION

Escambia County shall maintain, restore, and enhance the overall quality of the coastal environment, utilizing and preserving all coastal resources consistent with sound conservation principles, including restricting development activities.

OBJ COA 2.1 General Coastal Resource Protection

Protect, conserve, and enhance coastal ecosystems, environmentally sensitive areas, water resources, living marine resources, remaining coastal barriers, wildlife habitats and other natural coastal resources.

POLICIES

COA 2.1.1 Consistency with Plan. In addition to the provisions of the Coastal Management Element, the coastal ecosystems, environmentally sensitive areas, water resources, living marine resources, remaining coastal barriers, wildlife habitats, and other natural coastal resources of Escambia County shall be protected, conserved and enhanced consistent with the goals, objectives and policies of the Conservation Element of this plan.

COA 2.1.2 Resource Monitoring. Escambia County staff shall monitor the resources referenced in Objective COA 2.1 and provide recommendations to the BCC regarding their protection, conservation, and enhancement. Monitoring data and recommendations shall be included in the Comprehensive Plan Implementation Annual Report and shall include at least:

- a. Changes in the total acreage of coastal wetlands and the extent of coastal wetland communities;
- b. Changes in the volume of the commercial fish catch and the amount of fish and shellfish annually landed;
- c. Changes in acreage of protected land on barrier islands; and
- d. Changes in acreage of coastal lands held for conservation and recreation use.

COA 2.1.3 Development Impact Limits. Escambia County shall, through LDC provisions and other measures, limit the specific and cumulative impacts of development or redevelopment upon the resources referenced in Objective COA 2.1.

COA 2.1.4 Habitat Conservation. Escambia County shall protect the habitat of protected species on Perdido Key through the development and implementation of a comprehensive Habitat Conservation Plan in coordination with the U.S. Fish and Wildlife Services (FWS) and the Florida Fish and Wildlife Conservation Commission (FFWCC). Until the Habitat Conservation Plan becomes effective, the County shall implement an existing Intergovernmental Coordination Agreement that requires permit coordination and mitigation for any habitat of a listed species that is taken.

COA 2.1.5 Interlocal Agreements. Escambia County shall protect estuaries within the jurisdiction of the County and other local governments through Interlocal Agreements with the City of Pensacola, the City of Gulf Breeze, and Santa Rosa County. The agreements will establish procedures whereby each government will be afforded the opportunity to review development proposals that affect Escambia Bay, Santa Rosa Sound, East Bay or other water bodies deemed appropriate. The agreements shall ensure that adequate sites for water dependent uses are made available, estuarine pollution is prevented, surface water runoff is controlled, living marine resources are protected, exposure to natural hazards is reduced and public access to the shorelines is maintained.

OBJ COA 2.2 Shoreline Use Protection

Preserve adequate shoreline for public access and recreational and commercial water-dependent and water-related uses.

POLICIES

COA 2.2.1 **Structure Setbacks.** Escambia County shall require natural shorelines wherever possible. Development shall be required to provide adequate setbacks for structures other than water-dependent/water-related and stormwater management. A minimum 15' setback is required for construction activities proposed along shorelines. The setback shall be measured from the mean high water line.

Exemptions: Bulkheads, gazebos, docks, walkways, piers, and boathouses may be constructed within this setback.

COA 2.2.2 **Shoreline Siting Priorities.** Escambia County shall, through zoning districts and LDC provisions, regulate shoreline land uses. Additionally, the uses shall be limited to the following, listed in descending order of priority:

- a. Conservation or recreation;
- b. Water-dependent commercial/industrial;
- c. Residential;
- d. Water-related commercial/industrial.

COA 2.2.3 **Waterfront Use Priorities.** Escambia County shall, through zoning districts and LDC provisions, regulate the siting of water-dependent and water-related commercial/industrial uses. Additionally, the uses shall be limited to the following, listed in descending order of priority:

- a. Public use marinas;
- b. Water-dependent utilities;
- c. Water-dependent industries and associated docking facilities;
- d. Docks for water-dependent industry;
- e. Water-related industries and associated docking facilities;
- f. Docks for water-related industry.

COA 2.2.4 **Marina Siting Regulations.** Escambia County shall, through LDC provisions, regulate the development of marinas and provide incentives to exceed minimum standards, to resist the impacts of natural disasters and minimize impacts to submerged aquatic vegetation and water quality.

COA 2.2.5 **Public Access.** Escambia County shall enforce the public access requirements of the Coastal Zone Protection Act of 1985 and shall include such requirements within the LDC.

COA 2.2.6 **County-Owned Sites.** Escambia County shall maintain County-owned shoreline or open space access sites and provide adequate parking facilities for each site.

COA 2.2.7 Federal and State Assistance. Escambia County shall seek all available federal and state financial assistance to increase public access to the shoreline.

COA 2.2.8 Alternative Public Access. Escambia County's development review process shall consider impacts of development or redevelopment on publicly established access ways to the beach. Developments that would preclude such access shall not be approved unless a comparable alternative access way is provided as a condition of development approval.

COA 2.2.9 Public Access Acquisition. Escambia County shall continually coordinate with local real estate professionals to develop, prioritize and update a list of shoreline sites for potential public acquisition with the intent to obtain title, easements or other ownership interest in areas commonly used for public access.

COA 2.2.10 Public Access Inventory. Escambia County shall maintain and update on a two-year cycle an inventory of public beach access facilities, including those in the coastal area, and periodically survey conditions at those sites.

COA 2.2.11 Publicly-Maintained Shoreline. Escambia County shall provide public access to shoreline nourished at public expense. This access shall be provided at one-half mile intervals or less, as practical.

OBJ COA 2.3 Beach and Dune Protection

Protect beaches and dunes and restore degraded beach and dune systems.

POLICIES

COA 2.3.1 Dune Protection and Enhancement. Escambia County shall protect and enhance the primary dune and other dune systems as appropriate. The County will seek funding for dune enhancement projects through the LMS. Dune enhancement projects may include the planting of native salt tolerant vegetation, installation of sand fences, beach/dune nourishment, and other similar activities that assure the existence, integrity and function of dunes.

COA 2.3.2 Shoreline Protection Zones. Escambia County shall establish shoreline protection zones and preserve beaches, dunes and other shoreline resources. For all gulf-front properties, the protection zone shall commence at the mean high water line and run landward to the 1975 Coastal Construction Control Line (CCCL). The County shall regulate within the zone by requiring a landward setback greater than or equal to the 1975 CCCL boundary for major structures, minor structures, and uninhabitable major structures. To prevent takings, Pensacola Beach gulf-front properties that have an insufficient building

area to rebuild or redevelop may request a variance to allow reconstruction of a similar structure provided that intrusion into Shoreline Protection Zone is reduced to the maximum extent possible.

COA 2.3.3 State and Federal Permits. No new construction seaward of the CCCL will be allowed until the applicant for such construction has obtained all necessary permits and approvals from state or federal regulatory agencies.

COA 2.3.4 Beach and Shoreline Regulations. Escambia County shall protect beach and shoreline systems. These regulating provisions shall be reviewed annually for the Comprehensive Plan Implementation Annual Report and updated as necessary to address concerns and issues including, but not limited to, the following:

- a. "White Sand" regulations;
- b. Shoreline protection zone;
- c. CCCL-related regulations;
- d. Dune replenishment, enhancement and re-vegetation programs;
- and
- e. Wetland and environmentally sensitive area regulations.

COA 2.3.5 Beach Nourishment Assistance. Escambia County shall continue its practice of cooperating with, and encouraging, the U.S. Army Corps of Engineers (ACOE) and the Florida Department of Environmental Protection (FDEP) to nourish public beaches using white sand made available by maintenance dredging of Pensacola Pass, the bays, bayous and/or sound, or other water bodies within or near Escambia County.

COA 2.3.6 Beach Hardening Restrictions. No hardening (seawalls, break waters, revetments, etc.) of gulf beaches shall be allowed unless such hardening has been determined to have an overriding public purpose. Such determination, by necessity, will be made cooperatively between all regulatory agencies having authority over the gulf beaches.

COA 2.3.7 State and Federal Funds. Through the LMS, Escambia County shall jointly seek state or federal funding, for the development and establishment of a "Dune Restoration and Protection Program" that will be applicable to all County-owned shoreline areas.

COA 2.3.8 Conservation and Recreation Future Land Use. Escambia County shall implement provisions applicable to the designated Recreation (REC) and Conservation (CON) future land use areas on Santa Rosa Island and Perdido Key that provide for public use and recreation while maintaining the important natural features, functions, and habitats of the areas. The provisions shall minimize the impacts of development on sensitive natural systems and will include:

- a. Prevention of motor vehicle traffic on beaches and dune areas, excluding publicly authorized vehicles;
- b. Prevention of destruction of native vegetation from beach pedestrian traffic by providing boardwalks and dune walkover structures;
- c. Improvement of parking at high-use beach sites;
- d. Placement of secure bicycle racks at beach sites to encourage bicycle transportation;
- e. The preparation and implementation of techniques needed to protect established or identified nesting bird colonies, including restrictions on public access to such nesting areas; and
- f. Limitations on public access or the provision of alternate routes in environmentally sensitive beach dune areas (i.e., dunes undergoing restabilization).

Chapter 12 Conservation Element.

The purpose of the Conservation Element is to ensure the protection of Escambia County's natural resources. The conservation and appropriate use of these resources is critical to maintaining a high quality of life for County residents and ensuring sustainable economic growth. The goals, objectives and policies of this element are intended to guide the management of air, water, soil, mineral, vegetative, wildlife and other natural resources in fulfillment of this purpose without County duplication of federal and state requirements.

GOAL CON 1 RESOURCE MANAGEMENT

Escambia County shall conserve, protect and appropriately use all natural resources.

OBJ CON 1.1 General Resource Management

Effectively manage the natural resources of Escambia County through sound conservation principles.

POLICIES

CON 1.1.1 Environmentally Sensitive Lands. Escambia County shall inventory the County's environmentally sensitive lands as defined in Chapter 3, Definitions. The Escambia County Wetlands Map and the Escambia County Special Flood Hazard Areas Map are attached to this ordinance as Exhibits L and M, respectively.

CON 1.1.2 Wetland and Habitat Indicators. Escambia County has adopted and will use the National Wetlands Inventory Map, the Escambia County Soils Survey, and the Florida Fish and Wildlife Conservation Commission's (FFWCC) LANDSAT imagery as indicators of the potential presence of wetlands or listed wildlife habitat in the review of applications for development approval. The Escambia County Hydric Soils Map is attached to this ordinance as Exhibit N.

CON 1.1.3 Resource Status Indicators. Escambia County shall utilize surveys, sampling, and other available data sources to assess indicators of natural resource gains or losses.

CON 1.1.4 Species Diversity. Escambia County shall maintain and enhance plant and animal species diversity and distribution within the County.

CON 1.1.5 Open Space Minimums. Escambia County shall provide incentives to exceed minimum standards to preserve or establish minimum open space within developments to ensure public health, safety, and welfare, to provide

recreational and aesthetic benefits, and to accommodate groundwater recharge, tree canopy cover, wildlife habitat and other natural resource functions.

CON 1.1.6 Natural Reservation Protection. Escambia County shall protect existing natural reservations as identified in the Recreation and Open Space Element, or as may additionally be created by action of the federal, state or County government.

CON 1.1.7 Habitat Management. Escambia County shall require a habitat management plan for those lands identified as providing listed species habitat within its jurisdiction. The habitat management plan shall be submitted and approved by the wildlife agency or agencies having jurisdiction over the species prior to the approval of the site plan or functional equivalent.

CON 1.1.8 Habitat Protection. Escambia County shall coordinate with the FDEP, FFWCC and other state or federal agencies so as to provide the fullest protection to marine or wildlife habitats that may be impacted by existing or proposed development within the County. The County shall provide to the appropriate regulatory agencies copies of applications for development approval anytime it is deemed that such development may impact fisheries, fishery habitats, wildlife habitats and/or other regulated marine or wildlife resources.

CON 1.1.9 Endangered Species. Escambia County shall not approve a development permit if construction pursuant to the permit would threaten the life or habitat of any state or federal listed species unless an Incidental Take permit or other approval has been granted from those state and/or federal agencies having jurisdiction over the resource.

CON 1.1.10 Public Land Acquisition. Escambia County shall develop and maintain a list of recommended areas for public acquisition. Such areas will include, but not be limited to, habitat for protected species and parcels that would further the establishment of connected greenways.

CON 1.1.11 Public Land Restoration and Enhancement. Escambia County shall continually work to restore and/or enhance degraded natural areas within publicly owned lands. Restoration or enhancement may include such activities as removal of nonnative vegetation, reforestation, shoreline or dune restoration, or restoration of natural hydrology.

OBJ CON 1.2 Air Resources

Maintain or improve ambient air quality to protect public health and the environment.

POLICIES

CON 1.2.1 State and Federal Regulation. Escambia County shall, through LDC provisions, require any development with emissions that may degrade air quality to comply with all applicable federal and state regulations regarding emission control. New development with the potential to emit air pollutants will be required to obtain the necessary permits from FDEP and/or the U.S. Environmental Protection Agency (EPA) prior to emission of any regulated quantities of pollutants.

CON 1.2.2 County Enforcement Responsibilities. Escambia County shall assist in the maintenance of air quality standards within its jurisdiction in conformance with state and federal air quality guidelines. The County shall notify the operator of any facility that is believed to be degrading air quality within the County of such degradation. In addition, the County shall notify the appropriate regulatory agency and encourage the agency to investigate the potential violation of air quality standards and guidelines.

CON 1.2.3 Industrial Use Impacts. Industrial land uses shall minimize their negative impacts on air quality. When incompatible with neighboring or proximate residential, conservation, or environmentally sensitive areas, industrial land uses shall be directed to alternative sites where their impacts are minimized.

CON 1.2.4 County Vehicle Efficiency. Escambia County shall establish a program to replace County-owned vehicles conventionally powered with gasoline or diesel fuel with higher efficiency hybrid vehicles or alternative fuel (i.e., natural gas) vehicles.

CON 1.2.5 Open Burning Education. Escambia County shall develop and implement a program to educate the public regarding County and state laws regulating open burning.

CON 1.2.6 Transportation Alternatives. Escambia County shall support and encourage carpooling, mass transit, non-motorized modes of transportation, and other efforts to reduce fuel consumption and motor vehicle miles traveled.

CON 1.2.7 Motor Vehicle Pollution Reduction. Escambia County shall continually pursue measures to reduce air pollution from motor vehicles. This will include minimizing waiting times at traffic lights, improving public transportation, and other transportation demand management techniques as referenced in this plan.

OBJ CON 1.3 Surface Water Resources

Protect and improve the quality, biological health, and natural function of all surface water systems to preserve their ecological and aesthetic values.

POLICIES

CON 1.3.1 Stormwater Management. Escambia County shall protect surface water quality by implementing the stormwater management policies of the Infrastructure Element to improve existing stormwater management systems and ensure the provision of stormwater management facilities concurrent with the demand for such facilities.

CON 1.3.2 Agriculture Management Practices. To minimize the potential for discharge of contaminants into water bodies designated as Outstanding Florida Waters and Aquatic Preserves, Escambia County shall coordinate with the Natural Resource Conservation Service (NRCS), or other agencies as deemed acceptable, to develop and implement best management practices (BMPs) for agricultural land uses and include provisions within the LDC that would require all agricultural land uses to implement these practices.

CON 1.3.3 Silviculture Management Practices. Escambia County shall allow silviculture and unimproved pastures within wetland areas provided the activities follow the BMPs as outlined in the current Silviculture Best Management Practices publications (Florida Department of Agriculture and Consumer Services, Division of Forestry).

CON 1.3.4 Monitoring and Recommendations. Escambia County shall utilize FDEP's annual water quality assessment and other sources to monitor surface water systems. Water quality ratings shall be monitored for the Escambia River, Pensacola Bay, Perdido Bay, and Perdido River basins and other locations as appropriate. Monitoring data and recommendations shall be included in the Comprehensive Plan Implementation Annual Report.

CON 1.3.5 Studies and Programs. Escambia County shall support existing studies and programs and the funding of future studies and programs that will determine water quality conditions, sediment conditions, sources of contamination, and necessary actions to improve conditions of surface water systems and their suitability for aquatic life. The County shall support actions necessary to improve and protect surface water systems.

CON 1.3.6 Cooperative Cleanup Efforts. Escambia County shall cooperate with federal, state and local agencies in their efforts to cleanup water bodies within and adjoining the County that have shown a documented decline in water quality and decreased suitability for indigenous aquatic life. Such cooperation shall include, but not be limited to, sharing of information and coordination with adjacent jurisdictions on applications for funding of cleanup and enhancement efforts in these areas.

CON 1.3.7 Wetland Development Provisions. Development in wetlands shall not be allowed unless sufficient uplands do not exist to avoid a taking. In this case, development in wetlands shall be restricted to allow residential density use at a maximum of one unit per five acres or to the density established by the future land use map containing the parcel, whichever is more restrictive, or one unit per lot of record if less than five acres in size. (For this policy, lots of record do not include contiguous multiple lots under single ownership.)

a. Prior to construction in wetlands, all necessary permits must have been issued by the FDEP, and/or NFWFMD, as required by the agency or agencies having jurisdiction, and delivered to the County.

b. With the exception of water-dependent uses, commercial and industrial land uses will not be located in wetlands that have a high degree of hydrological or biological significance, including the following types of wetlands:

1. Wetlands that are contiguous to Class II or Outstanding Florida Waters;
2. Wetlands located in the FEMA Special Flood Hazard Areas;
3. Wetlands that have a high degree of biodiversity (three or more focal species) or habitat value based on maps prepared by the Florida Fish and Wildlife Conservation Commission or Florida Natural Areas Inventory (see attached maps adopted as part of the comprehensive plan), unless a site survey demonstrates that there are no listed plant or animal species on the site. The Escambia County Biodiversity Hot Spots Map and the Escambia County Critical Habitat Map are attached to this Ordinance as Exhibits O and P, respectively.

CON 1.3.8 Density Clustering. Escambia County shall require buffers between development and environmentally sensitive areas including wetlands. The purpose of the buffer is to protect natural resources from the activities and impacts of development.

a. The buffer shall function to provide protection to the natural resources from intrusive activities and negative impacts of development such as trespass, pets, visual impacts, vehicles, noise, lights, and stormwater. Incompatibility between the uses shall be minimized or eliminated so that the land uses can co-exist over time with the environmentally sensitive area.

b. Buffer Types: The buffer may be a landscaped natural barrier, a natural barrier, or supplemented with fencing or other manmade barrier, so long as the function of the buffer and intent of the policy is fulfilled.

Buffers for Wetlands as defined by the Florida Department of Environmental Protection: A minimum buffer of 25' measured landward of the jurisdictional line is required. Intrusion into the buffer by development activities may be allowed provided a minimum 15' buffer remains and an equal amount of square feet of buffer loss is provided within the development site along the impacted wetland complex (limited buffer averaging). Escambia County shall include density clustering provisions in the LDC to avoid development in environmentally sensitive lands, conservation and preservation areas, and, wherever feasible, airfield influence planning districts (AIPD).

OBJ CON 1.4 Groundwater Resources

Protect and conserve the quality and quantity of groundwater resources to ensure public health and safety, adequate potable water supplies.

POLICIES

CON 1.4.1 Wellhead Protection. Escambia County shall provide comprehensive wellhead protection from potential adverse impacts to current and future public water supplies. The provisions shall establish specific wellhead protection areas and address incompatible land uses, including prohibited activities and materials, within those areas.

CON 1.4.2 County Facilities Procedures. Escambia County shall establish and implement standard operating procedures at all County-operated facilities that use, store, or dispose of materials that have the potential to contaminate groundwater if improperly handled.

CON 1.4.3 Coordinated Water Supply Protection. Escambia County shall coordinate with the Emerald Coast Utilities Authority (ECUA) and other water suppliers, the City of Pensacola, NFWFMD and the FDEP when implementing policies related to the protection of potable water resources.

CON 1.4.4 Emergency Water Conservation. In cooperation with NFWFMD, Escambia County shall implement any emergency water conservation plans necessary to protect the sand and gravel aquifer during periods of insufficient recharge.

OBJ CON 1.5 Soil and Mineral Resources

Regulate the extraction of soil and mineral resources and other land disturbance activities to ensure uses and activities are compatible with site

conditions and to prevent adverse impacts to the quality of other resources, land uses, or activities.

POLICIES

CON 1.5.1 Erosion Control. Escambia County shall, through LDC provisions, address the use of appropriate erosion control measures during all construction and other land disturbance activities to minimize off-site migration of soil particles.

CON 1.5.2 Extraction and Reclamation Limitations. Resource extraction and reclamation activities are considered unique non-residential uses due to their transient nature and the eventual restoration of affected lands to post mining land uses. However, through LDC provisions, Escambia County shall prohibit resource extraction activities within environmentally sensitive areas that cannot be completely restored, within wellhead protection areas, within the Coastal High-Hazard Area (CHHA), within one-half mile of aquatic preserves, Class II waters, Shoreline Protection Zone 1, or Outstanding Florida Waters, and within all future land use categories except Agriculture, Rural Community, Industrial, and Public. Additionally, resource extraction in the form of borrow pits shall be prohibited abutting state and federal parks, within floodplains, or near existing residential uses, residential zoning districts, or subdivisions intended primarily for residential use. Reclamation activities to restore previously mined lands to an intended post-mining land use may be allowed in any future land use category.

CON 1.5.3 Extraction and Reclamation Compatibility. Escambia County shall permit extraction of soils and mineral resources and site reclamation only where compatible with adjacent land uses and where minimal resource degradation will occur. The determination of minimal degradation, if necessary, will be made in cooperation with the appropriate state or federal agencies regulating resource extraction and reclamation activities. The locations where these activities may be allowed, if not otherwise prohibited, shall be determined based on geological constraints and shall be regulated by the applicable zoning district and performance standards established for such activities within the LDC.

CON 1.5.4 Extraction and Reclamation Review. Escambia County shall subject all new or expanded resource extraction and reclamation activities to a mandatory development review process to assess technical standards for public safety, environmental protection, and engineering design. The review shall require:

- a. Protection of public health;
- b. Compliance with all applicable state and federal policies and regulations;
- c. Enforcement of the County's environmental and solid waste regulations;

- d. A reclamation plan to restore affected lands within a reasonable timeframe to the intended post-mining land use consistent with the surrounding environment;
- e. Buffers between resource extraction or reclamation activities and adjacent existing or allowed future uses;
- f. Maintenance of level of service standards for commercial traffic on access roadways; and
- g. Prevention of soil erosion or adverse effects to the quality of air, groundwater, surface water, wildlife, or other natural resources.

OBJ CON 1.6 Vegetation Resources

Require and encourage land development and landscaping practices that conserve, appropriately use, and protect native vegetation, and that maintain and enhance plant species diversity.

POLICIES

CON 1.6.1 Urban Forest Preservation. Escambia County defines the trees and other vegetation within and around the developed areas of the County as an urban forest, and recognizes that a healthy, diverse, and well-managed urban forest is an important public asset. The County shall preserve, maintain, and support the urban forest, requiring the maximum practical preservation of existing native vegetation with all development.

CON 1.6.2 Identification and Protection. Escambia County shall ensure the identification and protection of vegetation through LDC provisions that require protected trees and unique vegetative communities to be accurately located and described on development plans submitted for approval. In addition, the plans must include implementation provisions, such as effective temporary construction barricades, for the protection and preservation of vegetation not approved for removal. Unique vegetative communities include, but are not limited to, wetlands.

CON 1.6.3 Tree Protection. Escambia County shall protect trees through LDC provisions, giving priority to native hardwood species and consideration to tree condition, size, maturity, wind resistance, drought tolerance, species diversity, uniqueness (i.e., Champion), and historic association. Specific criteria shall be provided for exemptions from protection, including size, species, invasiveness, condition, structure, and emergencies.

CON 1.6.4 Urban Forest Management. Escambia County shall, through LDC provisions and other measures, sustain and promote the urban forest by:

- a. Increasing tree age and species diversity for long-term forest stability,
- b. Requiring sufficient planting of trees to compensate for removals,

- c. Increasing the proportion of wind-resistant trees to make future storms less devastating,
- d. Emphasizing the use of native species to reduce irrigation needs and improve plant establishment, survival, and vitality,
- e. Increasing tree canopy cover for effective shading, temperature moderation, stormwater abatement, and other benefits,
- f. Allowing or requiring appropriate removal of dying, diseased, damaged, hazardous, and invasive trees.

CON 1.6.5 Impact Mitigation. Escambia County shall, through LDC provisions, require mitigation to adequately offset the removal of protected vegetation. Protected tree removal shall require replacements and code provisions shall address quantity, quality, size, species, and location requirements. Additionally, the provisions shall allow in-lieu payments to the County for support of general tree replacement and restoration of functional benefits provided by the urban forest when tree replacements cannot be reasonably accommodated within the removal parcel.

CON 1.6.6 Non-compliance Penalties. Escambia County shall adopt monetary and other penalties to effectively discourage damage to, or removal of, protected trees and other vegetation without proper permitting.

CON 1.6.7 Invasive Species Management. Escambia County shall, through LDC provisions, require removal and continued management of any invasive tree or shrub species identified within the development site.

CON 1.6.8 Florida-Friendly Landscaping. Escambia County shall promote Florida friendly low-impact landscaping principles through LDC provisions and other measures to protect Florida's environment and preserve its natural resources.

CON 1.6.9 Professional Standards. Escambia County shall, through LDC provisions, require the application of professional arboricultural (e.g., International Society of Arboriculture) and horticultural standards and practices that provide for the protection and long-term survival of both existing and planted vegetation as part of an overall strategy to achieve landscape, habitat preservation, and open space objectives.

CON 1.6.10 County Facilities Standards. Escambia County shall attempt to exceed minimum landscape and vegetation preservation standards for County owned facilities.

CON 1.6.11 Prescribed Burning. Escambia County shall accommodate the use of prescribed burning as a tool to promote ecosystem health and wildfire prevention.

CON 1.6.12 Intergovernmental Coordination. Escambia County shall cooperate with adjacent local governments to conserve, appropriately use, and protect unique vegetative communities located within more than one local jurisdiction. Upon submission to the County, proposals for development that would impact unique vegetative communities located within more than one local government jurisdiction shall be provided to the affected local government by Escambia County.

OBJ CON 1.7 Hazardous Materials and Waste

Ensure the proper storage, use, and disposal of all hazardous materials within Escambia County to eliminate or significantly minimize hazards to the general public and the potential for contamination of natural resources.

POLICIES

CON 1.7.1 Required Identification. Escambia County shall require identification of any and all hazardous waste or materials used or stored by any licensed business within Escambia County.

CON 1.7.2 Handling, Storage, and Disposal. Escambia County shall cooperate with appropriate regulatory agencies to develop plans and procedures for the handling, temporary storage, and disposal of hazardous wastes generated within Escambia County. Such plans and procedures will be provided to those industries and commercial operations within the County that generate hazardous wastes in order that they may properly handle and dispose of their hazardous waste products.

CON 1.7.3 Household Hazardous Waste. Escambia County shall develop and implement a program to educate the public concerning the proper storage and disposal of household hazardous wastes.

CON 1.7.4 Petroleum Storage Tanks. Escambia County shall rely upon the Escambia County Health Department, through its contracts with the FDEP for County compliance inspections and cleanup, to protect people and the environment from contamination risks associated with petroleum fuel storage tanks.

CON 1.7.5 Accident Procedures. The Escambia County Comprehensive Emergency Management Plan shall include procedures for handling accidents involving hazardous materials and wastes.

CON 1.7.6 Locational Criteria. New industry or businesses that produce hazardous materials in their processes shall not be allowed where surface and groundwater are particularly vulnerable to contamination from hazardous materials, in wellhead protection areas, where hydric soils are present, within

special flood-hazard areas, or coastal high-hazard areas. This policy does not apply to public utilities or public facilities.

CON 1.7.7 FLU Limitation. Uses involving the production of hazardous materials shall be limited to the Industrial future land use category. Retail sale of products containing hazardous materials is not limited to the Industrial future land category.

CON 1.7.8 Disposal Assistance. Escambia County shall provide assistance with disposal of hazardous waste generated by other than large quantity generators within Escambia County. This will include an Annual Amnesty Days program for Escambia County household generators.

OBJ CON 1.8 Water and Energy Conservation.

The County shall promote water and energy conservation strategies to support the protection of the County's natural resources.

POLICIES

CON 1.8.1 Sustainable Community Development Practices. The County shall encourage sustainable community development practices that conserve energy and water resources, reduce greenhouse gas emissions through innovative, energy-efficient building construction strategies consistent with recognized green building standards, and contribute to reducing the overall development footprint of the County. These strategies may include:

- a. Developing incentives for water conservation;
- b. Incorporating Florida Waterwise landscaping to reduce the use of potable water for irrigation of new building sites, including public building sites;
- c. Encouraging development on previously-used and under-developed sites where infrastructure already exists;
- d. Encouraging development adjacent to existing developed areas;
- e. Protecting and enhancing natural systems within the County; and
- f. Using surface waters, conservation lands and environmentally sensitive open space as visual amenities.

CON 1.8.2 Reduced Irrigation Needs. Escambia County shall require the use of Florida Friendly Landscaping techniques and native or adapted plants in order to reduce potable water consumption for irrigation for new public buildings and private development of 5 acres or 20 residential units or more.

CON 1.8.3 Low Impact Development. Escambia County shall promote the use of Low Impact Development (LID) techniques approved by the Northwest Florida Water Management District to protect the water resources of the County.

CON 1.8.4 **High Efficiency Appliances.** Escambia County shall promote the use of Energy Star or equivalent high-efficiency appliances and fixtures to reduce energy use in public and private buildings.

CON 1.8.5 **Carbon Sequestration.** Escambia County shall promote retention of agriculture and timber production, as these uses sequester carbon emissions, thereby improving the air quality of the County.

Chapter 13 Recreation and Open Space Element.

The purpose of the Recreation and Open Space Element is to ensure adequate recreational opportunities for the citizens of Escambia County through the provision of a comprehensive system of public and private park facilities. These facilities may include, but are not limited to, natural reservations, parks and playgrounds, trails, beaches and public access to beaches, open spaces and waterways. Guiding the planning and provision of these facilities are goals, objectives and policies intended to improve public awareness of existing recreational opportunities, ensure access to public facilities, encourage intergovernmental coordination, and establish Levels of Service (LOS) sufficient to meet the current and projected needs of Escambia County's citizens.

GOAL REC 1

Escambia County shall create recreational opportunities for the citizens of Escambia County through the provision of County facilities and coordination with state and federal agencies and the private sector.

OBJ REC 1.1 Recreational Facilities Access

Continue to develop and improve public awareness of and physical access to all recreation facilities.

POLICIES

REC 1.1.1 Public Information. Escambia County shall, in cooperation with the Tourist Development Council, make information available to the public concerning the location of recreational opportunities and available facilities.

REC 1.1.2 Facility Signage. Escambia County shall provide signage to identify County parks and to direct the public to these sites.

REC 1.1.3 Physical Accessibility. Escambia County shall provide physical access for disabled individuals to public recreational facilities and require compliance with the Americans with Disabilities Act (ADA) by developers, owners or operators of private recreational facilities. All new County facilities shall meet applicable local, state and federal accessibility requirements.

REC 1.1.4 Use Policies and Procedures. Escambia County shall develop standardized policies and procedures that allow for the use of County recreation facilities by private, public and non-profit groups and organizations. In addition, the County shall implement equitable procedures for reservation of facilities and evaluate usage fees every two years.

REC 1.1.5 Facility Availability. Escambia County shall maintain or increase the availability of County recreation facilities to civic and other semi-public and private organizations.

REC 1.1.6 Public-Private Cooperation. Escambia County shall continue its cooperative efforts with private and nonprofit organizations (e.g., YMCA, Little League, civic groups, etc.) in the provision of recreational facilities/opportunities and open space areas.

REC 1.1.7 Annual Review and Report. Escambia County shall annually review and report upon the cooperative efforts between the public and private sectors in the provision of recreational opportunities to assure that such efforts are coordinated. In even numbered years, the report will include an inventory of public beach access facilities, including those in the coastal area.

REC 1.1.8 Outdoor Facilities. Escambia County shall provide for public use of those lands held in public ownership by ensuring the provision of facilities for outdoor recreation activities, including nature trails, boardwalks, waterway trails, interpretive displays, educational programs, wildlife observation areas, and picnic areas, whenever feasible.

REC 1.1.9 Multi-modal Residential Links. Escambia County shall maintain and improve a multi-modal transportation system that links beach access points, open space and other recreational facilities with residential areas. Improvements shall include, but not be limited to, signage and construction of facilities (e.g., sidewalks, bike racks, etc.) by both the public and private sectors.

OBJ REC 1.2 Intergovernmental Coordination

Continue intergovernmental coordination between Escambia County and appropriate federal, state, and local agencies (i.e. Escambia County School District, Santa Rosa Island Authority, West Florida Regional Planning Council and Florida-Alabama Transportation Planning Organization) to address mutual concerns and enhance planning for recreation and beach access.

POLICIES

REC 1.2.1 Recreation and Beach Access. Escambia County shall coordinate with appropriate federal, state and local government entities regarding beach access and recreation.

REC 1.2.2 Cooperation Agreements. Escambia County shall promote interstate and interlocal cooperation through agreements intended to enhance recreation sites and facilities and public access to such sites and facilities.

REC 1.2.3 Florida Boating Improvement Program. Escambia County shall utilize the Florida Boating Improvement Program.

The Escambia County Public Access Map Series is attached to this ordinance as Exhibit Q.

OBJ REC 1.3 Recreational Facilities Level of Service (LOS)

Ensure the adequate provision of recreational facilities and open space through the implementation of level of service standards.

POLICIES

REC 1.3.1 LDC Definitions. The Escambia County Land Development Code (LDC) shall include specific definitions for open space, parks and recreation facilities.

REC1.3.2 Open Space Requirements. Escambia County shall require the provision of open space by private development when such development is a planned unit development, a multi-family development, a mixed use commercial area or other similar types of development where relatively large land areas are involved. The requirements shall be contained within the LDC. All development projects of five acres or more shall be required to provide open space within the development or contribute to a fund therefore. Nothing in this policy shall be interpreted to eliminate the provision of open space for all projects as required by County regulations.

REC 1.3.3 County Facilities Inventory. Escambia County shall maintain a current inventory of all park facilities maintained by the County.

REC 1.3.4 County Facility Conversion. Public park or recreation areas operated or maintained by Escambia County shall not be converted to other uses, except by determination of the Board of County Commissioners (BCC) that such a conversion is in the public interest. The Escambia County Parks and Recreation Department shall seek appropriate compensation or replacement land if such a conversion occurs.

REC 1.3.5 Established Service Districts. Escambia County's four park and recreation service districts are established as follows: 1) Barrier Islands RSD; 2) Urban RSD; 3) Suburban RSD, and; 4) Rural RSD. These districts may from time to time be modified, added to, or deleted as necessary to address the recreation needs of the County.

REC 1.3.6 Level of Service (LOS) Standards. Level of service (LOS) standards for recreation and open space facilities within the County are:

LOS Standards for Parks & Recreational Facilities by Population

Park Categories	
Neighborhood Parks	1 per 2,500
Regional Parks	1 per 50,000
Community Parks	1 per 15,000
Nature Parks	1 per 50,000
Boat Launch Areas	1 per 15,000
Beach / Water Access Areas	1 per 20,000
Community Centers	1 per 15,000
Special Use Parks	
Equestrian Center	1 per 500,000
Civic Center / Performing Art Center	1 per 500,000
Gun Firing Range	1 per 200,000
Multi-Purpose Use Field Stadium	1 per 250,000
Park Amenities	
Baseball Fields	1 per 2,000
Softball Fields	1 per 2,000
Football Fields	1 per 10,000
Soccer Fields	1 per 10,000
Basketball Courts	1 per 10,000
Tennis Courts	1 per 10,000
Swimming Pools	1 per 25,000
Playground Structures	1 per 5,000
Park Shelters	1 per 5,000
Nature Trails	1 per 15,000
Pedestrian / Bike Trails	1 per 15,000
Park System Acreage:	
Barrier Island RSD	1 ac. per 1,000
Urban RSD	1 ac. per 1,000
Suburban RSD	1 ac. per 1,000
Rural RSD	1 ac. per 1,000

REC 1.3.7 County Open Space Acquisition. Escambia County shall acquire (through lease, purchase, or dedication) open space and natural areas to maintain and improve the natural functions of open space, wetlands and other sensitive lands, and recreational opportunities for all residents. The priority for acquisition of open space and/or natural areas shall be:

- a. Unique natural systems/environmentally sensitive lands;
- b. Shoreline sites;
- c. Sites within the urban or transitioning areas experiencing rapid development; and
- d. Sites that are historically or archaeologically significant.

Escambia County shall not accept the donation of land or recreation facilities, unless they meet the Escambia County Parks and Recreation Department's park planning and development standards and a management/funding source is in place.

REC 1.3.8 Areas within Private Development. The LDC shall clearly articulate the provision of open space and recreation areas within private developments.

REC 1.3.9 Designated Natural Reservations. The following are designated as natural reservations and are intended to provide open space and recreational uses of all types for the citizens of Escambia County:

- a. The Gulf Islands National Seashore;
- b. The Escambia River Wildlife Management Area;
- c. The Perdido River State canoe trail;
- d. Lake Stone Park and boat ramp;
- e. The improved county owned community, neighborhood and urban parks/tot lots;
- f. Wayside Park;
- g. Navy Point Park;
- h. Casino Beach Recreation Area;
- i. Ft. Pickens;
- j. Big Lagoon State Recreation Area;
- k. Jones Swamp Wetland Preserve and Southwest Greenway;
- l. Perdido River Walk;
- m. Perdido Key Parks;
- n. Tarkiln Bayou Preserve State Park;
- o. All publicly owned beach access ways.

REC 1.3.10 Vacant Property Evaluation. All vacant property owned by Escambia County shall be evaluated for its potential as a park, recreational facility, designated open-space or other use. New vacant properties acquired by the County shall be added to the existing vacant properties inventory.

Chapter 14 Intergovernmental Coordination Element.

The Intergovernmental Coordination Element seeks to establish and maintain efficient, effective procedures of coordinating planning efforts with adjacent counties and cities; the incorporated areas within Escambia County; regional, state, and federal agencies; and other agencies and entities that provide services but do not have regulatory authority over land. Through coordination and cooperation among the various entities affecting planning and land use, Escambia County can better serve its residents and ensure orderly and balanced growth and development, while protecting and enhancing the County's existing communities and natural resources.

GOAL ICE 1 COORDINATED APPROACH TO PLANNING

Escambia County shall establish and maintain an efficient, effective program of intergovernmental coordination that achieves the maximum quality of life for residents and visitors and promotes a County-wide approach to planning.

OBJ ICE 1.1 Coordinate with Federal, State and Local Agencies

Coordinate with the City of Pensacola, Town of Century, City of Gulf Breeze, Santa Rosa County, the Emerald Coast Utilities Authority (ECUA), the Santa Rosa Island Authority, the United States Navy, and the Escambia County School Board to ensure consistency among the Escambia County Comprehensive Plan and the plans of adjacent counties and municipalities, and the plans of other agencies or entities affecting land use or providing services in Escambia County.

POLICIES

ICE 1.1.1 Large-Scale Future Land Use Map Amendments. Escambia County shall submit a copy of any proposed large-scale Future Land Use Map (FLUM) amendment to adjacent municipalities and counties within the jurisdiction of the Florida Department of Community Affairs and other units of government providing services but not having regulatory authority over the use of land provided that those agencies have submitted a written request to Escambia County for such information as required by Section 163.3184(3)(a), Florida Statutes. Procedures for intergovernmental coordination with the Escambia County School Board shall be governed by the Interlocal Agreement for Public School Facility Planning and Objective 1.5 of the Public School Facilities Element.

ICE 1.1.2 Comprehensive Plan Amendments. For proposed comprehensive plan amendments that could potentially impact adjacent jurisdictions, Escambia

County shall submit copies of the proposed amendment to the affected local government and invite their review and comment.

ICE 1.1.3 Joint Planning Initiatives. By 2010 the Escambia County planning staff shall identify planning topics of concern between local governments who would benefit from joint planning efforts and initiate coordination accordingly. Such topics of concern should include infrastructure service areas and redevelopment initiatives. Upon approval by the Planning Board of the identified topics of concern, the Planning Official will meet with representatives from the affected local governments to develop specific procedures for implementation of the identified joint planning initiatives. Such implementation procedures should be established by 2011.

ICE 1.1.4 Interlocal Agreements. Escambia County shall implement adopted interlocal agreements with the Escambia County School Board, the City of Milton, the City of Pensacola, the City of Gulf Breeze and Santa Rosa County so as to provide for coordination and evaluation of development proposals that affect the bays, bayous, sound or gulf (including estuaries and estuarine systems).

ICE 1.1.5 Mediation. Escambia County may use the West Florida Regional Planning Council's informal mediation process, or other mediation processes, to attempt to resolve conflicts with other units of government that cannot be resolved through meetings between the governing bodies of the affected governments.

OBJ ICE 1.2 Level of Service Standards

Coordinate with appropriate state, regional and local agencies and other entities that have operational and maintenance responsibility for public facilities in Escambia County, to achieve and maintain, adopted Level of Service (LOS) standards. As required by Section 163.3177(6)(h)2, F.S., when such entity is another unit of local government, Escambia County shall enter into an interlocal agreement or other formal agreement which shall describe joint processes for collaborative planning and decision making on population projections, the location and extension of public facilities subject to concurrency, and siting facilities with County-wide significance, including locally unwanted land uses.

POLICIES

ICE 1.2.1 Public Facilities. Escambia County will, through interlocal agreement or other formal agreement with public service providers, establish LOS standards for public facilities, identify actions that Escambia County will undertake to coordinate the location and extension of these facilities, as well as the siting of facilities with County-wide significance. Established LOS standards will be

maintained through implementation of Escambia County's Concurrency Management System.

ICE 1.2.2 Water and Wastewater Supply. Escambia County shall adopt agreements with local water suppliers to establish LOS standards for water usage and identify strategies the County and water suppliers will undertake to address joint planning issues. The County will also coordinate planning efforts with the ECUA with regard to wastewater service.

OBJ ICE 1.3 Coordination with the Escambia County School Board

Maintain cooperative relationships with the School Board and municipalities, and implement joint planning processes to coordinate land use planning with school facility planning.

POLICIES

ICE 1.3.1 Interlocal Agreement for Public School Facility Planning. In cooperation with the School Board and the local governments within Escambia County, the County implemented the Interlocal Agreement for Public School Facility Planning dated on August, 7th, 2006 (herein Interlocal Agreement) that established procedures for coordination and sharing of information, planning processes, and school concurrency implementation. The Interlocal Agreement was updated on April 30th, 2009, and may be amended annually.

ICE 1.3.2 Annual School Board Report. On an annual basis, the School Board shall provide information from their Tentative District Educational Facilities Plan to determine the need for additional school facilities. The School Board shall provide to the County, each year, a General Education Facilities Report. The Educational Facilities Report shall contain information detailing existing facilities, their locations, and projected needs. The report shall also contain the School Board's financially feasible Five-Year District Facilities Work Program.

ICE 1.3.3 Consistent Population and Enrollment Projections. The staff working group established in Policy ICE 1.3.6 shall meet annually to coordinate and base their local government comprehensive plans and school facility plans on consistent projections. These projections shall include population projections developed in coordination with the Planning Board, and student enrollment projections (district-wide and by concurrency service area) developed by the School Board with the agreement of the Florida Office of Educational Facilities. The School Board's student enrollment projections shall consider the impacts of development trends as per the Interlocal Agreement. To accomplish this policy the County and the School Board agree to provide the information and follow the procedures specified in the Interlocal Agreement.

ICE 1.3.4 Growth and Development Trends. As per the Interlocal Agreement, the local governments will provide the School Board with their Comprehensive Plan Implementation Committee Annual Report on growth and development trends within their jurisdiction. To the extent feasible, the reports should be provided in geographic information system compatible format for the purpose of geo-referencing the information. This report will be in tabular, graphic, and textual formats and will include the following:

- a. The type, number, and location of residential units that have received zoning approval, final plat and site plan approval;
- b. Information regarding FLUM amendments;
- c. Building permits and certificate of occupancy data for residential dwellings issued for the preceding year and their location;
- d. Summary of vested rights determinations and other actions that affect demands for public school facilities;
- e. Information regarding the conversion or redevelopment of housing or other structures into residential units that are likely to generate new students and reflects the existing land use; and
- f. The identification of any development orders issued.

ICE 1.3.5 Elected Officials Joint Planning Workshops. One or more representatives of the Escambia County Board of County Commissioners, the Pensacola City Council, the Century Town Council, and the School Board will meet on an as needed basis, but not less than annually, in joint workshop sessions. The workshop sessions will be opportunities for the representatives of the elected bodies to receive reports, discuss policy, and reach understandings on issues of mutual concern regarding coordination of land use and school facilities planning. Topics for such workshops may include, but are not limited to: student enrollment trends, growth and development trends, school needs, joint use opportunities, implementation of school concurrency, and performance of the adopted Interlocal Agreement. The workshops will take place in accordance with the procedures established in the Interlocal Agreement.

ICE 1.3.6 Staff Working Group. A staff working group comprised of representatives from the County, School Board, City of Pensacola, Town of Century, and Local Planning Agency, or their appointees will meet on an as needed basis, but not less than semi-annually to discuss issues and formulate recommendations regarding coordination of land use and school facilities planning. The staff working group meetings will take place in accordance with the timeframes and procedures established in the Interlocal Agreement.

ICE 1.3.7 LPA Coordination with the Escambia County School Board. Pursuant to Section 163.3174, Florida Statutes, a representative of the Escambia County School Board shall be appointed to the County Planning Board as an ex-officio, nonvoting member.

OBJ ICE 1.4 Coordination with Santa Rosa County School Board

Because the Santa Rosa County School Board provides educational opportunities for residents of Pensacola Beach, Escambia County shall execute an Interlocal Agreement with the Santa Rosa County School Board addressing the issues identified in the Interlocal Agreement with the Escambia County School Board as they relate to Pensacola Beach.

POLICIES

ICE 1.4.1 Interlocal Agreement with Santa Rosa County School Board. Escambia County shall, by September 2012, execute an Interlocal Agreement with the Santa Rosa County School Board.

OBJ ICE 1.5 Campus Master Plans

Escambia County agrees to recognize campus master plans of the state university system and to work with the board of regents in the development of a "campus development agreement" as the need arises.

POLICIES

ICE 1.5.1 Campus Development Agreement. As required by Section 1013.30, Florida Statutes, Escambia County agrees to recognize campus master plans of the state university system and to work with the Board of Regents in the development of a "campus development agreement" as the need arises.

Chapter 15 Capital Improvements Element.

The purpose of the Capital Improvements Element is to demonstrate how capital projects identified to maintain Levels of Service or accommodate new growth will be programmed and funded. The Capital Improvements Element must include estimates of the cost of improvements for which Escambia County has fiscal responsibility and analyze the ability to finance and construct those improvements. The Capital Improvements Element also outlines financial policies to guide the funding and construction of improvements in a manner necessary to ensure that capital improvements are provided when required based on needs identified in the Comprehensive Plan. Finally, the Capital Improvements Element requires that an adequate Concurrency Management System is implemented by the local government, pursuant to Section 163.3180, Florida Statutes. ~~Rule 9J-5.0055, Florida Administrative Code.~~

GOAL CIE 1 CAPITAL FACILITIES

The Capital Improvements Element shall be used to efficiently meet the needs of Escambia County for the construction, acquisition or development of capital facilities necessary to correct existing deficiencies, to accommodate desired future growth and to replace obsolete or worn out facilities.

OBJ CIE 1.1 Capital Improvements Funding

Manage the land development process to provide or require provision of needed improvements so that public facility needs created by previously issued development orders or future development do not exceed the ability of Escambia County to fund and provide or require provision of the needed capital improvements.

POLICIES

CIE 1.1.1 Comprehensive Plan Implementation Committee. Escambia County shall convene a Comprehensive Plan Implementation Committee to review the development activities within Escambia County and to review the Level of Service (LOS) conditions for the County. The County Administrator shall designate those County officials that shall serve on the Committee and those responsible for providing other assistance to the Committee as circumstances and issues may require. The Committee shall maintain information on development activity, LOS conditions, de minimis impacts, and other data necessary to accurately evaluate the implementation of the County's Comprehensive Plan, including the annual Capital Improvements Element update.

CIE 1.1.2 **LOS Standards.** Escambia County shall establish LOS standards for concurrency-related public facilities that are within the jurisdiction of the County. These standards shall be those found in the other Comprehensive Plan Elements. The adopted level of service standards in this ordinance are as indicated in the following policies:

Supp No. 2

TABLE INSET:

LOS	Policy
Roads	
County and State	MOB 1.1.2
Mass Transit	MOB 2.2.3
Sanitary Sewer	INF 1.1.9
Solid Waste	INF 2.1.4
Drainage	INF 3.1.9
Potable Water	INF 4.1.7
Recreation/Open Space	REC 1.3.6
Public Schools	PSF 2.1.2

CIE 1.1.3 **LOS Maintenance.** Escambia County shall coordinate land use decisions and development approvals through implementation of the Concurrency Management System, available and/or projected fiscal resources, and the Five-Year Schedule of Capital Improvements, so as to maintain adopted LOS standards and meet the existing and future facility needs.

CIE 1.1.4 **Vested Development.** Escambia County shall provide for the availability of public facilities to serve developments for which development orders were issued and development rights are vested.

CIE 1.1.5 **Concurrency.** Escambia County shall require the availability of public facilities and services needed to support development concurrent with the impacts of such development.

CIE 1.1.6 **Concurrency Management System.** Escambia County will implement the concurrency management system described in the Concurrency Management System Element. As a component of the Concurrency Management System, the County will make the Proportionate Fair Share Program available as an option for developers to contribute the value of their transportation impacts as provided in the Land Development Code (LDC) and the Escambia County Concurrency Management System Procedure Manual adopted per Ordinance 2007-50.

OBJ CIE 1.2 Five-Year Schedule

Maintain a Five-Year Schedule of Capital Improvements as the specific guide the County will use to determine construction of capital facilities and maintenance of LOS standards. The Five-Year Schedule of Capital Improvements is attached herein to this ordinance as Exhibit R.

POLICIES

CIE 1.2.1 Project Prioritization. Escambia County shall evaluate and rank capital improvement projects in the Five-Year Schedule of Capital Improvements by using the following criteria to prioritize:

- a. The elimination of future public hazards to preserve the health, safety, and welfare of the public;
- b. The elimination of any existing capacity or LOS deficits;
- c. The impact on the annual operating budget and Capital Improvements Program (CIP) of Escambia County;
- d. Locational needs based on projected growth patterns;
- e. The accommodation of new development and redevelopment facility demands;
- f. Financial feasibility; and
- g. Plans of The Northwest Florida Water Management District (NFWFMD), Escambia County School Board, Florida Department of Transportation, and other state agencies or entities that provide public facilities within the jurisdiction of Escambia County.

CIE 1.2.2 Funding Prioritization. Escambia County shall prioritize funding for capital improvements in a manner that generally assigns first priority to the renewal and replacement of obsolete or worn-out facilities; assigns second priority to correcting existing deficiencies in public facilities; and assigns third priority to facilities necessary to accommodate desired future growth. Nothing in this policy shall preclude Escambia County from increasing or rearranging the priority of any particular capital improvement project so that cost savings may be realized or LOS standards are met.

CIE 1.2.3 Facility Rehabilitation Preference. Escambia County shall promote rehabilitation and re-use of existing governmental facilities, structures, and buildings as the preferred alternative to new construction.

CIE 1.2.4 CHHA Expenditure Limits. Escambia County shall limit public expenditures in the Coastal High Hazard Area (CHHA), except for the provision, or support, of recreation uses such as parks and walkovers, erosion control devices, increased public access and the correction of existing deficiencies.

CIE 1.2.5 Incorporation of School Board's 5-Year District Facilities Work Plan. The County hereby incorporates by reference the Escambia County School District 2009-2010 through 2013-2014 Work Plan for the 5-Year District Facilities Work Program approved by the School Board of Escambia County effective December 2009. The Work Plan includes school capacity sufficient to meet anticipated student demands projected by the County and municipalities, in consultation with the School Board's projections of student enrollment, based on the adopted level of service standards for public schools.

OBJ CIE 1.3 Fiscal Policies

Establish fiscal policies to direct the use of public and private funding sources, to implement the Goals, Objectives and Policies of the Comprehensive Plan, and provide a financially feasible Schedule of Capital Improvements.

POLICIES

CIE 1.3.1 Fiscal Resource Objectives. The fiscal resources of Escambia County shall be used, to the extent necessary, to maintain LOS standards and support the Five-Year Schedule of Capital Improvements.

CIE 1.3.2 Funding Resources. Escambia County shall use a combination of public resources to fund capital improvements, including state and federal grants, below market interest rate state loans, user fees, connection charges, a combination of long term and short term financing vehicles, accumulated surpluses, and the use of revenues set aside specifically for capital projects (pay as you go and Proportionate Fair Share Agreement revenues).

CIE 1.3.3 General Obligation Debt. General obligation debt shall be used sparingly. General obligation debt, if determined necessary during the planning period, shall be established consistent with rating agency standards and guidelines.

CIE 1.3.4 Enterprise Fund Debt. Enterprise fund debt shall be, in part, managed through a ratio of net system revenue and other pledged funds to annual debt service. Also, this principle of coverage shall be used in the management of debt for other projects that are supported by user fees or shared revenues. The maximum ratio of total debt service to total revenue shall not exceed 25 percent and the limitation of revenue bonds as a percentage of total debt shall not exceed 80 percent.

CIE 1.3.5 Municipal Service Taxing Units. Escambia County shall encourage and assist neighborhoods in the adoption of Municipal Service Taxing Units (MSTU) or Municipal Service Benefit Units (MSBU) as a revenue source. Once

established and approved by the Board of County Commissioners (BCC), a MSTU or MSBU shall be considered a committed funding source.

CIE 1.3.6 Developer Cost Sharing. New development shall bear a proportionate share of the cost, if the development creates a deficiency of the adopted LOS, of providing new or expanded public facilities and infrastructure required to maintain adopted LOS Standards through Escambia County's site-related development dedications, and developer contributions. This policy shall be implemented through the County's permitting and inspection process.

CIE 1.3.7 Acceptable Private Funding. Escambia County shall rely on private contributions as a committed funding source within the Five-Year Schedule of Capital Improvements only when the obligation to fund a specific capital improvement is addressed in an enforceable development agreement or development order. The County shall not be responsible for funding capital improvements that are the obligation of the developer. If the developer fails to meet any capital improvement commitment that is programmed in the Five-Year Schedule of Capital Improvements, a plan amendment to delete the capital improvement from the Schedule shall be required.

CIE 1.3.8 Capital Improvements Schedule. The Five-Year Schedule of Capital Improvements shall be financially feasible, consisting of committed and planned funding sources. The Schedule shall be balanced so that total expenditures do not exceed total revenues for the planning period.

OBJ CIE 1.4 Annual Review

Review the Capital Improvements Element each year, amend as necessary, and submit to the state land planning agency for compliance review.

POLICIES

CIE 1.4.1 Implementation Status Report. By April 1 of each year, the Comprehensive Plan Implementation Committee shall report to the Local Planning Agency (LPA) on the status of capital project implementation activities as well as LOS conditions within the County.

CIE 1.4.2 LPA Implementation Review. By June 1 of each year, the Escambia County LPA shall report to the BCC its evaluation of the implementation of the Capital Improvements Element and the Comprehensive Plan during the previous fiscal year. The report shall contain recommendations to maintain LOS standards and any adjustments necessary to the Capital Improvements Element and/or the County's annual capital improvement program.

CIE 1.4.3 BCC Implementation Review. The BCC shall consider the report of the LPA upon receipt and during its deliberations on the annual budget and CIP.

Any adjustments made to the Capital Improvements Element or the CIP shall include consideration of the maintenance of LOS standards.

CIE 1.4.4 LOS Project Schedule Modification. A plan amendment shall be required to eliminate, defer, or delay the scheduled date of construction of any capital project listed in the County's Five-Year Schedule of Capital Improvements, which is needed to maintain the adopted LOS standard.

CIE 1.4.5 Capital Improvements Adoption. Adoption of the Capital Improvements Element may occur at a single public hearing outside of the two regular Comprehensive Plan Amendment cycles established by the County. The Capital Improvements Element adoption ordinance shall be submitted to the state land planning agency no later than December 1 of each year.

CIE 1.4.6 Capital Improvements Amendment. Amendments to the Capital Improvements Element that support the amendment of another Element shall be submitted to the state land planning agency during a regular Comprehensive Plan Amendment cycle. If the Escambia County annual budget is adjusted outside of the regular cycle, the Capital Improvements Element may be amended and adopted again, provided that the adoption ordinance is submitted to the state land planning agency no later than December 1.

CIE 1.4.7 De minimis Roadway Impact Monitoring. Escambia County shall implement a methodology to monitor and track approved de minimis impacts on the roadway network within its jurisdiction. All de minimis impacts (an impact that would not affect more than one percent of the maximum volume at the adopted LOS of the affected transportation facility) shall be compiled into an annual report and submitted to the state land planning agency with the annual Capital Improvements Element update.

Chapter 16 Public Schools Facilities Element.

The intent of this chapter is to provide guiding policies through which the local governments can effectively manage growth and meet public school needs. The element is required to establish a school concurrency management system through which the local governments can ensure public school capacity is available concurrent with development. The school concurrency management system will allow for a greater communication and understanding between Escambia County, the City of Pensacola, the Town of Century, and the School Board of Escambia County when concentrating on public school capacity issues.

The PSFE is also intended to increase coordination between the School Board and local governments on issues such as land use planning, the school siting process, and school facility expansion.

This chapter establishes a framework for the planning of public schools pursuant to Section 163.3177(12), Florida Statutes. The law requires that local governments adopt a public school facilities element as a part of their comprehensive plans. The 2005 Legislature mandated that the availability of public schools be made a prerequisite for the approval of residential construction and directed a closer integration of planning for school capacity with comprehensive planning.

The following sections present the guidelines by which the School Board evaluates school facilities; an inventory of existing facilities and planned future facilities; an evaluation of the school system based on these guidelines and determination of need; an analysis of funding; an analysis of coordination between school planning and local land use planning.

In addition, the Public School Facilities Element Data & Analysis prepared for the Escambia County School District supports the required implementation of school concurrency in Escambia County. The Data & Analysis evaluates the school system and its relationship to development and growth from both a countywide perspective and a closer look at schools within established Concurrency Service Areas (CSAs). A CSA is defined in Policy PSF 2.2.1. The findings and conclusions of the data and analysis support the goals, objectives and policies of the element including the establishment of level of service standards and the delineation of CSAs.

GOAL PSF 1 COORDINATE WITH THE SCHOOL BOARD OF ESCAMBIA COUNTY

Coordinate with the School Board of Escambia County (herein "School Board") to ensure high quality public school facilities that are consistent with the Comprehensive Plan and serve to enhance communities. The joint procedures referenced in Policy ICE 1.3.1 state that coordination between

the county and the school board is pursuant to the Public School Facility Planning Interlocal Agreement and shall state the obligations of the county under the agreement. Section 163.3177(6)(h)(4), Florida Statutes.

OBJ PSF 1.1 Schools as Community Focal Points

Enhance communities and encourage school facilities to serve as community focal points through effective school facility design and siting standards. The location will be coordinated with the future land use map.

POLICIES

PSF 1.1.1 School Location. New schools shall be located proximate to the student population they are intended to serve. For the purpose of determining eligibility for transportation, a reasonable walking distance for students to school is one (1) mile for elementary, one and one-half (1-1/2) miles for middle, two (2) miles for high schools; and to a school bus stop, is one-half (1/2) mile for elementary and one (1) mile for middle and high schools. Such mileage shall be measured by the nearest traveled route over which a pedestrian can walk to the nearest entrance to the school or the nearest school bus stop. The distance (permanent residence to school) may be measured by an automobile having an odometer that has been certified for accuracy. Students whose permanent residence is equal to or greater than these distances from the nearest appropriate school or school bus stop, or students who are handicapped, are eligible for transportation. (School Board Policy 6.02 Eligibility for Transportation).

PSF 1.1.2 Shared-use and Co-location of School Sites. Coordinate with the School Board to permit the shared-use and co-location of school sites and County facilities with similar facility needs as described in the Interlocal Agreement for Public School Facility Planning dated April 30th, 2009 (herein "Interlocal Agreement"). The County will identify opportunities for collocation and shared use facilities when preparing updates to the Schedule of Capital Improvements and when planning and designing new community facilities.

PSF 1.1.3 Emergency Shelters. Escambia County will coordinate with the School Board on emergency preparedness issues, including the use of public schools as emergency shelters as required by Section 163.3177(12)(g)(8), Florida Statutes. The School Board will fulfill the building code requirements of Section 1013.372, Florida Statutes, that appropriate new educational facilities can serve as public shelters for emergency management purposes.

PSF 1.1.4 School Design. The School Board will design and ensure performance standards for new school facilities according to the "Design Guidelines and Technical Specifications 2006" Florida Department of Education State Requirements for Educational Facilities (SREF).

OBJ PSF 1.2 Future Land Use and School Siting

Consistent with Section 163.3177, Florida Statutes, the County will include sufficient allowable land use designations for schools proximate to residential development to meet the projected need for schools.

POLICIES

PSF 1.2.1 Future Land Use Categories. Consistent with the Escambia County Future Land Use Element, public schools shall be an allowable use in all land use categories, except for Industrial, Mixed-Use Perdido Key, and Recreation and Conservation. The Land Development Code may include siting standards for schools, consistent with the Comprehensive Plan. Escambia County will consider the provisions of Section 1013.33(13), Florida Statutes.

PSF 1.2.2 Flood Zones & Coastal High Hazard Area. New schools shall not be allowed within a velocity flood zone or in a coastal high hazard area as delineated by Escambia County.

OBJ PSF 1.3 School Facility Siting and Consistency with the Comprehensive Plan

Ensure that the planning, construction, and opening of educational facilities are coordinated in time and place, concurrent with necessary services and infrastructure, and consistent with the Comprehensive Plan.

POLICIES

PSF 1.3.1 Consistency with Comprehensive Plan. Escambia County will coordinate with the School Board by giving an informal assessment regarding the consistency of potential new school sites, and significant expansions or potential closures of existing schools, with the Comprehensive Plan, as described in the Interlocal Agreement. The informal assessment reviews, as applicable, the following: environmental suitability, transportation and pedestrian access, availability of infrastructure services, safety concerns, land use compatibility, consistency with community vision and other relevant issues.

PSF 1.3.2 Review of School Sites. Escambia County shall review potential new school sites, and significant expansions or potential closures of existing schools, for consistency with the following criteria:

- a. That school sites are compatible with present and projected uses of adjacent property.
- b. The locations of proposed new elementary schools are proximate to the student population they are intended to serve.

- c. The locations of proposed new high schools are on the periphery of residential neighborhoods, with access to major roads.
- d. Existing or planned adequate public facilities are available to support the school.
- e. Safe access to and from the school site is available for pedestrians and vehicles.
- f. The site is well drained and the soils are suitable for development or are adaptable for development and outdoor educational purposes with drainage improvements.
- g. The proposed school location is not within a velocity flood zone or floodway, as delineated in the Comprehensive Plan.
- h. The site is not in conflict with Escambia County stormwater management plans or watershed management plans;
- i. The proposed site can accommodate required parking, circulation, and queuing of vehicles.
- j. The proposed location lies outside the area regulated by Section 333.03, Florida Statutes, regarding the construction of public educational facilities in the vicinity of an airport.

Escambia County shall also consider the following in its review:

- a. Site acquisition and development costs;
- b. Whether existing schools can be expanded or renovated to support community redevelopment and revitalization;
- c. Efficient use of existing infrastructure;
- d. Discouragement of urban sprawl;
- e. Environmental constraints that would either preclude or render cost infeasible the development or significant renovation of a public school on a site; and
- f. Adverse impacts to archaeological or historic sites.

PSF 1.3.3 School Expansion into Unincorporated Portion of County. When a new school or significant expansion to an existing school is proposed within unincorporated Escambia County, the County shall review the proposed development according to the terms of the Interlocal Agreement for Site Plan Review Requirements for School Board Projects.

OBJ PSF 1.4 Pedestrian Access to Schools

Improve safe student access to school facilities, and reduce hazardous walking conditions, in coordination with the School Board and consistent with the Florida Safe Ways to School Program.

POLICIES

PSF 1.4.1 **Bicycle and Pedestrian Access.** All public schools shall provide bicycle and pedestrian access consistent with Florida Statutes. Parking at public schools will be provided consistent with Escambia County's Land Development Code (LDC) requirements.

PSF 1.4.2 **Sidewalk Master Plan.** Upon completion of the County's sidewalk inventory, the County will create a sidewalk master plan to comprehensively address bicycle and pedestrian needs. The plan will include a focus on bicycle and pedestrian needs relating to school facilities.

PSF 1.4.3 **Sidewalk/Pedestrian Improvements.** To ensure continuous pedestrian access to public schools, priority for County sidewalk/pedestrian improvements will be given to cases of hazardous walking conditions pursuant to Section 1006.23, Florida Statutes, and specific provisions for constructing such facilities will be included in the schedule of capital improvements adopted each fiscal year.

PSF 1.4.4 **New Development Adjacent to School Property.** New developments adjacent to existing or planned school sites shall be required to provide a right-of-way and an access path for pedestrian travel.

PSF 1.4.5 **Sidewalk Requirements for Residential Development near Schools.** New residential developments within 2 miles of an existing or planned school, as measured by the nearest traveled route over which a pedestrian can walk to the nearest entrance to the school measured by an automobile having an odometer that has been certified for accuracy, shall be required to provide sidewalks along all roads interior to the subdivision. In addition, sidewalks shall be placed along all collector, arterial, and local roads abutting the subdivision to the subdivision property line, where it has been determined that the most direct route from the subdivision to the school is along those roadways. The location, width and other details of the sidewalks shall be as set forth in the LDC.

PSF 1.4.6 **Sidewalks for Commercial Development near Schools.** New commercial developments within 2 miles of an existing or planned school, as measured by the nearest traveled route over which a pedestrian can walk to the nearest entrance to the school measured by an automobile having an odometer that has been certified for accuracy, are encouraged to provide sidewalks along their street frontage. The location, width and other details of the sidewalks shall be as set forth in the LDC.

PSF 1.4.7 **Coordination with FL-AL TPO.** Coordinate with the FL-AL TPO to ensure funding for safe access to schools including participation in the Bicycle Pedestrian Advisory Committee and the Community Traffic Safety Team.

OBJ PSF 1.5 Coordinate Future Land Use Map Amendments to Maintain School Capacity

It is the objective of Escambia County to coordinate petitions for future land use changes to maintain adequate school capacity to meet future growth needs. This objective will be accomplished recognizing the School Board's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the County's authority for land use, including the authority to approve or deny petitions for comprehensive plan amendments, re-zonings or final plat and site plans that generate students and impact the Escambia County school system.

POLICIES

PSF 1.5.1 School Board Review and Input. As per Section 7.6 of the Interlocal Agreement, Escambia County shall take the School Board comments and findings on the availability of adequate school capacity into consideration when reviewing comprehensive plan amendments and other land use decisions.

PSF 1.5.2 Determining Impact of Future Land Use Changes. The School Board shall use the adopted student generation rates to estimate the potential impact of a proposed future land use change on available school capacity. When such analysis projects a potential deficiency, the School Board shall include in its comments how it will propose to meet the projected demand. The County will take these comments into consideration per Policy PSF 1.5.1 prior to approving or denying any future land use change.

OBJ PSF 1.6 Address Corrections to Existing School Facilities Deficiencies and Facilities Needed to Meet Future Needs

The Escambia County School Board shall make reasonable attempts to address existing school facility deficiencies and make attempts to meet and plan for existing and future needs.

POLICIES

PSF 1.6.1 Coordination with School District Capital Projects Planning. The School Board shall make every effort to ensure that capital projects designed to address capacity/Level of Service (LOS) deficiencies are shared with Escambia County Planning Staff via periodic Tentative District Educational Facilities Plan reviews as set forth in Interlocal Agreement Subsection 3.1.

PSF 1.6.2 Working Group Coordination with School District. The staff working group established in Interlocal Agreement Subsection 1.1 will assist the School Board in an advisory capacity in the preparation of all updates to the Educational Plant Survey. The staff working group will evaluate and make

recommendations regarding the location and need for new, significant renovation or expansion, and closures of educational facilities, and the consistency of such plans with the local government comprehensive plan and relevant issues listed in subsections 5.3, 7.6, 7.7, and 8.1 of the Interlocal Agreement.

PSF 1.6.3 Address Access to Capital Improvements Elements. The County is required to implement the adoption of annual plan amendments adding a new fifth year, updating the financially feasible public schools capital facilities program, coordinating the program with the 5-year district facilities work plan, the plans for other local governments, and, as necessary, updates to the concurrency service area map. The annual plan amendments shall ensure that the capital improvements program continues to be financially feasible and that the level of service standards will continue to be achieved and maintained. (Section 163.3177(12)(g)1, Florida Statutes; ~~Rule 9J-5.025(3)(c)2, Florida Administrative Code~~).

GOAL PSF 2 SCHOOL BOARD TO COORDINATE WITH ESCAMBIA COUNTY

The School Board will coordinate with the County to assure the future availability of public school facilities to serve new development will be consistent with the adopted level of service standards. This goal will be accomplished recognizing the School Board's statutory and constitutional responsibility to provide a uniform system of free and adequate public schools, and the County's authority for land use, including the authority to approve or deny comprehensive plan amendments, re-zonings or other development orders that generate students and impact the County's school system.

OBJ PSF 2.1 Level of Service Standards

Coordinate with the School Board to ensure that the capacity of schools is sufficient to support residential development at the adopted level of service (LOS) standards within the period covered by the 5-year schedule of capital improvements, and the long range planning period. The adopted LOS standards shall be achieved by the conclusion of the first 5-year schedule of capital improvements and the LOS standards shall be maintained each subsequent year. These standards shall be consistent with the Interlocal Agreement agreed upon by the School Board, the County, and the local municipalities.

POLICIES

PSF 2.1.1 Consistency. The LOS standards set forth herein shall be applied consistently by all local governments within Escambia County and by the School Board to all schools of the same type.

PSF 2.1.2 Level of Service Standards. Consistent with the Interlocal Agreement, the County and School Board agree to the following level of service standards for school concurrency in Escambia County, based on Florida Inventory of School Houses (FISH) permanent capacity and maximum school size by type. In calculating achievement of LOS, modular capacity is considered permanent FISH capacity and relocatables/portables are not considered permanent FISH capacity. Permanent FISH capacity includes permanent buildings and Modular Capacity for modular buildings that are Type II Non-combustible and have a 40 year life span. School enrollment shall be based on the annual enrollment of each school based on actual counts reported to the Department of Education in October of each year.

TYPE OF SCHOOL	LEVEL-OF-SERVICE STANDARD
Existing or New Schools	100% of permanent FISH capacity
Centers (Special Purpose)	100% of permanent FISH capacity or the level of service based on the student/teacher ratios dictated by specific programs, whichever is lowest.

PSF 2.1.3 Amending Level of Service Standards. Potential amendments to the LOS standards shall be considered at least annually at the staff working group meeting referenced in Policy ICE 1.3.6. If there is consensus to amend any level of service, it shall be accomplished by the execution of an amendment to the Interlocal Agreement by all parties and the adoption of amendments to the County, City and Town’s comprehensive plans. The amended LOS shall not be effective until all plan amendments are effective and the amended Interlocal Agreement is fully executed.

PSF 2.1.4 Financial Feasibility of LOS. No LOS standard shall be amended without a showing that the amended LOS standard is financially feasible, supported by adequate data and analysis, and can be achieved and maintained through the five-year schedule for capital improvements.

OBJ PSF 2.2 School Concurrency Service Areas

The School Board shall establish School Concurrency Service Areas as the areas within which an evaluation is made to determine if adequate school capacity exists based on the adopted level of service standards. Concurrency service areas shall be designed so that the adopted level of service will be achieved within the period covered by the first five years of the five-year schedule of capital improvements. After the first five-year schedule of capital improvements, the level of service must be maintained

within each year of subsequent five-year schedules of capital improvements.

POLICIES

PSF 2.2.1 Concurrency Service Areas. The Concurrency Service Area (CSA) is the area within which capacity determinations are made as part of the concurrency management system. The PSFE establishes the CSAs as the entire school district by service level, elementary, middle, and high school (district-wide). District-wide: Elementary grades k – 5, District-wide: Middle grades 6 – 8, and District-wide: High grades 9 – 12. For special purpose centers, charter schools, and magnet schools the concurrency service area shall also be district-wide.

PSF 2.2.2 Maximize Capacity Utilization. Concurrency service areas shall maximize capacity utilization, taking into account transportation costs, limiting maximum student travel times, achieving socio-economic, racial and cultural diversity objectives, and other relevant factors as related to the School Board's policy on maximization of capacity.

PSF 2.2.3 Amending Concurrency Service Areas. Potential amendments to the concurrency service areas shall be considered annually at the staff working group meeting referenced in Policy ICE 1.3.4. If there is consensus to amend the concurrency service areas to establish boundaries other than those stipulated above, it shall be accomplished by a written execution of an amendment to the Interlocal Agreement by all parties and by the amendment to the County, City and Town's comprehensive plans. The amended concurrency service areas shall not be effective until the amended Interlocal Agreement is fully executed and comprehensive plan amendments are in effect. Amendments to the concurrency service areas that keep the CSAs District-wide by service level shall be agreed upon by all parties and shall not require comprehensive plan amendments.

OBJ PSF 2.3 Student Generation Rates

The School Board will work with Escambia County, City of Pensacola, and Town of Century to establish student generation rates that will be used to determine the impact of development on public school facilities.

POLICIES

PSF 2.3.1 Student Generation Rates. Consistent with the Interlocal Agreement, the School Board staff, working with the County staff and municipal staffs, will develop and apply student generation multipliers for residential developments by dwelling unit type (single family or multi-family) for each school type (elementary, middle, K-8, high, or center), considering past trends in student enrollment in order to project future public school enrollment.

PSF 2.3.2 Calculating Student Generation Rates. The student generation rates shall be calculated by the School Board and the County, in accordance with professionally accepted methodologies. The student generation rates shall be determined annually, with input from the staff working group.

OBJ PSF 2.4 Process for School Concurrency Implementation

Establish a joint process for implementation of school concurrency, in coordination with the School Board, which includes applicability, capacity determination, and availability standards. Manage the timing of residential subdivision and site plan approvals to ensure adequate school capacity is available consistent with adopted level of service standards for public school concurrency.

POLICIES

PSF 2.4.1 Applicability Standards. School concurrency implementation applies to residential development or a phase of residential development requiring an approval of subdivision plat, site plan, or its functional equivalent, proposed or established. Prior to the adoption of the land development regulations, Escambia County shall use the comprehensive plan policies as the development regulations as set forth in Interlocal Agreement Subsection 4.3.

PSF 2.4.2 Exempted Development. The following residential development shall be considered exempt from the school concurrency requirements:

- a. Single family lots of record; master plans that have received final subdivision plat approval prior to June 24, 2009, the effective date of the PSFE; and single family subdivision plats actively being reviewed or that have received preliminary plat approval at the time of adoption of the PSFE, April 30, 2009.
- b. Residential developments that have received final site plan approval prior to June 24, 2009, the effective date of the PSFE, or residential site plans actively being reviewed at the time of adoption of the PSFE, April 30, 2009.
- c. Amendments to residential site plans or subdivisions that were previously approved prior to June 24, 2009, the effective date of the PSFE, and that do not increase the number of students generated by the development based on the adopted student generation rates.
- d. Age restricted developments that are subject to deed restrictions prohibiting the permanent occupancy of a resident under the age of fifty-five (55). Such deed restrictions must be recorded and must be irrevocable for a period of at least thirty (30) years.

- e. Group quarters that do not generate students, including facilities such as local jails, prisons, hospitals, bed and breakfast, motels and hotels, temporary emergency shelters for the homeless, adult halfway houses, firehouse dorms, college dorms exclusive of married student housing, and religious non-youth facilities.

PSF 2.4.3 Capacity Determination Standards. Escambia County shall adopt LDC provisions to establish the application procedure and process for evaluating school capacity and making concurrency determinations consistent with the Interlocal Agreement. The School Board shall be responsible for conducting concurrency reviews. The School Board may choose to provide an informal assessment of school concurrency at the time of preapplication. The test of concurrency shall be at preliminary plat, site plan, or functional equivalent approval.

PSF 2.4.4 School Board Findings. The School Board's findings and recommendations shall address whether adequate capacity exists for each affected concurrency service area, based on the level of service standards. If adequate capacity does not exist, the School Board findings shall address whether appropriate mitigation can be accepted. If mitigation can be accepted, the School Board's findings shall identify the accepted form of mitigation that is consistent with the policies set forth herein.

PSF 2.4.5 Determination of Insufficient Capacity. For the review process, the School Board shall use the first three years of the Five-Year Work Facilities Program for determinations. Any relevant programmed improvements in years four or five of the five-year schedule of improvements shall not be considered available capacity for the project unless funding for the improvement is assured through School Board funding to accelerate the project, through proportionate fair share mitigation, or some other means of assuring adequate capacity will be available within the first three years. The School Board may choose to use relocatable classrooms to provide temporary capacity while funded schools or school expansions are being constructed. In the event that the School Board finds that there is not sufficient capacity in the affected concurrency service area(s) to address the impacts of a proposed development, the following standards shall apply:

- a. The project must provide capacity enhancement sufficient to meet its impacts through proportionate share mitigation; or
- b. Approval of the site plan or final plat (or functional equivalent) must be delayed to a date when the capacity enhancement necessary to maintain level of service can be assured; or
- c. A condition of approval of the site plan or preliminary plat (or functional equivalent) shall be that the project's development order and/or building permits shall be delayed to a date when the

capacity enhancement necessary to maintain level of service can be assured.

PSF 2.4.6 Availability Standard. Where capacity will not be available to serve students generated by a residential development the County shall use the lack of school capacity as a basis for denial of petitions for final plats, site plans or functional equivalents. However, the County shall not deny a petition for a final plat, site plan, or functional equivalent due to a failure to achieve and maintain the adopted level of service for public school capacity where:

- a. Adequate school facilities will be in place or under actual construction within three years after the issuance of the final plat or site plan or functional equivalent; or
- b. The developer executes a legally binding commitment with the School Board to provide mitigation proportionate to the demand for public school facilities to be created by the actual development of the property subject to the final plat or site plan (or functional equivalent) as provided in the Interlocal Agreement.

OBJ PSF 2.5 Proportionate Share Mitigation

Coordinate with the School Board to provide proportionate share mitigation alternatives that are financially feasible and will achieve and maintain the adopted level of service standard consistent with the School Board's adopted financially feasible Five-Year Facilities Work Program.

POLICIES

PSF 2.5.1 Acceptable Mitigation. The School Board shall allow mitigation for developments that would otherwise cause the LOS standards to be exceeded. Mitigation options shall include the following: contribution of, or payment for, acquisition of new or expanded school sites; construction or expansion of permanent school facilities; mitigation banking, the creation of mitigation banking based on the construction of a public school facility in exchange for the right to sell excess capacity credits within the same concurrency service area; and charter schools, provided they are constructed to SREF standards, so that they can be relied on over the longer term as public school capacity, designed to whatever minimum size and specifications established by the School Board to ensure that if the School Board is required, it can efficiently operate the school, or such mitigation options acceptable to all parties.

PSF 2.5.2 CIP and Proposed Mitigation. Proposed mitigation must be directed toward a permanent capacity improvement identified in the School Board's financially feasible Five-Year Facilities Work Program. However, the School Board may accept mitigation in the form of an improvement not identified on the Five-Year Facilities Work Program and commit to add the needed improvement

to the Five-Year Facilities Work Program. The School Board must find that any proposed mitigation will satisfy the demands created by the proposed development consistent with the adopted level of service standards, and the mitigation shall be assured by a legally binding development agreement between the School Board, the County, and the applicant executed prior to the issuance of the final plat, site plan or functional equivalent.

PSF 2.5.3 Shifting Impacts. The School Board shall evaluate how the impacts of a development shall be shifted. Measures to maximize capacity, including modifications to concurrency service areas in lieu of shifting development impacts, can be considered.

PSF 2.5.4 Relocatable Classrooms. Relocatable classrooms will not be accepted as mitigation. Modular classrooms are not considered relocatable for purposes of acceptable mitigation.

PSF 2.5.5 Calculation Proportionate Share Mitigation. The applicant's total proportionate-share mitigation obligation to resolve a capacity deficiency shall be based on the following formula for each school level: multiply the number of new student stations required to serve the new development by the average cost per student station, as determined by the Department of Education's most current cost per student station applicable to Escambia County plus land costs. The average cost per student station shall include school facility development costs and land costs. The applicant's proportionate-share mitigation obligation will be credited toward any other impact fee or exaction imposed by local ordinance for the same need, on a dollar-for-dollar basis, at fair market value.

PSF 2.5.6 School Facility Map. Consistent with Section 163.3177(12)(h), Florida Statutes, the Public School Facilities Element shall include future conditions maps showing existing and, where practical, anticipated schools over the five-year and long-term planning periods. The maps of necessity may be general over the long-term planning period and do not prescribe a land use on a particular parcel of land. The Public Schools Facilities Element Maps are attached herein to this ordinance as Exhibit S.

PSF 2.5.7 Long Range Public School Facility Map. The County is to address coordination of the long range public school facility map with the local government's comprehensive plan, including the Future Land Use Map. (Section 163.3177(12)(g)9, Florida Statutes; ~~Rule 9J-5.025(3)(c)6, Florida Administrative Code~~).

Original BCC Recommendation

AI-1899

Growth Management
Report 12. 4.

BCC Regular Meeting

Public Hearing

Meeting Date: 05/17/2012

Issue: 5:47 p.m. -Adoption Hearing - Comprehensive Plan Text
Amendment

From: T. Lloyd Kerr, AICP, Department Director

Organization:Development Services

RECOMMENDATION:

5:47 p.m. Public Hearing Concerning the Review and Adoption of an Ordinance Amending the 2030 Escambia County Comprehensive Plan

That the Board of County Commissioners (BCC) review and adopt an Ordinance to remove all references to Florida Rule 9J-5; to remove all references to Department of Community Affairs and replace with Florida Department of Economic Opportunity (FDEO); to remove all references to Florida Statute 163.3101 and replace with Florida Statute 163.3161.

BACKGROUND:

Pursuant to adoption of the new "Community Planning Act", Chapter 163, Florida Statutes, changes and deletions to the Comprehensive Plan attached to and incorporated in this ordinance are consistent with the Florida Statutes. The purpose and intent of this ordinance is to adopt changes to the Comprehensive Plan to fulfill the requirements of the newly enacted "Community Planning Act", Chapter 163, Florida Statutes.

At the January 9, 2012 Planning Board meeting, the board reviewed and recommended that the BCC approve the transmittal of the ordinance. At the March 1, 2012 BCC meeting the board approved the transmittal of the packet to be forwarded to the Department of Economic Opportunity (DEO). The Development Services Department received a letter of compliance from DEO on April 11, 2012. The Ordinance will become effective 31 days after the Board adopts the Ordinance.

BUDGETARY IMPACT:

No budgetary impact is anticipated by the adoption of this Ordinance.

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached Ordinance has been reviewed and approved for legal sufficiency

by Stephen West, Assistant County Attorney. Any recommended legal comments are attached herein.

PERSONNEL:

No additional personnel are required for implementation of this Ordinance.

POLICY/REQUIREMENT FOR BOARD ACTION:

The proposed Ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities."

IMPLEMENTATION/COORDINATION:

Once adopted, implementation of this Ordinance will consist of a text amendment to the Comprehensive Plan and distribution of a copy of the adopted Ordinance to interested citizens and staff.

The proposed Ordinance was prepared in cooperation with the Development Services Department, the County Attorney's Office and all interested citizens. The Development Services Department will ensure proper advertisement.

Attachments

Ordinance with Legal Sign Off

Comp Plan Draft and Clean Copy

DEO and other Agency letters



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2827

Growth Management Report 11. 5.

BCC Regular Meeting

Public Hearing

Meeting Date: 08/09/2012

Issue: 5:49 p.m. - A Transmittal Hearing - Comprehensive Plan Text Amendment (OBJ FLU 5)

From: T. Lloyd Kerr, AICP, Department Director

Organization: Development Services

RECOMMENDATION:

5:49 p.m. - A Public Hearing Concerning the Review of an Ordinance for Comprehensive Plan Text Amendment (OBJ FLU 5.5, Policy FLU 5.5.2)

That the Board of County Commissioners (BCC) review and approve for transmittal to the Department of Economic Opportunity (DEO) an Ordinance amending Comprehensive Plan OBJ FLU 5.5, Policy FLU 5.5.2, regarding the locational criteria for traditional urban neighborhoods, new suburban neighborhoods, and conservation neighborhoods in specific area plans.

BACKGROUND:

Comprehensive Plan OBJ FLU 5.5, FLU Policy 5.5.2, states, "The OSP shall contain a mixture of residential neighborhoods that vary in regards to dwelling unit type and density. The location of these neighborhoods shall be generally consistent with the conceptual long-term build-out overlay. The intent of these neighborhoods is to provide a variety of housing options and within close proximity to schools and parks as well as retail, service, and employment opportunities. The location and design of new neighborhoods shall be such that they ensure the continued protection of natural resources and existing neighborhoods, promote a strong sense of community, and provide access to nearby recreational opportunities."

At the July 9, 2012, Planning Board Meeting, the Board requested the addition of the word "generally" to address the locational criteria for those identified neighborhoods, and forwarded to the Board of County Commissioners.

BUDGETARY IMPACT:

No budgetary impact is anticipated by the adoption of this Ordinance.

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached Ordinance has been reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any recommended legal comments are attached herein.

PERSONNEL:

No additional personnel are required for implementation of this Ordinance.

POLICY/REQUIREMENT FOR BOARD ACTION:

The proposed Ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities."

IMPLEMENTATION/COORDINATION:

Implementation of this Ordinance will consist of an amendment to the LDC and distribution of a copy of the adopted Ordinance to interested citizens and staff.

The proposed Ordinance was prepared in cooperation with the Development Services Department, the County Attorney's Office and all interested citizens. The Development Services Department will ensure proper advertisement.

Attachments

Legal Sign off, Draft Ordinance, Clean Copy

Comp Plan Text Amendment

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: CPA ORDINANCE OBJ FLU 5.5.2

Date: 6/20/2012

Date requested back by: 6/20/2012

Requested by: JC Lemos

Phone Number: 595-3467



(LEGAL USE ONLY)

Legal Review by 

Date Received: June 21, 2012

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

1 will be codified as required by Section 125.68, Florida Statutes, and that the sections of
2 this ordinance may be renumbered or relettered and the word "ordinance" may be
3 changed to "section," "article," or such other appropriate word or phrase in order to
4 accomplish its intentions.

5
6 **Section 5. Effective date.**
7

8 Pursuant to Section 163.3184(3) (c) 4, Florida Statutes, this ordinance shall not
9 become effective until 31 days after the Department of Economic Opportunity notifies
10 Escambia County that the plan amendment package is complete. If timely challenged,
11 this ordinance shall not become effective until the Department of Economic Opportunity
12 or the Administration Commission enters a final order determining the ordinance to be in
13 compliance.

14
15 DONE AND ENACTED this ____ day of _____, 2012.

16
17 BOARD OF COUNTY COMMISSIONERS
18 ESCAMBIA COUNTY, FLORIDA
19

20
21 By: _____

22 ATTEST: Ernie Lee Magaha
23 Clerk of the Circuit Court

24 Wilson B. Robertson, Chairman

25 By: _____ Date Executed: _____
26 Deputy Clerk

27
28 (SEAL)

29
30 ENACTED:

31
32 FILED WITH THE DEPARTMENT OF STATE:

33
34 EFFECTIVE DATE:

35
36
37 ATTACHMENTS: Escambia County Comprehensive Plan: 2030

**Ordinance
Clean Copy**

ORDINANCE NO. 2012-_____

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AMENDING THE ESCAMBIA COUNTY COMPREHENSIVE PLAN: 2030, AS AMENDED; AMENDING POLICY FLU 5.5.2 REGARDING THE LOCATIONAL CRITERIA FOR TRADITIONAL URBAN NEIGHBORHOODS, NEW SUBURBAN NEIGHBORHOODS, AND CONSERVATION NEIGHBORHOODS IN SPECIFIC AREA PLANS; PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Escambia County Board of County Commissioners adopted the Escambia County Comprehensive Plan: 2030 (Comprehensive Plan) on January 20, 2011; and

WHEREAS, the Board of County Commissioners of Escambia County, Florida, finds that it is appropriate to amend its Comprehensive Plan consistent with Chapter 163, Florida Statutes;

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, AS FOLLOWS:

Section 1. Purpose.

The purpose of this ordinance is to amend the Escambia County Comprehensive Plan: 2030, as amended, Policy FLU 5.5.2, regarding the locational criteria for Traditional Urban Neighborhoods, New Suburban Neighborhoods, and Conservation Neighborhoods in Specific Area Plans.

Section 2. Comprehensive Plan Amendment.

The Escambia County Comprehensive Plan: 2030 is amended as shown in the attached Exhibit A (additions are underlined and deletions are ~~struck through~~).

Section 3. Severability.

If any section, sentence, clause or phrase of this ordinance is held to be invalid or unconstitutional by a court of competent jurisdiction, the holding shall in no way affect the validity of the remaining portions of this ordinance.

Section 4. Inclusion in the code.

The Board of County Commissioners intends that the provisions of this ordinance will be codified as required by Section 125.68, Florida Statutes, and that the sections of

this ordinance may be renumbered or relettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish its intentions.

Section 5. Effective date.

Pursuant to Section 163.3184(3) (c) 4, Florida Statutes, this ordinance shall not become effective until 31 days after the Department of Economic Opportunity notifies Escambia County that the plan amendment package is complete. If timely challenged, this ordinance shall not become effective until the Department of Economic Opportunity or the Administration Commission enters a final order determining the ordinance to be in compliance.

DONE AND ENACTED this ____ day of _____, 2012.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

By: _____
Wilson B. Robertson, Chairman

By: _____ Date Executed: _____
Deputy Clerk

(SEAL)

ENACTED:

FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE:

ATTACHMENTS: Escambia County Comprehensive Plan: 2030

1 FLU 5.5.2 The OSP shall contain a mixture of residential neighborhoods that vary in
2 regards to dwelling unit type and density. The location of these neighborhoods shall be
3 generally consistent with the conceptual long-term build-out overlay. The intent of these
4 neighborhoods is to provide a variety of housing options and within close proximity to
5 schools and parks as well as retail, service, and employment opportunities. The location
6 and design of new neighborhoods shall be such that they ensure the continued
7 protection of natural resources and existing neighborhoods, promote a strong sense of
8 community, and provide access to nearby recreational opportunities.
9

10 **A. Traditional/Urban Neighborhoods**

11 Traditional/Urban Neighborhoods are intended to be high density, compact
12 communities adjacent to centralized retail and service opportunities. Traditional
13 Urban Neighborhoods shall be designed in a manner that creates a strong sense
14 of place through the layout of the streets, arrangements of open space,
15 appearance of streetscapes and linkage of neighborhoods to supporting
16 services. To allow the efficient use of land and infrastructure, increase walkability
17 and support existing and future transit systems, Traditional/Urban Neighborhoods
18 shall be located generally within ½ mile of Town, Village or Neighborhood
19 centers and contain a variety of housing types ranging on average from 5 to 25
20 dwelling units per gross acre. Individual sites may have density greater than 25
21 units per gross acre provided the average density stays within the 5 to 25
22 dwelling units range.
23

24 **B. New Suburban Neighborhoods**

25 Residential development generally greater than ½ mile from Town, Village or
26 Neighborhood centers shall be in the form of New Suburban Neighborhoods.
27 These neighborhoods are intended to be medium density communities
28 comprised of a highly interconnected transportation system including pedestrian,
29 bicycle, and automobile networks. A variety of housing types ranging from 3 to
30 10 dwelling units per gross acre shall be permitted.
31

32 **C. Conservation Neighborhoods**

33 Residential neighborhoods generally greater than 1/2 mile from Town, Village or
34 Neighborhood centers with a density less than 2.5 dwelling units per gross acre
35 shall only be permitted as Conservation Neighborhoods. Conservation
36 Neighborhoods are intended to replace typical suburban neighborhoods with a
37 more efficient and environmentally protective development pattern. Conservation
38 Neighborhoods shall be low density, clustered communities with a distinct “edge”
39 consisting of interconnected open space. This open space shall serve to protect
40 and preserve areas of significant natural resources and wildlife habitat while
41 offering passive recreational opportunities to residents. Conservation
42 Neighborhoods shall be required to preserve a minimum of 50% open space.
43 Open space shall be preserved in perpetuity through a conservation easement.
44



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2545

Growth Management Report 11. 6.

BCC Regular Meeting

Public Hearing

Meeting Date: 08/09/2012

Issue: 5:50 p.m. - A Public Hearing - LDC Ordinance - Article 3 Definitions - Criteria for Local Roadways

From: T. Lloyd Kerr, AICP, Department Director

Organization: Development Services

RECOMMENDATION:

5:50 p.m. - A Public Hearing Concerning the Review of an LDC Ordinance Article 3, Definitions - Criteria for Local Roadways

That the Board of County Commissioners (BCC) review and adopt an Ordinance amending the Escambia County Land Development Code (LDC), amending Article 3, Definitions, to define street collector and to add criteria for local roadways.

BACKGROUND:

At the request of the Board of County Commissioners, staff was directed to draft an Ordinance for certain local roads that may be designated by the County Engineer as collector streets if alternate criteria are satisfied. At the May 14, 2012, Planning Board Meeting the Board recommended approval.

BUDGETARY IMPACT:

No budgetary impact is anticipated by the adoption of this Ordinance.

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached Ordinance has been reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any recommended legal comments are attached herein.

PERSONNEL:

No additional personnel are required for implementation of this Ordinance.

POLICY/REQUIREMENT FOR BOARD ACTION:

The proposed Ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities."

IMPLEMENTATION/COORDINATION:

Implementation of this Ordinance will consist of an amendment to the LDC and distribution of a copy of the adopted Ordinance to interested citizens and staff.

The proposed Ordinance was prepared in cooperation with the Development Services Department, the County Attorney's Office and all interested citizens. The Development Services Department will ensure proper advertisement.

Attachments

Legal review. Ordinance draft and clean copy

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Article 7 Section 7.20.03.F Roadway Classification

Date: 03/01/2012

Date requested back by: 03/14/2012

Requested by: John C Fisher

Phone Number: 850-595-4651



(LEGAL USE ONLY)

Legal Review by 

Date Received: ~~March~~ April 4, 2012

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

ORDINANCE NUMBER 2012-_____

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES (1999), THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING ARTICLE 3 SECTION 3.02.00 TERMS DEFINED, STREET COLLECTOR, TO ADD CRITERIA FOR LOCAL ROADWAYS ACCORDING TO THE ADOPTED POLICIES FOR MINIMUM CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Escambia County Board of County Commissioners seeks to preserve Escambia County as a desirable community in which to live, vacation, and do business by maintaining a pleasing, visually attractive urban, suburban, rural and resort environment; and

WHEREAS, the Board of County Commissioners has determined that certain local roads may function as a collector road but must meet the adopted Policy for minimum criteria; and

WHEREAS, the Board of County Commissioners accordingly finds that amending its regulations to classify certain local roads as collector roads would promote good and logically development patterns when meeting the local roadway minimum criteria to be determined as a collector roadway.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

Section 1. Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Article 3, Section 3.02.00 Terms Defined (Street Collector) is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

3.00.00. Purpose

This article sets forth and maintains the definitions of terms for all of the Land Development Code of Escambia County.

3.01.00 General provisions

3.02.00. Terms Defined

Street, collector. A street providing service that is of relatively moderate traffic volume, moderate trip length, and moderate operating speed, and which distributes traffic

1 between local streets or arterial streets. Certain local streets that do not meet the
2 foregoing criteria may be designated by the County Engineer as collector streets if the
3 following alternate criteria are satisfied.

- 4 a) 22' (twenty two foot) width of pavement (two lanes)
- 5 b) 6' (six foot) shoulders on each side when no curb is present
- 6 c) Signalized intersection on segment or at termini
- 7 d) Connection to a collector or arterial roadway
- 8 e) Average Annual Daily Traffic >= 1500 vehicles

9
10 **Section 2. Severability.**

11
12 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
13 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way
14 affect the validity of the remaining portions of this Ordinance.

15
16
17 **Section 3. Inclusion in Code.**

18
19 It is the intention of the Board of County Commissioners that the provisions of this
20 Ordinance shall be codified as required by F.S. § 125.68, and that the sections,
21 subsections and other provisions of this Ordinance may be renumbered or re-lettered
22 and the word "ordinance" may be changed to "section," "article," or such other
23 appropriate word or phrase in order to accomplish such intentions.

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DRAFT

1 **Section 4. Effective Date.**

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3 This Ordinance shall become effective upon filing with the Department of State.

4
5 **DONE AND ENACTED** this _____ day of _____, 2012.

6
7 **BOARD OF COUNTY COMMISSIONERS**
8 **OF ESCAMBIA COUNTY, FLORIDA**

9
10 **By:** _____
11 **Wilson B. Robertson, Chairman**

12 **ATTEST: ERNIE LEE MAGAHA**
13 **Clerk of the Circuit Court**

14
15 **By:** _____
16 **Deputy Clerk**

17 **(SEAL)**

18
19 **ENACTED:**

20
21 **FILED WITH THE DEPARTMENT OF STATE:**

22
23 **EFFECTIVE DATE:**

**Ordinance
Clean Copy**

ORDINANCE NUMBER 2012-_____

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES (1999), THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING ARTICLE 3 SECTION 3.02.00 TERMS DEFINED, STREET COLLECTOR, TO ADD CRITERIA FOR LOCAL ROADWAYS ACCORDING TO THE ADOPTED POLICIES FOR MINIMUM CRITERIA; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Escambia County Board of County Commissioners seeks to preserve Escambia County as a desirable community in which to live, vacation, and do business by maintaining a pleasing, visually attractive urban, suburban, rural and resort environment; and

WHEREAS, the Board of County Commissioners has determined that certain local roads may function as a collector road but must meet the adopted Policy for minimum criteria; and

WHEREAS, the Board of County Commissioners accordingly finds that amending its regulations to classify certain local roads as collector roads would promote good and logically development patterns when meeting the local roadway minimum criteria to be determined as a collector roadway.

NOW THEREFORE BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

Section 1. Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Article 3, Section 3.02.00 Terms Defined (Street Collector) is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

3.00.00. Purpose

This article sets forth and maintains the definitions of terms for all of the Land Development Code of Escambia County.

3.01.00 General provisions

3.02.00. Terms Defined

Street, collector. A street providing service that is of relatively moderate traffic volume, moderate trip length, and moderate operating speed, and which distributes traffic

between local streets or arterial streets. Certain local streets that do not meet the foregoing criteria may be designated by the County Engineer as collector streets if the following alternate criteria are satisfied.

- a) 22' (twenty two foot) width of pavement (two lanes)
- b) 6' (six foot) shoulders on each side when no curb is present
- c) Signalized intersection on segment or at termini
- d) Connection to a collector or arterial roadway
- e) Average Annual Daily Traffic \geq 1500 vehicles

Section 2. Severability.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 3. Inclusion in Code.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by F.S. § 125.68, and that the sections, subsections and other provisions of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

INTENTIONALLY LEFT BLANK

Section 4. Effective Date.

This Ordinance shall become effective upon filing with the Department of State.

DONE AND ENACTED this _____ day of _____, 2012.

**BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA**

By: _____
Wilson B. Robertson, Chairman

**ATTEST: ERNIE LEE MAGAHA
Clerk of the Circuit Court**

By: _____
Deputy Clerk

(SEAL)

ENACTED:

FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE:



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-1944

Growth Management Report 11. 7.

BCC Regular Meeting

Public Hearing

Meeting Date: 08/09/2012

Issue: 5:51 p.m. - A Public Hearing - LDC Ordinance - Article 13 - Floodplain Management SRIA

From: T. Lloyd Kerr, AICP, Department Director

Organization: Development Services

RECOMMENDATION:

5:51 p.m. - A Public Hearing Concerning the Review of an LDC Ordinance Article 13, "Floodplain Management on Pensacola Beach"

That the Board of County Commissioners review and adopt an Ordinance amending the Escambia County Land Development Code (LDC), amending Article 13, "Floodplain Management on Pensacola Beach," concerning the standards for Flood Hazard reduction, prepared by the Santa Rosa Island Authority.

BACKGROUND:

The Floodplain Ordinance was prepared to further the practice for higher standards on Pensacola Beach. To maintain consistency in the floodplain, all structures need to be built to VE standards, regardless of the zone. Cross bracing has shown to trap debris during a flood and puts the structure at risk from excessive lateral forces. We also agree with the recommendations found in ASCE 24-98. After inspecting a dozen pools and their equipment, it is apparent that no provision exists to condition the end user to prevent the filter from becoming a battering ram during a flood. Floodproofing of non residential buildings cannot be permitted, as all structures need to be built to VE standards which in turn does not allow for flood proofing a structure.

The SRIA Board approved the Floodplain Ordinance on October 12, 2011. At the May 14, 2012 Planning Board meeting, the Board recommended approval.

BUDGETARY IMPACT:

No budgetary impact is anticipated by the adoption of this Ordinance.

LEGAL CONSIDERATIONS/SIGN-OFF:

The attached Ordinance has been reviewed and approved for legal sufficiency by Stephen West, Assistant County Attorney. Any recommended legal comments are attached herein.

PERSONNEL:

No additional personnel are required for implementation of this Ordinance.

POLICY/REQUIREMENT FOR BOARD ACTION:

The proposed Ordinance is consistent with the Board's goal "to increase citizen involvement in, access to, and approval of, County government activities."

IMPLEMENTATION/COORDINATION:

Implementation of this Ordinance will consist of an amendment to the LDC and distribution of a copy of the adopted Ordinance to interested citizens and staff.

The proposed Ordinance was prepared in cooperation with the Santa Rosa Island Authority, Development Services Department, the County Attorney's Office, and all interested citizens. The Development Services Department will ensure proper advertisement.

Attachments

Legal Review, Draft Ordinance, Clean Copy Ordinance

LEGAL REVIEW

(COUNTY DEPARTMENT USE ONLY)

Document: Flood Plain Revision- SRIA -Written by SRIA

Date: 12/22/12

Date requested back by: 1/18/12 for 2/13/12 PB

Requested by: Allyson Cain

Phone Number: 595-3547



(LEGAL USE ONLY)

Legal Review by 

Date Received: Dec. 22, 2011

Approved as to form and legal sufficiency.

Not approved.

Make subject to legal signoff.

Additional comments:

See my memo to Paolo Ghio, dated Dec. 7, 2011.



**ESCAMBIA
COUNTY**

INTER-OFFICE MEMORANDUM

TO: Paolo Ghio, CFM, Director of Development Services
FROM: Stephen G. West, Assistant County Attorney
DATE: December 7, 2011
RE: Santa Rosa Island Authority Flood Plain Ordinance

I have reviewed your first and second drafts of the ordinance amending Section 13.20.00, Escambia County Land Development Code. Regrettably, I must recommend that you revise the ordinance.

My primary concern is the improper use of definitions. Your apparent intent is to create several new, more stringent, standards for development on Santa Rosa Island. I suspect that you were unsure of where within Article 13 to incorporate these standards and opted to insert them in new and existing definitions. The two new definitions appear to have been created for no purpose other than to provide a location for the standards. Generally, terms should be defined only if they are not commonly understood, and the definitions should not contain development standards that can be incorporated somewhere more appropriate in Article 13.

I will leave it to your discretion as to where in Article 13 these standards may be more appropriately incorporated. However, please consider the following: Section 13.20.08.A *General Standards* [for flood hazard reduction]; Section 13.20.08.B *Specific Standards for* [flood hazard reduction in] *AE zones*; and Section 13.11.00. *Swimming Pools*. Please do not feel restricted to these sections if you find that the standards are more appropriately incorporated somewhere else in Article 13.

I will also leave it to your discretion as to whether the terms *cross bracing* and *pool equipment* still need to be defined once you relocate the standards. Both terms strike me as being commonly understood and not needing further definition. However, if you do intend to retain the definitions, I recommend that you refrain from using the defined term within its own definition. Also note that the definitions include confusing, stray punctuation marks (semicolon on page 2, line 12 of your most recent draft and a parentheses on page 2, line 21).

On page 2, line 18, I do not know if you are intending to use *commercial* as a synonym for *nonresidential*, which is more commonly used in the ordinance. If you are, I recommend that you rephrase that standard to reflect that *all* structures in AE zones must be constructed to meet VE zone standards.

You may also wish to confirm with FEMA that none of your proposed changes have any adverse consequences under the National Flood Insurance Program or the Flood Insurance Rate Map.

I apologize for the delay in responding. I certainly want to work with the SRIA in any way I can, but it is difficult to give priority to issues like this when I am often unable to give the Board of County Commissioners and its staff all the attention they deserve. Please feel free to call me or, alternatively, consult with the SRIA attorney if you have any questions or require any additional information.

SGW:bjs

ORDINANCE NUMBER 2012-_____

1
2
3 AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING
4 PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES
5 (1999), THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY,
6 FLORIDA, AS AMENDED; AMENDING SECTION 13.20.00, AMENDING
7 THE DEFINITION OF ELEVATED BUILDING, ADDING GENERAL
8 STANDARDS FOR FLOOD HAZARD REDUCTION, AMENDING
9 SPECIFIC STANDARDS FOR FLOOD HAZARD REDUCTION IN AE
10 ZONES; PROVIDING FOR SEVERABILITY; PROVIDING FOR
11 INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE
12 DATE.
13

14
15
16 **WHEREAS**, land under the jurisdiction of the Santa Rosa Island Authority is
17 unique to Escambia County, the State of Florida and the United States of America. All
18 property within this jurisdiction is owned by Escambia County, and the Santa Rosa
19 Island Authority is charged with the stewardship of the island to protect the public
20 interest of the citizens of Escambia County; and
21

22 **WHEREAS**, this unique requirement for stewardship of public property requires
23 that the Santa Rosa Island Authority take great care in its protection of this asset. The
24 Santa Rosa Island Authority is also responsible for ensuring compliance with the
25 National Flood Insurance Program regulations to make certain that flood insurance is
26 available for those residing on and investing in the island; and
27

28 **WHEREAS**, the Santa Rosa Island Authority unanimously recommended to the
29 Board of County Commissioners on October 12, 2011 to amend Section 13.20.05 of
30 Article 13 of the Escambia County Code of Ordinances and modify the definition of
31 "elevated building," to amend the standards under Section 13.20.08 of Article 13 of the
32 Escambia County Code of Ordinances and add general standards for the use of cross-
33 bracing and the placement of pool equipment, and amend specific standards for the
34 substantial improvement of nonresidential structures for flood hazard reduction for
35 nonresidential structures to further the Santa Rosa Island Authority's compliance efforts
36 with the National Flood Insurance Program; and
37

38
39 **WHEREAS**, the Board of County Commissioners believes that the amendments
40 to Article 13 to the Escambia County Code of Ordinances of Escambia County as
41 recommended by the Santa Rosa Island Authority will further the Santa Rosa Island
42 Authority's compliance efforts with the National Flood Insurance Program and are
43 consistent with the Santa Rosa Island Authority's responsibility for ensuring compliance
44 with the National Flood Insurance Program regulations to make certain that flood
45 insurance is available for those residing on and investing in the island.

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2
3 **NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY**
4 **COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:**

5
6 **Section 1.** Part III of the Escambia County Code of Ordinances, the Land Development
7 Code of Escambia County, Article 13, Section 13.20.05, is hereby amended as follows
8 (words underlined are additions and words ~~stricken~~ are deletions):
9

10 13.20.05 Definitions.

11
12 Cross bracing means an industry accepted form of diagonal timber bracing used
13 on foundations under coastal homes.

14
15 Elevated building means a non-basement building built to have the lowest floor
16 elevated above the ground level by foundation walls, shear walls, posts, piers, pilings,
17 or columns. Residential and nonresidential structures in AE zones must be constructed
18 to meet VE zone standards.

19
20 Pool equipment means any electrically powered equipment (pool pumps and
21 accessories) servicing the pool, excluding pool heaters

22
23 **Section 2.** Part III of the Escambia County Code of Ordinances, the Land Development
24 Code of Escambia County, Article 13, Section 13.20.08 is hereby amended as follows
25 (words underlined are additions and words ~~stricken~~ are deletions):

26
27 Section 13.20.08.A General Standards.

28
29 11. Cross bracing is NOT permitted except above BFE and perpendicular to the
30 shoreline on a structure that has no breakaway walls. Cross bracing may not be used
31 as part of the structural calculations to meet the required design criteria.

32
33 12.. All pool equipment must be strapped down or elevated above BFE to prevent
34 floatation during a storm.

35
36
37 Section 13.20.08.B Specific standards for AE zones.

38
39 2. Nonresidential structures. All newly ~~construction~~ constructed or ~~substantial~~
40 ~~improvements of~~ substantially improved nonresidential structures shall ~~have the lowest~~
41 ~~floor (including basement) be elevated~~ so that the bottom of the lowest horizontal
42 structural member of the lowest floor (excluding the pilings) is elevated to at least three
43 feet above the base flood elevation. Nonresidential structures may not be flood proofed
44 in lieu of being elevated, ~~provided that together with all attendant utility and sanitary~~
45 ~~facilities, be designed so that below the base flood elevation plus one foot the structure~~

DRAFT

1 ~~is watertight with walls substantially impermeable to the passage of water, and with~~
2 ~~structural components having the capability of resisting hydrostatic and hydrodynamic~~
3 ~~loads and the effect of buoyancy.~~

4
5 ~~A registered professional engineer or architect, who is authorized to certify such~~
6 ~~information in the state, shall develop and/or review structural design, specifications and~~
7 ~~plans for construction, and shall certify that the design and methods of construction are~~
8 ~~in accordance with the accepted standards of practice for meeting this provision. The~~
9 ~~FEMA flood proofing certificate shall be prepared and submitted to the floodplain~~
10 ~~administrator along with the corresponding operational and maintenance plans. These~~
11 ~~plans shall include, at a minimum, the storage location of the flood proofing measures~~
12 ~~(panels, gaskets, sealants, etc.), entities responsible for transportation to, and~~
13 ~~installation at the structure within the available flood warning time for the site.~~

14
15 **Section 3. Severability.**

16
17 If any section, sentence, clause or phrase of this Ordinance is held to be invalid or
18 unconstitutional by any Court of competent jurisdiction, then said holding shall in no way
19 affect the validity of the remaining portions of this Ordinance.

20
21 **Section 4. Inclusion in Code.**

22
23 It is the intention of the Board of County Commissioners that the provisions of this
24 Ordinance shall be codified as required by F.S. § 125.68 (2011); and that the sections,
25 subsections and other provisions of this Ordinance may be renumbered or re-lettered
26 and the word "ordinance" may be changed to "section," "article," or such other
27 appropriate word or phrase in order to accomplish such intentions.

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Section 5. Effective Date.

This Ordinance shall become effective upon filing with the Department of State.

DONE AND ENACTED this _____ day of _____, 2012.

**BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA**

By: _____
Wilson B. Robertson, Chairman

**ATTEST: ERNIE LEE MAGAHA
Clerk of the Circuit Court**

By: _____
Deputy Clerk

(SEAL)

ENACTED:

FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE:

**Ordinance
Clean Copy**

ORDINANCE NUMBER 2012-_____

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, AMENDING PART III OF THE ESCAMBIA COUNTY CODE OF ORDINANCES (1999), THE LAND DEVELOPMENT CODE OF ESCAMBIA COUNTY, FLORIDA, AS AMENDED; AMENDING SECTION 13.20.00, AMENDING THE DEFINITION OF ELEVATED BUILDING, ADDING GENERAL STANDARDS FOR FLOOD HAZARD REDUCTION, AMENDING SPECIFIC STANDARDS FOR FLOOD HAZARD REDUCTION IN AE ZONES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, land under the jurisdiction of the Santa Rosa Island Authority is unique to Escambia County, the State of Florida and the United States of America. All property within this jurisdiction is owned by Escambia County, and the Santa Rosa Island Authority is charged with the stewardship of the island to protect the public interest of the citizens of Escambia County; and

WHEREAS, this unique requirement for stewardship of public property requires that the Santa Rosa Island Authority take great care in its protection of this asset. The Santa Rosa Island Authority is also responsible for ensuring compliance with the National Flood Insurance Program regulations to make certain that flood insurance is available for those residing on and investing in the island; and

WHEREAS, the Santa Rosa Island Authority unanimously recommended to the Board of County Commissioners on October 12, 2011 to amend Section 13.20.05 of Article 13 of the Escambia County Code of Ordinances and modify the definition of "elevated building," to amend the standards under Section 13.20.08 of Article 13 of the Escambia County Code of Ordinances and add general standards for the use of cross-bracing and the placement of pool equipment, and amend specific standards for the substantial improvement of nonresidential structures for flood hazard reduction for nonresidential structures to further the Santa Rosa Island Authority's compliance efforts with the National Flood Insurance Program; and

WHEREAS, the Board of County Commissioners believes that the amendments to Article 13 to the Escambia County Code of Ordinances of Escambia County as recommended by the Santa Rosa Island Authority will further the Santa Rosa Island Authority's compliance efforts with the National Flood Insurance Program and are consistent with the Santa Rosa Island Authority's responsibility for ensuring compliance with the National Flood Insurance Program regulations to make certain that flood insurance is available for those residing on and investing in the island.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBA COUNTY, FLORIDA:

Section 1. Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Article 13, Section 13.20.05, is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

13.20.05 Definitions.

Cross bracing means an industry accepted form of diagonal timber bracing used on foundations under coastal homes.

Elevated building means a non-basement building built to have the lowest floor elevated above the ground level by foundation walls, shear walls, posts, piers, pilings, or columns. Residential and nonresidential structures in AE zones must be constructed to meet VE zone standards.

Pool equipment means any electrically powered equipment (pool pumps and accessories) servicing the pool, excluding pool heaters

Section 2. Part III of the Escambia County Code of Ordinances, the Land Development Code of Escambia County, Article 13, Section 13.20.08 is hereby amended as follows (words underlined are additions and words ~~stricken~~ are deletions):

Section 13.20.08.A General Standards.

11. Cross bracing is NOT permitted except above BFE and perpendicular to the shoreline on a structure that has no breakaway walls. Cross bracing may not be used as part of the structural calculations to meet the required design criteria.

12.. All pool equipment must be strapped down or elevated above BFE to prevent floatation during a storm.

Section 13.20.08.B Specific standards for AE zones.

2. Nonresidential structures. All newly ~~construction~~ constructed or substantial improvements of substantially improved nonresidential structures shall ~~have the lowest floor (including basement) be elevated so that the bottom of the lowest horizontal structural member of the lowest floor (excluding the pilings) is elevated to at least three feet above the base flood elevation. Nonresidential structures may not be flood proofed in lieu of being elevated, provided that together with all attendant utility and sanitary facilities, be designed so that below the base flood elevation plus one foot the structure is watertight with walls substantially impermeable to the passage of water, and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and the effect of buoyancy.~~

~~A registered professional engineer or architect, who is authorized to certify such information in the state, shall develop and/or review structural design, specifications and plans for construction, and shall certify that the design and methods of construction are in accordance with the accepted standards of practice for meeting this provision. The FEMA flood proofing certificate shall be prepared and submitted to the floodplain administrator along with the corresponding operational and maintenance plans. These plans shall include, at a minimum,~~

~~the storage location of the flood proofing measures (panels, gaskets, sealants, etc.), entities responsible for transportation to, and installation at the structure within the available flood warning time for the site.~~

Section 3. Severability.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

Section 4. Inclusion in Code.

It is the intention of the Board of County Commissioners that the provisions of this Ordinance shall be codified as required by F.S. § 125.68 (2011); and that the sections, subsections and other provisions of this Ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

Section 5. Effective Date.

This Ordinance shall become effective upon filing with the Department of State.

DONE AND ENACTED this _____ day of _____, 2012.

**BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA**

By: _____
Wilson B. Robertson, Chairman

**ATTEST: ERNIE LEE MAGAHA
Clerk of the Circuit Court**

By: _____
Deputy Clerk

(SEAL)

ENACTED:

FILED WITH THE DEPARTMENT OF STATE:

EFFECTIVE DATE:



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2948

Growth Management Report 11. 1.

BCC Regular Meeting

Consent

Meeting Date: 08/09/2012

Issue: Scheduling of Public Hearings

From: T. Lloyd Kerr, AICP, Department Director

Organization: Development Services

RECOMMENDATION:

Recommendation Concerning the Scheduling of Public Hearings

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

A. Thursday, August 23, 2012

1. 5:45 p.m. - A Public Hearing to amend the official zoning map to include the following Rezoning Case to be heard by the Planning Board on August 13, 2012:

Case No.:	Z-2012-12
Address:	Hanks Rd
Property Reference No.:	14-5N-32-2301-000-000
Property Size:	7.01 (+/-) acres
From:	P, Public
To:	VAG-1, Villages Agriculture District
FLU Category:	REC, Recreational
Commissioner District:	5
Requested by:	Kale and Donna Schneider, Owners

2. 5:46 p.m. - A Public Hearing - Vested Rights Determination VRD-2012-01- Universal Fabricators, Inc.

3. 5:47 p.m. - A Public Hearing - Small Scale Comprehensive Plan Amendment SSA- 2012-02

4. 5:48 p.m. - A Public Hearing - Large Scale Comprehensive Plan Amendment CPA- 2012-02

B. Thursday, September 6, 2012

1. 5:45 p.m. - A Public Hearing to amend the official zoning map to include the following Rezoning Cases to be heard by the Planning Board on August 13, 2012:

a. Case No.:	Z-2012-09
Address:	2006 Border St

Property Reference No.: 16-2S-30-2300-001-023
Property Size: 2.23(+/-) acres
From: R-5, Urban Residential/Limited Office District,(cumulative) High Density
To: ID-1, Light Industrial District (cumulative) (no residential uses allowed)
FLU Category: MU-U, Mixed Use Urban
Commissioner District: 3
Requested by: Wiley C. "Buddy" Page, Agent for Rick Evans of Evans Contracting, Inc.

b. Case No.: Z-2012-17
Address: 3840 Navy Blvd
Property Reference No.: 38-2S-30-1000-003-004
Property Size: .44 (+/-) acres
From: R-2, Single Family District (cumulative), Low-Medium Density
To: C-1, Retail Commercial District (cumulative)
FLU Category: MU-U, Mixed Use Urban
Commissioner District: 2
Requested by: Stephanie Lowry, Agent for Gary Lowry, Owner

2. 5:46 p.m. - A Public Hearing - Comp Plan Text Amendment - HB 503

3. 5:47 p.m. - a Public Hearing - LDC Ordinance- Consistent with HB 503



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2954

County Administrator's Report 11. 1.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/09/2012

Issue: Disposition of Surplus County Property

From: John J. Lanza, MD, PhD, MPH, FAAP, CHD Director

Organization: Escambia County Health Department

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Request for Disposition of Property for the Escambia County Health Department - John J. Lanza, MD, PhD, MPH, FAAP, CHD Director

That the Board approve the Request for Disposition of Surplus Property Form for the Escambia County Health Department for property to be auctioned as surplus or properly disposed of, all of which is described and listed on the Disposition Form.

BACKGROUND:

The Escambia County Health Department is requesting to surplus one vehicle and make it available to the Board of County Commissioners.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

In compliance with FS 274.07 and BCC Policy B-1,2, Section II, Procedures for Disposition of County Property

IMPLEMENTATION/COORDINATION:

Upon approval by the Board and documentation execution, the Escambia County Health Department will arrange transfer of vehicles to the County.

Attachments

Dodge van disposal

**REQUEST FOR DISPOSITION OF PROPERTY
ESCAMBIA COUNTY, FLORIDA**

TO: Clerk & Comptroller's Finance Department
 FROM: Disposing Bureau: Escambia County Health Department COST CENTER NO: _____

Linda B. Moyer DATE: 07.09.2012
 Property Custodian (PRINT FULL NAME)

Property Custodian (Signature): *Linda B. Moyer* Phone No: 850.595.6551

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

TAG (Y/N)	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CONDITION
Y	49948	2001 Dodge Van 8 Passenger	2B4JB25Y01K556380	Dodge	2001	Total Loss

Disposal Comments: Total loss due to water damage per Property Damage Appraisers Total Loss Condition Report for Assignment Number - 2060087

INFORMATION TECHNOLOGY (IT Technician): _____
 Print Name

Conditions: _____ Dispose-Good Condition-Unusable for BOCC
 _____ Dispose-Bad Condition-Send for recycling-Unusable

Computer is Ready for Disposition

Date: _____ Information Technology Technician Signature: _____

TO: County Administration Date: July 9, 2012
 FROM: Escambia County Bureau Bureau Chief (Signature): _____

Bureau Chief (Print Name) John J. Lanza, MD, Phd, MPH, FAAP, CHD Director - Health

RECOMMENDATION: Date: 7/14/12
 TO: Board of County Commissioners
 FROM: County Administration
Charles R. Oliver
 Charles R. "Randy" Oliver,
 County Administrator or designee

Approved by the County Commission and Recorded in the Minutes of: _____
 Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
 By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold

by: _____
 Print Name Signature Date

Property Tag Returned to Clerk & Comptroller's Finance Department

Clerk & Comptroller's Finance Signature of Receipt Date

Property Custodian, please complete applicable portions of disposition form. See Disposal process charts for direction. dg 02-16-11



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2972

County Administrator's Report 11. 2.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/09/2012

Issue: Third Amendment to Antenna Mounting Space Lease with New Cingular Wireless PCS, LLC

From: Mike Weaver, Department Director

Organization: Public Safety

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Third Amendment to Antenna Mounting Space Lease with New Cingular Wireless PCS, LLC - Michael D. Weaver, Public Safety Department Director

That the Board take the following action concerning the Third Amendment to Antenna Mounting Space Lease with New Cingular Wireless PCS, LLC (Lessee):

- A. Approve the Amendment allowing for the installation and operation of additional antennas, associated cables and equipment, adjusting the rent in conjunction with the modifications, updating the Lessee's notice address, and permitting Lessee to maintain equipment to ensure compliance with any mandated application; and
- B. Authorize the Chairman to sign the document.

BACKGROUND:

The Board entered into an agreement with BellSouth Mobility, Inc. dated May 24, 1999, for lease of antenna space on the County's tower at Ninety & Nine Boys Ranch. First and second renewals of that Agreement were dated March 18, 2004, and May 24, 2009, respectively. In addition, the Agreement was amended by a First Amendment, dated May 20, 2004, and a Second Amendment, dated January 19, 2006. New Cingular Wireless PCS, LLC is successor in interest to BellSouth Mobility, Inc. and BellSouth Mobility, LLC.

BUDGETARY IMPACT:

Commencing on the first day of the month following the date that New Cingular Wireless PCS, LLC commences construction, rent will increase by \$300 per month and will be subject to adjustments provided in the Lease. Lease proceeds are credited to Revenue Account 362032 Cingular, Gonzalez, Lease.

LEGAL CONSIDERATIONS/SIGN-OFF:

Stephen West, Assistant County Attorney, has reviewed this Amendment and approved it as to form and legal sufficiency.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

The Board of County Commissioners requires that all Agreements be approved by it.

IMPLEMENTATION/COORDINATION:

This Amendment has been coordinated with the County Attorney's Office and New Cingular Wireless, PCS, LLC. Michael Moring, Communications Division Manager, will continue to monitor the Agreement.

Attachments

3rd Amendment to Antenna Mounting Space Lease Gonzalez

Market: Gulf Coast (FL)
Cell Site Number: 343P5201
Cell Site Name: Gonzales
Fixed Asset Number: 10016310

THIRD AMENDMENT TO ANTENNA MOUNTING SPACE LEASE

THIS THIRD AMENDMENT TO ANTENNA MOUNTING SPACE LEASE ("**Third Amendment**"), dated as of the latter of the signature dates below, is by and between Escambia County, Florida, a political subdivision of the State of Florida, having a mailing address of 221 Palafox Place, Ste. 420, Pensacola 32502 ("**Lessor**") and New Cingular Wireless PCS, LLC, a Delaware limited liability company, having a mailing address of 12555 Cingular Way, Suite 1300, Alpharetta, GA 30004, successor in interest to BellSouth Mobility, Inc. and BellSouth Mobility, LLC d/b/a Cingular Wireless ("**Lessee**").

WHEREAS, Lessor and Lessee entered into an Antenna Mounting Space Lease dated May 24, 1999, as extended by that certain First Renewal of Antenna Mounting Space Lease dated March 18, 2004 and that certain Second Renewal of Antenna Mounting Space Lease dated May 24, 2009, and amended by that certain First Amendment of Antenna Mounting Space Lease dated May 20, 2004 and that certain Second Amendment of Antenna Mounting Space Lease dated January 19, 2006 (collectively, the "**Lease**"), whereby Lessor leased to Lessee certain Premises, therein described, that are a portion of the Property located at 391 90 & 9 Ranch Road, Cantonment, FL 32533; and

WHEREAS, Lessor and Lessee desire to amend the Lease to allow for the installation of additional antennas, associated cables and other communications instruments; and

WHEREAS, Lessor and Lessee desire to adjust the rent in conjunction with the modifications to the Lease contained herein; and

WHEREAS, Lessor and Lessee desire to amend the Lease to update Lessee's notice address; and

WHEREAS, Lessor and Lessee desire to amend the Lease to permit Lessee to add, modify and/or replace equipment in order to be in compliance with any current or future federal, state or local mandated application, including but not limited to emergency 911 communication services; and

WHEREAS, Lessor and Lessee, in their mutual interest, wish to amend the Lease as set forth below accordingly.

NOW THEREFORE, in consideration of the foregoing and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Lessor and Lessee agree as follows:

1. **Additional Antennas.** Lessor consents to the installation and operation of additional antennas, associated cables and equipment as more completely described on attached Exhibit A-2. Lessor's execution of this Amendment will signify Lessor's approval of Exhibit A-2. Exhibit A-2 hereby replaces Exhibit A to the Lease to the extent it describes Lessee's antennas and equipment. The provisions of Exhibit A-6 to the Lease shall remain in effect.

2. **Rent.** Commencing on the first day of the month following the date that Lessee commences construction (the "Rent Commencement Date"), Rent shall be increased by \$300.00 per month, subject to adjustments as provided in the Lease.

3. **Notices.** Section 26 of the Lease is hereby amended to reflect Lessee's current notice address as follows:

If to Lessee: New Cingular Wireless PCS, LLC
By: AT&T Mobility Corporation,
Attn: Network Real Estate Administration
Re: Cell Site #: 343P5201, Cell Site Name: Gonzales (FL)
FA No: 10016310
12555 Cingular Way, Suite 1300
Alpharetta, GA 30004

With the required copy of legal notice sent to Lessee at the address above, a copy to the Legal Department (which copy is an administrative step which alone does not constitute legal notice):

New Cingular Wireless PCS, LLC
Attn: Legal Department,
Re: Cell Site #: 343P5201, Cell Site Name: Gonzales (FL)
FA No: 10016310
1025 Lenox Park Blvd., 5th Floor
Atlanta, GA 30319

4. **Emergency 911 Service.** In the future, without the payment of additional rent and at a location mutually acceptable to Lessor and Lessee, Lessor agrees that Lessee may add, modify and/or replace equipment in order to be in compliance with any current or future federal, state or local mandated application, including but not limited to emergency 911 communication services.

5. **Other Terms and Conditions Remain.** In the event of any inconsistencies between the Lease and this Third Amendment, the terms of this Third Amendment shall control. Except as expressly set forth in this Third Amendment, the Lease otherwise is unmodified and remains in full force and effect. Each reference in the Lease to itself shall be deemed also to refer to this Third Amendment.

6. **Capitalized Terms.** All capitalized terms used but not defined herein shall have the same meanings as defined in the Lease.

[REMAINDER OF PAGE INTENTIONALLY LEFT BLANK]
[SIGNATURES ON FOLLOWING PAGE]

EXHIBIT A-2

Existing Equipment:

Six (6) Kathrein Antennas
Twelve (12) TMAs
Twelve (12) lines of coax
Twelve (12) RETs

Equipment to be added:

Three (3) Andrew Antennas
Three (3) RRUS
Two (2) DC cables
Two (2) Power Cables
One (1) Surge Arrestor

Final Configuration:

Six (6) Kathrein Antennas
Three (3) Andrew Antennas
Twelve (12) TMAs
Twelve (12) lines of coax
Twelve (12) RETs
Three (3) RRUS
Two (2) DC cables
Two (2) Power Cables
One (1) Surge Arrestor

- * No change to existing ground space
- * All existing equipment to remain unchanged



BOARD OF COUNTY COMMISSIONERS

Escambia County, Florida

AI-2973

County Administrator's Report 11. 3.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/09/2012

Issue: Community Center License and Management Agreement for Marie K. Young Wedgewood Community Center and Park

From: Marilyn D. Wesley, Department Director

Organization: Community Affairs

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Community Center License and Management Agreement for Marie K. Young Wedgewood Community Center and Park - Marilyn D. Wesley, Community Affairs Department Director

That the Board approve and authorize the Chairman to sign the Community Center License and Management Agreement between the County and Wedgewood Community Center Group, Inc., for the Marie K. Young Wedgewood Community Center and Park, with an effective date of August 10, 2012.

BACKGROUND:

The Department of Community Affairs, at the direction of the Board, has partnered with local, non-profit organizations in the management of community centers throughout the county. These organizations assist in providing a vital service to the citizens of their communities by their operations. The majority of the County-owned community centers in Escambia County operate under Community Center License and Management Agreements.

The Wedgewood Community Center Group has met all of the qualifications for a Florida non-profit organization and obtained the proper insurance coverage as required by the County. The Marie K. Young Wedgewood Community Center and Park was deemed substantially complete in late July. A partially executed copy of the Wedgewood agreement has been attached to the recommendation for reference purposes.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

The Community Center License and Management Agreement was prepared in conjunction with the County Attorney Office, and has been approved as to form and legal sufficiency.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

Board policy requires the approval of the Board for such agreements involving County-owned property.

IMPLEMENTATION/COORDINATION:

The Department of Community Affairs will coordinate all efforts on behalf of the County with the respective organization and all pertinent departments regarding the Agreement.

Attachments

Wedgewood Community Center Group - Articles of Incorporation and Non-Profit Info

Wedgewood Community Center Group - License and Management Agreement

ARTICLES OF INCORPORATION
In compliance with Chapter 617, F.S., (Not for Profit)

ARTICLE I NAME

The name of the corporation shall be: Wedgewood Community Center Group, Inc.

ARTICLE II PRINCIPAL OFFICE

Principal street address

Mailing address, if different is:

6405 Wagner Rd.
Pensacola, Fl 32505

5021 Audrey Sue Circle
Pensacola, Fl 32526

ARTICLE III PURPOSE

The purpose for which the corporation is organized is: The purpose of the Wedgewood Community Center Group, Inc. is exclusively for charitable, scientific and educational purposes, more specifically to ensure that quality social, health and wellness and educational activities are provided.

ARTICLE IV MANNER OF ELECTION The manner in which the directors are elected and appointed: Directors are nominated by members of the Wedgewood/Rolling Hills Homeowner's Association and voted on by the membership.

ARTICLE V INITIAL OFFICERS AND/OR DIRECTORS

Name and Title: Carrie Brown, Chairman
Address: 708 Baker Street
Pensacola, Fl 32505

Name and Title: Linda R. Gulley, Treasurer
Address: 5021 Audrey Sue Circle
Pensacola, Fl 32526

Name and Title: William G. Gulley, Vice Chair
Address: 1104 West Hope Drive
Pensacola, Fl 32534

Name and Title: Dr. Marian Torrence, *SEC.*
Address: 6404 Hampton Rd.
Pensacola, Fl 32505

Name and Title:
Address:

Name and Title:
Address:

ARTICLE VI REGISTERED AGENT

The name and Florida street address (P.O. Box NOT acceptable) of the registered agent is:

Name: Dr. Marian Torrence
Address: 6404 Hampton Rd.
Pensacola, Fl 32505

ARTICLE VII INCORPORATOR

The name and address of the Incorporator is:

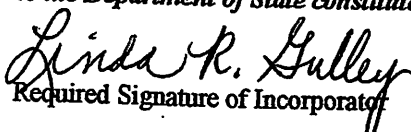
Name: Linda R. Gulley
Address: 5021 Audrey Sue Circle
Pensacola, Fl 32526

Having been named as registered agent to accept service of process for the above stated corporation at the place designated in this certificate, I am familiar with and accept the appointment as registered agent and agree to act in this capacity


Required Signature of Registered Agent

Date February 28, 2012

I submit this document and affirm that the facts stated herein are true. I am aware that any false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S.


Required Signature of Incorporator

Date February 28, 2012

12 APR 11 PM 12:36
CLERK OF THE COURT
ALEXANDER, FLORIDA

State of Florida

Department of State

I certify from the records of this office that WEDGEWOOD COMMUNITY CENTER GROUP, INC is a corporation organized under the laws of the State of Florida, filed on April 11, 2012.

The document number of this corporation is N12000003810.

I further certify that said corporation has paid all fees due this office through December 31, 2012, and its status is active.

I further certify that said corporation has not filed Articles of Dissolution.

Given under my hand and the Great Seal of Florida, at Tallahassee, the Capital, this the Twenty Fifth day of July, 2012

Ken Pitzner

Secretary of State



Authentication ID: 800237837418-072512-N12000003810

To authenticate this certificate, visit the following site, enter this ID, and then follow the instructions displayed.

<https://efile.sunbiz.org/certauthver.html>

Constitution and By-Laws

The Wedgewood Community Center (WCC)

Board of Directors

ARTICLE I-NAME

The name of this Board shall be the Wedgewood Community Center Board of Directors (hereafter referred to WCC Board of Directors).

ARTICLE II-MISSON STATEMENT

. The mission of the Board of Directors is to manage the community center, to promote the center's use and to ensure public access

ARTICLE III – PURPOSE

Section 1. The Board is organized to ensure that social, recreational, educational, and health/wellness activities are provided.

Section 2. This Board of Directors shall:

- (a) Be the monitoring agency for the community center programs.
- (b) Assist in securing an Executive Director to carry out the WCC programs. The personnel should meet specific qualifications as dictated by the Board of Directors.
- (c) Oversee the delegated responsibility for the center's daily operations.
- (d) Approve policies governing the WCC's Operation.
- (e) Review and evaluate the center's services.
- (f) Be volunteer only.
- (g) Review the strategic plan and budget of the WCC programs and make recommendations.

ARTICLE IV- EXECUTIVE BOARD COMPOSITION

- Section 1. The WCC Board shall consist of no more than fifteen (15) members and no less than twelve (12) members. There shall be five (5) At-Large members of which two will be from the business community and three will be residents from neighboring communities.
- Section 2. The term of each member shall be two (2) years and each member is eligible for re-election.
- Section 3. A quorum must be attended by at least fifty (50) percent +1 of the Board members before business can be transacted or motions made or passed.
- Section 4. An official Board meeting requires that each Board member have two weeks notice in advance.
- Section 5. Members are expected to notify the Board Chairperson or Secretary if unable to attend meetings. Neglect of the duty shall be deemed as having missed three (3) meetings in a 12 month period without notification. When either of the above circumstances prevails, the chairperson shall require the secretary to send a letter to the Board member concerning an interest in continuing to serve on the Board. Failure to report in writing to the Chairperson of the Board prior to the next regular meeting will indicate disinterest in continuing to serve.
- Section 6. Vacancies shall be filled for unexpired terms in the same manner as for original appointments.
- Section 7. Any Board member may be recommended for removal by a vote of fifty (50) percent total members +1 member after being given a written statement of charges and an opportunity to be heard.
- Section 8. The Executive Board shall be comprised of all elected officers.
- Section 9. The Board shall be comprised of all elected and appointed officers.

ARTICLE V- OFFICERS

The titles and method of selection of the officers of the WCC are as follows:

- Chairperson: elected by membership
- Vice Chairperson: elected by membership

Recording Secretary:	elected by membership
Treasurer:	elected by membership
Assistant Secretary:	appointed by the WCC board
Financial Secretary:	appointed by the WCC board
Corresponding Secretary:	appointed by the WCC board
General Manager:	appointed by the WCC board
Event Coordinators:	appointed by the WCC board
Executive Director	appointed by the WCC board

Duties of the Officers

The **Chairperson** shall preside at the meeting of the WCC and of the Executive Board; shall appoint chairs of constituted committees and create such other committees and appoint members thereon as he/she deems advisable. He/She shall be ex-officio member of all committees and shall perform such other duties as are usually incidental to the office.

The **Vice Chairperson** shall act as a representative of the Chairperson in all matters referred to him/her by the Chairperson and shall perform such other duties as are usually incidental to the respective office.

The **Recording Secretary** shall keep an accurate record of the minutes of the WCC and its Executive Board; shall keep a roll of the members and committees.

The **Assistant Recording Secretary** shall serve in the absence of the recording secretary.

The **Financial Secretary** oversees policy concerning the flow of the financial resources like money in and out of the organization. The officer sometimes determines policy concerning the purchase or sale of goods and services and collection of dues.

The **Corresponding Secretary** handles all correspondence, reports and keeps all files accurate.

The **Treasurer** is custodian of the funds and shall account for all funds. He/She shall sign all checks issued and give a financial report at each regular meeting and Executive Board meeting.

The **Executive Director** is responsible for serving the users of the WCC while carrying out routine and special duties. The director is responsible for the supervision of the staff and activities.

The **Events Coordinators** are responsible for planning, organizing, coordinating, and promoting special events; coordinates and monitors event timelines.

ARTICLE VI-MEETINGS

The board shall hold and document at least nine (9) meetings each year. Special meeting may be called by the Chairperson, or upon petition of any three (3) members of the Executive Board. All board meetings will be in accordance with a notice and record keeping per requirements of the Freedom of the Information ACT (FOIA).

ARTICLE VII-VOTING OF THE BOARD

Fifty (50) percent +1 of the appointed board members shall constitute a quorum. The At-Large members are excluded from voting.

ARTICLE VIII-EXECUTIVE BOARD COMMITTEES

The Executive Board may create such standing committees as are required for the adequate functioning of the organization. The Board Chair appoints all committee chairs. The four (4) officers (Chair, Vice Chair, Recording Secretary, and Treasurer) serve as members of the executive committee.

Standing Committees shall include:

1. The Finance Committee: The treasurer is chair of the Finance Committee, which includes three other board members: Secretary, Financial Secretary and Corresponding Secretary.
2. The Membership Committee: The chairmanship will be appointed by the Board Chair.

ARTICLE IX-AMENDMENTS

These By-Laws may be amended at any regular meeting of the Board by a two-thirds vote of those present and voting, provided that the proposed amendment shall be read at length at the first meeting and shall be voted at the next regular meeting.

ARTICLE X-INCORPORATION

The WCC was incorporated under the laws of the State of Florida, relating to the incorporation of the non-profit societies, being Article No.:N9400000373, and document number N12000003810.

ARTICLE XI-MEMBERSHIP

The WCC membership is open to individuals residing or working in Escambia County in addition to faith based, civic groups, or charitable organizations.

ARTICLE XII-DUES

Dues are set at \$25.00 per household per year and must be paid in advance. New member's dues must accompany their application for membership. Dues will cover membership from January 1st. through December 31st, or any portion of the current year through December 31st. Dues are due annually on 1st January.

ARTICLE XIII-DISSOLUTION

In the event of dissolution, the residual assets of the organization will be turned over to one or more organization(s) which themselves are exempt as organizations described in section 501C(3) and 1 70C(2) of the Internal Revenue Code 1954 or corresponding sections of any prior or future Internal revenue Code, or to the Federal, State, or local government for exclusive public purpose.

ARTICLE XIV-MISCELLANEOUS

The WCC was incorporated under the laws of the State of Florida, relating to the incorporation of the non-profit societies, being document number N12000003810.

There will be three signatures on the account with the requirement of two on each signed check. The treasurer shall be bonded.

IRS DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
CINCINNATI OH 45999-0023

001937.177241.0006.001 1 MB 0.404 532



WEDGEWOOD COMMUNITY CENTER
708 BAKER ST
PENSACOLA FL 32505

Date of this notice: 03-12-2012

Employer Identification Number:
45-4716781

Form: SS-4

Number of this notice: CP 575 E

For assistance you may call us at:
1-800-829-4933

**IF YOU WRITE, ATTACH THE
STUB OF THIS NOTICE.**

WE ASSIGNED YOU AN EMPLOYER IDENTIFICATION NUMBER

Thank you for applying for an Employer Identification Number (EIN). We assigned you EIN 45-4716781. This EIN will identify you, your business accounts, tax returns, and documents, even if you have no employees. Please keep this notice in your permanent records.

When filing tax documents, payments, and related correspondence, it is very important that you use your EIN and complete name and address exactly as shown above. Any variation may cause a delay in processing, result in incorrect information in your account, or even cause you to be assigned more than one EIN. If the information is not correct as shown above, please make the correction using the attached tear off stub and return it to us.

Assigning an EIN does not grant tax-exempt status to non-profit organizations. Publication 557, Tax Exempt Status for Your Organization, has details on the application process, as well as information on returns you may need to file. To apply for formal recognition of tax-exempt status, most organizations will need to complete either Form 1023, Application for Recognition Under Section 501(c)(3) of the Internal Revenue Code, or Form 1024, Application for Recognition of Exemption Under Section 501(a). Submit the completed form, all applicable attachments, and the required user fee to:

Internal Revenue Service
PO Box 12192
Covington, KY 41012-0192

The Pension Protection Act of 2006 contains numerous changes to the tax law provisions affecting tax-exempt organizations, including an annual electronic notification requirement (Form 990-N) for organizations not required to file an annual information return (Form 990 or Form 990-EZ). Additionally, if you are required to file an annual information return, you may be required to file it electronically. Please refer to the Charities & Non-Profits page at www.irs.gov for the most current information on your filing requirements.

12-1-03

To obtain tax forms and publications, including those referenced in this notice, visit our Web site at www.irs.gov. If you do not have access to the Internet, call 1-800-829-3676 (TTY/TDD 1-800-829-4059) or visit your local IRS office.

IMPORTANT REMINDERS:

- * Keep a copy of this notice in your permanent records. This notice is issued only one time and IRS will not be able to generate a duplicate copy for you.
- * Use this EIN and your name exactly as they appear at the top of this notice on all your federal tax forms.
- * Refer to this EIN on your tax-related correspondence and documents.
- * Provide future officers of your organization with a copy of this notice.

If you have questions about your EIN, you can call us at the phone number or write to us at the address shown at the top of this notice. If you write, please tear off the stub at the bottom of this notice and send it along with your letter. If you do not need to write us, do not complete and return this stub. Thank you for your cooperation.



IRS

Department of the Treasury
Internal Revenue Service

Cincinnati Service Center
CINCINNATI OH 45999-0046

In reply refer to: 0223202620
June 12, 2012 LTR 147C 0
45-4716781 000000 00

00001889
BODC: SB

WEDGEWOOD COMMUNITY CENTER GROUP
INC
708 BAKER ST
PENSACOLA FL 32505-1504



022860

Employer Identification Number: 45-4716781

Dear Taxpayer:

We received your request dated Apr. 12, 2012 asking us to update your name. We have updated your account to reflect the change(s).

If you need forms, schedules, or publications, you can obtain them by visiting the IRS web site at www.irs.gov or by calling toll free at 1-800-TAX-FORM (1-800-829-3676).

Please call Entity Team 302 at 859-669-5674 between the hours of 6:00 a.m. and 4:00 p.m. ET with any questions you may have.

You also can write to us at the address shown at the top of this letter's first page.

When you write to us, please attach this letter and, in the spaces below, give us your telephone number with the hours we can reach you in case we need more information. You also may want to keep a copy of this letter for your records.

Telephone Number () _____ Hours _____

We apologize for any inconvenience we may have caused you, and thank you for your cooperation.

0223202620
June 12, 2012 LTR 147C 0
45-4716781 000000 00
00001890

WEDGEWOOD COMMUNITY CENTER GROUP
INC
708 BAKER ST
PENSACOLA FL 32505-1504

Sincerely yours,

Cynthia Rilling

Cynthia Rilling, Operations Mgr.
Document Perfection Operations

Enclosure(s):
Copy of this letter

FLORIDA DEPARTMENT OF STATE DIVISION OF CORPORATIONS



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[No Events](#) [No Name History](#)

Detail by Document Number

Florida Non Profit Corporation

WEDGEWOOD COMMUNITY CENTER GROUP, INC

Filing Information

Document Number N12000003810
FEI/EIN Number NONE
Date Filed 04/11/2012
State FL
Status ACTIVE

Principal Address

6405 WAGNER ROAD
PENSACOLA FL 32505

Mailing Address

5021 AUDREY SUE CIRCLE
PENSACOLA FL 32526

Registered Agent Name & Address

TORRENCE, MARIAN DR.
6404 HAMPTON RD.
PENSACOLA FL 32505

Officer/Director Detail

Name & Address

Title C
BROWN, CARRIE
708 BAKER STREET
PENSACOLA FL 32505

Title VC
GULLEY, WILLIAM G
1104 WEST HOPE DRIVE
PENSACOLA FL 32534

Title T
GULLEY, LINDA R
5021 AUDREY SUE CIRCLE
PENSACOLA FL 32526

Title S

TORRENCE, MARIAN DR.
6404 HAMPTON RD.
PENSACOLA FL 32505

Annual Reports

No Annual Reports Filed

Document Images

[04/11/2012 -- Domestic Non-Profit](#)

Note: This is not official record. See documents if question or conflict.

No Events No Name History

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State of Florida, Department of State

**COMMUNITY CENTER
LICENSE AND MANAGEMENT AGREEMENT**

THIS LICENSE AND MANAGEMENT AGREEMENT (Agreement) is made and entered into as of this 10th day of August, 2012 by and between Escambia County, a political subdivision of the State of Florida, whose address is 221 Palafox Place, Ste. 420 Pensacola, Florida 32502 (County), and the Wedgewood Community Center Group, Inc., a Florida not-for-profit corporation whose mailing address is 5021 Audrey Sue Circle, Pensacola, FL 32526 (Organization):

WITNESSETH:

WHEREAS, the County owns the property known as the Marie K. Young Wedgewood Community Center and Park - 6405 Wagner Road, Pensacola, FL 32505 (Community Center); and

WHEREAS, the Organization, a non-profit corporation organized under the laws of the State of Florida, was created to provide social and character development through structured programs and organized activities for citizens of Escambia County; and

WHEREAS, the County and the Organization desire that the Organization manage structured programs and organized activities at the Community Center for the use and benefit of the public; and

WHEREAS, the Organization has expressed interest to the Board of County Commissioners to use and manage the Community Center for the purpose of providing a location for members of its organization and citizens and groups in Escambia County to engage in structured programs and organized activities; and

WHEREAS, the County is satisfied that a license to use, manage, and administer the Community Center would be in the County's best interests; and

WHEREAS, the Organization desires to assist the County in the continued operation of public structured programs and organized activities at the Community Center; and

WHEREAS, the County would benefit from the assistance of the Organization in operating the Community Center for structured programs and organized activities; and

WHEREAS, this Agreement supersedes any previous agreements.

NOW THEREFORE, the parties agree as follows:

1. COMMUNITY CENTER USE AND MANAGEMENT. The County licenses the Organization to use and manage the Community Center with relation to activities and programs that

are sponsored by and under the Organization's direction. The Organization agrees that the Community Center will remain available for use by other citizens and community organizations at all times for activities which do not interfere with the Organization's scheduled activities.

During the period of the Agreement and any renewal of the Agreement, the Organization will administer the Community Centers various programs for the public benefit and will organize programs in accordance with the terms in the Agreement. The Organization has priority in scheduling its programs and activities at the Community Center. Any member of the public, who qualifies under applicable Organization rules, may participate in the Organizations programs.

The Organization may grant preferences to programs designated as group activities.

The Organization may charge a fee for participation in the Organization's events, provided however, that any fee charged cannot exceed anticipated expenses directly associated with the program, including appropriate allowances for participation in the programs by citizens without sufficient funds to pay the fees. The fees are to be used solely for the purpose of covering expenses directly associated with the programs and activities of the Organization.

The Organization shall comply with Section 504 of the Rehabilitation Act of 1973, as amended, and Title VI of the Civil Rights Act of 1964, as amended. The Organization shall not discriminate against any person because of race, color, sex, religion, handicap, age, or national origin, by refusing to furnish services provided by the Organization.

In the event of a disaster as declared by Escambia County pursuant to Section 37-35, Escambia County Code of Ordinances, the Organization understands and agrees that County may at its discretion utilize the Community Center facility during which the Organization shall be required to suspend operations and vacate the premises.

2. TERM. The term of this Agreement shall commence upon execution by the both parties and continue in effect for an initial term of the three (3) years unless earlier terminated with or without cause by either party giving thirty (30) days prior written notice. The Agreement will automatically renew for two (2) additional one (1) year terms unless thirty (30) days prior to the end of any renewal term, either the Organization or the County gives written notice of intent not to renew. The term of this Agreement begins on the 10th day of August, 2012 and ends on the 9th day of August, 2015.

3. PAYMENT OF RENT. The Organization agrees to pay to the County the sum of one dollar (\$1) per year, payable in advance for the initial agreement term of three (3) years. The County acknowledges receipt of three dollars (\$3).

4. NOTICES. Notices to the Organization and the County under the Agreement and the payment of rent must be addressed to and mailed or delivered to the following:

TO THE COUNTY

**County Administrator
Board of County Commissioners
221 Palafox Place, Suite 420
Pensacola, Florida 32502**

TO THE ORGANIZATION

**Wedgewood Community Center Group, Inc.
5021 Audrey Sue Circle
Pensacola, Florida 32526**

With a copy to:

**County Attorney's Office
221 Palafox Place, 430
Pensacola, Florida 32502**

Notices can be personally delivered or sent by U.S. mail. The date of delivery is the date of receipt of any notice. Each party may change its address by written notice given to the other.

5. ORGANIZATION DOCUMENTS. At the time of the execution of the Agreement, the Organization agrees to provide to the County a copy of its incorporating documents and a list of its current Board of Directors. The Organization agrees to furnish the following annually to the County; certificate of insurance, financial report, board member roster, activity report, and organization equipment inventory. Failure to provide said documents to the County by November 1 of any year could result in the termination of this Agreement.

6. MEDIATION. The County Administrator, or authorized designee, will assure the Organizations compliance with the terms of the Agreement. The County Administrator may elect to mediate disputes arising between members of the public and the Organization regarding the Organizations compliance with the Agreement. The Organization designates its Board of Directors, or a specifically appointed committee of the Board of Directors, to represent the Organization in disputes. The Organization's Board of Directors is responsible for carrying out all the objectives set forth in the Agreement.

7. CONSTRUCTION OF IMPROVEMENTS. The County agrees to preserve the Community Center exclusively for public purposes. The County further agrees that during the term of the Agreement, no physical change to the property or major construction work will be undertaken without prior consultation with the Board of Directors of the Organization.

If the Organization wants to undertake any construction work in the Community Center, prior approval must be obtained from the County, and the Organization shall ensure that all Federal, State, local laws, regulations, and ordinances are complied with, including but not limited to: (a) the Occupational Safety and Health Act of 1970, Construction Industry Standards (29 CFR §1926, et. seq.); (b) the Americans with Disabilities Act of 1990, as subsequently amended (42 U.S.C. 12101, et. seq.); (c) Escambia County Review Committee approval; and (d) Building inspection review. All improvements made by the Organization become the property of the County without charge upon completion.

8. MAINTENANCE. The Organization and the County agree that all necessary grounds and structure maintenance and upkeep of the Community Center will be carried out year round. In order to create a clear understanding of this scope of work, the following maintenance guidelines are agreed to by the parties: (a) the County will maintain the premises in good repair and in a neat, safe, and orderly condition, normal wear and tear excepted; (b) in the event it is determined that damage to facilities and equipment has occurred due to abuse or misuse by the Organization or any other entity using the Community Center for organized events by consent of the Organization, the Organization is responsible for the repair or returning the facility and equipment to its pre-damaged condition; (c) the County will pay all water, gas, electric, telephone (single line only/no options), sewage, garbage disposal, janitorial, and other utility bills related to the Community Center during the term of the Agreement, and (d) the County will provide proper grounds maintenance throughout the year.

9. REVENUE/INCOME. Revenue and income derived from the activities of the Organization are the exclusive property of the Organization but must be used by the Organization in furtherance of its activities at the Community Center in providing additional improvements for the Organization's programs. The Organization shall provide a full accounting of all revenue and expenses to the County annually. The County has the right to audit the financial information at any time, at the County's expense.

10. EQUIPMENT. An inventory of equipment and personal property stored at the Community Center must be provided annually to the County by the Organization. All equipment or other personal property owned by the Organization, which has been placed or maintained in the Community Center by the Organization, is at the sole risk of the Organization. The Organization may remove from the Community Center any time prior to, or within sixty (60) days of the termination of the Agreement its equipment and personal property. Any Organization equipment or personal property not removed from the Community Center within sixty (60) days after termination of the Agreement becomes the exclusive property of the County without recourse.

11. TERMINATION. The Agreement may be terminated at any time, with or without cause, by the County, particularly whenever the Community Center is not being used, utilized, or managed by the Organization in accordance with the provisions of the Agreement, or whenever the Organization ceases operation, dissolves its corporation, or otherwise no longer provides the required services under the terms of the Agreement. The County agrees to give the Organization not less than thirty (30) days written notice of its intent to terminate the Agreement.

The Agreement may be terminated by the Organization at any time in case of material breach of the Agreement by the County provided that the Organization shall first give to the County written notice of the breach and thirty (30) days within which to remedy the breach. Any notice under this section mailed or delivered by the County to the Board of Directors of the Organization will be deemed as the official notice of the County.

12. RECORDS. The parties acknowledge that this agreement and any related financial records, and its reports, plans, correspondence, and other documents maybe subject to disclosure to members of the public pursuant to Chapter 119, Florida Statutes, as amended. In the event a party fails to

abide by the provisions of Chapter 119, Florida Statutes, the other party may, without prejudice to any right or remedy and after giving that party, seven (7) days written notice, during which period the party fails to allow access to such documents, terminate this agreement.

13. ENTIRE AGREEMENT. The Agreement contains the entire agreement of the parties and no representations, inducements, promises, or agreements between the parties not contained in the Agreement will be of any force and effect. Any amendments, modifications, additions, or alterations of the Agreement must be in writing executed with the same formalities as the Agreement.

14. HEADINGS. Headings and subtitles used throughout this agreement are for the purpose of convenience only, and no heading or subtitle shall modify or be used to interpret the text of any section.

15. SUCCESSORS AND ASSIGNS. Without the previous written consent of the County, neither the Organization, nor its successors in interest by operation of law or otherwise, are permitted to assign the Agreement sublet or permit the occupancy of the Community Center or any part of the Community Center, by anyone other than the Organization. Any consent by the County to any act of assignment, subletting, or occupancy will be held to apply only to the specific transaction authorized. In any event, no assignment, subletting or occupancy will relieve the Organization of its obligations under the Agreement.

16. SURVIVAL. All other provisions which, by their inherent character, sense, and context, are intended to survive termination of this agreement shall survive it.

17. INSURANCE. During the period mutually agreed upon between the County and the Organization, the Organization shall provide commercial general liability insurance with \$500,000 per occurrence and aggregate limits, including coverage parts of bodily injury, property damage, personal injury, and contractual liability, and sports participation cannot be excluded. The Organization must also require any other organization using the Community Center for organized events to procure "special event" liability insurance, naming Escambia County as an "additional insured." In the alternative, the Organization can procure a blanket special events policy for a minimum of \$500,000 per event and issue certificates to other organizations using the Community Center for special events.

All insurance carriers must be rated "A minus," VIII or higher by the most recently published edition of A.M. Best rating guide. The Organization shall provide thirty (30) days prior written notice to Escambia County before any change in or cancellation of any of the identified coverages.

Escambia County must be provided the certificates of insurance which reflect **Escambia County, 221 Palafox Place, Suite 420, Pensacola, Florida 32502,** as an "additional insured" and the "certificate holder". Certificates must be mailed to **Department of Community Affairs-Division of Community Services, 221 Palafox Place, Pensacola, Florida 32502.** Certificates must reflect a thirty (30) day notice of cancellation and non-renewal clauses. Certificates of insurance will

be satisfactory to the County with all succeeding coverages and carriers to be consecutive to prior coverages.

No provision of the Agreement can be construed, or in any way is intended to be construed, as a waiver of Escambia County's sovereign immunity or any other limitation of liability of Escambia County. Escambia County is self-insured for liabilities in excess of the amounts provided under Section 768.28, Florida Statutes.

The Organization agrees not to violate, or knowingly or negligently permit or allow to be violated, any condition of any insurance policies required by the Agreement. All insurance coverage of the Organization must be primary to any insurance or self-insurance carried by Escambia County applicable to this Agreement. The acceptance by Escambia County of any Certificate of Insurance does not constitute approval or agreement by Escambia County that the insurance requirements have been satisfied or that the insurance policy shown on the Certificate of Insurance is in compliance with the Agreement.

18. HOLD HARMLESS. The Organization shall indemnify and hold harmless Escambia County, its subsidiaries or affiliates, elected and appointed officials, employees, volunteers, representatives and agents from any and all claims, suits, actions, damages, penalties, interest, attorney and paralegal fees, liability and expenses in connection with the loss of life, bodily or personal injury, environmental impairment, property damage, including loss of use of the property, zoning or similar issues, directly or indirectly caused by, resulting from, arising out of or occurring in connection with the Organization's negligent performance of the Agreement. The Organization's obligation is not limited by, or in any way to, any insurance coverage or by any provision in or exclusion or omission from any policy of insurance.

19. DAMAGE OR DESTRUCTION BY CASUALTY. If by fire or other casualty the Community Center is totally damaged or destroyed, either party has the option of terminating the Agreement by serving written notice upon the other within thirty (30) days from the date of the casualty or a lesser number of days as the parties may mutually agree.

20. COMPLIANCE WITH LAWS AND PROCEDURES. The parties agree to comply with all applicable laws, guidelines, rules, regulations, and requirements, whether federal, state, or local, applicable to the Organization and its use of the Community Center and those for the correction, prevention, and abatement of nuisance, unsafe conditions, or other grievances arising from or pertaining to the use or occupancy of the Community Center.

21. SMOKING AND ALCOHOL POLICY. Alcohol use is prohibited at all times on the grounds of the community center as well as within the structure of the Community Center. Smoking is prohibited at all times within the structure of the Community Center. If this prohibition is violated by the Organization or any other organization using the Community Center for organized events, the Agreement may be terminated by the Board of County Commissioners pursuant to Paragraph 11 of the Agreement.

22. SEVERABILITY. If any term or condition of the Agreement or the application of the Agreement to any person or circumstance is, to any extent, invalid or unenforceable, the remainder of the Agreement is not affected and each term and condition of the Agreement is to be valid and enforceable to the fullest extent permitted by law. The Agreement will be construed in accordance with the laws of the State of Florida, and venue is in Escambia County, Florida.

23. EFFECTIVE DATE. Submission of the Agreement to the County does not constitute an offer, and the Agreement becomes effective upon the execution and delivery by both the Organization and the County. The County and the Organization acknowledge that they have not relied upon any statement, representation, prior or contemporaneous written or oral promises, agreements, or warranties, except as expressed in the Agreement.

If the Organization, with the County's consent, uses the Community Center or any part of the Community Center prior to the beginning of the Agreement term, all provisions of the Agreement will be in full force and effect beginning at the time of the initial use.

24. RELATIONSHIP OF PARTIES. Nothing contained in the Agreement can be deemed by the parties or by any third party to create the relationship of principal and agent, partnership, joint venturer or similar relationship between the County and the Organization.

25. **ACKNOWLEDGEMENT.** The Agreement cannot be more strictly construed against either party because one party may have drafted or prepared any or all of the terms and provisions of the Agreement. It is acknowledged that each of the parties has been represented by legal counsel and that each of the legal counsel has contributed substantially to the content of the Agreement.

SIGNED AND DELIVERED BY:

COUNTY:

Board of County Commissioners
Escambia County, Florida

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

Deputy Clerk

(SEAL)

Wilson B. Robertson, Chairman

This document approved as to form
and legal sufficiency

By *Kristin Hual*

Title *ACA*

Date *7/26/12*

ORGANIZATION:

Wedgewood Community Center Group, Inc.
5021 Audrey Sue Circle
Pensacola, Florida 32526

By: *Carrie Brown*
Its: **Chairman**

Witness: *Jessie J. Walker III*
Print Name: *Jessie J. Walker III*

Witness: *Bonita Mayer*
Print Name: *Bonita Mayer*

STATE OF FLORIDA
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 23rd day of July, 2012, Carrie Brown, as Chairman of Wedgewood Community Center Group, Inc. She is () personally known to me, or (X) produced identification. Type of identification produced *FL Driver License*.



[Signature]
Signature of Notary Public

Deana Stallworth
Printed Name of Notary Public



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3010

County Administrator's Report 11. 4.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/09/2012

Issue: Assignment of Agreement for Marie Ella Davis Community Center

From: Marilyn D. Wesley, Department Director

Organization: Community Affairs

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Assignment of Agreement for Marie Ella Davis Community Center - Marilyn D. Wesley, Community Affairs Department Director

That the Board approve and authorize the Chairman to sign the Assignment of Agreement between the County and the Warrington Community Homeowners Association & Neighborhood Watch, Inc., to the Warrington Neighborhood Watch Corporation, for the Marie Ella Davis Community Center, with an effective date of August 9, 2012.

BACKGROUND:

The Department of Community Affairs, at the direction of the Board, has partnered with local, non-profit organizations in the management of community centers throughout the county. These organizations assist in providing a vital service to the citizens of their communities by their operations. The majority of the County-owned community centers in Escambia County operate under Community Center License and Management Agreements.

The Board approved a Community Center License and Management Agreement with the Warrington Community Homeowners Association and Neighborhood Watch for Marie Ella Davis Community Center on August 16, 2010. The organization has since administratively dissolved and discontinued operations due to the passing of its previous president, and the Warrington Neighborhood Watch Corporation, a non-profit organization, has assumed their operations. This Assignment of Agreement is necessary for the new entity to formally accept the rights, duties, and obligations for the duration of the License and Management Agreement.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

The Assignment of Agreement has been prepared in conjunction with the County Attorney Office, and has been approved as to form and legal sufficiency.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

Board policy requires the approval of the Board for such agreements involving County-owned property.

IMPLEMENTATION/COORDINATION:

The Department of Community Affairs will coordinate all efforts on behalf of the County with the respective organization and all pertinent departments regarding the Agreement.

Attachments

Warrington Neighborhood Watch Corporation Articles of Incorporation

Assignment of Agreement - Marie Ella Davis Community Center

**Electronic Articles of Incorporation
For**

N1100000758
FILED
January 24, 2011
Sec. Of State
jshivers

WARRINGTON NEIGHBORHOOD WATCH CORPORATION

The undersigned incorporator, for the purpose of forming a Florida not-for-profit corporation, hereby adopts the following Articles of Incorporation:

Article I

The name of the corporation is:

WARRINGTON NEIGHBORHOOD WATCH CORPORATION

Article II

The principal place of business address:

MARIE ELLA DAVIS COMMUNITY CENTER
16 RAYMOND ST.
PENSACOLA, FL. 32507

The mailing address of the corporation is:

P.O. BOX 16318
PENSACOLA, FL. 32507

Article III

The specific purpose for which this corporation is organized is:

OUR PURPOSE IS TO ESTABLISH RELATIONS WITH OUR COMMUNITY
IN CRIME PREVENTION AND HAVE THE CORPORATE POWERS TO
SOLICIT OTHER ORGANIZATIONS FOR RESOURCES.

Article IV

The manner in which directors are elected or appointed is:

APPOINTED

Article V

The name and Florida street address of the registered agent is:

NAVARRO M JACKSON
11 N. MERRITT ST
PENSACOLA, FL. 32507

I certify that I am familiar with and accept the responsibilities of registered agent.

Registered Agent Signature: NAVARRO JACKSON

Article VI

The name and address of the incorporator is:

NAVARRO JACKSON
11 N. MERRITT ST

PENSACOLA FLORIDA 32507

Electronic Signature of Incorporator: NAVARRO JACKSON

I am the incorporator submitting these Articles of Incorporation and affirm that the facts stated herein are true. I am aware that false information submitted in a document to the Department of State constitutes a third degree felony as provided for in s.817.155, F.S. I understand the requirement to file an annual report between January 1st and May 1st in the calendar year following formation of this corporation and every year thereafter to maintain "active" status.

Article VII

The initial officer(s) and/or director(s) of the corporation is/are:

Title: P
NAVARRO M JACKSON
11 N MERRITT ST
PENSACOLA, FL. 32507

Title: S
DAISY DAVIS
18 N. RUNYEN ST.
PENSACOLA, FL. 32507

Title: T
ANNIE TOOKES
21 WASHINGTON ST
PENSACOLA, FL. 32507

Title: R
BERTHA GRIFFIN
738 GULFBEACH HWY
PENSACOLA, FL. 32507

Article VIII

The effective date for this corporation shall be:

01/21/2011

2012 NOT-FOR-PROFIT CORPORATION ANNUAL REPORT

DOCUMENT# N11000000758

FILED
Apr 19, 2012
Secretary of State

Entity Name: WARRINGTON NEIGHBORHOOD WATCH CORPORATION

Current Principal Place of Business:

MARIE ELLA DAVIS COMMUNITY CENTER
16 RAYMOND ST.
PENSACOLA, FL 32507

New Principal Place of Business:

Current Mailing Address:

P.O. BOX 16318
PENSACOLA, FL 32507

New Mailing Address:

FEI Number: 36-4689366 **FEI Number Applied For ()** **FEI Number Not Applicable ()** **Certificate of Status Desired ()**

Name and Address of Current Registered Agent:

JACKSON, NAVARRO M
11 N. MERRITT ST
PENSACOLA, FL 32507 US

Name and Address of New Registered Agent:

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE: _____

Electronic Signature of Registered Agent

_____ Date

OFFICERS AND DIRECTORS:

Title: P
Name: JACKSON, NAVARRO M
Address: 11 N MERRITT ST
City-St-Zip: PENSACOLA, FL 32507

Title: S
Name: DAVIS, DAISY
Address: 18 N. RUNYAN ST.
City-St-Zip: PENSACOLA, FL 32507

Title: T
Name: TOOKES, ANNIE
Address: 21 WASHINGTON ST
City-St-Zip: PENSACOLA, FL 32507

Title: R
Name: GRIFFIN, BERTHA
Address: 738 GULFBEACH HWY
City-St-Zip: PENSACOLA, FL 32507

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: NAVARRO JACKSON

P

 04/19/2012

Electronic Signature of Signing Officer or Director

Date

FLORIDA DEPARTMENT OF STATE
DIVISION OF CORPORATIONS



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Detail by Entity Name

Florida Non Profit Corporation

WARRINGTON NEIGHBORHOOD WATCH CORPORATION

Filing Information

Document Number N11000000758
FEI/EIN Number 364689366
Date Filed 01/24/2011
State FL
Status ACTIVE
Effective Date 01/21/2011

Principal Address

MARIE ELLA DAVIS COMMUNITY CENTER
16 RAYMOND ST.
PENSACOLA FL 32507

Mailing Address

P.O. BOX 16318
PENSACOLA FL 32507

Registered Agent Name & Address

JACKSON, NAVARRO M
11 N. MERRITT ST
PENSACOLA FL 32507 US

Officer/Director Detail

Name & Address

Title P

JACKSON, NAVARRO M
11 N MERRITT ST
PENSACOLA FL 32507

Title S

DAVIS, DAISY
18 N. RUNYAN ST.
PENSACOLA FL 32507

Title T

TOOKES, ANNIE
21 WASHINGTON ST
PENSACOLA FL 32507

Title R

GRIFFIN, BERTHA

738 GULFBEACH HWY
PENSACOLA FL 32507

Annual Reports

Report Year Filed Date
2012 04/19/2012

Document Images

[04/19/2012 -- ANNUAL REPORT](#)

[01/24/2011 -- Domestic Non-Profit](#)

Note: This is not official record. See documents if question or conflict.

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State of Florida, Department of State

ASSIGNMENT OF AGREEMENT BETWEEN ESCAMBIA COUNTY, FLORIDA AND THE WARRINGTON COMMUNITY HOMEOWNERS ASSOCIATION & NEIGHBORHOOD WATCH, INC., TO THE WARRINGTON NEIGHBORHOOD WATCH CORPORATION

THIS ASSIGNMENT OF AGREEMENT WITH CONSENT ("Assignment") is made this ___ day of _____ 2012, by and among Escambia County, Florida, a political subdivision of the State of Florida, with the administrative address of 221 Palafox Place, Pensacola, Florida 32502 (hereinafter referred to as "the County") and the Warrington Community Homeowners Association, Inc., a not-for-profit corporation authorized to do business in the State of Florida, whose mailing address is Post Office Box 16318, Pensacola, Florida 32507 (hereinafter referred to as the "Assignor"), and the Warrington Neighborhood Watch Corporation, a not-for-profit corporation authorized to do business in the State of Florida, whose principal address is 16 Raymond Street, Pensacola, Florida 32507 (hereinafter referred to as "Assignee").

WITNESSETH:

WHEREAS, on or about August 16, 2010, the County entered into a community center license and management agreement with Assignor related to the Marie Ella Davis Community Center; and

WHEREAS, Assignor was administratively dissolved and subsequently discontinued operations in Florida with all such operations being assumed by Assignee; and

WHEREAS, Assignor now desires to assign all of its rights, duties and obligations under the Contract to Assignee for such assignment; and

WHEREAS, Assignee now desires to accept an assignment of Assignor's rights, duties and obligations under the Contract.

NOW, THEREFORE, FOR AND IN CONSIDERATION of the mutual covenants and agreements set forth herein, the receipt and sufficiency of which are hereby acknowledged, County, Assignor, and Assignee hereby agree as follows:

1. The Contract is hereby assigned to Assignee, and Assignee accepts such assignment, and the County and Assignor consent to such assignment, subject to the terms and conditions set forth in this Assignment. All rights, duties and obligations of Assignor under the Contract shall become the right, duties and obligations of Assignee immediately upon this Assignment becoming effective.

2. County, Assignor and Assignee agree to the assumption of the performance of the Contract by Assignee, and to the release of Assignor from any further performance under the Contract.

3. The Contract and all terms and conditions therein shall remain unaltered and in full force and effect and are hereby ratified and confirmed in all respects, as hereinabove amended. Any reference in the Contract or in any instrument, document or consideration executed or delivered pursuant to the Contract to "this Agreement", "hereof", "hereto", and "hereunder" and similar references thereto shall be deemed and construed to be a reference to the Contract, as amended by this Assignment.

4. This Assignment will be governed by and construed in accordance with the laws of the State of Florida, without giving effect to otherwise applicable principles of conflicts of law. This Assignment may be executed in any number of counterparts, each of which will be deemed to be an original and all of which, when taken together, will be deemed to constitute but one and the same agreement.

IN WITNESS WHEREOF, the Parties hereto have made and executed this Agreement on the respective dates under each signature: Escambia County through its Board of County Commissioners, signing by and through its Chairman, duly authorized to execute same by Board action on _ day of _____ 2012, and the Warrington Community Homeowners Association, Inc., signing by and through its President duly authorized to execute same, and the Warrington Neighborhood Watch Corporation, signing by and through its President duly authorized to execute same.

This document approved as to form and legal sufficiency.

By: Kristin Huff
Title: ACT
Date: 7/25/12

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

Deputy Clerk

(Seal)

ESCAMBIA COUNTY, FLORIDA, a political subdivision of the State of Florida acting by and through its authorized Board of County Commissioners.

By: _____
Wilson B. Robertson, Chairman

ASSIGNOR: THE WARRINGTON COMMUNITY HOMEOWNERS ASSOCIATION & NEIGHBORHOOD WATCH, INC.

By: Navarro M. Jackson
Navarro M. Jackson, President

Date: 7-27-12

Valerie C. Jones
Witness
VALERIE C. JONES.
Print Name

Deana Stallworth
Witness
Deana Stallworth
Print Name

ASSIGNEE: THE WARRINGTON NEIGHBORHOOD WATCH CORPORATION

By: Navarro M. Jackson
Navarro M. Jackson, President

Date: 7-27-12

Valerie C. Jones
Witness
VALERIE C. JONES.
Print Name

Deana Stallworth
Witness
Deana Stallworth
Print Name





BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2999

County Administrator's Report 11. 5.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/09/2012

Issue: Schedule a Public Hearing to Consider the Petition to Vacate a Portion of Allerton Avenue

From: Joy D. Blackmon, P.E., Department Director

Organization: Public Works

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Scheduling a Public Hearing to Consider the Petition to Vacate a Portion of Allerton Avenue - Joy D. Blackmon, P.E., Public Works Department Director

That the Board approve the scheduling of a Public Hearing for September 6, 2012, at 5:31 p.m., to consider the Petition to Vacate a portion of Allerton Avenue (approximately 0.07 acres), as petitioned by Scott Carlson, Denise Carlson, and Ramzan Ali, as Trustee of the Ramzan Ali Trust dated July 21, 2008.

The petitioners, Scott Carlson, Denise Carlson, and Ramzan Ali own property in the Brentwood Park Subdivision as recorded in Plat Book 1, at Page 11, 11A, 11B, and 11C of the Public Records of Escambia County, Florida. A portion of Allerton Avenue (Park Avenue) was previously vacated in 2001 as evidenced by a Resolution recorded in Official Records Book 4677, at Page 180. The petitioners are asking the Board to vacate any interest they may have in the remaining portion of Allerton Avenue, formally known as Park Street, lying East of "W" Street and South of Yoakum Court (approximately 0.07 acres) abutting their property. Staff has made no representations to the Petitioner that Board approval of this request operates to confirm the vesting or return of title to the land in the Petitioner or any other interested party.

BACKGROUND:

The petitioners, Scott Carlson, Denise Carlson and Ramzan Ali own property in the Brentwood Park Subdivision as recorded in Plat Book 1 at Page 11, 11A, 11B and 11C of the Public Records of Escambia County, Florida. A portion of Allerton Avenue (Park Avenue) was previously vacated in 2001 as evidenced by a resolution recorded in Official Records Book 4677 at Page 180. The petitioners are asking the Board vacate any interest they may have in the remaining portion of Allerton Avenue formally known as Park Street lying East of "W" Street and South of Yoakum Court (approximately 0.07 acres) abutting their property. Staff has made no representations to the Petitioner that Board approval of this request operates to confirm the vesting or return of title to the land in the Petitioner or any other interested party.

There are no encroachment issues involved with this vacation request. Staff has reviewed the request and has no objection to the vacation. All utility companies concerned have been contacted and have no objections to the requested vacation with the exception of Emerald Coast Utilities Authority (ECUA), who would like to retain an easement. No one will be denied

access to his or her property as a result of this vacation.

BUDGETARY IMPACT:

Indirect staff cost associated with the preparation of recommendation.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

All work associated with this request is being done in-house and no additional staff is required.

POLICY/REQUIREMENT FOR BOARD ACTION:

Based on the Board's Vacating, Abandoning, and Closing Existing Public Streets, Rights-of-Way, Alleyways, Roads, Highways, Other Places Used for Travel or Other Lands Dedicated for Public Use or Purposes, or Any Portions Thereof to Renounce and Disclaim Any Right of the County and The Public In and To Said Lands policy for closing, vacating and abandoning County owned property – Section III and Florida Statutes, Chapter 336.

IMPLEMENTATION/COORDINATION:

Once the Public Hearing has been scheduled, the Petitioner will be notified, the date and time will be advertised and all owners of property within 500 feet notified.

Staff has been in contact with Stephen B. Shell, Shell, Fleming, Davis, Menge, agent for the petitioners. It is the responsibility of the Petitioners or Petitioner's Agent to advertise the Notice of Public Hearing.

Attachments

Petition

Resolution - OR 4677 Page 180

Aerial Map

**PETITION TO VACATE, ABANDON, AND CLOSE EXISTING PUBLIC STREETS,
RIGHTS-OF-WAY, ALLEYWAYS, ROADS, HIGHWAYS OTHER PLACES
USED FOR TRAVEL, OR OTHER LANDS DEDICATED FOR
PUBLIC USE OR PURPOSES, OR ANY PORTIONS THEREOF,
TO RENOUNCE AND DISCLAIM ANY RIGHT
OF THE COUNTY AND THE PUBLIC
IN AND TO SAID LANDS.**

Petitioners, hereby file this petition with the Board of County Commissioners of Escambia County, Florida, to vacate, abandon, close and disclaim any right of the County and the public in and to certain land delineated as a portion of Allerton Avenue lying between Yoakum Court as its southern boundary and Michigan Avenue as its northern boundary and other lands in Block 39, Brentwood Park, a subdivision recorded in Plat Book I at Page II, IIA, IIB, and IIC, all in Escambia County, Florida, a copy of a map thereto being attached hereto as Exhibit "A", and further state as follows:

1. That the Petitioners, **SCOTT CARLSON, DENISE CARLSON, and RAMZAN ALI, as Trustee of the Ramzan Ali Trust dated July 21, 2008** presently own an interest in the real property, which adjoins said public road right-of-way, alleyway, or other land. Said public road rights-of-way, alleyway, or other land being more particularly described as follows:

A. That portion of Allerton Avenue lying between Yoakum Court as its southern boundary and Michigan Avenue as its northern boundary, all lying and being in Escambia County, Florida.

B. Begin at the Northwest Corner of Block 39, Brentwood Park, a Subdivision recorded in Plat Book I at Page II, IIA, IIB, and IIC of the Public Records of Escambia County, Florida; Thence go S 00°03'54" W along the West Line of said Block 39 for 107.70 feet to a point of curvature of a curve to the left having a radius of 200.00 feet; Thence go southeasterly along said curve 122.37 feet to the western right of way line of "W" Street; The aforementioned curve has a central angle of 35°03'18", a Chord Bearing of S 17°27'45" E, and a Chord Distance of 120.47 feet; Said western right of way line of "W" Street being a curve concave to the southeast and having a radius of 1185.92 feet; Thence go southerly along said curve 91.98 feet to the Northern right of way line of Yoakum Court; The aforementioned curve has a central angle of 04°26'38". A Chord Bearing of S 22°02'36" W, and a Chord Distance of 91.96 feet; Thence go S 89°57'51" W along said northern right of way line 4.49 feet; Thence go N 00°33'16" E 307.87 feet to the Point of Beginning. The above described parcel of land contains 0.076 acres.

2. That the Petitioners, **SCOTT CARLSON, DENISE CARLSON, and RAMZAN ALI, as Trustee of the Ramzan Ali Trust dated July 21, 2008**, desire that the Board of County Commissioners surrender, renounce and disclaim any right of the County and the public in and to that portion of the public road rights-of-way, alleyway, or other land described above and lying and being in:

Section 46, Township 1 South, Range 30 West (46-1S-30); portions of which are recorded in: Plat Book I at Page II, IIA, IIB, and IIC, of the public records of Escambia County, Florida.

3. That the portion of public road rights-of-way, alleyway, park, or other lands sought to be vacated, abandoned, and closed herein, is no longer needed to fulfill a public purpose.

THEREFORE, Petitioners request that the above described public road rights-of-way, alleyway, park, or other land be vacated, abandoned, and closed and that the Board of County Commissioners of Escambia County, Florida, surrender, renounce and disclaim any right of the County and the public in and to said public road rights-of-way, alleyway, or other land.

Petitioners acknowledge that:

Approval by the Board of County Commissioners of a petition to vacate, abandon, discontinue, close, renounce, or disclaim any right of the County or the public in any land does not operate to confirm the vesting or return of title to the land in the petitioner or any other interested party. Any interested party who wishes to verify the title to land or the effect of the approval of a petition to vacate, abandon, discontinue, close, renounce, or disclaim any right of the County or the public in any land should seek legal counsel.

PETITIONERS:



Scott Carlson



Denise Carlson

 MAY. 23. 2012

Ramzan Ali, as Trustee of the Ramzan Ali Trust

Dated July 21, 2008

PETITIONERS MAILING ADDRESS:

Scott and Denise Carlson
815 Tara Circle
Cantonment, FL 32533

Ramzan Ali
P. O. Box 6231
Pensacola, FL 32503

AGENTS FOR PETITIONERS:

Stephen B. Shell
Shell, Fleming, Davis & Menge
226 Palafox Place, Ninth Floor
Pensacola, Florida 32502
(850) 434-2411 phone
(850) 435-1074 fax
sshell@shellfleming.com
Attorney for Scott and Denise Carlson

May 29
_____, 2012
Date

RESOLUTION NUMBER R2001-40

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, VACATING, ABANDONING, AND CLOSING CERTAIN PUBLIC PROPERTY ACQUIRED FOR EXISTING PUBLIC STREETS, RIGHTS-OF-WAY, ALLEYWAYS, ROADS, HIGHWAYS, OTHER PLACES USED FOR TRAVEL, OR OTHER LANDS DEDICATED FOR PUBLIC USE OR PURPOSES, OR ANY PORTIONS THEREOF, TO RENOUNCE AND DISCLAIM ANY RIGHT OF THE COUNTY AND THE PUBLIC IN AND TO SAID LANDS.

WHEREAS, Fast Eddie's, Inc. / SCOTT CARLSON has petitioned this Board to vacate, abandon and close on the following public rights-of-way, alleyway, or other lands and to renounce and disclaim the right of Escambia County, Florida and of the public, and;

WHEREAS, the Board of County Commissioners of Escambia County, Florida, has determined it to be in the best interest of Escambia County to adopt a resolution vacating, abandoning and closing the following described property:

That portion of Allerton Road (Park St) of Plat Book 1, Pg. 11 Sec 46 & 47-1S-30 & Section 8 & 10-2S-30 located south of Michigan Avenue and north of Yoakum Court (Second Street).

Subject to Utility Easement being retained over said Right-of-Way being vacated.

and any right of the County and the public in and to the above described road rights-of-way, alleyway or other land dedicated for public use is hereby surrendered, renounced and disclaimed; and

WHEREAS, Petitioner(s), Fast Eddie's, Inc. / SCOTT CARLSON has caused to be published on January 29, A.D., 2001; notice in a newspaper of general circulation in Escambia County, Florida, of the filing of said petition and that a public hearing thereon would be held at 5:32 pm on February 15, 2001 in the Board meeting room, Escambia County Courthouse, Pensacola, Florida; and

(OVER)

WHEREAS, the vacating, abandoning, and closing of existing public streets, rights-of-way, alleyways, roads, highways, other places used for travel, or other lands dedicated for public use or purposes, or any portions thereof, to renounce and disclaim any right of the County and the Public in and to said lands.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

1. That the motion to vacate is hereby adopted and approved.
2. That the following described property acquired for public road rights-of-way, alleyway, or other public purposes is hereby vacated, abandoned, and closed:

That portion of Allerton Road (Park St) of Plat Book 1, Pg. 11 Sec 46&47-1s-30& Section 8&10-2s-30 located south of Michigan Avenue and north of Yoakum Court (Second Street).

SUBJECT TO UTILITY EASEMENT BEING RETAINED OVER SAID RIGHT-OF-WAY BEING VACATED.

and any rights of the County and the public in and to the above described land is hereby surrendered, renounced and disclaimed.


3. That this resolution shall be spread upon the minutes of the Board of County Commissioners of Escambia County, Florida, and said petitioner shall publish a notice of its adoption one time within thirty (30) days hereafter in a newspaper of general circulation in Escambia County, Florida.

ESCAMBIA COUNTY, FLORIDA
BOARD OF COUNTY COMMISSIONERS

By Thomas G. Banjanin
Thomas G. Banjanin, Chairman

ATTEST: ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT

By [Signature]
Deputy Clerk

Adopted: January 15, 2001
The seal is circular with the text "SEAL OF ESCAMBIA COUNTY, FLORIDA" around the perimeter. In the center, it says "JAN 15 2001".

PORTION OF ALLERTON AVENUE TO BE VACATED

Petitioners: Scott Carlson, Denise Carlson and Ramzan Ali, as Trustee of the Ramzan Ali Trust



ESCAMBIA COUNTY
PUBLIC WORKS DEPARTMENT

JCC 05/30/12 DISTRICT 3



Portion of Allerton Avenue to be Vacated



Scott and Denise Carlson Property



Ramzan Ali Trust Property



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3004

County Administrator's Report 11. 6.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/09/2012

Issue: Request for Disposition of Property

From: Joy D. Blackmon, P.E., Department Director

Organization: Public Works

CAO Approval:

RECOMMENDATION:

Recommendation Concerning a Request for Disposition of Property for the Public Works Department - Joy D. Blackmon, P.E., Public Works Department Director

That the Board approve the Request for Disposition of Property Form indicating one item to be properly disposed of, which is described and listed on the Request Form, with reason for disposition stated.

The surplus property listed on the Request for Disposition of Property Form has been checked and declared surplus, to be sold or disposed of as listed on the supporting documentation. The Request Form has been signed by all applicable authorities, including the Division Manager, as designee for the Department Director, and the County Administrator.

BACKGROUND:

The surplus property listed on the Request for Disposition of Property Forms has been checked and declared surplus, to be sold or disposed of as listed on the supporting documentation. The Request Form has been signed by all applicable authorities, including the Division Manager, as designee for the Department Director, and the County Administrator.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is in compliance with FS 274.07 and BCC Policy B-1, 2, Section H, Procedures for Disposition of County Property.

IMPLEMENTATION/COORDINATION:

Upon approval by the BCC, all property will be disposed of according to the Disposition of County Property Policy.

Attachments

Request for Disposition of Property Form

REQUEST FOR DISPOSITION OF PROPERTY ESCAMBIA COUNTY, FLORIDA

DATE: 7/10/12 TO: BOARD OF COUNTY COMMISSIONERS

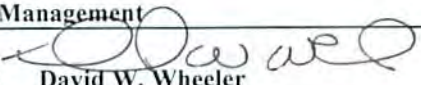
FROM: David W. Wheeler, CFM, Director COST CENTER NO: 210602
Property Custodian (PRINT NAME)

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

ITEM NO.	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CON-DITION
1	44695	Truck Pickup 3/4 Ton	1FTHX25H9VE95533	F-250	1997	BAD

DISPOSAL METHOD: Junked Auction / Sold
 Donated Other: Truck was flooded and totaled by insurance company

Disposing Dept. Facilities Management

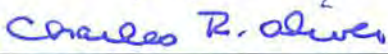
Property Custodian (Signature):  Phone No: 595-3190

INFORMATION TECHNOLOGY (IT Technician): _____
 Print Name

Conditions: Dispose to Charity-Unusable for BOCC
 Send for recycling-Unusable

Computer is Ready for Disposition
 Date: _____ Information Technology Technician Signature: 

TO: County Administration
 FROM: Escambia County Bureau
 Date: 
 Director or designee Joy Blackmon, PE

RECOMMENDATION: Date: 7/27/12
 TO: Board of County Commissioners
 FROM: County Administration

 Charles R. "Randy" Oliver
 County Administrator

Approved by the County Commission and Recorded in the Minutes of: _____
 Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
 By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold
 by: _____
 Print Name _____ Signature _____ Date _____

Property Tag Returned to Clerk & Comptroller's Finance Department
 Clerk & Comptroller's Finance Signature of Receipt _____ Date _____



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3016

County Administrator's Report 11. 7.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/09/2012

Issue: Appointment to the Investment Advisory Committee

From: Charles R. (Randy) Oliver, County Administrator

Organization: County Administrator's Office

CAO Approval:

RECOMMENDATION:

Recommendation Concerning an Appointment to the Investment Advisory Committee - Charles R. "Randy" Oliver, County Administrator

That the Board approve the appointment of Ms. Cecilia Nanni to the Investment Advisory Committee for a three-year term, effective August 22, 2012, through August 21, 2015, to replace Mr. Robert Beargie, whose term expires August 21, 2012.

BACKGROUND:

Ms. Nanni has expressed a desire and willingness to serve on the Investment Advisory Committee. Her Resume is attached for your review.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

In accordance with Section I B of the Board of County Commissioners' Policy Manual, Board approval is required for all appointments/reappointments to Boards and Committees established by the Board of County commissioners.

IMPLEMENTATION/COORDINATION:

Upon approval by the Board, this appointment shall become effective.

Attachments

Resume



Cecilia Nanni
Vice President
Private Banking
North Florida

Cecilia was born and raised in Pensacola, FL. After starting a family, she began her banking career in 1976 and graduated from the Florida School of Banking in 1994. She has been with Regions (AmSouth) Bank since 1978 in several positions and has been a Private Banker since 2000. Cecilia currently holds her Series 7, 66 securities licenses, and Health, Life, and Variable Annuities insurance license. She is a graduate of the 2005 Pensacola Leadership class. Cecilia currently serves on the Boards of IMPACT 100, Autism Pensacola and chairs the Finance Council of St. Anne Catholic Church in Pensacola. Cecilia has three children—Heather, Jason, and Rachel, and four grandchildren.

70 North Baylen Street
Pensacola, FL 32502
850-444-1692
cecilia.nanni@regions.com



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3019

County Administrator's Report 11. 8.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/09/2012

Issue: Escambia-Pensacola Human Relations Commission Appointment

From: Charles R. (Randy) Oliver, County Administrator

Organization: County Administrator's Office

CAO Approval:

RECOMMENDATION:

Recommendation Concerning an Appointment to the Escambia-Pensacola Human Relations Commission - Charles R. "Randy" Oliver, County Administrator

That the Board appoint Pastor Sylvia E. Tisdale to the Escambia-Pensacola Human Relations Commission, for a two-year term, to fill the vacant position, effective August 9, 2012, through August 8, 2014, as requested by Rebecca Hale, Interim Executive Director, Escambia-Pensacola Human Relations Commission.

BACKGROUND:

Pastor Tisdale has been serving as a Commission appointee on the Pensacola-Escambia Human Relations Commission (HRC). The HRC Commissioners have requested that Pastor Tisdale be appointed to serve as a Board of County Commissioners' appointee to fill the vacant position. Her Resume is provided for review.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

In accordance with Section 2, Governing Board, of the Interlocal Agreement between the City of Pensacola and Escambia County creating the Escambia-Pensacola Human Relations Commission, Board approval is required for all its appointments/reappointments to the Human Relations Commission.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

Resume

**6250 COLLEGE BLVD., PENSACOLA FLORIDA 32504
(850)572-5761 SYLVIATISDALE@AOL.COM**

SYLVIA E. TISDALE

OBJECTIVE

To utilize my skills and experience in planning and organization to effectively manage usage of Supplemental Educational Grants

FUNCTIONAL SUMMARY

Plan and track all training attendance, number of training hours, track invoices and payment, file training material and submit and finalize reports. Ensure all grants are conducted in accordance with the proposal specifications.

SUMMARY OF QUALIFICATIONS

- **Self-motivator with proven ability to engage and inspire others**
- **Over 29 years of experience at the Social Security Administration as claims representative and Supervisor**
- **10 years Associate Pastor**
- **7 years Sr. Pastor**
- **Established and maintained various ministry organization including churches, soup kitchens, homeless, senior citizen, and charitable events**
- **Ability to organize groups to accomplish specific goals and agendas**

EMPLOYMENT

- **Sr. Pastor, Epps Christian Center, August 2003 –Present**
- **Associate Pastor, Agape Temple Church, June 1992 –April 2002**
- **Sales Associate WRNE Radio, April 2002- April 2005**
- **Administrative Adult Foster Care, August 1999 – August 2009**
- **Social Security Administration August 1973 – June 2002**

EDUCATION

Bachelor of Science in Mathematics

Benedict College, Columbia, SC

CERTIFICATIONS

Ordained Minister United Christian Church Ministries



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3021

County Administrator's Report 11. 9.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/09/2012

Issue: Rescheduling Three Board Meeting Dates

From: Charles R. (Randy) Oliver, County Administrator

Organization: County Administrator's Office

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Rescheduling Three Board Meetings - Charles R. "Randy" Oliver, County Administrator

That the Board approve rescheduling the following three Board of County Commissioners' Meetings:

- Committee of the Whole Workshop from 9:00 a.m., on Thursday, August 16, 2012, to Monday, August 13, 2012, at 9:00 a.m.
- Regular Board of County Commissioners' Meeting, from 5:30 p.m., on Thursday, September 20, 2012, to Monday, September 17, 2012, at 5:30 p.m. (Agenda Review will take place at 9:00 a.m., and Public Forum will be held at 4:30 p.m.)
- Committee of the Whole Workshop from 9:00 a.m., on Thursday, December 13, 2012, to Tuesday, December 11, 2012, at 9:00 a.m.

Commissioner Gene M. Valentino and Commissioner Grover C. Robinson, IV, will be attending meetings related to their positions on the Florida Association of Counties Board of Directors along with the Production Room going down for renovations from December 12, 2012, until January 3, 2013.

BACKGROUND:

Both Commissioner Gene M. Valentino and Commissioner Grover C. Robinson, IV, have been invited to attend the Florida Association of Counties Board of Director's Retreat in Panama City, Florida, on August 16-17, 2012, and the Policy Committee Conference in St. Petersburg, Florida, on September 19-21, 2012, as members of FAC's Board of Directors. On Wednesday, December 12, 2012, the Board's Production Room will go down for renovations to improve the audio and visual systems.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

To make sure that the public has been informed of the meeting changes, the County Administrator's Office will work closely with the Public Information Office to send out press releases several days before each Board meeting.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2992

County Administrator's Report 11. 10.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/09/2012

Issue: Request for Disposition of Property

From: Kara Cowen

Organization: Clerk & Comptroller's Office

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Request for Disposition of Property for the Clerk and Comptrollers Office - Cynthia Rhodes, Clerk and Comptrollers Office Administrator

That the Board approve the Request for Disposition of Property Form for the Clerk and Comptrollers Office, for property which is described and listed on the Request Form, with reason for disposition stated. The plat copier is to be auctioned as surplus equipment through the Escambia County Recycling Program.

BACKGROUND:

The copier is to be auctioned thru The Escambia County Recycling Program

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/a

POLICY/REQUIREMENT FOR BOARD ACTION:

That the Board policy establishes the procedures for disposing of surplus or obsolete equipment for the Clerk and Comptrollers Office.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

XeroxDC220

**REQUEST FOR DISPOSITION OF PROPERTY
ESCAMBIA COUNTY, FLORIDA**

DATE: 7/23/2012 TO: Clerk & Comptroller's Finance Department

FROM: CYNTHIA RHODES COST CENTER NO: _____
Property Custodian (PRINT NAME)

REQUEST THE FOLLOWING ITEM(S) TO BE DISPOSED:

ITEM NO.	PROPERTY NUMBER	DESCRIPTION OF ITEM	SERIAL NUMBER	MODEL	YEAR	CON-DITION
1	46748	COPIER	G8M-0477365	XEROX	1998	

DISPOSAL METHOD: Junked Auction / Sold
 Donated Other: _____

Disposing Bureau: _____

Property Custodian (Signature): *Cynthia Rhodes* Phone No: 850-595-4137

INFORMATION TECHNOLOGY (IT Technician): _____
Print Name

Conditions: Dispose to Charity-Unusable for BOCC
 Send for recycling-Unusable

Computer is Ready for Disposition
Date: _____ Information Technology Technician Signature: _____

TO: Clerk & Comptroller's Finance Department Date: 7/28/12
FROM: County Administration & Management Budget Services Bureau
Charles R. Oliver
Charles R. "Randy" Oliver, County Administrator

RECOMMENDATION: _____ Date: _____
TO: Board of County Commissioners
FROM: Clerk & Comptroller's Finance Department By _____
Patricia Sheldon, CPA, CGFO, CPFO
Administrator for Financial Services

Approved by the County Commission and Recorded in the Minutes of: _____
Ernie Lee Magaha/Clerk of the Circuit Court & Comptroller
By (Deputy Clerk) _____

This Equipment Has Been Auctioned / Sold
by: _____
Print Name Signature Date

Property Tag Returned to Clerk & Comptroller's Finance Department

Clerk & Comptroller's Finance Signature of Receipt _____ Date _____

SUNGAURD PENTAMATION
 DATE: 07/24/2012
 TIME: 13:46:48

ESCAMBIA COUNTY CLERK - LIVE
 FIXED ASSETS LISTING

PAGE NUMBER: 1
 REPORT10

SELECTION CRITERIA: assets.tagno like '46748'

SORTED BY: assets.tagno,assets.improvement_num

ASSET ID	DESCRIPTIVE INFORMATION	ACQUISITION INFORMATION	DEPRECIATION INFORMATION
0000046748	COPIER XEROX DC 220	FUNDING SPEC REV CAPITAL ASSET Y	EST LIFE 3 DEP LIFE
-000	MFR XEROX	VENDOR XEROX CORP	DEP N POST DP N DEP METH
	MODEL DC220	PO 980209	SALVAGE VALU 10995.00
	S/N G8M-0477365	CHECK 6501 UN CST 10995.00	ACCUM DEP 10995.00
	INVENTORY DATE 06/28/11	FUND TYPE G ACQUIRE 04/29/98 COST 10995.00	REM BOOK BASIS 10995.00
	CONDITION GOOD STATUS	DPT BCC INS CO #1130-OFFICIAL RECORDS	DEP BASIS 10995.00
	NEXT SCHEDULED MAINTENANCE	INS VAL 0.00	LAST POSTING DATE 09/30/06
	DOCUMENT CO PO#2007024	FROM OFF RECORDS	SALE AMOUNT .00
			RETIRED DATE

DISTRIBUTION INFORMATION

FUNCTION	ACTIVITY	DEP ORGN	ACCOUNT	PCT
SPI	SPI	SPI	SPI	SPI
1	1	1	1	1.00

REPORT TOTAL 1 RECORDS SELECTED
 COST 10,995.00
 INSURANCE VALUE .00
 SALVAGE VALUE .00
 ACCUMULATED DEPRECIATION 10,995.00
 SALE AMOUNT .00



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2931

County Administrator's Report 11. 11.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/09/2012

Issue: Request a Public Hearing to Adopt an Ordinance Amending the Palafox, Englewood, Brownsville, Warrington, and Barrancas Trust Funds' Tax Increment

From: Amy Lovoy, Department Head

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Scheduling a Public Hearing to Adopt an Ordinance Amending the Palafox, Englewood, Brownsville, Warrington, and Barrancas Trust Funds' Tax Increment - Amy Lovoy, Management & Budget Services Department Director

That the Board approve the scheduling of a Public Hearing at 5:32 p.m., on August 23, 2012, to consider the adoption of an Ordinance amending the Palafox, Englewood, Brownsville, Warrington, and Barrancas Trust Funds' Tax Increment.

BACKGROUND:

During budget workshops the Board agreed to reduce the tax increments for the County's various Community Redevelopment Areas by an aggregate \$300,000. This recommendation is to schedule a public hearing to adopt an Ordinance that will eliminate specific percentages for the tax increments and allow the Board of County Commissioners to set the increment by resolution.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

N/A

Attachments

TIF Ordinances Draft

1 funds of each taxing authority, derived from or held in connection with the
2 undertaking and carrying out of community redevelopment under the Community
3 Redevelopment Act. Such increment shall be determined annually and shall be
4 in an amount equal to 50 percent of the difference between by resolution and
5 shall remain in effect unless or until revised by adoption of a subsequent
6 resolution.

7 a. ~~The amount of ad valorem taxes levied each year by each taxing authority,~~
8 ~~exclusive of any amount from any debt service millage, on taxable real~~
9 ~~property contained within the geographic boundaries of the Palafox~~
10 ~~Redevelopment Area; and~~

11 b. ~~The amount of ad valorem taxes, which would have been produced by the~~
12 ~~rate upon which the tax is levied each year by or for each taxing authority,~~
13 ~~exclusive of any debt service millage, upon the total of the assessed value of~~
14 ~~the taxable real property in the Palafox Redevelopment Area as shown upon~~
15 ~~the most recent assessment role used in connection with the taxation of such~~
16 ~~property by each taxing authority prior to the effective date of the ordinance~~
17 ~~providing for the funding of the trust fund;~~

18
19 **Sec. 46-285. Englewood Redevelopment Trust Fund**

20 (5) *Funding of redevelopment trust fund*

21 (a) For the duration of any community redevelopment project undertaken in the
22 Englewood Redevelopment Area pursuant to the redevelopment plan, the annual
23 funding of the redevelopment trust fund established by subsection (4) shall be in
24 an amount not less than the increment in the income, proceeds, revenues, and
25 funds of each taxing authority, derived from or held in connection with the
26 undertaking and carrying out of community redevelopment under the Community
27 Redevelopment Act. Such increment shall be determined annually and shall be
28 in an amount equal to 50 percent of the difference between by resolution and
29 shall remain in effect unless or until revised by adoption of a subsequent
30 resolution.

31 1. ~~The amount of ad valorem taxes levied each year by each taxing authority,~~
32 ~~exclusive of any amount from any debt service millage, on taxable real~~
33 ~~property contained within the geographic boundaries of the Englewood~~
34 ~~Redevelopment Area; and~~

35 2. ~~The amount of ad valorem taxes, which would have been produced by the~~
36 ~~rate upon which the tax is levied each year by or for each taxing authority,~~
37 ~~exclusive of any debt service millage, upon the total of the assessed value of~~
38 ~~the taxable real property in the Englewood Redevelopment Area as shown~~
39 ~~upon the most recent assessment role used in connection with the taxation of~~

1 such property by each taxing authority prior to the effective date of the
2 ordinance providing for the funding of the trust fund.
3

4 **Sec. 46-287. Warrington Redevelopment Trust Fund.**

5 (4) *Funding of redevelopment trust fund*

6 (a) For the duration of any community redevelopment project undertaken in the
7 Warrington Redevelopment Area pursuant to the redevelopment plan, the annual
8 funding of the redevelopment trust fund established by subsection (2) shall be in
9 an amount not less than the increment in the income, proceeds, revenues, and
10 funds of each taxing authority, derived from or held in connection with the
11 undertaking and carrying out of community redevelopment under the Community
12 Redevelopment Act. Such increment shall be determined annually and shall be
13 in an amount equal to 50 percent of the difference between by resolution and
14 shall remain in effect unless or until revised by adoption of a subsequent
15 resolution.

16 1. The amount of ad valorem taxes levied each year by each taxing authority,
17 exclusive of any amount from any debt service millage, on taxable real
18 property contained within the geographic boundaries of the Warrington
19 Redevelopment Area; and

20 2. The amount of ad valorem taxes, which would have been produced by the
21 rate upon which the tax is levied each year by or for each taxing authority,
22 exclusive of any debt service millage, upon the total of the assessed value of
23 the taxable real property in the Warrington Redevelopment Area as shown
24 upon the most recent assessment role used in connection with the taxation of
25 such property by each taxing authority prior to the effective date of the
26 ordinance providing for the funding of the trust fund.
27

28 **Sec. 46-288. Brownsville Neighborhood Redevelopment Trust Fund.**

29 (5) *Funding of redevelopment trust fund*

30 (a) For the duration of any community redevelopment project undertaken in the
31 Brownsville Redevelopment Area pursuant to the redevelopment plan, the
32 annual funding of the redevelopment trust fund established by subsection (4)
33 shall be in an amount not less than the increment in the income, proceeds,
34 revenues, and funds of each taxing authority, derived from or held in
35 connection with the undertaking and carrying out of community
36 redevelopment under the Community Redevelopment Act. Such increment
37 shall be determined annually and shall be in an amount equal to 50 percent of
38 the difference between by resolution and shall remain in effect unless or until
39 revised by adoption of a subsequent resolution.

- ~~1. The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the Brownsville Redevelopment Area; and~~
- ~~2. The amount of ad valorem taxes, which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the Brownsville Redevelopment Area as shown upon the most recent assessment role used in connection with the taxation of such property by each taxing authority prior to the effective date of the ordinance providing for the funding of the trust fund.~~

Sec. 46-289. Barrancas Redevelopment Trust Fund.

(5) Funding of redevelopment trust fund

- (a) For the duration of any community redevelopment project undertaken in the Barrancas Redevelopment Area pursuant to the redevelopment plan, the annual funding of the redevelopment trust fund established by subsection (4) shall be in an amount not less than the increment in the income, proceeds, revenues, and funds of each taxing authority, derived from or held in connection with the undertaking and carrying out of community redevelopment under the Community Redevelopment Act. Such increment shall be determined annually and shall be in an amount equal to 50 percent of the difference between by resolution and shall remain in effect unless or until revised by adoption of a subsequent resolution.

- ~~1. The amount of ad valorem taxes levied each year by each taxing authority, exclusive of any amount from any debt service millage, on taxable real property contained within the geographic boundaries of the Barrancas Redevelopment Area; and~~
- ~~2. The amount of ad valorem taxes, which would have been produced by the rate upon which the tax is levied each year by or for each taxing authority, exclusive of any debt service millage, upon the total of the assessed value of the taxable real property in the Barrancas Redevelopment Area as shown upon the most recent assessment role used in connection with the taxation of such property by each taxing authority prior to the effective date of the ordinance providing for the funding of the trust fund.~~

Section 2. Severability.

If any section, sentence, clause or phrase of this Ordinance is held to be invalid or unconstitutional by any Court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

1 **Section 3. Inclusion in the Code.**

2 It is the intention of the Board of County Commissioners that the provisions of this
3 Ordinance shall become and be made a part of the Escambia County Code; and that
4 the sections of this Ordinance may be renumbered or relettered and the word
5 "ordinance" may be changed to "section", "article", or such other appropriate word or
6 phrase in order to accomplish such intentions.
7

8 **Section 4. Effective Date.**

9 This Ordinance shall become effective upon filing with the Department of State.

10 DONE AND ENACTED THIS _____ DAY OF _____, 2012.
11 BOARD OF COUNTY COMMISSIONERS
12 ESCAMBIA COUNTY, FLORIDA
13
14

15
16
17 _____
Wilson B. Robertson, Chairman

18 ATTEST: ERNIE LEE MAGAHA
19 Clerk of the Circuit Court

20
21
22 _____
23 Deputy Clerk

24
25 (Seal)

26
27
28 Enacted: _____
29 Filed with Department of State: _____
30 Effective: _____

This document approved as to form
and legal sufficiency.

By: [Signature]

Title: ACA

Date: 7/29/12



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3022

County Administrator's Report 11. 12.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/09/2012

Issue: Resolution Supporting the Beulah I-10 Interchange

From: Joy D. Blackmon, P.E., Department Director

Organization: Public Works

CAO Approval:

RECOMMENDATION:

Recommendation Concerning a Resolution Supporting the Beulah I-10 Interchange - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action concerning the Beulah I-10 Interchange:

- A. Adopt the Resolution supporting the Beulah I-10 Interchange as a priority with the FL-AL and Northwest Florida Regional Transportation Planning Organizations (TPO and RTPO); and
- B. Authorize the Chairman to sign the Resolution.

The Beulah I-10 Interchange Project includes plans to enhance connectivity between Escambia County and Santa Rosa County. The beltway is proposed to originate at I-10, extend north to intersect with US Highway 29 and an existing east-west corridor, which leads into Santa Rosa County. This will accommodate present and future growth, and will function as a hurricane evacuation route for both counties. When complete, the Beulah I-10 Interchange will greatly enhance economic development within Escambia County by providing interstate access to industrial property, retail establishments, educational institutions, and health care facilities, and will create a vital additional evacuation route.

Adding the Beulah I-10 Interchange project to the FL-AL TPO Priority Project List entitles Escambia County to request additional State funding.

BACKGROUND:

The Beulah I-10 Interchange Project includes plans to enhance connectivity between Escambia County and Santa Rosa County. The beltway is proposed to originate at I-10, extend north to intersect with US Highway 29 and an existing east-west corridor, which leads into Santa Rosa County. This will accommodate present and future growth, and will function as a hurricane evacuation route for both counties. When complete, the Beulah I-10 Interchange will greatly enhance economic development within Escambia County by providing interstate access to industrial property, retail establishments, educational institutions, and health care facilities, and will create a vital additional evacuation route.

Adding the Beulah I-10 Interchange project to the FL-AL TPO Priority Project List entitles Escambia County to request additional state funding.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

Kristin Hual, Assistant County Attorney, reviewed and approved the Resolution as to form and legal sufficiency on August 2, 2012.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

Escambia County Staff will continue to work with Florida Highway Administration (FHWA), Florida Department of Transportation (FDOT), and West Florida Regional Planning Council (WFRPC).

Attachments

Beulah I-10 Resolution

RESOLUTION NUMBER R2012-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, REQUESTING THE FL-AL AND NORTHWEST FLORIDA REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS TO ADD THE BEULAH I-10 INTERCHANGE AS A PROJECT PRIORITY; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, it has been proposed to add a northern beltway connection between Escambia County and Santa Rosa County; and

WHEREAS, this proposed Beltway will accommodate existing and future growth and function as a hurricane evacuation route for both counties; and

WHEREAS, the addition of this Beulah I-10 Interchange will facilitate the migration of traffic northward without clogging the existing facilities such as Highway 29, Highway 87, and I-10; and

WHEREAS, the Beulah I-10 Interchange and future Beltway will greatly enhance economic development within Escambia County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

SECTION 1. That the above recitals are true and correct and incorporated herein by reference.

SECTION 2. That the Board finds that residents of the community and the traveling public would benefit from the Beulah I-10 Interchange due to better access to industrial property, retail establishments, educational institutions, health care facilities, and an additional evacuation route.

SECTION 3. That the Board requests that the FL-AL and Northwest Florida Regional Transportation Planning Organizations add the Beulah I-10 Interchange to the project priority list in order to enhance economic development in Escambia County.

SECTION 4. That this Resolution shall take effect immediately upon its adoption by the Board of County Commissioners of Escambia County, Florida.

SECTION 5. That the Clerk shall forward a copy of this Resolution to the West Florida Regional Planning Council.

ADOPTED this ____ day of _____ 2012.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

By: _____
Wilson B. Robertson, Chairman

ATTEST: ERNIE LEE MAGAHA
Clerk of the Circuit Court

By: _____
Deputy Clerk

(SEAL)

This document approved as to form and legal sufficiency.

By: Ernie Lee Magaha

Title: ACA

Date: 8/2/12

RE: A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, REQUESTING THE FL-AL AND NORTHWEST FLORIDA REGIONAL TRANSPORTATION PLANNING ORGANIZATIONS TO ADD THE BEULAH I-10 INTERCHANGE AS A PROJECT PRIORITY; PROVIDING FOR AN EFFECTIVE DATE.

Address for Clerk to forward a copy of this Resolution:

**West Florida Regional Planning Council:
P.O. Box 11399
Pensacola, FL 32524-1399**



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3027

County Administrator's Report 11. 13.

BCC Regular Meeting

Technical/Public Service Consent

Meeting Date: 08/09/2012

Issue: Resolution Concerning Perdido Key Drive (SR 292) Roadway Expansion

From: Joy D. Blackmon, P.E., Department Director

Organization: Public Works

CAO Approval:

RECOMMENDATION:

Recommendation Concerning a Resolution Concerning Perdido Key Drive Roadway Expansion - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action concerning Perdido Key Drive (SR 292):

A. Adopt the Resolution requesting U.S. Senator Bill Nelson to engage the United States Fish and Wildlife Service (USFWS) for approval of a cross-section of the Perdido Key Drive (SR 292) Roadway Expansion Project addressing safety and capacity issues, for mitigation of the Perdido Key Beach Mouse (PKBM); and

B. Authorize the Chairman to sign the Resolution.

Escambia County and the Florida Department of Transportation (FDOT) have proposed the expansion of a portion of Perdido Key Drive (SR 292) in order to address current and future traffic safety and capacity issues. Perdido Key Drive has an average of one crash every 13 days. In 2006 Escambia County and FDOT entered into a Transportation Regional Incentive Program Agreement (TRIP) to fund a Project Development and Environmental (PD&E) study of Perdido Key Drive. As part of the PD&E, the County and FDOT prepared a Biological Assessment detailing the purpose of this project, assessing any potential impacts related to the natural environment, and proposing conservation measures intended to mitigate such impacts.

The County has agreed to implement the conservation measures set forth in one of the 20 cross-sections provided to offset potential environmental impacts arising out of the project. This project has been extraordinarily delayed through the environmental review process, with no decision from USFWS rendered to date.

BACKGROUND:

Escambia County and the Florida Department of Transportation (FDOT) have proposed the expansion of a portion of Perdido Key Drive (SR 292) in order to address current and future traffic safety and capacity issues. Perdido Key Drive has an average of one crash every thirteen (13) days. In 2006, Escambia County and FDOT entered into a Transportation Regional Incentive Program Agreement (TRIP) to fund a Project Development and Environmental (PD&E) study of Perdido Key Drive. As part of the PD&E, the County and FDOT prepared a Biological Assessment detailing the purpose of this project, assessing any potential impacts related to the

natural environment, and proposing conservation measures intended to mitigate such impacts.

The County has agreed to implement the conservation measures set forth in one of the twenty (20) cross-sections provided to offset potential environmental impacts arising out of the project. This project has been extraordinarily delayed through the environmental review process, with no decision from USFWS rendered to date.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

Kristin Hual, Assistant County Attorney, reviewed and approved the Resolution as to form and legal sufficiency on August ____, 2012.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

Escambia County will continue to work with Atkins Engineering, Florida Highway Administration (FHWA), Florida Department of Transportation (FDOT), and U.S. Fish and Wildlife Service (USFWS) and Senator Bill Nelson's office.

Attachments

Perdido Key Drive Resolution

RESOLUTION NUMBER R2012-_____

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA, REQUESTING SENATOR BILL NELSON TO ENGAGE THE UNITED STATES FISH AND WILDLIFE SERVICE (USFWS) FOR APPROVAL OF THE PERDIDO KEY DRIVE (SR 292) ROADWAY EXPANSION ADDRESSING SAFETY AND CAPACITY ISSUES; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the County and the Florida Department of Transportation (FDOT) have proposed the expansion of a portion of Perdido Key Drive (SR 292) (hereinafter referred to as the "Project") in order to address current and future traffic capacity safety issues; and

WHEREAS, Perdido Key Drive (SR 292) has an average crash every thirteen (13) days, with some resulting in fatalities; and

WHEREAS, Perdido Key Drive (SR 292) has a declining level of service creating congestion, impacting hurricane evacuation, tourism, and economic development; and

WHEREAS, to facilitate this Project, the County and the FDOT entered into a Transportation Regional Incentive Program (TRIP) Agreement in 2006 wherein the FDOT and the County agreed to cooperatively fund a Project Development and Environmental (PD&E) study of the subject roadway; and

WHEREAS, the FDOT and Escambia County have submitted twenty (20) roadway cross-sections to show a proactive approach to mitigate for the Beach Mouse; and

WHEREAS, the FDOT and Escambia County have attended twenty-five (25) office and field meetings since August 28, 2007, and agreed to implement the conservation measures to offset potential environmental impacts arising out of the project; and

WHEREAS, as of July 31, 2012 (5 years), the FDOT and Escambia County have received no mitigation direction or resolution from USFWS; and

WHEREAS, under the July 6, 2012, adopted Transportation Bill (MAP-21), SEC. 1305. Efficient Environmental Reviews for Project Decision Making, USFWS has provided no decision; and

WHEREAS, the Project has been extraordinarily delayed through the environmental review process.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA:

SECTION 1. That the above recitals are true and correct and incorporated herein by reference.

SECTION 2. That the Board finds that the traveling public and residents of the community would benefit from this Project due to enhanced safety of the roadway.

SECTION 3. That the Board finds that implementing this Project will enhance economic development in Escambia County.

SECTION 4. That the Board urges Senator Nelson to engage USFWS and allow a cross-section to be accepted and monitored for a minimum of five (5) years for effectiveness and impacts.

SECTION 5. That this Resolution shall take effect immediately upon its adoption by the Board of County Commissioners of Escambia County, Florida.

SECTION 6. That the Clerk's Office shall forward a copy of this Resolution to Senator Bill Nelson, U.S. Senator, US Court House Annex, 111 North Adams Street, Tallahassee, Florida 32301.

ADOPTED this ____ day of _____ 2012.

**BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA**

Wilson B. Robertson, Chairman

**ATTEST: ERNIE LEE MAGAHA
Clerk of the Circuit Court**

Deputy Clerk

(SEAL)

This document approved as to form and legal sufficiency.

By: *Ernie Lee Magaha*

Title: CLERK

Date: 7/31/12



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2957

County Administrator's Report 11. 1.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Supplemental Budget Amendment #206 - Fire Services Auction and Insurance Proceeds

From: Amy Lovoy, Department Head

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Supplemental Budget Amendment #206 - Amy Lovoy, Management and Budget Services Department Director

That the Board adopt the Resolution approving Supplemental Budget Amendment #206, Fire Services Fund (143) in the amount of \$56,440, to recognize insurance reimbursements for equipment damage and proceeds from an auction of old disposed of equipment, and to appropriate these funds back to Fire Services.

BACKGROUND:

These funds are from reimbursements from damages to various fire equipment and for proceeds from an auction of old disposed equipment. The insurance reimbursements will be returned to the account in which the funds were taken from; and the funds from the auction will be placed into Fire Services Reserves.

BUDGETARY IMPACT:

This amendment will increase Fund 143 by \$56,440.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

Board policy requires increases and decreases in revenues to be approved by the Board.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

SBA#206

**Board of County Commissioners
Escambia County
Supplemental Budget Amendment Resolution**

**Resolution Number
R2012-**

WHEREAS, the following revenues were unanticipated in the adopted budget for Escambia County and the Board of County Commissioners now desires to appropriate said funds within the budget.

WHEREAS, Escambia County received insurance reimbursements for damage to fire equipment and proceeds from an auction of disposed equipment, and these funds must be recognized and appropriated.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that in accordance with Florida Statutes, Section 129.06 (2d), it does hereby appropriate in the following funds and accounts in the budget of the fiscal year ending September 30, 2012:

Fire Protection Fund Fund Name	143 Fund Number		
Revenue Title	Fund Number	Account Code	Amount
Insurance Proceeds	143	369008	38,333
Sale of Equipment	143	364002	18,107
Total			\$56,440

Appropriations Title	Fund Number/Cost Center	Account Code/ Project Number	Amount
Repair & Maintenance	143/330206	54601	38,333
Reserves	143/330206	59801	18,107
Total			\$56,440

NOW THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that the foregoing Supplemental Budget Amendment be made effective upon adoption of this Resolution.

ATTEST:
ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

Deputy Clerk

Wilson B. Robertson, Chairman

Adopted

OMB Approved

Supplemental Budget Amendment
206



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2974

County Administrator's Report 11. 2.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: SBA#212 - Sheriff Vehicle Auction Proceeds

From: Amy Lovoy, Department Head

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Supplemental Budget Amendment #212 - Amy Lovoy, Management and Budget Services Department Director

That the Board adopt the Resolution approving Supplemental Budget Amendment #212, Local Option Sales Tax (LOST) III Fund (352) in the amount of \$102,610, to recognize proceeds from the auction of older vehicles, and to appropriate these funds back into the Sheriff's LOST allocation for new vehicle purchases.

BACKGROUND:

The Sheriff held an auction in June 2012, the proceeds from this auction have been deposited with the Clerk's Office. This SBA recognizes those funds and appropriates them back into the Sheriff's LOST allocation to be used for future vehicle purchases.

BUDGETARY IMPACT:

This amendment will increase Fund 352 by \$102,610.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

Board policy requires increase or decreases in revenue to be approved by Board.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

SBA#212

Board of County Commissioners
Escambia County
Supplemental Budget Amendment Resolution

Resolution Number
R2012-

WHEREAS, the following revenues were unanticipated in the adopted budget for Escambia County and the Board of County Commissioners now desires to appropriate said funds within the budget.

WHEREAS, the Escambia County Sheriff has received vehicle auction proceeds from the sale of older vehicles in the Sheriff's vehicle fleet. These funds must now be recognized and appropriated back into the Sheriff's Budget accordingly.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that in accordance with Florida Statutes, Section 129.06 (2d), it does hereby appropriate in the following funds and accounts in the budget of the fiscal year ending September 30, 2012:

Local Option Sales Tax III Fund Name	352 Fund Number		
Revenue Title	Fund Number	Account Code	Amount
Sale of Equipment	352	364002	102,610
Total			<u>\$102,610</u>

Appropriations Title	Fund Number/Cost Center	Account Code/ Project Number	Amount
Machinery & Equipment	352/540115	56401/08SH0018	102,610
Total			<u>\$102,610</u>

NOW THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that the foregoing Supplemental Budget Amendment be made effective upon adoption of this Resolution.

ATTEST:
ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

Deputy Clerk

Wilson B. Robertson, Chairman

Adopted

OMB Approved

Supplemental Budget Amendment
#212



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2991

County Administrator's Report 11. 3.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: BA#213 - Increase in Personnel Funds

From: Amy Lovoy, Department Head

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Budget Amendment #213 - Amy Lovoy, Management and Budget Services Department Director

That the Board approve Budget Amendment #213, General Fund (001) in the amount of \$41,100 to cover the personnel costs associated with an employee accepting the retirement incentive and funding for a downgraded administrative position for the remainder of the current fiscal year.

BACKGROUND:

The County had an employee accept the retirement incentive offered by the Board of County Commissioners to reduce personnel costs for FY2012-13 and future years. This amendment covers the funding deficit caused by the employee's leave payout, and appropriates funds for a downgraded administrative position for the remainder of the current fiscal year.

BUDGETARY IMPACT:

This amendment transfers reserve funds and personnel funds from other cost centers to cover the payout.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

Board policy requires increases in personnel funding to come before the Board.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

BA#213

**Board of County Commissioners
Escambia County
Budget Amendment Request**

**Request Number
#213**

Approval Authorities

Bureau Chief
Assistant County Administrator
County Administrator
Action by the Board

<u>Date Rec.</u>	<u>Date Forward</u>	<u>Approved</u>	<u>Disapproved</u>
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

**Transfer From: Fund 001/General Fund/Non-Departmental/MBS
Fund/Department**

<u>Account Title</u>	<u>Project Number</u>	<u>Cost Center</u>	<u>Account Code</u>	<u>Amount</u>
Reserves for Operating	_____	110201	59805	26,250
Salaries	_____	140201	51201	9,300
Life & Health	_____	140201	52301	3,400
Life & Health	_____	141001	52301	2,150
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Total				\$41,100

**Transfer To: Fund 001/General Fund/County Attorney
Fund/Department**

<u>Account Title</u>	<u>Project Number</u>	<u>Cost Center</u>	<u>Account Code</u>	<u>Amount</u>
Salaries	_____	110601	51201	41,100
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
Total				\$41,100

Detailed Justification:

Funds are being reallocated to cover the cost associated with hiring a new administrative assistant with the County Attorney's Office and to cover the cost associated with an employee that participated in the employee retirement incentive. This amendment will cover the personnel costs for the remainder of FY2011-12.

OMB Analyst

Budget Manager

Management & Budget Dept Director



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2976

County Administrator's Report 11. 4.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Supplemental Budget Amendment #214 - Memorial Reef Donations

From: Amy Lovoy, Department Head

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Supplemental Budget Amendment #214 - Amy Lovoy, Management and Budget Services Department Director

That the Board adopt the Resolution approving Supplemental Budget Amendment #214, Escambia County Restricted Fund (101) in the amount of \$3,190, to recognize donations to deploy a memorial reef.

BACKGROUND:

Escambia County Marine Resources received donations to deploy a memorial reef for Rich Sleppy, and these funds need to be recognized in the current year's budget.

BUDGETARY IMPACT:

This amendment will increase Fund 101 by \$3,190.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

Board policy requires increases and decreases in revenues to be approved by the Board.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

SBA# 214

Board of County Commissioners
Escambia County
Supplemental Budget Amendment Resolution

Resolution Number
R2012-_____

WHEREAS, the following revenues were unanticipated in the adopted budget for Escambia County and the Board of County Commissioners now desires to appropriate said funds within the budget.

WHEREAS, the Escambia County received several donations to deploy a memorial reef, and these funds must now be recognized and appropriated in the current year's budget.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that in accordance with Florida Statutes, Section 129.06 (2d), it does hereby appropriate in the following funds and accounts in the budget of the fiscal year ending September 30, 2012:

Escambia County Restricted Fund Fund Name	101 Fund Number		
Revenue Title	Fund Number	Account Code	Amount
Aquatic Resources	101	366004	3,190
Total			\$3,190

Appropriations Title	Fund Number/Cost Center	Account Code/ Project Number	Amount
Improvements other than Buildings	101/220809	56301	3,190
Total			\$3,190

NOW THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that the foregoing Supplemental Budget Amendment be made effective upon adoption of this Resolution

ATTEST:
ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

Deputy Clerk

Wilson B. Robertson, Chairman

Adopted

OMB Approved

Supplemental Budget Amendment
214



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2977

County Administrator's Report 11. 5.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Supplemental Budget Amendment #217 - State Housing Initiatives Partnership Program (SHIP) Income

From: Amy Lovoy, Department Head

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Supplemental Budget Amendment #217 - Amy Lovoy, Management and Budget Services Department Director

That the Board adopt the Resolution approving Supplemental Budget Amendment #217, SHIP Fund (120) in the amount of \$104,602, to recognize program income generated through the SHIP Program, and to appropriate these funds for the 2011 SHIP Program.

BACKGROUND:

Program income is generated for the SHIP Program when agencies or individuals who received deferred payment loans through the Program are repaid to the County. Such funds must be budgeted and expended in support of the SHIP Program for eligible affordable housing activities. The \$104,602 will be budgeted and expended in conjunction with currently budgeted 2011 SHIP funds primarily for housing repairs with priority given to eligible, uninsured homeowners who received damages from the June 2012 flooding. SHIP is managed and implemented by Neighborhood Enterprise Foundation (NEFI) in cooperation with the City of Pensacola and other involved agencies.

BUDGETARY IMPACT:

This will increase Fund 120 (2011 SHIP) by \$104,602.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

Board policy requires increases and decreases in revenues to be approved by the Board.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

SBA# 217

**Board of County Commissioners
Escambia County
Supplemental Budget Amendment Resolution**

**Resolution Number
R2012-**

WHEREAS, the following revenues were unanticipated in the adopted budget for Escambia County and the Board of County Commissioners now desires to appropriate said funds within the budget.

WHEREAS, Escambia County has received program income generated by the State Housing Initiatives Partnership Program (SHIP), and these funds must be recognized and appropriated.

NOW, THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that in accordance with Florida Statutes, Section 129.06 (2d), it does hereby appropriate in the following funds and accounts in the budget of the fiscal year ending September 30, 2012:

State Housing Initiatives Partnership Program (SHIP) 2011	120		
Fund Name	Fund Number		
Revenue Title	Fund Number	Account Code	Amount
Interest Income other than Investments (2011 SHIP)	120	361002	134,602
SHIP - Prior Year Revenue	120	369004	(30,000)
Total			\$104,602

Appropriations Title	Fund Number/Cost Center	Account Code/ Project Number	Amount
Other Contractual Services (NEFI & other admin. support svcs.)	120/220431	53401	\$18,200
Other Current Charges & Obligations (Indirect Cost)	120/220431	54901	\$3,902
Other Grants & Aids	120/220431	58301	\$82,500
Total			\$104,602

NOW THEREFORE, be it resolved by the Board of County Commissioners of Escambia County, Florida, that the foregoing Supplemental Budget Amendment be made effective upon adoption of this Resolution.

ATTEST:
ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT

**BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA**

Wilson B. Robertson, Chairman

Deputy Clerk

Adopted

OMB Approved

Supplemental Budget Amendment
217



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2998

County Administrator's Report 11. 6.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Budget Amendment #219 - Increase in Personnel Funds

From: Amy Lovoy, Department Head

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Budget Amendment #219 - Amy Lovoy, Management and Budget Services Department Director

That the Board approve Budget Amendment #219, Bob Sikes Toll Fund (167) in the amount of \$18,800, to appropriate personnel funds for an employee who will be overseeing functions at the Bob Sikes Toll Bridge.

BACKGROUND:

Escambia County is set to take over the management of the Bob Sikes Toll Facility on October 1, 2012. To facilitate this transition, one employee will be upgraded and a portion of his salary will be charged to the Bob Sikes Toll Bridge Fund. This oversight began July 1, 2012.

BUDGETARY IMPACT:

This amendment is moving funds from reserves to personnel thus not increasing funding levels in Fund 167.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

Because a portion of the salary will be charged to the Bob Sikes Toll Fund and personnel has never been charged in the fund previously, policy requires approval by the Board since personnel costs are being increased.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

BA# 219

**Board of County Commissioners
Escambia County
Budget Amendment Request**

**Request Number
219**

Approval Authorities

	<u>Date Rec.</u>	<u>Date Forward</u>	<u>Approved</u>	<u>Disapproved</u>
Bureau Chief				
Assistant County Administrator				
County Administrator				
Action by the Board				

Transfer From: Fund 167/Bob Sikes Toll
Fund/Department

<u>Account Title</u>	<u>Project Number</u>	<u>Cost Center</u>	<u>Account Code</u>	<u>Amount</u>
Reserves		140302	59801	18,800
Total				\$18,800

Transfer To: Fund 167/Bob Sikes Toll
Fund/Department

<u>Account Title</u>	<u>Project Number</u>	<u>Cost Center</u>	<u>Account Code</u>	<u>Amount</u>
Salaries		140301	51201	15,000
FICA		140301	52101	1,000
Retirement		140301	52201	700
Life & Health		140301	52301	1,800
Workers' Compensation		140301	52401	300
Total				\$18,800

Detailed Justification:

Escambia County is set to take over the management of the Bob Sikes Toll Booth on October 1, 2012. Funds are being moved to cover a portion of an employee's salary who is facilitating the transition. This facilitation started on July 1, 2012 and funds are needed for the remainder of the fiscal year.

OMB Analyst

Budget Manager

Management & Budget Dept Director



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2966

County Administrator's Report 11. 7.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Agreement with the Agency for Health Care Administration for Primary Care Services to the Medically Needy

From: Amy Lovoy, Department Head

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning an Agreement with the State of Florida's Agency for Health Care Administration on Behalf of Escambia Community Clinics - Amy Lovoy, Management and Budget Services Department Director

That the Board take the following action concerning the Agency for Health Care Administration (AHCA) Agreement:

- A. Approve the Letter of Agreement between AHCA and Escambia County, in the amount of \$79,674, allowing the County to participate in the Low Income Pool, which will provide matching dollars to the Escambia Community Clinics (ECC);
- B. Decrease the Fiscal Year 2011/2012 allocation to ECC by \$19,920 and increase the allocation to AHCA by the same amount; and
- C. Decrease the Fiscal Year 2012/2013 allocation to ECC by \$59,754 and increase the allocation to AHCA by the same amount.

BACKGROUND:

Approval of this letter of agreement will allow the County and the Escambia Community Clinics to participate in AHCA's Low Income Pool. This program provides matching funds to qualifying clinics such as ECC. The County will send AHCA \$79,674, and AHCA will return to ECC a total of \$294,000.

BUDGETARY IMPACT:

Since this Letter of Agreement is based on the State's fiscal year, it stretches across two County fiscal years. To pay the \$79,674 necessary to participate in the pool, the current fiscal year's allocation to ECC will be decreased by \$19,920. The remaining \$59,754 will be funded by decreasing the FY 12/13 proposed allocation to ECC.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

N/A

Attachments

AHCA 2012 Agreement

Letter of Agreement

THIS LETTER OF AGREEMENT made and entered into in duplicate on the _____ day of _____ 2012, by and between Escambia County (the County), and the State of Florida, through its Agency for Health Care Administration (the Agency),

1. Per House Bill 5001, the General Appropriations Act of State Fiscal Year 2012-2013, passed by the 2012 Florida Legislature, County and the Agency, agree that County will remit to the State an amount not to exceed a grand total of \$79,674.
 - a. The County and the Agency have agreed that these funds will only be used to increase the provision of health services for the Medicaid, uninsured, and underinsured people of the County and the State of Florida at large.
 - b. The increased provision of Medicaid, uninsured, and underinsured funded health services will be accomplished through the following Medicaid programs:
 - i. Medicaid, Low Income Pool payments for the expansion of primary care services to low income, uninsured individuals by:
 1. Reducing potentially avoidable emergency room visits by developing initiatives to identify persons inappropriately using hospital emergency rooms or other emergency care services and provide care coordination and referral to primary care providers.
 2. Reducing potentially avoidable hospitalizations for ambulatory care sensitive conditions, which involve admissions that evidence suggests could have been avoided.
 3. Expansion of primary care infrastructure to provide additional people with a medical home, thereby supporting meaningful emergency room diversion efforts while also improving overall health care in the community.
 4. Expansion of Primary care through expanded service hours (e.g., evening or weekend hours).
 5. Initiatives to increase self-management and adherence to treatment plans and self-management goals through the availability of disease management services for persons with ambulatory care sensitive conditions such as diabetes, asthma, hypertension, COPD, and high cholesterol.
 - ii. Projects will be required to report qualitative and quantitative data relating to the various initiatives. Initiatives can include any or all of the following services. Some examples:
 1. Hospital Emergency Room (ER) and In Patient (IP) diversion initiatives:

- a. Number of people diverted from a hospital emergency room to a clinic prior to receiving services at the emergency room;
 - b. Number of people referred from a hospital emergency room for follow-up care after being treated in the ER;
 - c. Number of people referred from a hospital emergency room to a primary care provider;
 - d. Number and percent of ER admissions without a subsequent admission with a follow-up appointment with a provider within 14 days of the ER event date;
 - e. Number of hospital inpatients referred for follow-up care or referred to a primary care provider upon discharge from the hospital;
2. Clinic services expansion initiatives:
- a. Number of additional persons by payer source (uninsured, Medicaid etc.) seen and visits as a result of the LIP grant;
 - b. Additional hours of operation funded by the LIP grant;
 - c. Determination of what treatment choice a person would have made if the LIP-funded clinic or service was not available – for example, would the patient have accessed an emergency room, accessed another primary care clinic, or foregone care.
 - d. Summary of services rendered
3. Disease management initiatives:
-
- a. Number of people participating (enrolled and engaged) persons by payer source (uninsured, Medicaid, etc.) in each DM program funded by the LIP project;
 - b. Data showing the relative adherence of DM program participants with established clinical practice guidelines (e.g., HbA1c testing, LDL-C screening, etc) and self-management activities (e.g., daily weights of CHF)
 - c. Information showing the impact on hospital inpatient and outpatient utilization by DM program participants
 - d. Ensure that DM program activities do not duplicate existing Medicaid DM program services for Medicaid recipients.

2. The County will pay the State an amount not to exceed the grand total amount of \$79,674. The County will transfer payments to the State in the following manner:

- a. The first payment of \$19,920 for the months of July, August and September is due upon notification by the Agency.
 - b. Each successive payment of \$19,918 is due as follows, November 30, 2012, March 31, 2013 and June 15, 2013.
 - c. The State will bill the County when each quarter payments are due.
 3. Timelines: This agreement must be signed and submitted to the Agency no later than October 1, 2012, to be effective for SFY 2012-2013.
 4. The anticipated annual distribution for Escambia County for State Fiscal Year 2012-2013 is \$294,000.
 5. The County and the State agree that the State will maintain necessary records and supporting documentation applicable to Medicaid, uninsured, and underinsured health services covered by this Letter of Agreement. Further, the County and State agree that the County shall have access to these records and the supporting documentation by requesting the same from the State.
 6. The County and the State agree that any modifications to this Letter of Agreement shall be in the same form, namely the exchange of signed copies of a revised Letter of Agreement.
 7. The County confirms that there are no pre-arranged agreements (contractual or otherwise) between the respective counties, taxing districts, and/or the providers to re-direct any portion of these aforementioned Medicaid supplemental payments in order to satisfy non-Medicaid, non-uninsured, and non-underinsured activities.
-
8. The County agrees the following provision shall be included in any agreements between the County and local providers where funding is provided for the Medicaid program. Funding provided in this agreement shall be prioritized so that designated funding shall first be used to fund the Medicaid program (including LIP) and used secondarily for other purposes.
 9. This Letter of Agreement covers the period of July 1, 2012 through June 30, 2013 and shall be terminated June 30, 2013.

WITNESSETH:

IN WITNESS WHEREOF the parties have duly executed this Letter of Agreement on the day and year above first written.

Board of County Commissioners
Escambia County, Florida

Wilson B. Roberson, Chairman

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

Deputy Clerk

State of Florida

Phil E. Williams
Assistant Deputy Secretary for
Medicaid Finance,
Agency for Health Care Administration

This document approved as to form
and legal sufficiency

By: 

Title: ACA

Date: 7/17/12



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2969

County Administrator's Report 11. 8.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Agreement Relating to Legal Services as Disclosure Counsel- PD 11-12.020

From: Amy Lovoy, Department Head

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Agreement between Escambia County and Nabors, Giblin & Nickerson, P.A., Relating to Legal Services as Disclosure Counsel-PD 11-12.020 - Amy Lovoy, Management and Budget Department Director

That the Board approve the Agreement between Escambia County and Nabors, Giblin & Nickerson, P.A., Relating to Legal Services as Disclosure Counsel-PD 11-12.020, for a term of five years with an option to renew for one additional five-year term, effective August 9, 2012. Compensation for duties and fees for Conduit Bonds shall be in accordance with Chapter 46, Article VII, Section 46-303, et seq., of the Escambia County Code of Ordinances. Compensation for County Bonds shall be subject to 80% of the following:

Amount of Issue/County Bonds Fee

Up to \$10,000,000
Flat Fee of \$17,500

From \$10,000,000 to \$40,000,000
Fee per \$1,000 of \$.85 per \$1,000

Over \$40,000,000
Fee per \$1,000 of \$.55 per \$1,000

[Primary funding from bond proceeds. Additional funding, if required, Fund 001, General Fund (Legal Counsel), Cost Center 110601, Object Code 53101]

BACKGROUND:

Request for Proposals PD 11-12.020 Legal Services relating to Disclosure Counsel was advertised on Monday, March 19, 2012 in the Pensacola News Journal. Responses were received on April 18, 2012 from 5 firms. Legal Services for Disclosure Counsel is required for Bond issues of the County and for issues of Conduit Bonds through the County. The fees for services are derived from the proceeds of the bond issue.

BUDGETARY IMPACT:

Primary Funding From Bonds

Additional Funding, if required Fund 001 Legal Counsel, Cost Center 110601, Object Code 53101

LEGAL CONSIDERATIONS/SIGN-OFF:

Kristin Hual, Assistant County Attorney prepared the agreement.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is in compliance with the Code of Ordinances of Escambia County, Florida, 1999, Chapter 46, Finance, Article II, Purchases and Contracts.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

Agreement

**AGREEMENT BETWEEN ESCAMBIA COUNTY AND NABORS, GIBLIN &
NICKERSON, P.A. RELATING TO LEGAL SERVICES AS DISCLOSURE COUNSEL
PD 11-12.020**

This Agreement is made this ____ day of August, 2012, by and between Escambia County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (hereinafter referred to as "County"), with administrative offices located at 221 South Palafox Street, Pensacola, Florida 32502, and Nabors, Giblin & Nickerson, P.A. (hereinafter referred to as "Counsel"), with offices located at 3500 Mahan Drive, Suite 200, Tallahassee, FL 32308 (each at times being referred to as "Party" or "Parties").

WITNESSETH, in consideration of the mutual terms and conditions, promises, covenants and payments hereinafter set forth, the County and Counsel agree as follows:

1. Scope of Services. Counsel agrees to provide the following services:
 - a. Consultation at all times with the County Commission, its staff, its counsel, its consulting engineers, financial advisor, underwriter and other financing professionals retained by the County regarding the issuance of bonds;
 - b. Preliminary advice as to legal authority for financing alternatives being considered, assistance in imposing or revising any fees or contracts used to secure the financing and compliance with the County's existing bond and loan covenants or other documents applicable to the financing and with applicable tax laws respecting tax-exempt obligations;
 - c. Preparation of official statements or other offering materials used to market any obligations and participation in meetings, conferences and calls to develop those materials, and rendering a "due diligence" opinion to the County relating thereto;
 - d. Assistance in the process of obtaining ratings and/or bond purchase contract, or preparation of bid documents for competitive sale;
 - e. Review of negotiated underwriting bond purchase contract or preparation of bid documents for competitive sale; and
 - f. Attendance at any closing to facilitate execution of all closing documentation and, as necessary, attendance at all planning sessions, document drafting and negotiating sessions and meetings of the Board of County Commissioners.
 - g. Perform such other special services not specifically enumerated herein, as requested by the County Attorney.

2. Term. This Agreement shall commence upon the date last executed by the parties and continue for a term of five (5) years with the option to renew for an additional five (5) year term. In no event shall the term of this agreement exceed the duration of ten (10) years from the date of commencement. Counsel shall serve as Disclosure Counsel on any financings, including the issuance of bonds, refunding bonds, notes and other instruments of indebtedness, conduit type financings and other bonds, which may be issued by the County pursuant to Art. VII of the Florida Constitution, and which are initiated prior to termination of this Agreement, regardless of the actual date the financing is closed. Counsel has no assurances there will be a minimum number of financings or that there will be any financings during the term of this Agreement.

3. Representation, Covenants and Warranties. By executing this Agreement, Counsel represents, covenants and warrants to County as follows:

- a. Counsel has experience in municipal bond law, federal tax law pertaining to municipal bonds, the trial and appeal of bond validation actions and the issuance of tax-exempt municipal bonds;
- b. The information, documents and materials submitted by Counsel in connection with its efforts to be retained as Disclosure Counsel are complete and accurate in all material respects;
- c. Counsel has not represented, is not representing, nor will it represent any client if such representation has violated, violates or will violate traditional ethical standards imposed by the rules governing conflicts of interest as embodied in the Rules Regulating the Florida Bar, especially Rule 4-1.7. During the term of this Agreement, Counsel shall comply with the conflicts of interest policy as contained in Section 46-127 of the Escambia County Code of Ordinances, a copy of which has been provided to Counsel;
- d. Counsel shall advise County immediately if representation of a client could adversely affect the judgment or quality of service to be rendered by Counsel in its representation of the County and/or result in a material or direct conflict of interest;
- e. Counsel has sufficient time to execute and fulfill the duties of Disclosure Counsel to the County and is not burdened by professional responsibilities or workload or by personal or other constraints that would interfere in any material respect with its obligation hereunder; and
- f. Until the County is otherwise notified, Mark T. Mustian and Junious D. Brown III shall be the attorney(s) assigned as primary Disclosure Counsel to the County, unless other attorneys proposed to provide the services set forth under the supervision of the primary Disclosure Counsel therein are determined by the County Attorney to be acceptable.

4. Fee for Services. In exchange for the provision of the scope of services referenced in Section 1 above, County shall pay Counsel as follows:

Counsel shall charge a fee equal to eighty percent (80%) of the fee charged by bond counsel for each financing. Counsel shall also be reimbursed for out-of-pocket financing costs or other expenses not to exceed \$1,500. Such fee shall be payable upon closing of the bond or note issue. If no bonds are issued, Counsel shall not charge a fee for time accruing to the date the project is financed without need for a bond issue or is otherwise terminated, and Counsel shall not seek reimbursement for any related out-of-pocket costs or expenses. Expenses eligible for reimbursement may include travel, telephone, postage and delivery, and fax and copying charges, estimated at \$3,000 or less.

For legal services not related to Disclosure Counsel services, Disclosure Counsel shall charge the rate of \$250 per hour for partners, \$190 per hour for associate time and \$50 per hour for law clerks. No bills for hourly rates would be submitted unless specifically authorized by the County.

All expenses will be billed at actual cost. Costs and expenses can include travel to destinations other than County if requested by the County, reproduction and printing at \$.25 per page, overnight delivery charges, research costs, mail and courier services and telephone expenses. Counsel will not charge for additional services such as word processing.

5. Method of Billing. Counsel shall submit invoices to the County on a monthly basis. Invoices shall reflect the number of hours expended and the amount due and owing for monthly fees with appropriate supporting documentation. Out of pocket costs and other expenses shall be itemized separately.

6. Termination. This Agreement may be terminated for cause or convenience by the County upon providing thirty (30) days written notice to Counsel. This Agreement may be terminated for cause by Counsel upon providing ninety (90) days written notice to the County. In the event of termination by either party as provided herein, Counsel shall be paid for services performed through the date of termination.

7. Indemnification. Counsel shall hold harmless, indemnify, and defend County and its agents, officers and employees from any and all claims, suits, actions, damages, liabilities, expenditures or causes of action of any kind, losses, penalties, interest, demands, judgments, and cost of suit, including attorneys' fees and paralegals' fees, for any expense, damage or liability incurred by any of them, whether for personal injury, death, property damage, direct or consequential damages, or economic loss, including environmental impairment, arising directly or indirectly, on account of or in connection with the breach of Counsel's professional obligations to the County in the performance of this Agreement or by any person, firm, or corporation to whom any portion of the performance of this Agreement is subcontracted to or used by Counsel or by anyone for whom Counsel is legally liable.

8. Insurance. Counsel is required to carry the following insurance:
- a. Commercial General Liability coverage with \$1,000,000 minimum per occurrence, including coverage parts of bodily injury, property damage, broad form property damage, personal injury, independent contractors, blanket contractual liability, and completed operations;
 - b. Business Automobile Liability coverage with \$1,000,000 per occurrence minimum combined single limits for all hired, owned, and non-owned vehicles;
 - c. Professional Liability/Malpractice/Errors or Omissions coverage with minimum limits of \$5,000,000 per occurrence;
 - d. Excess or Umbrella Liability coverage;
 - e. Florida statutory workers' compensation and employers' liability with employer's liability limits of at least \$100,000 each accident and \$100,000 each employee/\$500,000 policy limit for disease;
 - f. It is understood and agreed by the parties that in the event that Counsel consists of a joint venture, partnership, or other association of professional or business firms, each such firm shall be required to individually carry the above cited coverages; and
 - g. Counsel agrees all liability coverage shall be through carriers admitted to do business in the State of Florida. Certificates of insurance shall be provided to the County prior to commencement of work hereunder. Certificates shall reflect the additional insured status of Escambia County and shall provide for a minimum of thirty (30) days' notice of cancellation. Escambia County and the Board of County Commissioners also shall be the certificate holders.

9. Independent Contractor Status. In the performance of legal services hereunder, Counsel is an independent contractor. Counsel shall not hold itself out as an employee, agent or servant of the County; and Counsel shall not have the power or authority to bind the County in any promise, agreement or representation, other than as specifically provided in this Agreement or as may be expressly provided hereafter in writing by an authorized official of the County.

10. Client Files and Records. Upon termination of this Agreement, Counsel shall make available to the County for its inspection and copying all client files and records related to pending matters under this Agreement. The County, at its option, may elect to have Counsel complete any pending transactions, or to compensate Counsel only for services on such matters through the effective date of termination.

11. Assignment. Services rendered under this Agreement are personal to the chosen Counsel and may not be assigned, either directly or indirectly, to any other person or firm. In the event Counsel shall propose to substitute other attorneys to perform work under this Agreement, County shall retain the right to retain Mark T. Mustian and Junious D. Brown III as Disclosure Counsel under the terms set forth in this Agreement.

12. Notice. Any notice, payment or other communication under this Agreement required hereunder or desired by the party giving such notice shall be given in writing and delivered by hand or through the instrumentality of certified mail of the United States Postal Service or private courier service, such as Federal Express. Unless otherwise notified in writing of a new address, notice shall be made to each party as follows:

To: Nabors, Giblin & Nickerson, P.A.
Attention: Robert L. Nabors
P.O. Box 11008
Tallahassee, FL 32302

To: County
Attention: County Administrator
221 Palafox Place, Suite 420
Pensacola, Florida 32502

Rejection, or other refusal by the addressee to accept, or the inability of the courier service or the United States Postal Service to deliver because of a changed address of which no notice was given, shall be deemed to be receipt of the notice sent. Any party shall have the right, from time to time, to change the address to which notices shall be sent by giving the other party at least ten (10) days prior notice of the address change.

13. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida, and the parties stipulate that venue shall be in the County of Escambia.

14. Public Records. Counsel acknowledges that this Agreement and any related financial records, audits, reports, plans correspondence, and other documents may be subject to disclosure to members of the public pursuant to Chapter 119, Florida Statutes. In the event Counsel fails to abide by the provisions of Chapter 119, Florida Statutes, the County may, without prejudice to any other right or remedy and after giving Counsel seven days written notice, during which period Counsel still fails to allow access to such documents, terminate the contract.

15. Entire Agreement. This Agreement contains the entire agreement between the parties and supersedes all prior oral or written agreements. Counsel acknowledges that it has not relied upon any statement, representation, prior or contemporaneous written or oral promises, agreements or warranties, except such as are expressed herein. The terms and conditions of this Agreement can only be amended in writing upon mutual agreement of the parties.

16. Compliance with Laws. Counsel agrees to comply with all federal, state and local laws, rules, policies, or guidelines related to the performance of this Agreement, including but not limited to properly registering as a lobbyist for representation of the County with the appropriate governmental entities as well as making all necessary lobbying reports in a timely manner to the proper authorities.

17. Miscellaneous. If any term or condition of this Agreement shall be invalid or unenforceable, the remainder of the terms and conditions of this Agreement shall remain in full force and effect. This Agreement shall not be more strictly construed against either party hereto by reason of the fact that one party may have drafted or prepared any or all of the terms and provisions hereof.

18. Annual Appropriation. Pursuant to the requirements of Florida law and Article II of Chapter 46, Escambia County Code of Ordinances, the County's performance and obligation to fund this Agreement shall be contingent upon an annual appropriation by the Escambia County Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: ESCAMBIA COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Chairman, authorized to execute same by Board action on the ___ day of August 2012, and Nabors, Giblin & Nickerson, P.A., signing by and through its Director, duly authorized to execute same.

COUNTY:
BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

By: _____
Wilson B. Robertson, Chairman

Date: _____

BCC Approved: _____

By: _____

(SEAL)

This document approved as to form
and legal sufficiency

By Kristen Hual

Title ACA

Date 7/11/12

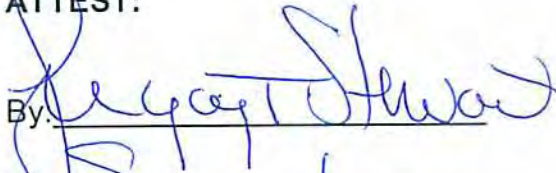
COUNSEL:
NABORS, GIBLIN & NICKERSON, P.A.



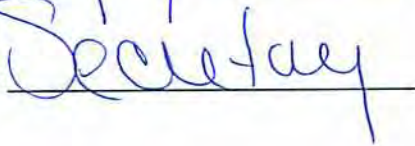
By: Robert L. Nabors, Shareholder/Director

ATTEST:

By:



Title:





BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2971

County Administrator's Report 11. 9.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Agreement Relating to Legal Services as Bond Counsel PD11-12.022

From: Amy Lovoy, Department Head

Organization: OMB

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Agreement between Escambia County and McGuire Woods, LLP, Relating to Legal Services as Bond Counsel-PD 11-12.022 - Amy Lovoy, Management and Budget Services Department Director

That the Board approve the Agreement between Escambia County and McGuire Woods, LLP, Relating to Legal Services as Bond Counsel-PD 11-12.022, for five years with one option to renew for an additional five years, effective August 9, 2012. Compensation for duties and fees for Conduit Bonds shall be in accordance with Chapter 46, Article VII, Section 46-303, et seq., of the Escambia County Code of Ordinances. Compensation for County Bonds shall be subject to the following:

Amount of Issue/County Bonds Fee

Up to \$10,000,000
Flat Fee of \$17,500

From \$10,000,000 to \$40,000,000
Fee per \$1,000 of \$.85 per \$1,000

Over \$40,000,000
Fee per \$1,000 of \$.55 per \$1,000

[Primary funding from bond proceeds. Additional funding, if required, Fund 001, General Fund (Legal Counsel), Cost Center 110601, Object Code 53101]

BACKGROUND:

Request for Proposal PD 11-12.022 Legal Services relating to Bond Counsel was advertised on Monday, March 19, 2012 in the Pensacola News Journal. Responses were received on April 18, 2012 from 5 firms. Legal Services for Bond Counsel is required for Bond issues of the County and for issues of Conduit Bonds through the County. The fees for services are derived from the proceeds of the bond issue.

BUDGETARY IMPACT:

Primary Funding From Bond Proceeds

Additional Funding, if required Fund 001 Legal Counsel, Cost Center 110601, Object Code 53101

LEGAL CONSIDERATIONS/SIGN-OFF:

Kristin Hual, Assistant County Attorney prepared the agreement.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is in compliance with the Code of Ordinances of Escambia County, Florida, 1999, Chapter 46, Finance, Article II, Purchases and Contracts.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

agreement

AGREEMENT BETWEEN ESCAMBIA COUNTY AND MCGUIRE WOODS, LLP
RELATING TO LEGAL SERVICES AS BOND COUNSEL PD 11-12.022

This Agreement is made this ____ day of August, 2012, by and between Escambia County, a political subdivision of the State of Florida, by and through its Board of County Commissioners (hereinafter referred to as "County"), with administrative offices located at 221 South Palafox Street, Pensacola, Florida 32502, and McGuire Woods, LLP (hereinafter referred to as "Counsel"), a foreign for-profit limited liability partnership, with a principal address of One James Center, 901 East Cary Street, Richmond, VA 23219 (each at times being referred to as "Party" or "Parties").

WITNESSETH, in consideration of the mutual terms and conditions, promises, covenants and payments hereinafter set forth, the County and Counsel agree as follows:

1. **Scope of Services.** Counsel agrees to provide the following services:
 - a. Consultation with County officials and staff concerning all legal questions relating to the incurrence of the debt;
 - b. Attendance, upon request, at any meeting of the Board of County Commissioners or any meeting of staff;
 - c. Preparation of all resolutions and other instruments authorizing and securing bonds and required in connection with their issuance utilizing the County's format for documents unless agreed otherwise;
 - d. Assistance to the County or its financial advisors and investment bankers in formulating financing plans and review of applicable portions of disclosure documents for public offering of bonds and notes;
 - e. If sale is by competitive bid, assisting in the preparation of documents, notice of sale, evaluation of bids and any other documentation necessary to conduct a sale of bonds in that manner, provided that the services contemplated hereby shall not include the preparation of disclosure materials;
 - f. Analysis and resolutions of tax problems associated with financing plans, including arbitrage issues and preparation of ruling requests and contracts with the U.S. Treasury;
 - g. Preparation of documentation required in connection with the validation of bond issues including complaints, notices and orders, acknowledgements, answers and judgments, together with memoranda concerning testimony, exhibits and relevant law;

- h. Preparation and review of all documentation required for bond sales and closings, including resolutions, certificates, opinions, notices of sale, etc; provided that the services contemplated hereby shall not include the preparation of disclosure materials;
- i. Supervision of the printing of bonds and conduct of the pre-closing and the closing in connection with each bond issue;
- j. Preparation of documentation required in connection with the appeal of any such judgment of validation or order to the Supreme Court of Florida, including any notices, orders, acknowledgements, briefs and any court appearances required for oral argument or otherwise; and
- k. Review of conduit type bond financings for compliance with applicable securities and tax laws and regulations, as well as Chapter 46, Article VII, Section 46-303, Escambia County Code of Ordinances.

In addition to the above, Counsel will be available to consult with the County Administrator's Office, the Clerk of the Board of County Commissioners, the County Attorney's Office and the pertinent County divisions and departments with regard to any questions relating to outstanding or proposed County debt.

2. Term. This Agreement shall commence upon the date last executed by the parties and continue for a term of five (5) years with the option to renew for an additional five (5) year term. In no event shall the term of this agreement exceed the duration of ten (10) years from the date of commencement. Counsel shall serve as Bond Counsel on any financings, including the issuance of bonds, refunding bonds, notes and other instruments of indebtedness, conduit type financings and other bonds, which may be issued by the County pursuant to Art. VII of the Florida Constitution, and which are initiated prior to termination of this Agreement, regardless of the actual date the financing is closed. Counsel has no assurances there will be a minimum number of financings or that there will be any financings during the term of this Agreement.

3. Representation, Covenants and Warranties. By executing this Agreement, Counsel represents covenants and warrants to County as follows:

- a. Counsel has experience in municipal bond law, federal tax law pertaining to municipal bonds, the trial and appeal of bond validation actions and the issuance of tax-exempt municipal bonds;
- b. The information, documents and materials submitted by Counsel in connection with its efforts to be retained as Disclosure Counsel are complete and accurate in all material respects

- c. Counsel has not represented, is not representing, nor will it represent any client if such representation has violated, violates or will violate traditional ethical standards imposed by the rules governing conflicts of interest as embodied in the Rules Regulating the Florida Bar, especially Rule 4-1.7. During the term of this Agreement, Counsel shall comply with the conflicts of interest policy as contained in Section 46-127 of the Escambia County Code of Ordinances, a copy of which has been provided to Counsel;
- d. Counsel shall advise County immediately if representation of a client could adversely affect the judgment or quality of service to be rendered by Counsel in its representation of the County and/or result in a material or direct conflict of interest;
- e. Counsel has sufficient time to execute and fulfill the duties of Disclosure Counsel to the County and is not burdened by professional responsibilities or workload or by personal or other constraints that would interfere in any material respect with its obligation hereunder; and
- f. Until the County is otherwise notified, Richard I. Lott shall be the attorney(s) assigned as primary Bond Counsel to the County, unless other attorneys proposed to provide the services set forth under the supervision of the primary Bond Counsel therein are determined by the County Attorney to be acceptable.

4. Fee for Services.

- a. Fees for services rendered under this Agreement related to the issuance of bonds are as follows:

<u>Amount of Issue</u>	<u>County Bonds Fee</u>	<u>Conduit Bonds Fee</u>
Up to \$10,000,000 Flat Fee	\$17,500	\$20,000
From \$10,000,000 to \$40,000,000 Fee per \$1,000	\$0.85 per \$1,000 Over \$10,000,000	\$0.90 per \$1,000 Over \$10,000,000
Over \$40,000,000 Fee per \$1,000	\$0.55 per \$1,000 Over \$40,000,000	\$0.45 per \$1,000 Over \$40,000,000

All fees for services in connection with the issuance of such bonds or notes are contingent upon delivery of the bonds. Fees for services in connection with completed bond issues shall be payable at the time the financing is completed. In connection with direct or non-conduit, bond issues of the County, the County shall not be billed for general counsel and advice on

matters preparatory to a bond issue but not leading to financings and not requiring an opinion of Bond Counsel.

- b. Fees for services as bond counsel for conduit bond financings are to be paid by the agency or corporate issuer proposing the bonds in accordance with the fee schedule set forth in Article VII Conduit Bonds, Section 46-305, Escambia County Code, in the form effective on the date of execution hereof. Fees for bonds proposed by the Escambia County Health Facilities Authority and the Escambia County Housing Finance Authority shall be in accordance with Section 46-309, Escambia County Code, in the form effective on the date of execution hereof.

All other applicable provisions of the Escambia County Code pertaining to bond financing, as well as any uncodified ordinances relating thereto, shall be adhered to by Counsel. However, no change in the fee schedules referenced herein shall be binding without Counsel's written consent.

- c. At its option, the County may choose to pay for services rendered under this Agreement related to small loan transactions as follows:

<u>Amount of Loan</u>	<u>Fee</u>
Up to \$750,000 Flat Fee	\$5,000, plus out of pocket expenses
Over \$750,000 Fee per \$1,000	\$1.00 per \$1,000 Over \$750,000

For purposes hereof, a "small loan transaction" means a note or bond secured by County revenues issued by the County in a principal amount of less than \$6,000,000 and sold to a single financial institution. Such transaction fees apply to most small loan transactions, unless substantial time in excess of 10 hours is required by Counsel due to unusual circumstances. For such transactions, Counsel's opinion shall be limited to federal tax matters, and the County Attorney shall provide an independent opinion as to the validity of the obligation. No fee shall be due unless the transaction is completed.

- d. At its option, County may choose to pay for services rendered under this Agreement on an hourly basis based upon the following fee schedule:

<u>Position</u>	<u>Hourly Rate</u>
Senior Partner	\$250.00
Junior Partner	\$200.00
Associate Attorney	\$95.00
Paralegal	\$70.00

5. Method of Billing. Counsel shall submit invoices to the County on a monthly basis. Invoices shall reflect the number of hours expended and the amount due and owing for monthly fees with appropriate supporting documentation. Out of pocket costs and other expenses shall be itemized separately.

6. Termination. This Agreement may be terminated for cause or convenience by the County upon providing thirty (30) days written notice to Counsel. This Agreement may be terminated for cause by Counsel upon providing ninety (90) days written notice to the County. In the event of termination by either party as provided herein, Counsel shall be paid for services performed through the date of termination.

7. Indemnification. Counsel shall hold harmless, indemnify, and defend County and its agents, officers and employees from any and all claims, suits, actions, damages, liabilities, expenditures or causes of action of any kind, losses, penalties, interest, demands, judgments, and cost of suit, including attorneys' fees and paralegals' fees, for any expense, damage or liability incurred by any of them, whether for personal injury, death, property damage, direct or consequential damages, or economic loss, including environmental impairment, arising directly or indirectly, on account of or in connection with the breach of Counsel's professional obligations to the County in the performance of this Agreement or by any person, firm, or corporation to whom any portion of the performance of this Agreement is subcontracted to or used by Counsel or by anyone for whom Counsel is legally liable.

8. Insurance. Counsel is required to carry the following insurance:

- a. Commercial General Liability coverage with \$1,000,000 minimum per occurrence, including coverage parts of bodily injury, property damage, broad form property damage, personal injury, independent contractors, blanket contractual liability, and completed operations;
- b. Business Automobile Liability coverage with \$1,000,000 per occurrence minimum combined single limits for all hired, owned, and non-owned vehicles;
- c. Professional Liability/Malpractice/Errors or Omissions coverage with minimum limits of \$5,000,000 per occurrence;
- d. Excess or Umbrella Liability coverage;
- e. Florida statutory workers' compensation and employers' liability with employer's liability limits of at least \$100,000 each accident and \$100,000 each employee/\$500,000 policy limit for disease;
- f. It is understood and agreed by the parties that in the event that Counsel consists of a joint venture, partnership, or other association of professional or business firms, each such firm shall be required to individually carry the above cited coverages; and

g. Counsel agrees all liability coverage shall be through carriers admitted to do business in the State of Florida. Certificates of insurance shall be provided to the County prior to commencement of work hereunder. Certificates shall reflect the additional insured status of Escambia County and shall provide for a minimum of thirty (30) days notice of cancellation. Escambia County and the Board of County Commissioners also shall be the certificate holders.

9. Independent Contractor Status. In the performance of legal services hereunder, Counsel is an independent contractor. Counsel shall not hold itself out as an employee, agent or servant of the County; and Counsel shall not have the power or authority to bind the County in any promise, agreement or representation, other than as specifically provided in this Agreement or as may be expressly provided hereafter in writing by an authorized official of the County.

10. Client Files and Records. Upon termination of this Agreement, Counsel shall make available to the County for its inspection and copying all client files and records related to pending matters under this Agreement. The County, at its option, may elect to have Counsel complete any pending transactions, or to compensate Counsel only for services on such matters through the effective date of termination.

11. Assignment. Services rendered under this Agreement are personal to the chosen Counsel and may not be assigned, either directly or indirectly, to any other person or firm. In the event Counsel shall propose to substitute other attorneys to perform work under this Agreement, County shall retain the right to retain Richard I. Lott as Bond Counsel under the terms set forth in this Agreement.

12. Notice. Any notice, payment or other communication under this Agreement required hereunder or desired by the party giving such notice shall be given in writing and delivered by hand or through the instrumentality of certified mail of the United States Postal Service or private courier service, such as Federal Express. Unless otherwise notified in writing of a new address, notice shall be made to each party as follows:

To: McGuire Woods, LLP
Attention: Richard I. Lott
25 West Cedar Street, Suite 211-500
Pensacola, FL 32502

To: County
Attention: County Administrator
221 Palafox Place, Suite 420
Pensacola, Florida 32502

Rejection, or other refusal by the addressee to accept, or the inability of the courier service or the United States Postal Service to deliver because of a changed address of which no notice was given, shall be deemed to be receipt of the notice sent. Any party shall have the right, from time to time, to change the address to which notices shall be sent by giving the other party at least ten (10) days prior notice of the address change.

13. Governing Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida, and the parties stipulate that venue shall be in the County of Escambia.
14. Public Records. Counsel acknowledges that this Agreement and any related financial records, audits, reports, plans correspondence, and other documents may be subject to disclosure to members of the public pursuant to Chapter 119, Florida Statutes. In the event Counsel fails to abide by the provisions of Chapter 119, Florida Statutes, the County may, without prejudice to any other right or remedy and after giving Counsel seven days written notice, during which period Counsel still fails to allow access to such documents, terminate the contract.
15. Entire Agreement. This Agreement contains the entire agreement between the parties and supersedes all prior oral or written agreements. Counsel acknowledges that it has not relied upon any statement, representation, prior or contemporaneous written or oral promises, agreements or warranties, except such as are expressed herein. The terms and conditions of this Agreement can only be amended in writing upon mutual agreement of the parties.
16. Compliance with Laws. Counsel agrees to comply with all federal, state and local laws, rules, policies, or guidelines related to the performance of this Agreement, including but not limited to properly registering as a lobbyist for representation of the County with the appropriate governmental entities as well as making all necessary lobbying reports in a timely manner to the proper authorities.
17. Miscellaneous. If any term or condition of this Agreement shall be invalid or unenforceable, the remainder of the terms and conditions of this Agreement shall remain in full force and effect. This Agreement shall not be more strictly construed against either party hereto by reason of the fact that one party may have drafted or prepared any or all of the terms and provisions hereof.
18. Annual Appropriation. Pursuant to the requirements of Florida law and Article II of Chapter 46, Escambia County Code of Ordinances, the County's performance and obligation to fund this Agreement shall be contingent upon an annual appropriation by the Escambia County Board of County Commissioners.

IN WITNESS WHEREOF, the parties hereto have made and executed this Agreement on the respective dates under each signature: ESCAMBIA COUNTY through its BOARD OF COUNTY COMMISSIONERS, signing by and through its Chairman, authorized to execute same by Board action on the ___ day of August 2012, and MCGUIRE WOODS, LLP, signing by and through its Partner, duly authorized to execute same.

COUNTY:
BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

By: _____
Wilson B. Robertson, Chairman

Date: _____

BCC Approved: _____

By: _____

(SEAL)

This document approved as to form and legal sufficiency.

By: Michael Hual

Title: ACA

Date: 7/11/12

COUNSEL:
MCGUIRE WOODS, LLP

By: Richard I. Lott, Partner

ATTEST:

By: _____

Title: _____



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-660

County Administrator's Report 11. 10.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Acquisition of Property Located on Guidy Lane from Hillcrest Baptist Church for Drainage Improvements

From: Joy D. Blackmon, P.E., Department Director

Organization: Public Works

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Acquisition of Property Located on Guidy Lane from Hillcrest Baptist Church of Pensacola, Inc., for Drainage Improvements - Joy D. Blackmon, P.E., Public Works Department Director

That the Board take the following action concerning the acceptance of property on Guidy Lane from Hillcrest Baptist Church of Pensacola, Inc. (Hillcrest), for road and drainage improvements:

A. Authorize Staff to negotiate and resolve any matters related to or associated with the acceptance of two parcels of property (1.0 acre pond parcel and 0.16 acres road right-of-way for a total of 1.16 acres) from Hillcrest Baptist Church of Pensacola, Inc., for the Guidy Lane Drainage Project, and to gather information and conduct inspections as needed to allow the Board's acceptance of the real property;

B. Authorize payment of \$15,534.20 as reimbursement to Hillcrest Baptist Church of Pensacola, Inc., for their documented costs for recent upgrades and improvements to the retention pond parcel;

C. Authorize payment of incidental expenditures and documentary stamps because these properties are being acquired for governmental use, which is for road right-of-way and stormwater retention purposes, and the County benefits from these acquisitions because they facilitate the installation of road and drainage improvements which will result in a more safe and efficient roadway, enhancing the quality of life for the citizens of Escambia County; and

D. Authorize Staff to prepare and the Chairman or Vice Chairman to accept the Deed as of the day of delivery and to acknowledge the Board's acceptance at that time, subject to Legal review and sign-off, necessary to complete the acquisition without further action of the Board.

[Funding Source: Fund 352, "LOST III", Cost Center 210107, Object Code 56101/56301, Project #12EN2055 "Guidy Lane"]

The area of Guidy Lane north of Nine Mile Road has a history of stormwater drainage problems, due in part to not having adequate retention areas. The County has a project in design to alleviate some of the problems, which will require the acquisition of property for retention pond

purposes and additional right-of-way. Hillcrest owns property on both sides of Guidy Lane. One parcel of property, located at the northeast corner of the intersection of Guidy Lane and Nine Mile Road, is being utilized as a retention pond. The County has identified a need for this property to facilitate the drainage project, as the property has sufficient footage to expand the existing pond area. The pond was not functioning properly until recently, when Hillcrest completed upgrades and improvements to bring the retention pond into compliance with Florida Department of Environmental Protection (FDEP) regulations.

Prior to and during the pond upgrade work, several discussions were held between County Engineering staff and Hillcrest concerning this property. During those discussions, Hillcrest indicated that they would agree to convey the pond property and any additional right-of-way to the County if the County would reimburse the documented costs of \$15,534.20 for bringing the pond into compliance.

BACKGROUND:

The area of Guidy Lane north of Nine Mile Road has a history of stormwater drainage problems, due in part to not having adequate retention areas. The County has a project in design to alleviate some of the problems, which will require the acquisition of property for retention pond purposes and additional right-of-way. Hillcrest owns property on both sides of Guidy Lane. One parcel of property, located at the northeast corner of the intersection of Guidy Lane and Nine Mile Road, is being utilized as a retention pond. The County has identified a need for this property to facilitate the drainage project, as the property has sufficient footage to expand the existing pond area. The pond was not functioning properly until recently, when Hillcrest completed upgrades and improvements to bring the retention pond into compliance with Florida Department of Environmental Protection (FDEP) regulations.

Prior to and during the pond upgrade work, several discussions were held between County Engineering staff and Hillcrest concerning this property. During those discussions, Hillcrest indicated that they would agree to convey the pond property and any additional right-of-way to the County if the County would reimburse the documented costs of \$15,534.20 for bringing the pond into compliance.

BUDGETARY IMPACT:

Funds for this project are available in Fund 352 "LOST III", Cost Center 210107, Object Code 56101/56301, Project #12EN2055 "Guidy Lane".

LEGAL CONSIDERATIONS/SIGN-OFF:

Deed and Easement forms to be used in the acquisition process have been previously approved by the County Attorney's Office.

PERSONNEL:

All work associated with this request is being done in-house and no additional staff is required.

POLICY/REQUIREMENT FOR BOARD ACTION:

Upon the Board's approval to begin the acquisition process, County Staff will proceed in compliance with Section 46-139, Escambia County Code of Ordinances.

IMPLEMENTATION/COORDINATION:

Upon Board approval, staff will proceed with the acquisition associated with this project.

Attachments

Parcel Information

Pond Expenses

Map



Chris Jones

Escambia County Property Appraiser

[Back](#)



Navigate Mode **Account**

Reference

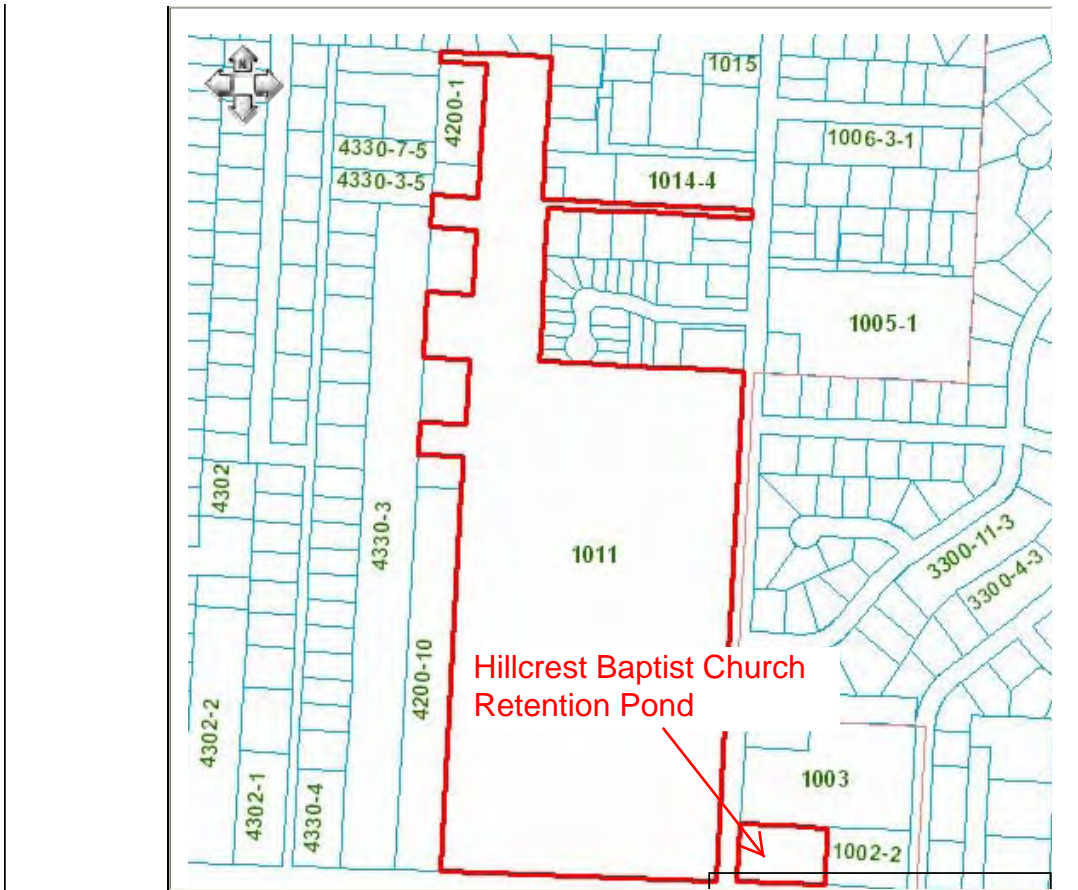
General Information	
Reference:	071S301011000000
Account:	014401000
Owners:	HILLCREST BAPTIST OF PENSACOLA INC
Mail:	800 E NINE MILE RD PENSACOLA, FL 32514
Situs:	800 E NINE MILE RD 32514
Use Code:	CHURCH
Taxing Authority:	COUNTY MSTU
Tax Inquiry:	Open Tax Inquiry Window
Tax Inquiry link courtesy of Janet Holley, Escambia County Tax Collector	

2010 Certified Roll Assessment	
Improvements:	\$4,963,590
Land:	\$2,873,370
Total:	\$7,836,960
Save Our Homes:	\$0
Disclaimer	
Amendment 1 Calculations	

Sales Data					
Sale Date	Book	Page	Value	Type	Official Records (New Window)
12/1992	3298	921	\$455,000	WD	View Instr
03/1992	3139	403	\$425,000	WD	View Instr
Official Records Inquiry courtesy of Ernie Lee Magaha, Escambia County Clerk of the Court					

2010 Certified Roll Exemptions	
RELIGIOUS	
Legal Description	
BEG 693 FT W OF SE COR OF SEC N 650 FT W 313 1/2 FT S 650 FT E 313 1/2 FT TO POB...	
Extra Features	
ASPHALT PAVEMENT ELEVATOR H PARK LIGHT	

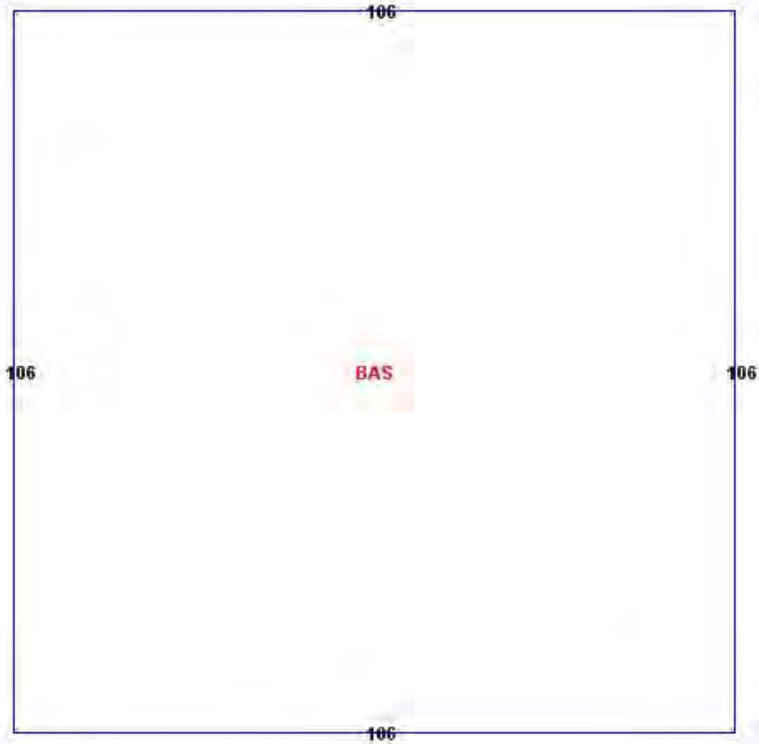
Parcel Information	
<input type="button" value="Restore Map"/> Get Map Image Launch Interactive Map	
Section Map Id:	
07-1S-30-1	
Approx. Acreage:	
37.9300	
Zoned:	
C-2	
R-2	
R-5	



Buildings

Building 1 - Address: 800 E NINE MILE RD, Year Built: 1965, Effective Year: 1965

Structural Elements
FOUNDATION-SLAB ON GRADE
EXTERIOR WALL-BRICK-COMMON
NO. PLUMBING FIXTURES-12.00
ROOF FRAMING-STEEL TRUSS/FRM
ROOF COVER-BLT UP ON WOOD
INTERIOR WALL-DRYWALL-PLASTER
FLOOR COVER-VINYL ASBESTOS
NO. STORIES-1.00
FLOOR COVER-CARPET
DECOR/MILLWORK-AVERAGE
HEAT/AIR-CENTRAL H/AC
STRUCTURAL FRAME-MASONRY PIL/STL



Areas - 11236 Total SF

BASE AREA - 11236

From: Wilson4040@aol.com [mailto:Wilson4040@aol.com]
Sent: Wednesday, October 13, 2010 11:34 AM
To: Colby S. Brown
Cc: RSanto@hillcrestchurch.com; fjforbes62@cox.net; billsanto@cox.net
Subject: Emailing: Guidy Pond Expenses

10-13-2010

Colby,

Enjoyed talking to you yesterday.

I have talked to two or three engineering firms in the last couple of days concerning the Guidy drainage improvements.

The DEP is ready to sign off on the re certification of the Guidy pond.

I understated the cost estimate that I gave you on re certifying the Guidy pond a few months back. The clean up was more extensive than my original estimate. We removed all the silt and vegetation from the pond. The pond was resoded last Saturday. We flushed the underdrain.

The Hillcrest cost was \$ 15,500.00. The receipts are available.

We would appreciate the county making the church whole on the pond restoration. We think this is fair considering the location of the property and the work that had to be done.

We will need to have an attorney for the church review your proposal for the property exchange when it is available.

The major cost items on the pond restoration were as follows.

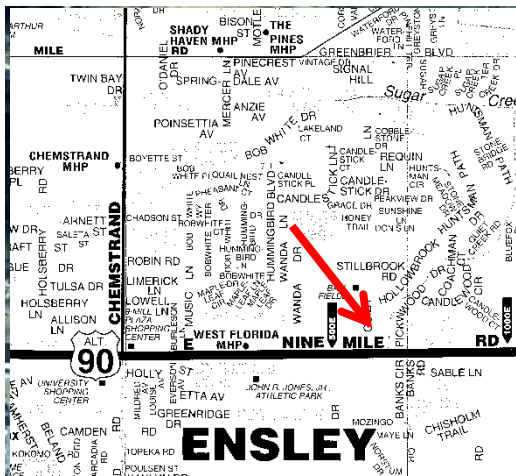
Delta Construction	\$10,500.00
DEP	3250.00
Andrews Sod	1080.20
Woerner Turf (pins)	225.00
ECUA Hydrometer	129.00
Santa Rosa Fence	350.00

Thanks,

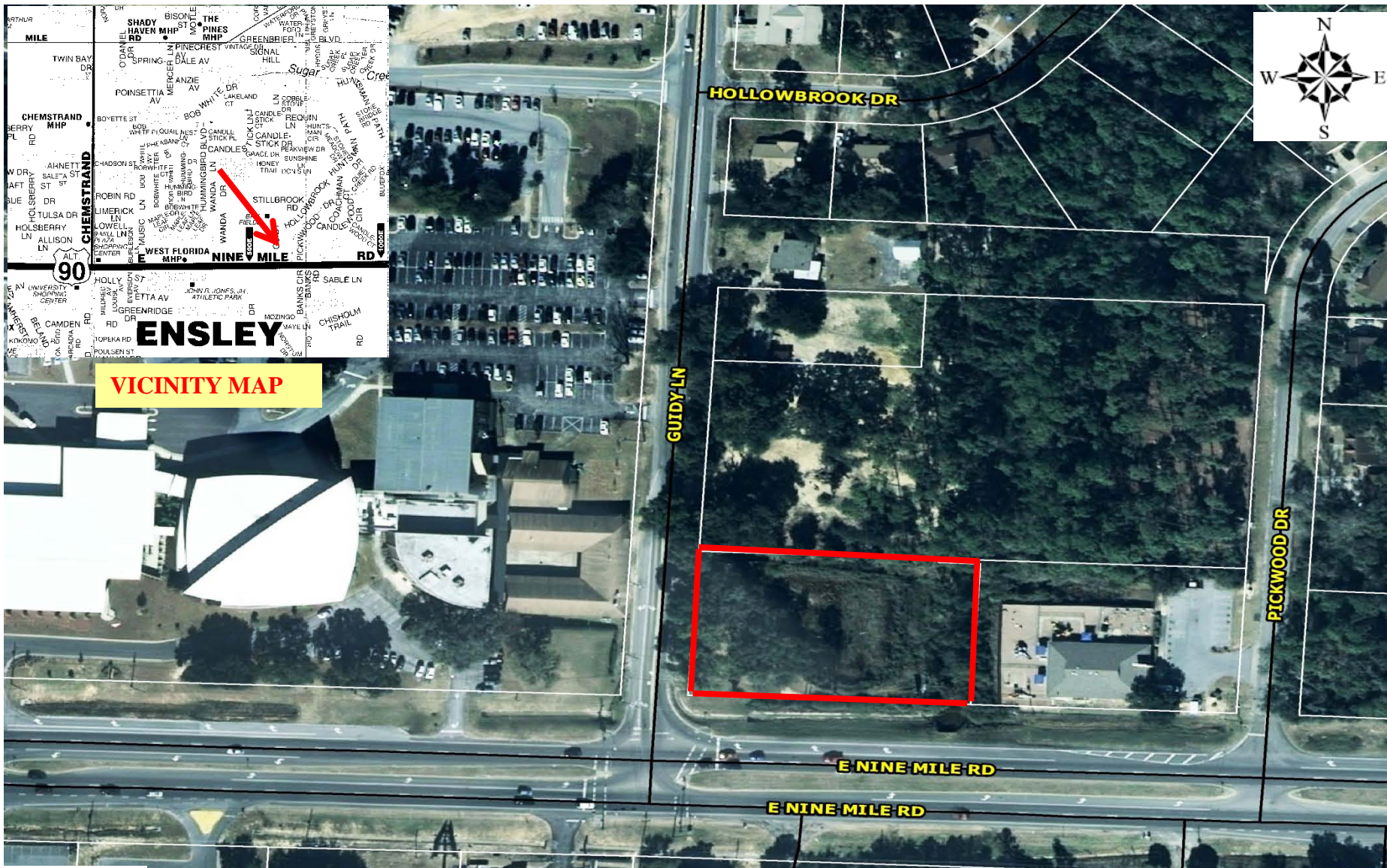
Don Wilson
Hillcrest Baptist Church

PROPERTY ACQUISITION / GUIDY LANE

Owner: Hillcrest Baptist Church



VICINITY MAP



ESCAMBIA COUNTY
ENGINEERING DEPARTMENT
JCC 12/20/10 DISTRICT 5



Hillcrest Baptist Church/Holding Pond



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2975

County Administrator's Report 11. 11.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Contract PD 08-09.027 "Professional Services for a New Interchange in the Vicinity of I10/Beulah Road Study"

From: Joy D. Blackmon, P.E., Department Director

Organization: Public Works

CAO Approval:

RECOMMENDATION:

Recommendation Concerning a Change Order to Atkins North Florida, Inc. (formerly PBS&J), on Contract PD 08-09.027 "Professional Services for a New Interchange in the Vicinity of I10/Beulah Road Study" - Joy D. Blackmon, P.E., Public Works Department Director

That the Board approve and authorize the County Administrator to execute the following Change Order:

Department:	Public Works
Division:	Engineering/Infrastructure Division
Type:	Addition
Amount:	\$2,699,611.25
Vendor:	Atkins North Florida, Inc. (formerly PBS&J)
Project Name:	I10/Beulah Interchange
Contract:	Contract PD 08-09.027, "Professional Services for a New Interchange in the Vicinity of I10/Beulah Road Study"
PO No.:	291417
CO No.:	4
Original Award Amount:	\$ 665,261.17
Cumulative Amount of Change Orders through this CO:	\$2,699,611.25
New Contract Total:	\$3,364,872.42

Meeting in regular session on May 5, 2009, the Board approved awarding a Task Order Contract, PD 08-09.027, "Professional Services for a New Interchange in the Vicinity of I10/Beulah Road Study", per terms and conditions of Contract PD 02-03.79, Professional Services, as Governed by Florida Statute 287.055, to Atkins North Florida, Inc. (formerly PBS&J), for a lump sum amount of \$665,261.17.

This Change Order will be issued for Consulting Engineering Services for the Professional Design & Engineering (PD&E) Study, Phase I and Phase II, for a proposed new interchange in the vicinity of I-10 near Beulah Road, including a proposed new roadway from US 90 (Mobile Highway) to US 29. The new roadway, referred to as the Escambia County Beltway, would be approximately 10.6 miles in length and would connect directly to the proposed interchange. The study will be conducted in two phases. Phase I will consist of developing and evaluating alternative beltway corridors with the objective of recommending corridors in which to locate alternative alignments. Typical section alternative development will begin in Phase I, and will conclude in Phase II with the development of the typical section package. Phase I will also evaluate the multiple interchange alternatives developed as part of the I-10/Beulah Preliminary Interchange Proposal Study in relation to the various Beltway corridors. Alternative alignments within the preferred/selected corridor will be developed and evaluated in Phase II of the PD&E Study. Also during Phase II, the consultant will finalize development of a typical section for a four-lane, controlled access highway (expressway) without bicycle and sidewalk facilities. This Contract states that Optional Services (PD&E Study) shall be negotiated in accordance with the terms and method of compensation for a fair, competitive and reasonable cost, considering the scope and complexity of the project. It is undetermined at this time if the Florida Department of Transportation (FDOT) will reimburse any costs associated with this project.

Change Order #1 was for additional time due to additional information requested by the Florida Highway Administration (FHWA) for the project final approval. Change Order #2 was an administrative Change Order to adjust the costs associated with Local Option Sales Tax (LOST) and Grant funding, and Change Order #3 was for time only, to allow time for agencies to review the justification report and offer comments, as well as to allow for the PD&E stage to be initiated.

[Funding Source: Fund 352, "Local Option Sales Tax III", Cost Center 210107, Object Code 56301, Project #12EN1728, "I10 Beulah Interchange". \$157K was transferred from Pinestead/Longleaf project to supplement costs for this project.]

BACKGROUND:

Meeting in regular session on May 5, 2009, the Board approved awarding a Task Order Contract, PD 08-09.027, "Professional Services for a New Interchange in the Vicinity of I10/Beulah Road Study", per terms and conditions of Contract PD 02-03.79, Professional Services, as Governed by Florida Statute 287.055 to Atkins North Florida, Inc. (formerly PBS&J), for a lump sum amount of \$665,261.17.

This Change Order will be issued for Consulting Engineering Services for the Professional Design & Engineering (PD&E) Study, Phase I and Phase II, for a proposed new interchange in the vicinity of I-10 near Beulah Road, including a proposed new roadway from US 90 (Mobile Highway) to US 29. The new roadway, referred to as the Escambia County Beltway, would be approximately 10.6 miles in length and would connect directly to the proposed interchange. The study will be conducted in two phases. Phase I will consist of developing and evaluating alternative beltway corridors with the objective of recommending corridors in which to locate alternative alignments. Typical section alternative development will begin in Phase I, and will conclude in Phase II with the development of the typical section package. Phase I will also evaluate the multiple interchange alternatives developed as part of the I-10/Beulah Preliminary Interchange Proposal Study in relation to the various Beltway corridors. Alternative alignments within the preferred/selected corridor will be developed and evaluated in Phase II of the PD&E Study. Also during Phase II, the consultant will finalize development of a typical section for a

four-lane, controlled access highway (expressway) without bicycle and sidewalk facilities. This Contract states that Optional Services (PD&E Study) shall be negotiated in accordance with the terms and method of compensation for a fair, competitive and reasonable cost, considering the scope and complexity of the project. It is undetermined at this time if Florida Department of Transportation (FDOT) will reimburse any costs associated with this project.

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BUDGETARY IMPACT:

Funds for this change order are available in Fund 352 "Local Option Sales Tax III", Cost Center 210107, Object Code 56301, Project #12EN1728 "I10 Beulah Interchange". \$157K was transferred from Pinestead/Longleaf project to supplement costs for this project.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is in compliance with the provisions of the Code of Ordinances of Escambia County, Florida, Chapter 46, Finance, Article II, Purchase and Contracts.

IMPLEMENTATION/COORDINATION:

Upon approval of this recommendation, a Change Order will be transmitted to the Office of Purchasing for processing.

Attachments

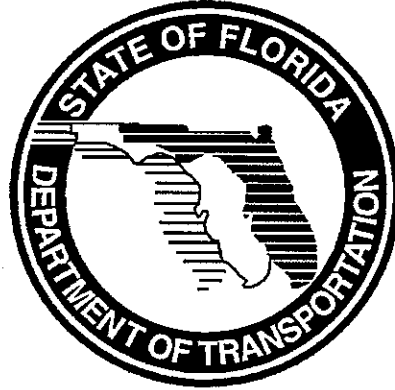
Scope of Work

Fee Proposal

Board Action 050709

PO291417

EXHIBIT A



**SCOPE OF SERVICES
PROJECT DEVELOPMENT AND ENVIRONMENT (PD&E)
STUDIES**

**I-10/Beulah Interchange and Escambia County Beltway
PHASE I and II**

FPID:	TBD
Description:	Proposed I-10/Beulah Interchange and Escambia County Beltway (New Alignment), from US 90 (Mobile Highway) to US 29. <i>Escambia County</i>

EXHIBIT A

PURPOSE **I**

STUDY REQUIREMENTS AND PROVISIONS FOR WORK..... **3**

Governing Regulations 3

Liaison Office 4

Key Personnel 4

Meetings and Presentations 4

Quality Control 4

Correspondence 4

Submittals 4

Computer Automation 6

Coordination with Other Consultants and Entities 6

Optional Services 6

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1.2 Public Involvement Data Collection 7

1.3 Notice of Intent 7

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**SCOPE OF SERVICES FOR CONSULTING ENGINEERING SERVICES
PROJECT DEVELOPMENT AND ENVIRONMENT (PD&E) STUDIES**

This Exhibit forms an integral part of the agreement between Escambia County (hereinafter referred to as the COUNTY) and Atkins North America, Inc. (hereinafter referred to as the CONSULTANT) relative to the transportation facility described as follows:

Description:	Proposed I-10/Beulah Interchange and Escambia County Beltway (New Alignment), from US 90 (Mobile Highway) to US 29. The distance of the project is approximately 10.6 miles. <i>Escambia County</i>
FPID:	TBD

PURPOSE

The purpose of this Exhibit is to describe the scope of work and the responsibilities of the CONSULTANT and the COUNTY in connection with the Preliminary Engineering (Conceptual Design), and Environmental Studies necessary to comply with FDOT procedures and to obtain Federal Highway Administration (FHWA) Location and Design Concept Acceptance (LDCA), or Record of Decision (ROD) for proposed improvements to this transportation facility.

The Project Development Process shall follow the FDOT publication titled "Project Development and Environment Manual", published 02/02/07 and all subsequent revisions. Throughout this Scope of Services portion of this CONSULTANT Contract, the publication will be referred to as the "PD&E Manual". All tasks identified in this scope of work will be done in accordance with the FDOT PD&E Manual, unless otherwise stated.

The PD&E Manual incorporates all the requirements of the National Environmental Policy Act (NEPA); Federal law and executive orders; applicable Federal regulations included in the Federal Highway Administration Federal-Aid Policy Guide; and applicable State laws and regulations including Chapter 339.155 of the Florida Statutes. The project documentation prepared by the CONSULTANT in accordance with the PD&E Manual shall therefore be in compliance with all applicable State and Federal laws, executive orders, and regulations.

The CONSULTANT shall perform those engineering services required for the LDCA or the ROD, including consideration of all social, economic, environmental effects, and mitigation as required by the FHWA and/or the Project Development and Environment (PD&E) Manual, along with the required environmental documents, engineering reports, preliminary plans, public hearing, and right-of-way maps.

Sections 1 through 4 of the Scope of Services will establish which items of work described in the PD&E Manual are specifically included in this contract, and also which of the items of work will be the responsibility of the CONSULTANT or the COUNTY.

The COUNTY will provide contract administration and provide management services and technical reviews of all work associated with the development and preparation of the engineering/environmental study reports for the proposed transportation facility. The COUNTY may request FDOT to also provide technical reviews of all work effort produced under this contract.

STUDY OBJECTIVE

The **CONSULTANT** is to conduct a PD&E study for a proposed new interchange in the vicinity of I-10 near Beulah Road including a proposed new roadway, from US 90 (Mobile Highway) to US 29. The new roadway, referred to as the Escambia County Beltway, will be approximately 10.6 miles in length, and would connect directly to the proposed interchange. The study will be conducted in two phases. Study activities to be accomplished during **PHASE I** of the study are identified with a gray or yellow highlight.

PHASE I will consist of developing and evaluating alternative beltway corridors with the objective of recommending corridors in which to locate alternative alignments. Typical section alternative development will begin in **PHASE I** and conclude in **PHASE II** with the development of the typical section package. Alternative alignments within the preferred/selected corridor will be developed and evaluated in **PHASE II** of the PD&E Study. During **PHASE II**, the **CONSULTANT** will finalize development of a typical section for a four lane controlled access highway (expressway) without bicycle and sidewalk facilities. At major intersecting roadways, the **CONSULTANT** shall evaluate 1,500 feet in each direction where necessary to provide appropriate intersection level of service. **PHASE I** will also further evaluate the multiple interchange alternatives developed as part of the I-10/Beulah Preliminary Interchange Proposal Study in relation to the various Beltway corridors. The **CONSULTANT**, with input from the ETAT, shall develop a minimum of three 500-foot wide corridors for consideration. A preliminary evaluation of the alternative corridors will be conducted to determine which corridors will be carried forward for further evaluation.

The **CONSULTANT** should conduct research and gather copies of all proposed developments and identify all conservation easements in the project area. A significant portion of the proposed project is located within the boundary area designated as the Escambia County Optional Sector Plan. The Escambia County Optional Sector Plan is comprised of approximately 15,000 acres, north of Interstate 10, west of Highway 29 and south of Highway 196. A Detailed Specific Area Plan (DSAP) Boundary for the Sector Plan was approved by the Escambia County Commission on March 17, 2011. The **CONSULTANT** will need to review the Optional Sector Plan documents/data developed to date, especially the Sector Plan Traffic Circulation Plan, and utilize this information during the development of the PD&E study. The proposed facility shall be designed to accommodate future traffic needs, which are expected to increase dramatically.

The Escambia County Beltway will provide the primary traffic corridor through the Mid-West Sector, will provide additional capacity for hurricane evacuation, and will provide connection between SIS facilities SR 8 (I-10) & US 29.

The **CONSULTANT** shall use a Land Suitability Mapping Analysis (LSM) to identify possible corridor locations. The LSM analysis is a process that precedes Efficient Transportation Decision Making (ETDM) to help analyze and design corridors that are an optimal fit for the study area. After completion of the LSM Analysis and the ETDM Programming Screen, the corridor evaluation process will be initiated. This includes obtaining public input, performing a Purpose and Need review, and a social, cultural, natural, and physical environmental impacts analysis.

The corridor evaluation will be summarized in a Corridor Evaluation Summary Report. This evaluation will evaluate the corridors for their performance in meeting purpose and need, minimizing natural, social, and physical environmental impacts, and overall costs and will determine which corridor(s) will be carried forward for further evaluation.

The **CONSULTANT** shall analyze and evaluate each alternative corridor to a point of rejection or selection as a corridor for further analysis. The impacts for each alternative corridor shall be identified and expressed in a form suitable for comparison to other alternative corridors. It will be necessary to analyze in sufficient detail enough differences to select corridor(s) for further evaluation that would be in the best overall public interest. Extensive public and agency input will be utilized when determining the corridor locations and completing the corridor selections. The results of the **PHASE I** study will be documented in a Corridor Evaluation Summary Report.

PHASE II of the study will complete the engineering/environmental analysis and documentation process of a PD&E Study for alternative alignments in the selected corridors identified during the Corridor Study.

This project will be a part of the Florida Department of Transportation's Efficient Transportation Decision Making (ETDM) process. The **CONSULTANT** shall process the project through ETDM and coordinate with the **DEPARTMENT** and MPO/TPO as necessary.

STUDY REQUIREMENTS AND PROVISIONS FOR WORK

Governing Regulations

The services performed by the **CONSULTANT** shall be in compliance with all applicable **FDOT** Manuals and Guidelines. The **FDOT** Manuals and Guidelines incorporate by requirement or reference all applicable State and Federal regulations. The current edition, including updates, of the following **FDOT** Manuals and Guidelines shall be used in the performance of this work. It is understood that AASHTO criteria shall apply as implied policy.

- Florida Statutes
- Florida Administrative Codes
- Applicable federal regulations, U.S. Codes, and Technical Advisories.
- Project Development and Environment Manual
- ETDM Planning and Programming Manual
- Sociocultural Effects Evaluation Handbook
- Public Involvement Handbook
- Plans Preparation Manual
- Interchange Handbook (25-030-160)
- Roadway Traffic and Design Standards (625-010-003)
- Highway Capacity Manual
- Manual of Uniform Minimum Standards for Design, Construction, and Maintenance for Streets and Highways (Florida Green book)(625-000-015)
- Manual on Uniform Traffic Studies (MUTS)
- Florida Pedestrian Facilities Planning and Design Handbook
- Guide for the Design of Bicycle Facilities (AASHTO)
- Right-of-Way Mapping Handbook (550-030-015)
- Right-of-Way Procedures Manual (575-000-000)
- Location Survey Manual (550-030-101)
- EFB User Guide
- Drainage Manual
- Department's Stormwater Facilities Handbook
- Outline Specifications - Aerial Surveys/Photogrammetry
- Soils and Foundations Manual
- Structures Design Guidelines (625-020-154)
- CADD Manual (No. 625-050-001)

- CADD Production Criteria Handbook
- Florida's Level of Service Standards and Guidelines Manual for Planning (No. 525-000-005)
- Equivalent Single Axle Load Guidelines (No. 525-030-121)
- Design Traffic Procedure (No. 525-030-120)
- K-Factor Estimation Process
- Project Traffic Forecasting Guidelines (525-030-120)
- Florida Highway Landscape Guide
- FDOT District 3 GIS Standards
- Basis of Estimates Manual

Liaison Office

The **COUNTY** will designate a Project Manager who shall be the representative of the **COUNTY** for the Project. While it is expected the **CONSULTANT** shall seek and receive advice from various State, regional, and local agencies, the final direction on all matters of this Project remain with the Project Manager.

Key Personnel

The **CONSULTANT'S** work shall be performed and directed by the key personnel initially proposed by the **CONSULTANT**. It is preferred that the Project Manager for the **CONSULTANT** be located in Escambia County. Any changes in the indicated personnel shall be subject to review and approval by **COUNTY**.

Meetings and Presentations

The **CONSULTANT** shall attend a Notice to Proceed Meeting with **COUNTY** representatives at the beginning of **PHASES I** and **II**, where relevant project information will be provided by the **COUNTY**, along with procedures for administering the contract. The **CONSULTANT** and his staff shall also be available with no more than a five (5) workday notice to attend meetings or make presentations at the request of the **COUNTY**. Such meetings and presentations may be held at any hour between 8:00 A.M. and 12:00 midnight on any day of the week. The **CONSULTANT** may be called upon to provide maps, press releases, advertisements, audiovisual displays and similar material for such meetings.

Quality Control

The **CONSULTANT** shall be responsible for ensuring that all work products conform to **COUNTY** and **FDOT** standards and criteria. This shall be accomplished through an internal Quality Control (QC) process performed by the **CONSULTANT**. This QC process shall insure that quality is achieved through checking, reviewing, and surveillance of work activities by objective and qualified individuals who were not directly responsible for performing the initial work.

Prior to submittal of the first invoice, the **CONSULTANT** shall submit to the **COUNTY** Project Manager for approval the proposed method or process of providing Quality Control for all work products. The Quality Control Plan shall identify the products to be reviewed, the personnel who perform the reviews, and the method of documentation.

Correspondence

Copies of all written correspondence between the **CONSULTANT** and any party pertaining specifically to this study shall be provided to the **COUNTY** for their records within one (1) week of the receipt of said correspondence.

Submittals

The **CONSULTANT** shall provide copies of the required documents as listed below. These are the anticipated printing requirements for the project. This tabulation will be used for estimating purposes, and the Project Manager will determine the number of copies required prior to each submittal. The Yellow or Gray highlighting indicates that the reports will be prepared in **PHASE I**. All other reports will be included in **PHASE II**.

<u>Engineering Items:</u>	<u>Copies:</u>
Land Suitability Mapping Analysis	10
Programming Screen Summary Report	10
Draft Corridor Evaluation Summary Report	10
Corridor Evaluation Summary Report	10
Design Traffic Technical Memorandum	10
First Draft Project Development Summary Report	5
Second Draft Project Development Summary Report	10
Final Project Development Summary Report (Signed and Sealed)	10
Draft Access Management Report	5
Final Access Management Report	5
Draft Location Hydraulics Report	5
Final Location Hydraulic Report	5
Draft Drainage/Pond Siting Report	5
Final Drainage/Pond Siting Report	5
Bridge Hydraulic Reports	5
Draft Bridge Development Reports	5
Final Bridge Development Reports	5
Conceptual Design Roadway Plan Set (Preferred Corridor)	10
Right of Way Plans (for right-of-way estimates)	2
Geotechnical Report (Preliminary)	5
Typical Section Package	5
Value Engineering Information Report	15
Preliminary Interchange Justification Report	10
Final Interchange Justification Report	10
<u>Environmental Items:</u>	<u>Copies:</u>
Advance Notification Package	25 & Electronic
Public Involvement Plan	5
Class of Action Determination	5
State Environmental Impact Report	n/a
Type II Categorical Exclusion	n/a
Draft Environmental Assessment	n/a
Environmental Assessment	n/a
Finding of No Significant Impact	n/a
Notice of Intent	5

Pre-Draft Environmental Impact Statement	10
Draft Environmental Impact Statement	10
Final Environmental Impact Statement	10
Draft Section 4(f) Evaluation	5
Final Section 4(f) Evaluation	5
Noise Study Report	5
Air Quality Report	5
Draft Contamination Screening Evaluation Report	5
Final Contamination Screening Evaluation Report	5
Draft Conceptual Stage Relocation Plan	5
Final Conceptual Stage Relocation Plan	5
Public Hearing Transcript	5
Draft Comments & Coordination Report	5
Final Comments & Coordination Report	5
Draft Endangered Species Biological Assessment	5
Wetlands Evaluation Report	
(including Essential Fish Habitat)	5
Final Endangered Species Biological Assessment	5
Wetlands Evaluation Report (utilize UMAM)	
(including Essential Fish Habitat)	5
Draft Cultural Resource Assessment (Corridor Probability Assess.)	5
Final Cultural Resource Assessment	5

Upon completion of the study, the **CONSULTANT** shall deliver to the **COUNTY**, in an organized manner, all project files, maps, sketches, worksheets, and other materials used or generated during the study process. In addition to the final project CD containing all of the files produced for the project, the **CONSULTANT** shall also provide CD's containing ".pdf" files for each of the final reports prepared for the project. The Preliminary Project Development Summary Report CD should also include the Final Concept plans. Each CD should be labeled for easy identification. The **CONSULTANT** will be responsible for preparing the design scope of services at the conclusion of the PD&E Study.

Computer Automation

The project will be developed utilizing Computer Aided Drafting and Design (CADD) systems. The **FDOT** makes available software to help assure quality and conformance with the policy and procedures regarding CADD. It is the responsibility of the **CONSULTANT** to meet the requirements in the **FDOT CADD Manual (Topic No. 625-050-001)**. The **CONSULTANT** will submit final documents and files as described therein. Additional related information is found in the **FDOT Plans Preparation Manual (Topic No. 625-000-008)**.

All GIS data will be prepared in accordance with the **FDOT District 3 Guidelines**.

Coordination with Other Consultants and Entities

The **CONSULTANT** is to coordinate their work with any ongoing and/or planned projects that may affect this study.

The **CONSULTANT** is to coordinate with any agencies and/or entities that require further coordination through the ETDM process.

Optional Services

At the COUNTY'S option, the CONSULTANT may be requested to provide final design and plans preparation services or expert witness services for right-of-way acquisition. The fee for these services shall be negotiated in accordance with the terms detailed in exhibit b, method of compensation, for a fair, competitive and reasonable cost, considering the scope and complexity of the project(s). A supplemental agreement adding the additional services shall be executed in accordance with paragraph 2.00 of the standard consultant agreement.

NOTE: STUDY ACTIVITIES TO BE ACCOMPLISHED DURING PHASE I OF THE STUDY ARE IDENTIFIED WITH A GRAY OR YELLOW HIGHLIGHT BEGINNING AT SECTION 1 OF THIS SCOPE OF SERVICES

1.0 PUBLIC INVOLVEMENT

Public involvement includes communicating to and receiving information from all interested persons, groups, and government organizations information regarding the development of the project. The CONSULTANT shall coordinate and perform the appropriate level of public involvement for this project as outlined in **Part 1, Chapter 11 (old Chapter 8), and Part 2, Chapter 9 of the PD&E Manual**, the *FDOT Public Involvement Handbook*, and the following sections.

The CONSULTANT shall provide to the COUNTY drafts of all Public Involvement documents (i.e., newsletters, property owner letters, advertisements, etc.) associated with the following tasks for review and approval at least five (5) business days prior to printing and / or distribution.

1.1 Public Involvement Program

The CONSULTANT will prepare the Public Involvement Program following the Notice to Proceed. The program must be in accordance with the guidelines in Part 1, Chapter 11 (old Chapter 8) of the PD&E Manual and include, among other requirements, identification of the audiences, outreach activities, a comment protocol to handle and track feedback, and a public involvement evaluation process to ensure the effectiveness of the public involvement techniques being utilized. The Public Involvement Program shall be in written form and incorporated into the project file.

1.2 Public Involvement Data Collection

In addition to public involvement data collection (mailing list, news/stories), the CONSULTANT shall assist the COUNTY in preparing responses to any public inquiries as a result of the public involvement process.

1.3 Notice of Intent

The CONSULTANT shall prepare a Notice of Intent in accordance with Part 1, Chapter 11 (old Chapter 8) of the PD&E Manual or coordinate with the DEPARTMENT regarding the Notice of Intent. The Notice of Intent will not be submitted for publication until FHWA approves the Class of Action.

1.4 Advance Notification / ETDM

The Advance Notification and State Clearinghouse review of the project will be accomplished through the ETDM process. This task includes programming screen set up and evaluation. Task includes Degree of Effects determination and documentation. Task includes all coordination necessary with all agencies. Includes preparation of any graphics necessary as required by reviewing agencies.

1.5 Scheduled Public Meetings

The **CONSULTANT** shall provide all support necessary for the **COUNTY** to hold or participate in various public meetings, which may include but are not limited to:

- Scoping Meetings

Scoping meetings will be conducted with members of the ETAT and other interested parties to develop alternative corridors and to establish the methodology for evaluating the alternatives.

- MPO/TPO Meetings (Kick-off & prior to public meetings)
- Elected Officials/Agency Kick-off Meeting
- Public Kick-off Meeting (each PHASE)
- Corridor Public Meeting
- Alternatives Public Meeting

For any of the aforementioned meetings, the **CONSULTANT** shall prepare and/or provide:

- Scripts or agenda for presentation.
- Handouts
- Graphics for presentation. [Supply renderings of proposed typical sections and aerials depicting potential corridors (**PHASE I**) or proposed alignments (**PHASE II**)]
- Meeting equipment set-up and tear-down.
- Legal and/or display advertisements. (The **CONSULTANT** will pay the cost of publishing.)
- Letters for notification of elected and appointed officials, property owners and other interested parties. (The **CONSULTANT** will pay the cost of first class postage.)
- News releases, for use three to five days prior to meeting.
- Summary notes of meetings to be provided to the **COUNTY** no later than 5 business days after the meeting.
- Briefing and debriefing of **COUNTY** staff.

The **CONSULTANT** will investigate potential meeting sites to advise the **COUNTY** on their suitability. The **CONSULTANT** will pay all costs for meeting site rents and insurance.

The **CONSULTANT** will attend the meetings with an appropriate number of personnel to assist the **COUNTY**'s Project Manager.

It is estimated for this project there will be two (2) public meetings during **PHASE I** and two (2) public meetings during **PHASE II** of the study.

1.6 Unscheduled Public and Agency Meetings

In addition to scheduled public meetings the **CONSULTANT** may be required to participate in unscheduled meetings with the public, elected officials (prior to any public meetings), or public agencies. It is estimated for this project there will be twenty (24) meetings during the study. These meetings include briefings to Escambia County, local chambers of commerce, and environmental agencies. Task includes all coordination meetings with FHWA. It is anticipated that up to eight (8) meetings maybe required as part of this task. The **CONSULTANT** will provide support to the **COUNTY** in preparation, attendance and follow-up services for each meeting. Task includes Inter-Agency Scoping Meeting. The **CONSULTANT** will schedule and hold one formal interagency/public scoping meeting/field visit in accordance with 40 CFR 1501.7 CEQ, 23 CFR 771, SAFETEA-LU, and the PD&E Manual Part 1, Ch 11. This task will include all aspects of formal scoping meetings as described in the PD&E Manual.

1.7 Public Hearing

The **CONSULTANT** shall provide all the support services listed in Sections 1.2 and 1.5 above, and in addition shall prepare:

Public officials and Agency letters. The **CONSULTANT** will prepare the letters, insert them in envelopes, and address the envelopes. The **CONSULTANT** will pay for first class postage.

Property owner letters. The **CONSULTANT** will provide marked tax maps of the project alternatives and identify the names and addresses of the property owners from county tax rolls. The **CONSULTANT** will prepare the letters, insert them in envelopes, and address the envelopes. The **CONSULTANT** will pay for first class postage.

In addition, the **CONSULTANT** shall provide:

- All elements of the multi-media presentation (which will include a PowerPoint presentation).
- Graphics (Supply renderings of proposed typical sections and aerials depicting alternative corridors and alternative alignments)
- Plans and report(s) for the public display.
- Brochures or handouts.
- Prepare & publish public advertisements.
- Court Reporter

- Briefing and debriefing of COUNTY staff.

The CONSULTANT will procure a verbatim transcript of the Public Hearing. The CONSULTANT will combine the transcript with any comment letters received by the COUNTY as part of the public hearing record, and affidavits of publication of legal ads, and will provide copies of the transcript for the COUNTY'S use. The CONSULTANT shall also prepare a Public Hearing Summary to be attached to the Public Hearing Transcript.

1.8 Location and Design Concept Acceptance (LDCA) or Record of Decision (ROD)

For LDCA, the CONSULTANT shall prepare a quarter-page legal display advertisement to be published in the area newspaper(s) having the largest daily circulation (The same newspaper(s) the Public Hearing was advertised in). The notice is published and paid for by the CONSULTANT. The COUNTY shall review and approve prior to the publication.

For ROD/LCDA, the consultant will adhere to all state and federal requirements for publication. The notice is published and paid for by the CONSULTANT. The COUNTY shall review and approve prior to the publication.

1.9 Special Public Involvement Requirements

In addition to the Section 1.7, the CONSULTANT shall collect the following data for public involvement:

- Media in the project area should be identified and placed on the mailing list to be used for news, advertisements, etc.
- The mailing list of officials and interested parties shall also include any person or institution expressing an interest in the project.
- Mailing list preparation. This process involves the identification of any affected, possible affected and interest parties early in the study process.
- Elected and appointed officials in the area (city, state, county) and community leaders should be identified and placed on the mailing list of officials and interested parties.
- Possible permit and review agencies should be identified and placed on the mailing list of officials and interested parties.

Identify and Inspect Public Meeting Sites

Prospective sites for any public meetings to be held shall be inspected for suitability. Consideration shall be given to location, seating capacity, sound system, lighting, display space and any other physical characteristics which would influence the viability of this space and any other physical characteristics which would influence the viability of this site, including compatibility with the terms of the Americans with Disabilities Act of 1990. Possible Public Information Workshop sites (which may also be the Public Hearing site) should be catalogued. Sites which have characteristics more suitable to a Public Hearing (than a more informal information workshop) shall be catalogued. The CONSULTANT shall make all arrangements for use of the meeting facility for the Public Information Workshop(s) and Public Hearing including payment of any rental fees, if applicable.

Correspondence

Within five days of the receipt or mailing of all written correspondence between the **CONSULTANT** and any party pertaining to this study, copies shall be provided to the **COUNTY** for their records.

Newsletters

The **CONSULTANT** shall prepare newsletters at various key points during the study. The newsletters shall be mailed by the **CONSULTANT** to elected officials, property owners, businesses and interested persons included on the mailing list compiled by the **CONSULTANT**. **COUNTY** review / approval prior to mailing is required. A **maximum of two (2) newsletters is anticipated is anticipated in PHASE I.**

Comments & Coordination Report (Public Involvement Summary Report)

At the completion of the project, the **CONSULTANT** shall submit a Comments & Coordination Report (Public Involvement Summary) containing all of the information collected and conveyed during the course of the project for each segment. At a minimum, the report shall contain all documentation of the public participation accomplished throughout the study period. This report should summarize and respond to the comments received from the Public Involvement, Advance Notification, coordination with local officials and agencies, public meetings, etc. as part of Part 2, Chapter 31 of the PD&E Manual. The report shall also include a section for all commitments and a description of those commitments. The final Public Involvement Summary shall be submitted to the **COUNTY** and summarized in the final EIS/EA-FONSI and PDSR.

Project Web Site

The **CONSULTANT** will expand the existing project web site already developed for the I-10/Beulah Interchange Study. The project is expected to take approximately thirty-six months. This site will have a distinct address on the World Wide Web (i.e., www.xxx). A link will be established on the **Escambia County** home page as well as the **CONSULTANT'S** home page. To allow for input via E-mail links, meeting information and report summaries will be available for viewing and downloading. Limited graphics will be available due to the size and downloading time for many graphical applications. The web site must be updated monthly.

The web site will contain a minimum of six pages:

- A facts page (home page) - The facts page will be a brief overview of what the project is, and the need for the project.
- Project Overview page - The Project Overview page will be printable in .pdf format
- A PD&E definition page - A link to this site will appear wherever the acronym PD&E appears on any of the subsequent pages. It will give a brief overview of how a PD&E project is done and the outcomes possible from it.
- A project information page - The project information page will have specific project information as well as results of workshops, hearings, etc. This will be updated to add or delete alternatives being considered as necessary.

- A public involvement page - The public involvement page will contain a general overview of proposed meetings. This will include Public Information Meetings, Public Workshops, Neighborhood Homeowners Association Meetings, Public Hearing, and any other meeting the COUNTY would like added to the site. The page will also contain an area where viewers may enter their name and address (both are to be mandatory inputs) to be added to the mailing database. The Project Manager's name will be listed as a contact with his COUNTY mailing, and E-mail addresses listed as well as his telephone and fax. This page will also contain all above information listed for the COUNTY Project Manager on the subscription page. All pages will be linked to the public involvement page.
- A project schedule page - The project schedule will contain a brief generalization of the milestones for this project. Milestones will be taken from the schedule developed by the CONSULTANT, as approved by the COUNTY. List milestones by seasons of the year rather than by actual dates. Shifts in the schedule will be reflected in this page as they occur.

As directed by the COUNTY project manager, the project website may be linked to the FDOT web site and the ETDM Public Access Site.

Videos, Renderings, etc.

The CONSULTANT shall prepare an audiovisual presentation (PowerPoint) for public meetings. See Section 1.5 and 1.7 for presentation requirements related to the Corridor Workshops, Alternatives Public Meeting and Public Hearing.

1.10 Quality Control

The CONSULTANT shall ensure that all work products conform to COUNTY and FDOT standards and criteria. This shall be accomplished through an internal Quality Control (QC) process performed by the CONSULTANT. This QC process shall ensure that quality is achieved through checking, reviewing, and surveillance of work activities by objective and qualified individuals who were not directly responsible for performing the initial work.

Prior to submittal of first invoice, the CONSULTANT shall submit to the COUNTY'S Project Manager for approval the proposed method or process of providing Quality Control for all work products. The Quality Control Plan shall identify the products to be reviewed, the personnel who will perform the reviews, and the method of documentation. The CONSULTANT will be responsible for the inclusion of the Quality Assurance Checklist indicating the CONSULTANT'S quality control process has been completed. The CONSULTANT shall review all reports prepared by sub-consultants.

2.0 ENGINEERING ANALYSIS AND REPORTS

The CONSULTANT shall coordinate and perform the appropriate level of engineering analysis for this project as outlined in Part 1, Chapter 4 of the PD&E Manual and the following sections.

Data Collection

Immediately following the Notice to Proceed, the CONSULTANT shall begin preliminary assessments of the study corridor from an engineering standpoint. This task is largely of a data gathering nature.

This activity consists of collecting various information and materials relative to the performance of engineering analyses within the study area. The information should include all data necessary to perform adequate evaluation of the location and design of a transportation facility.

2.1 Field Review

The **CONSULTANT** shall conduct all anticipated field trips needed to collect engineering data.

2.2 Aerial Photography

Aerial Photography shall be used as a basis for plotting various data necessary for both engineering and environmental analysis, alternative corridor and design studies, and the development of the preliminary plans of conceptual design. Copies of aerial photography are the prime source of information used to convey project considerations to the public at public meetings.

The **CONSULTANT** will furnish the necessary aerial photography to be used in the study. Aerial photography shall be prepared for the following uses at the noted ratios:

Corridor Maps $1" = 1000'$ & $1" = 500'$ & $1" = 250'$

Workshop Concept Plans $1" = 200'$ or $1" = 400'$ or $1" = 600'$

Public Hearing Concept Plans $1" = 100'$ or $1" = 200'$ or $1" = 400'$

2.3 Survey Coordination

During **PHASE I**, the **CONSULTANT** shall coordinate with the **COUNTY** to obtain all existing survey and baseline information available. The **CONSULTANT** shall provide all surveying necessary for aerial rectification. New aerials will be flown for the project and will be supplied by the **CONSULTANT**. The **CONSULTANT** shall submit the baseline to the **COUNTY** for approval after the preferred alignment is determined in **PHASE II** of the project for approval. This task includes any coordination between the survey subconsultant, if applicable, and **COUNTY** regarding the project requirements, review of survey data and scheduling. Additionally, the **CONSULTANT** shall provide the necessary surveys in order to provide any elevation data required to adequately simulate project conditions in the noise model. The units for the project will be English. Prior to survey initiation, the **CONSULTANT** shall work with the **COUNTY'S** Project Manager to schedule a meeting to discuss the project specifics with the **COUNTY'S** survey staff. The **CONSULTANT** shall follow all **COUNTY and FDOT** survey procedures and guidelines.

2.4 Existing Roadway Characteristics

This task includes gathering data on pertinent corridor physical features and conditions which help in better understanding the project study area. Some of this information is available from the **COUNTY**; however, other references including field observations and interviews with knowledgeable people in the area will yield additional data.

The **CONSULTANT** shall be responsible to procure the entire engineering data list in Part 1, Chapter 4 of the PD&E Manual and other necessary data to conduct a PD&E Study and prepare a Project Development Summary Report (PDSR) as described in the ETDM Manual. The **CONSULTANT** shall develop a CADD database, supported by computer spreadsheets, that

includes all existing highway characteristics noted above, as appropriate. CADD database information shall be compatible for use on aerial photography used for Public Hearing displays, the Corridor Base Maps, and Conceptual Design Plans.

2.5 Existing Structure Characteristics

This task includes gathering data on existing structures using the same means as stated above in Section 2.4.

2.6 Traffic Data

- The **COUNTY** will furnish the following initial traffic data that is available: Existing current and historic estimates of average daily traffic.
- Existing K30, D30, and T Factors.
- Peak hours to conduct turning movement counts.
- Any additional traffic counts required will be the responsibility of the **CONSULTANT**.

The **CONSULTANT** shall be responsible for developing the Project Traffic Forecasts. The resultant work product for this task will be the Escambia County Beltway and I-10 Interchange Traffic Forecast Technical Memorandum. The project forecast years and analysis years are 2012 existing year, 2017 opening year, 2027 mid-design year and 2037 design year.

The existing conditions/inventory shall include but not be limited to review of all project corridor(s) by a professional engineer or Certified Planner when appropriate, collection of all available traffic data information and Crash Data (as defined in Section 2.7) Review of all Escambia County data resources such as:

- Roadway Characteristics Inventory
- FDOT Traffic Count information
- Local traffic count information
- Traffic signal inventory/timing information
- Review of all currently approved roadway improvements within the study areas within a 5 year period from the date of issuance of this project.
- Review of previously approved actions for this corridor and/or cross streets (local, state, or Federal)
- Qualitative assessment of segments along the project corridor considering factors as described in Chapter 22 of the 2000 Highway Capacity Manual (or latest equivalent).

The **CONSULTANT** shall acquire traffic data to support the following needs:

- Interim and design year DHV with the existing number of lanes and for viable alternatives.

- Design year AADT for each alternative, or combination of alternatives considered. The project forecast years and analysis years are 2012 existing year, 2017 opening year, 2027 mid-design year, and 2037 design year.

The **CONSULTANT** will furnish 24-hour traffic machine counts (approach volumes at 15-minute increments) at all intersections deemed necessary for completion of the project.

Based on an analysis of the 24-hour traffic machine counts and evaluation of current and future development trends (traffic generators) the **CONSULTANT** will then perform 8-hour manual vehicle turning movement counts for peak hours at those intersections.

2.7 Crash Data

The **CONSULTANT** shall obtain available data from **FDOT's** Database (Program numbers AARPJ12 and AARPJ13) for I-10, US 29 and US 90 (Mobile Highway). Obtain data for previous five years. The data collected shall include the number and type of accidents, accident locations, number of fatalities and injuries, and estimates of property damage and economic loss.

2.8 Existing Signage Inventory

The **CONSULTANT** will be responsible for inventorying the existing signage along the project corridors.

2.9 Utilities and Railroads

Based on the coordination with the utility companies along the project the **CONSULTANT** shall prepare a Utility Assessment Package as described in Part 2, Chapter 10 of the PD&E Manual. The **CONSULTANT** will also address impacts to existing and proposed railroads.

2.10 Transportation Plans

The **CONSULTANT** shall obtain plans for all modes of transportation including surface, transit and non-motorized modes. The following plans or studies should be obtained:

- Urban Area Transportation Study. If applicable, County Cost Feasible and Needs Plans.
- Local Comprehensive Plans; city and county.
- Transit; rail, bus, other.
- Non-motorized modes, including bikeways and pedestrian walkways.

2.11 Soils

The **CONSULTANT** shall review the United States Department of Agriculture, Geological Survey, obtain any existing geotechnical information from the **COUNTY**, and summarize the findings.

2.12 Base Map

The **CONSULTANT** shall develop a CADD database that includes existing characteristics. CADD data base information shall be compatible for use on aerial photography used for public hearing presentations, corridor maps, and alternative plans.

Needs

The **CONSULTANT** shall establish and/or verify the purpose and need for the project as outlined in Part 2, Chapter 5 of the PD&E Manual.

2.13 Safety

Based on the information obtained from the crash data the **CONSULTANT** shall identify project needs associated with the safety of the existing facility.

2.14 Analysis of Existing Conditions

The **CONSULTANT** shall analyze the existing conditions in order to identify any deficiencies that are to be identified in the Needs section.

2.15 Development the Purpose and Need Statement

The **CONSULTANT** shall update and verify the purpose and need for the project segments from the Programming Summary Report as outlined in Part 2, Chapter 5 of the PD&E Manual. The Purpose and Need Statement shall include both area-wide and project corridor needs.

Design Analysis

Utilizing the data collected as part of this scope of work, the **CONSULTANT** shall perform the engineering analysis necessary to complete the project development process. The task of engineering analysis will be ongoing throughout the duration of the project and will be performed with consideration to the results of the environmental impacts analysis.

After selection of viable corridor(s), the **CONSULTANT** shall develop and analyze conceptual design alternatives in order to address the project needs. The development of the conceptual design alternatives shall consider the desires of the community with respect to landscaping, aesthetics, or other special features in order to satisfy the requirements of the FDOT policy on Transportation Design for Livable Communities and context sensitive solutions.

2.16 Corridor Analysis

As scoping is required for this project, input from the ETAT will be utilized in developing corridors. Alternative corridors to be evaluated shall include:

New alternative roadway corridor(s). The development of these alternatives should be coordinated with the ongoing studies in the area and all planned developments in the area. One particular ongoing study is the Escambia County Optional Sector Plan currently being developed. The **CONSULTANT** should coordinate with local developers and agencies to ensure that the study encompasses all issues.

The **CONSULTANT** shall use a Land Suitability Mapping Analysis (LSM) to identify possible corridor locations. The LSM analysis is a process that precedes Efficient Transportation Decision Making (ETDM) to help analyze and design corridors that are an optimal fit for the study area. After completion of the LSM Analysis and the ETDM Programming Screen, the corridor evaluation process will be initiated. This includes obtaining public input, performing a Purpose and Need review, and a social, cultural, natural, and physical environmental impacts analysis.

The corridor evaluation will be summarized in a Corridor Evaluation Summary Report. This evaluation will evaluate the corridors for their performance in meeting purpose and need, minimizing natural, social, and physical environmental impacts, and overall costs and will determine which corridor(s) will be carried forward for further evaluation.

The **CONSULTANT** shall analyze and evaluate each alternative corridor to a point of rejection or selection as a corridor for further analysis. The impacts for each alternative corridor shall be identified and expressed in a form suitable for comparison to other alternative corridors. It will be necessary to analyze in sufficient detail enough differences to select corridor(s) for further evaluation that would be in the best overall public interest. Extensive public and agency input will be utilized when determining the corridor locations and completing the corridor selections. The results of the **PHASE I** study will be documented in a Corridor Evaluation Summary Report.

The **CONSULTANT** shall use aerial photography to identify possible corridor locations and to convey the information to the public and the County while giving consideration to the following alignment controls which may influence corridor location:

Purpose and Need for the project.

Available right-of-way through which an improvement providing acceptable service could be routed.

Cultural features including public and private development.

Natural features which could be impacted by the project.

Logical termini giving consideration to directness, length, and service.

The **CONSULTANT** shall conduct a Level IV corridor analysis as described in Part 1, Chapter 4 of the PD&E Manual will be conducted on the viable corridors. Each corridor alternative shall be analyzed to a point of rejection or selection as a viable corridor. The impacts for each alternative shall be identified and expressed in a form suitable for comparison to other corridor alternatives. It will be necessary to analyze in sufficient detail to identify enough differences to select the viable corridor(s) that would be in the best overall public interest.

Corridor Report:

The **CONSULTANT** shall prepare a Corridor Report to document the results of the corridor analysis for each segment. The Corridor report shall summarize the project need, discuss the corridors evaluated, and provide a recommendation for the best corridors for further study.

Corridor Base Maps:

The **CONSULTANT** will draw Corridor Base Maps on Aerial Photography. The Base Maps will be prepared at a ratio of 1" = 1000' & 1" = 500'.

2.17 Traffic Analysis

During **PHASE I** of the study, the **CONSULTANT** is responsible for determining Design year AADT for each alternative, or combination of alternatives considered within **PHASE I**. This analysis will be summarized in the Corridor Reports. The official Traffic Technical Memorandums will not be submitted until **PHASE II**.

Design Traffic:

The **CONSULTANT** is responsible for developing the traffic projections to be used to establish the basic design requirements for roadway typical sections and intersection geometry.

Future Travel Demand shall be established using the locally adopted Florida Standard Urban Transportation Model System for the area as provided by the local Transportation Planning Organization (TPO). In addition, the **CONSULTANT** shall review the traffic forecasting model and shall be prepared to review the current zonal data information for the TPO's horizon year based on currently observed development trends to extrapolate zonal data to the year 2037. The **CONSULTANT** will be required to run/reproduce volumes from the currently adopted Cost Feasible Long Range Transportation Plan model. The **CONSULTANT** shall note that no recoding of the adopted Cost Feasible Model is to be undertaken except in the area of modifying zonal information of the data input set. The **CONSULTANT** will have to recode the adopted Cost Feasible Model to reflect all feasible corridors. The **CONSULTANT** shall provide comparative tables and model plots to formulate a basis in determining future year Project Traffic Forecasts.

In addition, the **CONSULTANT** shall review and compare historical traffic count growth trends using information from the FDOT Traffic Count database and local information given a minimum of five continuous years of data at the same location. Other sources of information that the **CONSULTANT** may review are economic forecasts for the area as provided by BEBR, local Chambers of Commerce, local Real Estate Professional Association, and other local information sources such as the Economic Development Council. The **CONSULTANT** may also refer to the traffic studies conducted for the Escambia County Optional Sector Plan study.

Upon approval of the draft Traffic Technical Memorandums, the **CONSULTANT** shall develop Annual Average Daily Traffic (AADT) and Directional Design Hour Volume (DDHV) for the present year, the opening year, ten years and twenty years from opening the new facilities. The project forecast years and analysis years are 2012 existing year, 2017 opening year, 2027 mid-design year, and 2037 design year. The **CONSULTANT** shall develop and analyze the traffic data for each viable corridor and design alternative for each segment.

Traffic Operational Analysis:

The **CONSULTANT** shall also perform the following activities in connection with the existing year and Design year.

- Intersection operation and capacity analyses at appropriate locations.

Design Traffic Technical Memorandum:

After selection of viable corridor(s), the **CONSULTANT** will prepare a Design Traffic Technical Memorandum. This memorandum will document the methodology used in developing the traffic demand and multi-modal splits, if applicable. The memorandum shall also identify the design traffic volumes for each alternative corridor, which may include combinations with other modes of transportation.

The **CONSULTANT** will use the results of the traffic data collection activities described in Section 2.6 of this scope of services, and the initial traffic data furnished by the **COUNTY**.

All information gathered will be summarized in a technical memorandum to be submitted to the **COUNTY**. All information is to be submitted in text, tabular, and graphic format.

The **CONSULTANT'S** Design Traffic Technical Memorandum shall include at a minimum:

- An Executive Summary, Introduction
- Existing Conditions/Inventory
- Crash Data (as defined in Section 2.7)
- Traffic Forecasting Methodology
- Development of Future Year Traffic Demand Traffic (AADT)
- Development of Traffic Factors (K_{30} , D_{30} , T factor for peak hour and T factor for daily)
- Traffic Analysis Factors (peak hour factor, driver population factor)
- Design Hour Demand Traffic (DDHV)
- Analysis of Existing Conditions
- Development of Future Conditions
- Cross street geometry requirements
- Traffic Information Worksheets for Air and Noise Quality analyses
- Supporting documentation

After **COUNTY** approval of the draft Design Traffic Technical Memorandums, those traffic projections will be used during the study of conceptual design alternatives and for the analysis of any impacts which depend on traffic inputs (i.e. noise impacts and air quality assessments).

The Final Design Traffic Memorandums will also include the traffic operational analysis of the alternatives. The design traffic will be prepared in accordance with the Design Traffic Procedure (# 525-030-120-f). During the study of conceptual design, the **CONSULTANT** shall perform capacity analysis at appropriate locations to provide more detailed information about capacity needs, especially at intersections. The final report will include estimates of required storage lengths at major intersections.

2.18 Typical Section Analysis

The **CONSULTANT** shall develop all appropriate typical sections alternatives for the project. These will include the **FDOT** standard typical sections, and any typical sections that may result in minimizing right of way, and incorporating context sensitive solutions or those proposed in light of the **FDOT** policy on Transportation Design for Livable Communities.

Controlled access and interchange cross street alternatives shall be analyzed.

2.19 Roadway Design Alternatives (Corridor Phase)

In **PHASE I**, the **CONSULTANT** shall develop alternatives and collect data within the proposed corridors in enough detail to provide data for rejection or acceptance of the corridor. The information collected will be included in the Corridor Evaluation Summary Report. The **CONSULTANT** shall develop Roadway Design Alternatives, as outlined in Part 1, Chapter 4 of the PD&E Manual, which consist of alternative roadway alignments within the selected corridor(s) identified in the **PHASE I** Corridor Studies. This work includes determining the location of each alignment alternative's centerline, edge of pavement, and right-of-way requirements and will show the lengths and locations of structures along each alignment alternative and, where intersections need realignment, the general configuration for that realignment.

For each Design Alternative, the **CONSULTANT** shall determine:

- Horizontal and vertical alignment
- Typical Section
- Preliminary right-of-way costs
- Preliminary drainage to the extent of identifying required outfalls
- Traffic data
- Geometric concepts
- Existing and proposed utility location to the extent they affect the decision process
- Soils data
- Extent of improvement of all intersecting roads
- Acreage involved
- Preliminary structure concepts and locations. Any bridge structure that crosses the Intracoastal Waterway should include a preliminary profile which will evaluate the Intracoastal Waterway crossing needs/requirements.
- Location of detention/retention basins as may be required
- Locations of noise barriers, if applicable.

- Other such design features as may be pertinent

2.20 Prepare Concept Plans (Corridor Phase)

The **CONSULTANT** will overlay Concept Plans on the base maps for each of the Corridors to display to the public, **DEPARTMENT**, **COUNTY** and agency personnel. The graphics will also be utilized to evaluate and select the preferred corridor. At a minimum during **PHASE II**, the concept plans should include the proposed and existing right-of-way lines, proposed concepts for roadway and intersection improvements, potential ponds and surrounding topography (if available). Major intersections shall be analyzed to assess capacity needs and lane arrangements and identify preliminary right-of-way requirements.

2.21 Drainage & Floodplain Analysis

The **CONSULTANT** shall perform preliminary drainage design in order to determine potential bridge lengths, the location and sizes of major drainage structures, the locations of cross drains and outfall locations, and preliminary sizes (volume and area) of required detention and/or retention facilities for storm water treatment or attenuation. The location and size of potential detention/retention areas will be determined for all viable alternative alignments. **PHASE I** will include a Draft Location Hydraulic Report for all corridors. The floodplain analysis shall be in accordance with Part 2, Chapter 24 of the PD&E Manual.

This information will be utilized to evaluate the corridors to determine which one will proceed forward into **Phase II**.

The **CONSULTANT** shall prepare a “Draft Preliminary Pond Siting Report” for **PHASE I** to aide in evaluation of the corridors. The **CONSULTANT** shall prepare the “Final Preliminary Pond Siting Report” for the entire project (selected corridor) in accordance with the FDOT Storm water Facilities Handbook during **PHASE II**. In order to set the proposed bridge lengths, the **CONSULTANT** shall prepare Bridge Hydraulic Reports for each proposed bridge structure during **PHASE II**.

2.22 Structures

During the **PHASE I** Corridor Studies, the **CONSULTANT** shall determine the locations where bridge structures will be required, the types of bridges (low, mid-, or high level), and approximate lengths.

The **CONSULTANT** will develop and evaluate conceptual structures vertical and horizontal alignments during **PHASE II** of the study. In order to develop accurate construction cost estimates, Bridge Development Reports will be prepared for each bridge structure in **PHASE II**. The **CONSULTANT** shall provide a limited number of geotechnical borings in order to adequately assess the required foundation conditions in the vicinity of the proposed bridges.

2.23 Access Management

The **CONSULTANT** shall analyze each corridor to determine any access issues associated with corridor. The **CONSULTANT** shall utilize the information in the selection of the preferred corridor to move forward into **PHASE II**.

The **CONSULTANT** shall review FDOT’s State Highway System Access Management Classification System and Standards (Rule 14-97) and determine their application to the project.

The **CONSULTANT** shall determine the proper access classification and standard to be applied to the project.

The proposed access management plan shall be presented as part of the public involvement process. If an Access Management Classification/Reclassification Public Hearing is required, it will be combined with another public meeting.

The **CONSULTANT** will be responsible for coordinating median openings with Escambia County. The **CONSULTANT** shall submit an Access Management Report that details all median open placements, median opening designs and documents why the median locations were selected.

2.24 Multi-modal Accommodations

The **CONSULTANT** will coordinate with transit and Escambia County officials in order to determine what multi-modal accommodations will be studied and evaluated as part of the project alternatives. This task only includes existing and planned multi-modal facilities.

2.25 Maintenance of Traffic Analysis

The **CONSULTANT** will analyze the design alternatives for constructability, and the ability to maintain traffic. If the analysis indicates that there will be a substantial cost to maintain traffic this cost will be included in the final estimate for that alternative. The **CONSULTANT** shall utilize the information in the selection of the preferred corridor to move forward into **PHASE II**.

2.26 Geotechnical Coordination

This task is for the **CONSULTANT** obtain and evaluate all existing geotechnical data in the project area including County soil maps and old construction plans.

2.27 Intelligent Transportation Systems

CONSULTANT shall coordinate with TRANSCORE regarding the presence with the proposed interchange area. Determine if any alternatives or corridors are better from an ITS standpoint.

2.28 Utilities and Railroads

Based on the coordination with the utility companies along the project the **CONSULTANT** shall prepare a Utility Assessment Package as described in Part 2, Chapter 10 of the PD&E Manual. The **CONSULTANT** will also address impacts to existing and proposed railroads.

2.29 Other Engineering Services

N/A

Comparative Analysis of Alternatives

Following the Corridor Public Meetings, the **COUNTY** will determine which viable corridor(s) will have alternative alignment(s) developed within them. Following the Corridor Public Meeting, the **COUNTY** will determine which corridor(s) will be evaluated further through the public involvement process and environmental analysis. Following the Alternatives Public Meetings and public review of the project reports, the **COUNTY** will determine which alternative alignment(s) will be evaluated

further through the public involvement process and environmental analysis. The possibility exists that the No-Build Alternative may be selected at this point or at any point.

2.30 Comparative Analysis and Evaluation Matrix

The **CONSULTANT** shall develop two evaluation matrices. The **PHASE I** evaluation matrix will compare the desk-top level assessment of impacts and costs of the viable corridors and provide a recommendation of the most probable corridor(s).

The **PHASE II** evaluation matrix will compare the impacts and costs of the alignment alternatives evaluated, and provide a recommendation of the most viable alternative(s). The **CONSULTANT** shall present their recommendations to the **COUNTY** for consideration.

2.31 Selection of Preferred Alternative(s)

The **CONSULTANT** shall recommend preferred alternative corridors based on a review and analysis of all engineering, environmental, and public involvement conducted in **PHASE I**.

The **CONSULTANT** shall recommend preferred alternative alignments based on a review and analysis of all engineering, environmental, and public involvement issues related to the project, in **PHASE II**.

2.32 Conceptual Design Plans (Preferred)

In **PHASE I**, the **CONSULTANT** will finalize graphics for the preferred corridor to display to the public, **COUNTY** and other government agencies.

In **PHASE II**, the **CONSULTANT** will finalize concept plans for the preferred alternative that include refinements from the public hearing.

2.33 Identify Construction Segments

The **CONSULTANT** shall develop a construction cost estimate for the design alternative. The **CONSULTANT** shall provide a recommended plan for project implementation to include the proposed construction staging, segments, financing and sequencing of plans.

2.34 Value Engineering

The project will be subject to a Value Engineering (VE) review during **PHASE II** of the project. VE reviews will be conducted by a multi-disciplined team of **COUNTY** personnel whose purpose will be to consider value improvements to proposed concepts and designs.

VE is an event oriented function and will occur at specific times in the progress of the project. For these studies, the VE review will take place at the end of the **PHASE II** alternatives analysis phase and before the public hearing. The **CONSULTANT** should provide the VE team with the materials and information necessary for an effective review and evaluation of the various alternatives and major cost elements of the project.

At minimum, the following information shall be provided to the Value Engineering team:

Construction costs developed for each feasible design alternative. Estimated costs should be shown by major elements of each alternative.

Estimated right-of-way (R/W) costs for each alternative. Estimated costs shall be based upon recent sales of property in the project area. Categorize as follows:

- R/W to be purchased (no. parcels & cost)
- Construction easements (no. easements & cost)
- Business relocations (no. locations & cost)
- Residential relocations (no. locations & cost)
- Business damages (no. locations & est. cost)
- Aerial photography depicting feasible alternatives with R/W items identified as indicated in item (c), above.
- Traffic Technical Memorandum reviewed and approved by the District Planning Department.
- Design traffic analysis.

Any environmental analyses of each of the alternatives developed.

Results of public involvement associated with the project.

Any commitments to local governments.

A matrix in a VE format which shows the criteria and the weighted impact used by the **CONSULTANT** to make design alternative selection decisions. Criteria such as safety, operation and public acceptance must be fully documented.

The **CONSULTANT** shall submit the data and information, referenced above, in the format of a Value Engineering Information Report (VEIR), or the Draft Project Development Summary Report (DPDSR), for the VE phase review. The VEIR, or DPDSR is to be submitted to the **COUNTY'S** Project Manager two (2) weeks prior to the VE team review. Copies of each report are to be provided by the **CONSULTANT** to the **COUNTY** Project Manager.

The **CONSULTANT** Project Manager and Project Engineer shall meet with the VE team to explain development of initial concepts and the rationale for such. The **CONSULTANT** Project manager and Project Engineer will be available to the value engineering team for clarification of the information used during the value engineering study.

2.35 Construction Cost Estimates

In **PHASE I** (Corridor Study), the **CONSULTANT** shall develop construction cost estimates based on a per mile cost for roadways and a per square foot cost for low-level bridges and a per square foot for high-level bridges.

In **PHASE II** the **CONSULTANT** shall develop detailed construction cost estimates for each design alternative using the FDOT's long range estimating (LRE) program.

2.36 Right of Way Cost Estimates

The **CONSULTANT** shall provide maps and aerials with conceptual plans for use in preparing estimated costs for right-of-way acquisition and business and residential relocations. A **PHASE I** planning level estimation of right-of-way costs and relocation impacts will be completed for comparative purpose in the Corridor Evaluation Summary Report.

A more detailed estimate will be provided in **PHASE II**. The conceptual plans shall include the parcel identification number, existing right-of-way lines, proposed right-of-way lines and acreage of property required. Additionally, the **CONSULTANT** shall provide a spreadsheet with the following parcel information: owner, address, acreage of parent parcel and required amount of property for the project. The **CONSULTANT** will provide right-of-way cost estimates (including relocations and business damages).

2.37 Typical Section Package

The **CONSULTANT** will prepare the Typical Section Packages in accordance with the FDOT Plans Preparation Manual.

2.38 Design Exceptions and Variances:

The **CONSULTANT** will identify and prepare exception and variance package(s) for approval in accordance with the FDOT Plan Preparation Manual.

2.39 Project Development Summary Report (PDSR) / Corridor Evaluation Summary Report

In **PHASE I**, the **CONSULTANT** shall prepare a Corridor Evaluation Summary Report detailing the findings of **PHASE I** and selection of a Preferred Corridor.

In **PHASE II**, the **CONSULTANT** shall prepare Project Development Summary Reports (PDSR) to document the Project Development process. The PDSR's shall be developed in accordance with Part 1 Chapter 4 of the PD&E Manual.

2.40 Preliminary and Final Interchange Justification Report

An interstate access traffic study shall be conducted for a proposed new interchange in the vicinity of I-10 and Beulah Road in Escambia County. This study will characterize the access conditions at the interchange and will support the preparation of Interchange Justification Report (IJR) for the proposed interchange in the vicinity of I-10 and Beulah Road.

2.40.1 Project Study Design and Methodology Letter of Understanding

The **CONSULTANT** will prepare an initial Project Study Design. The study design will serve as the starting point for the development of the Methodology Letter of Understanding (MLOU). The study design will include those items as outlined in Section 2.1.5 of the Interchange Handbook. For purposes on this Scope of Services, it is assumed that Interchange Modification documentation will follow the sequential process as defined in the Interchange Handbook.

A methodology meeting will be conducted to reach agreement on the study design. At a minimum this meeting will include representatives of the **DIRC**, **SPO**, **FHWA**, **DEPARTMENT**, and **CONSULTANT**.

Upon concurrence with the Project Study Design, the **DEPARTMENT** will advise the **CONSULTANT** to prepare a MLOU documenting the agreements reached on the specific elements of the analysis. The criteria, assumptions, process, and documentation in the MLOU will form the basis of the analysis for the interchange proposal. Both the District and Central Office FDOT will review the MLOU. Once approved and signed by the District, Central Office Systems Planning Office, and FHWA, the **CONSULTANT** will begin the interchange proposal analysis. The MLOU will follow the suggested format of the Interchange Handbook.

2.40.2 Existing Conditions and Conceptual Need

The **CONSULTANT** will conduct a field review of the PD&E project study area. The **CONSULTANT** will review pertinent Master Plan and PD&E data. The **DEPARTMENT** will approve any additional data collection, sources, and methodologies prior to its collection by the **CONSULTANT**. In the event additional data collection is necessary, the **CONSULTANT** will develop a brief memorandum requesting review and approval by the **DEPARTMENT**.

For traffic count data, existing **DEPARTMENT** traffic counts, AADT data, classification counts, and information from automated telemetry recorder (ATR) sites will be the prime source of data to be used by the **CONSULTANT**. Where **DEPARTMENT** data are not available or are inadequate, the second source of data is approved traffic count information available from local governmental agencies in the study area. If secondary data sources are used, the **CONSULTANT** may have to demonstrate the sufficiency of the data collected, and understand the methods or limitations under which it was obtained. Dependent upon the acceptability of this demonstration, the **DEPARTMENT** may reject the secondary data and request the **CONSULTANT** collect current data, following **DEPARTMENT** guidelines for data collection. Traffic volumes collected by the **CONSULTANT** must be properly adjusted to PSWADT and AADT using approved **DEPARTMENT** techniques and seasonal adjustment factors.

The **CONSULTANT** will prepare a report to document existing conditions on the mainline, adjacent interchanges, and the surrounding local roadway network. The report will be reviewed and approved by the DIRC. The report content will be consistent with the Preliminary Interchange Justification Report (PIJR) outline and formatted for easy insertion into the PIJR.

2.40.3 Future Year Traffic Forecasting and Project Traffic

The **CONSULTANT** will adhere to the FDOT procedures and technical criteria for future year traffic forecasting and design traffic as detailed in the Project Traffic Forecasting Handbook and Technical Resource Documents 8, 9 and 10 of the Interchange Handbook.

The **CONSULTANT** will prepare a Travel Demand Modeling technical report for approval by the DIRC per the guidelines of the Interchange Handbook:

When the report is completed and approved, the **CONSULTANT** will add it as a single section to in the PIJR. The report will be reviewed and approved by the DIRC. The report should be consistent with the PIJR outline and formatted for easy insertion into the PIJR.

The **CONSULTANT** will prepare future traffic projections and design hour volumes for the opening, interim, and design years for the network No-build and Build alternatives for the I-10/Beulah Road interchange as defined in Technical Resource Document 5 of the Interchange Handbook. The forecasts will be prepared with and without a new I-10/Beulah Road interchange. The **CONSULTANT** will use the travel demand model, input data, and adjustment procedures as approved in the MLOU. Future

land use projections and transportation networks used in the analysis will be consistent with current DRIs affecting the travel demand within the area of influence.

The **CONSULTANT** will make recommendations to the **DEPARTMENT** for the common factors used to describe the traffic characteristics and its composition. These factors should be determined using established **DEPARTMENT** procedures. Any deviance from the recommended standard ranges for these characteristics should be justified and agreed to by the **DEPARTMENT**.

The **CONSULTANT** will prepare direction design hour volumes (DDHV) for use in operational analyses. These data include turning movements, trip tables (in vehicle volumes) and link volumes as appropriate for the analyses required. DDHV will be provided by the **CONSULTANT** for each alternative in each analysis year.

2.40.4 Operational Analysis, Evaluation of Alternatives, and Financial Feasibility

The **CONSULTANT** will conduct a thorough, technical traffic operations investigation to demonstrate the interchanges operational characteristics, impact on the Interstate mainline, impact on adjacent interchange operations, and impact on the surrounding street system. The analysis will be consistent with the process and techniques agreed to in the MLOU. The latest approved version of the Highway Capacity Manual will be used unless otherwise agreed to by the **DIRC** or **DEPARTMENT**. For situations in which the HCM techniques may not be applicable, the **CONSULTANT**, **DEPARTMENT** and **DIRC** will determine the use of additional microsimulation traffic analysis techniques. Each mainline segment, mainline ramp terminal, weaving areas, major diverge and merge, ramp merge and diverge, and crossroad ramp terminals must be evaluated within the study's area of influence as outlined in the MLOU. Minimum traffic analysis requirements are described in the Interchange Handbook.

The **CONSULTANT** will develop up to three (3) interchange modification strategies (Build alternatives) for I-10/Beulah Road. The **CONSULTANT** will assess the alternatives based on engineering policies and standards, traffic operations, and environmental impacts using evaluation criteria agreed to in the MLOU. The assessment will address the following evaluation:

- Conformance with Transportation Plans
- Compliance with Policies and Engineering Standards
- Coordination with Land Use Plans and Programs
- System Performance
- Operational Performance
- Environmental Impacts
- Safety

The **CONSULTANT** will prepare an evaluation matrix using the approved evaluation criteria. Each alternative will be ranked based on this evaluation. Viable alternatives will be identified based on the following criteria:

- Minimum measures of effectiveness (MOE) are achieved for all elements of the subject interchange.

- MOEs (LOS, etc.) are not degraded below existing conditions at the subject or adjacent interchanges for the existing years.
- MOEs are not degraded below the true no-build conditions (background traffic without new development) for future year conditions.
- Environmental impacts have not been identified that could critically delay or stop the project.

The **CONSULTANT** will assess the financial viability of the alternatives through development of project costs and comparison to available funding sources. The **CONSULTANT** will prepare a Funding Plan for the **DEPARTMENT** identifying the project within the **DEPARTMENT'S** Adopted Five-Year Work Program and the MPO Transportation Improvement Program. The **DEPARTMENT** will provide an estimates schedule based on work program development for the construction and opening of the facility.

The **CONSULTANT** will prepare a report documenting the operations analysis, evaluation of alternatives, and financial feasibility. The report will be reviewed and approved by the **DIRC**. The report will be consistent with the content and format requirements of the **PIJR**.

2.40.5 Preliminary Interchange Justification Report

The **CONSULTANT** will compile all analysis and documentation from the main study reports described above to develop the **PIJR**. The **CONSULTANT** will follow the suggested **PIJR** format as described in Section 2.3.3.1 of the Interchange Handbook. Fifteen copies of the **PIJR** will be transmitted by the **CONSULTANT** to the **DEPARTMENT** for distribution. The **DIRC** will coordinate the review of the **PIMR**.

2.40.6 Final Interchange Justification Report

The **CONSULTANT** will incorporate comments on the **PIJR** into the Final Interchange Justification Report (**FIJR**) as directed by the **DEPARTMENT**. Twenty-five copies of the **FIJR** will be transmitted by the **CONSULTANT** to the **DEPARTMENT**. The **DIRC** will facilitate processing of the **FIJR**. Additional **DEPARTMENT** and **FHWA** comments can occur. The **CONSULTANT** will be responsible for making any necessary modifications to the **FIJR**.

2.41 Quality Control (See Section 1.12 of this document)

3.0 ENVIRONMENTAL ANALYSIS AND REPORTS

The **CONSULTANT** shall coordinate and perform the appropriate level of environmental analysis for the project segments as outlined in the **PD&E Manual** and the following sections.

For **PHASE I** (Corridor Study), the **CONSULTANT** shall utilize the Florida Geographic Data Library (**FGDL**), or other appropriate, database that includes all existing features to conduct a desk-top level of analysis of the socioeconomic and natural environmental impacts of the alternative corridors. This data base information shall be compatible for use on base maps used for public hearing presentations, corridor maps, and alternative plans. The **CONSULTANT** shall utilize the Programming Summary Report and graphical information from the Environmental Screening Tool (**EST**) available at <http://www.dot.state.fl.us/emo>, or other appropriate database. Data base information shall be compatible for use on base maps used for public presentations, corridor maps, and alternative plans.

The level of effort for the following work activities shall be commensurate with the level of impact identified in the final Programming Summary Report. In the event that the project has been delayed in the ETDM process, the **CONSULTANT** shall assist the **COUNTY** in production of the final Programming Summary Reports.

Social and Cultural Impacts

The **CONSULTANT** shall analyze the sociocultural effects of the proposed alternative corridors in accordance with Part 2, Chapter 9 of the PD&E Manual, and in accordance with the Sociocultural Effects Evaluation Handbook, available at <http://www.dot.state.fl.us>.

3.1 Land Use Changes

In accordance with Part 2, Chapter 9 of the PD&E Manual.

3.2 Social / Community Cohesion

In accordance with Part 2, Chapter 9 of the PD&E Manual.

The **CONSULTANT** shall collect the data, complete the Community Characteristics Inventory (CCI), and perform the analysis necessary to determine Title VI/VIII involvement, evaluate community cohesions, and community services.

3.3 Economic Impacts / Community Services

In accordance with Part 2, Chapter 9 of the PD&E Manual.

3.4 Mobility / Social and Economic Impacts

In accordance with Part 2, Chapter 9 of the PD&E Manual.

3.5 Visual Impacts and Aesthetics

In accordance with Part 2, Chapter 15 of the PD&E Manual.

3.6 Relocation Potential

In **PHASE I**, the **CONSULTANT** shall collect the data and perform enough analysis to aide in selection of the preferred corridor. A draft Conceptual Stage Relocation Plan for the corridors will be provided. In **PHASE II**, the **CONSULTANT** shall collect the data and perform the analysis necessary to complete a Conceptual Stage Relocation Plan for the proposed alternatives.

3.7 Archaeological and Historical Sites

Cultural Resources Corridor Probability Assessment: In Phase I this analysis of the corridors will include an examination of the information in the Florida Master Site File to identify cultural resources and **PHASE I** (or **PHASE II** if available) cultural resource assessment surveys that are recorded on or adjacent to the subject corridors. All corridors will be evaluated equally and documented in accordance with the specific bullet items listed below.

The purpose of this analysis will be the development of a site predictive model for the corridors that identifies moderate/high probability areas. This model, based on the results of the previous

cultural resource assessments and physiographic variables, will be utilized to predict the probability of encountering presently unrecorded historic properties along the unevaluated corridors. The criteria will include soil associations/types, vegetation, proximity to water, and relative topography. A reconnaissance-level assessment will then be conducted of the moderate/high probability areas of the unevaluated corridors to determine the validity of the predictive model.

Upon completion of the fieldwork, a technical memorandum will be completed detailing the results of this cultural resources analysis. Specifically, the report will include maps of the moderate/high probability areas along the unevaluated project corridors and the location of any historic properties encountered within these corridors. This report will be utilized in the decision-making matrix for the project's Corridor Evaluation Summary Report.

- The APE shall be the project corridors
- The corridor area studied shall be increased to account for potential visual effects where necessary.
- Each alternative corridor shall be screened to provide information on resources previously recorded. This information will be used to prepare a probability model for archaeological sites, and provide data on how much of the area has been covered in previous surveys.
- Where appropriate and where the data is available all alternatives shall be screened using in part or all of the following resources: GLO's, historic aerials, older USGS maps, site file research, and informant interviews.
- Using these resources an inventory of historic properties shall be conducted for each corridor. For archaeological sites this shall include:
 - Description of the site area
 - Cultural periods represented
 - Photographs of the site area
 - Map of the site area (including aerials)
 - GIS data, if availableFor historic structures this shall include
 - Address
 - Date of construction
 - Discussion of major additions/alterations
 - Photo (including streetscape photos)
 - Map (including aerials)
 - GIS data, if available
- The above inventory shall be in a database that can be entered into the state system using Smart Form. The following information shall be entered into the Smart Form database:
 - Site #
 - Field / Form Dates
 - Site Name
 - Survey Project Name
 - USGS Map
 - TRS
 - Check boxes under Opinion of Resource Significance

- A table shall be generated using Smart Form and put into the report as an appendix. The table shall include the following fields.
 - For archaeological sites:
 - Site #
 - Cultural periods represented
 - Site type
 - Opinion of significance
 - For historic structures:
 - Site #
 - Address
 - Date of construction
 - Additions / alterations
 - Opinion of resource significance
- Digital photos shall include the Site # in the name.
- Only major alterations/additions seen when facing the building should be included in the database.

In **PHASE II** the **CONSULTANT** shall collect data necessary to completely analyze the impacts to all cultural and historic resources by all proposed alternatives and prepare a Cultural Resource Assessment Request Package as described in Part 2, Chapter 12, of the PD&E Manual.

3.8 Section 4(F)

The **CONSULTANT** shall identify all possible 4(F) parcels during the **PHASE I** and coordinate with FHWA to determine what level of effort will be required in **PHASE II** if the 4(F) parcels are impacted. In accordance with Part 2, Chapter 13 of the PD&E Manual.

Natural Impacts

3.9 Wetlands and Essential Fish Habitat

In accordance with Part 2, Chapter 18 and Part 2, Chapter 11 of the PD&E Manual and as made known by the **COUNTY**.

3.10 Water Quality

In accordance with Part 2, Chapter 20 of the PD&E Manual.

3.11 Special Designations (Outstanding Florida Waters, Wild and Scenic Rivers, and Aquatic Preserves)

In accordance with Part 2, Chapters 19, 21, and 23, of the PD&E Manual, respectively.

3.12 Wildlife and Habitat

In accordance with Part 2, Chapter 27 of the PD&E Manual. The **CONSULTANT** shall coordinate with the **COUNTY** and establish a Wildlife and Habitat Mitigation plan for the project, if required by the agencies.

3.13 Identify Permit Conditions

The **CONSULTANT** shall identify permit conditions, and type of permits required. This task includes the review of maps and data in order to determine permit-related information for the project.

3.14 Farmlands

In accordance with Part 2, Chapter 28 of the PD&E Manual.

Physical Impacts

3.15 Noise

The **CONSULTANT** shall perform the noise impact analysis and noise abatement evaluation as described in Part 2, Chapter 17 of the PD&E Manual. Traffic will be prepared by the **CONSULTANT** based upon the approved Traffic Technical Memorandum. Traffic data will be documented on standard forms which will be provided by the **COUNTY**. The completed forms must be reviewed by the **COUNTY** before proceeding with the Analysis. In addition, a methodology meeting with the **COUNTY** will be required prior to the initiation of activities. The noise impact analysis and noise abatement evaluation shall be performed by or supervised/reviewed by a persons(s) who has attended and is certified through the FDOT Traffic Noise Analysis training course. The FHWA approved Noise Model, TNM (Traffic Noise Model) version 2.5 (or most current version) will be used for noise analysis.

The **CONSULTANT** shall make a determination as to the availability and accuracy of elevation data needed to perform the noise impact analysis and noise abatement evaluation. The **CONSULTANT** shall review existing elevation data and elevation data to be provided under Section 2.3 (Survey) to determine if elevations for roadways, existing berm/walls, receiver points and ground level where noise barriers may be evaluated can be established within +/- 2 feet of the actual field conditions observed through a field review. In coordination with the **COUNTY**, the **CONSULTANT** shall determine the location of additional spot elevations needed to adequately simulate project conditions in the noise model.

The **CONSULTANT** shall identify potential visual impacts that any potential noise barrier may have on existing legally permitted outdoor advertising signs consistent with the requirements of Part 2, Chapter 17 of the PD&E Manual and Florida Statute 479.25. The **CONSULTANT** shall perform a search of the Outdoor Advertising database found at <http://www2.dot.state.fl.us/RightOfWay/dbhome.asp> to verify whether any identified outdoor advertising sign in the vicinity of a potential noise barrier is legally permitted under the requirements of 479.25 F. S. The results of this determination will be coordinated with the Outdoor Advertising Section of the Office of Right of Way in Tallahassee. The **CONSULTANT** shall document potential conflicts for each reasonable and feasible noise attenuation barrier in the Noise Study Report.

The **CONSULTANT'S** certified noise specialist shall be present at the Public Workshop and the Public Hearing. The noise specialist shall have a designated station at the Public Workshop and the Public Hearing, identified by a placard, to address public comment.

The **CONSULTANT** will be prepared to discuss the potential for noise impacts at the Public Workshop, utilizing generalized noise contours and/or field review data identifying noise sensitive sites.

The **CONSULTANT** will be prepared to discuss the results of the traffic noise impact analysis and noise abatement evaluation at the Public Hearing through reference to a draft Noise Study Report.

In addition, to the Public Workshop and Public Hearing, the **CONSULTANT** may be required to hold and/or attend up to two (2) additional Public Meetings with the adjacent communities to discuss the **FDOT/FHWA** policies and procedures and other technical issues concerning noise. The Noise Specialist and the Project Manager will be expected to attend these meetings. The **CONSULTANT** will be responsible for required presentation materials.

The **CONSULTANT** shall prepare the following to aid the public in understanding the noise evaluation process. All materials are to be reviewed and approved by the **COUNTY** prior to the Public Workshop and Hearing.

- * Handout giving brief overview of the traffic noise evaluation process and the Traffic Noise Evaluation Schedule.
- * A set of aerials identifying noise sensitive sites.
- * Concept Plans which adequately display each viable alternative and the location of noise sensitive sites. Concept plans will include community and road names. All communities and roads discussed in the report will be shown on the concept plans.
- * For the Public Hearing, a table summarizing the noise sensitive sites that would be affected by each alternative.
- * Other materials as requested by the **COUNTY**.

The **CONSULTANT** will document all of the above work in the Noise Study Reports.

3.16 Air Quality

In accordance with Part 2, Chapter 16 of the PD&E Manual.

3.17 Construction Impact Analysis

In accordance with Part 2, Chapter 30 of the PD&E Manual.

3.18 Contamination

In **PHASE I**, the **CONSULTANT** shall prepare a draft Contamination Screening Report for the corridors. The information will be utilized in selection of the preferred corridor. In **PHASE II**, the **FINAL** Contamination Assessment Report will be prepared for the selected alternatives within the selected corridor. The **CONSULTANT** shall conduct a comprehensive assessment of contamination involvement within the project corridors and potential pond sites

in an attempt to avoid serious project impacts and delays. As part of the assessment, the **CONSULTANT** shall perform a regulatory database search. The **CONSULTANT** shall not rely solely on the results of this database search. It is merely one of many tools that should be used in evaluating the potential contamination impacts of and upon the project. The assessment shall be documented in a Contamination Screening Evaluation Report (CSER), as described in Part 2, Chapter 22 of the PD&E Manual.

The **CONSULTANT** shall take color photographs of all suspect sites and color reproduce them into the CSER, and identify the street address of each site.

All available tank registration numbers, hazardous waste generator numbers, etc. shall be included in the CSER. For sites which receive contamination rankings, these numbers shall be included as part of the site description, and not merely referenced in the appendices. It is important to note that sites may not be registered in their present name.

For all sites which have Contamination Assessment Reports (CARS), excerpts from the CARS, such as maps showing the extent of groundwater contamination, the extent of soils contamination, groundwater elevation contours and direction of groundwater flow, and table or text indicating depth to groundwater, shall be incorporated into the CSER. This information should be available within the Oculus section of the FDEP website.

For each site ranked medium or high, the **CONSULTANT** shall prepare a graphical representation of the extent of soil and/or groundwater contamination plume taken from the CAR or Remedial Action Plan (RAP) for the site. If no CAR/RAP has been completed, the **CONSULTANT** shall project a "worse case" extent of contamination within existing/proposed right-of-way based upon available information combined with professional judgment. These depictions shall be of sufficient detail that they can be easily transferred onto the design plans for the project. These graphic representations and a key location map shall be included in the PDSR.

Environmental Reports

The Environmental Documents prepared by the **CONSULTANT** will comply with the procedures listed in the PD&E Manual, Part 1, and will also follow the format and include content described in Part 2 of the PD&E Manual. The task of documentation includes the preparation of draft and interim reports prepared by the **CONSULTANT** for review and comment upon by the **COUNTY** prior to producing final reports and documents.

3.19 Class of Action Determination

The **CONSULTANT** shall prepare the Environmental Determination Form and any attachments that will be required for FHWA to make their determination as per Part 1, Chapter 3, of the PD&E Manual. It is anticipated that an Environmental Impact Statement (EIS) will be required for this project.

3.20 Environmental Assessment

The **CONSULTANT** shall provide the environmental portions of the Corridor Evaluation Summary Report under this task in **PHASE I**.

3.21 FONSI

3.22 Draft Environmental Impact Statement

A Pre-draft and Draft Environmental Impact Statement (EIS) shall be prepared in accordance with Part 1, Chapter 8 of the PD&E Manual.

3.23 Final Environmental Impact Statement

A final EIS shall be prepared in accordance with Part 1, Chapter 9 of the PD&E Manual.

3.24 Quality Control (See Section 1.12 of this document)

4.0 MISCELLANEOUS SERVICES

4.1 Contract and Project Files

Project Management efforts for complete setup and maintenance, developing monthly progress reports, schedule updates, work effort to develop and execute sub-consultant agreements etc. Progress reports shall be delivered to the COUNTY in a format as prescribed by the COUNTY and no less than 2 days prior to submission of the corresponding invoice. Judgment on whether work of sufficient quality and quantity has been accomplished will be made by the Project Manager by comparing the reported percent complete against actual work accomplished.

Within fifteen (15) days after the Notice to Proceed for each segment, the CONSULTANT shall provide a schedule of calendar deadlines. The schedule shall be prepared in a format prescribed by the COUNTY.

4.2 Project Management Meetings and Coordination

The CONSULTANT shall meet with the COUNTY as needed throughout the life of the project. It is anticipated forty-eight (48) meetings will be needed. These meetings will include progress and miscellaneous review meetings with the COUNTY and other coordination activities with the DEPARTMENT and other entities.

Additional Services N/A

5.0 METHOD OF COMPENSATION

Payment for the work accomplished will be in accordance with **Exhibit B** of this contract. The contract will be **LUMP SUM** with a percentage billed each month by task. All expenses associated with this project are included in the **LUMP SUM** fee. The CONSULTANT shall provide a monthly progress report each month detailing activities completed during the previous month and anticipated work efforts for the next time period.. The COUNTY Project Manager and the CONSULTANT shall monitor the cumulative invoiced billings to insure the reasonableness of the billings compared to the project schedule and the work accomplished and accepted by the COUNTY.

6.0 SERVICES TO BE PERFORMED BY THE COUNTY

The COUNTY will provide those services and materials as set forth below:

- Project data currently on file.

- All available Escambia County Optional Sector Plan documents/data.
- All available information in the possession of the COUNTY pertaining to utility companies whose facilities may be affected by the proposed construction.
- All future information that is in possession or may come to the COUNTY pertaining to subdivision plans, so that the CONSULTANT may take advantage of additional areas that can be utilized as part of the existing right-of-way.
- Process Advance Notification and all environmental and engineering documents including Permit Coordination Package.
- Coordinate with the State Historic Preservation Officer.
- Existing FDOT right-of-way maps.
- The COUNTY will provide available crash data.
- Historical daily traffic counts and existing K30, D30 and T Factors
- Existing Survey Data

7.0 OPTIONAL SERVICES

PHASE II of the PD&E Study will commence at the conclusion of **PHASE I**. **PHASE II** shall be negotiated at the appropriate time to allow continual progress on the project. At the discretion of the COUNTY, the CONSULTANT may be requested to design all or portions of the project. The FHWA allows for designing up to the 30% construction plans stage prior to completion of the NEPA process. The design fees will be negotiated at the appropriate time.

EXHIBIT B ESTIMATE OF WORK EFFORT AND COST - PRIME CONSULTANT

Name of Project: I-10/Beulah Interchange & Escambia Beltway PID&E Study
 County: Escambia
 FPN: N/A
 EAP No.: N/A

Consult. Name: Atkins North America
 Consult. No.: N/A
 Date: 6/27/2012
 Estimator: CSA

Staff Classification	Total Staff Hours From "SH Summary"	Chief Engineer	Project Manager	Assistant Project Manager	Senior Engineer	Engineer / Env. Specialist / Sr. Scientist I	Engineer / Intern / Planner	Engineer / Senior	Traffic Engineer / Senior	Sr. Hurricane / Transportation	Hurricane Evacuation / Transportation	Senior CADD Technician / Designer	CADD Technician / GIS Analyst	Clerical	SH By Activity	Salary Cost By Activity	Average Rate Per Task
Public Involvement	3,287	362	625	230	230	723	329	197	\$132.91	\$150.14	\$106.52	\$101.04	\$87.36	\$79.96	3,287	\$417,745	\$127.09
Engineering Analysis & Report	11,157	893	1,277	1,116	1,004	1,897	2,231	335	\$121,745.56	\$73,568.60	\$52,194.80	\$126,805.20	\$109,549.44	\$41,550.68	1,157	\$1,338,365	\$119.96
Environmental Analysis & Reports	2,919	175	525	204	234	438	292	234	\$121,745.56	\$73,568.60	\$52,194.80	\$126,805.20	\$109,549.44	\$41,550.68	2,919	\$356,682	\$122.19
Miscellaneous	2,144	214	429	322	150	214	172	150	\$121,745.56	\$73,568.60	\$52,194.80	\$126,805.20	\$109,549.44	\$41,550.68	2,144	\$275,870	\$128.67
Total Staff Hours	19,507	1,644	2,806	1,872	1,618	3,272	3,024	916	\$121,745.56	\$73,568.60	\$52,194.80	\$126,805.20	\$109,549.44	\$41,550.68	19,507	\$2,388,662.18	\$122.45

Notes:
 1. This sheet to be used by Prime Consultant to calculate the Grand Total fee.
 2. Manually enter fee from each subconsultant. Unused subconsultant rows may be hidden.

Survey Field Days by Subconsultant
 4 - Person Crew:

SALARY RELATED COSTS:
 OVERHEAD: 0.00%
 OPERATING MARGIN: 0.00%
 FCCM (Facilities Capital Cost Money): 0.00%
 EXPENSES: 0.00%
 SALARY RELATED SUBTOTAL: \$2,388,662.18
 Survey (Field - if by Prime) 0.00 4-man crew day \$ / day
 SUBTOTAL - PRIME \$2,388,662.18
 Subconsultant: EPR \$67,993.32
 Subconsultant: HMM \$71,850.00
 Subconsultant: I.F. Rooks \$71,105.75
 Subconsultant: Sigma \$100,000.00
 Subconsultant: Sub 5 \$0.00
 Subconsultant: Sub 6 \$0.00
 Subconsultant: Sub 7 \$0.00
 Subconsultant: Sub 8 \$0.00
 Subconsultant: Sub 9 \$0.00
 Subconsultant: Sub 10 \$0.00
 Subconsultant: Sub 11 \$0.00
 Subconsultant: Sub 12 \$0.00
 SUBTOTAL ESTIMATED FEE: \$2,699,611.25
 Optional Services \$0.00
 GRAND TOTAL ESTIMATED FEE: \$2,699,611.25

PUBLIC INVOLVEMENT

Estimator:	Task	Units	# of Units	Hours/Unit	HOURS	Comments
GSA						I-10/Beulah Interchange & Escambia Beltway PD&E Study N/A
1.0	Public Involvement					
1.1	Public Involvement Program *	L.S.	1	80	80	80 Hours Phase I, Includes Revisions based on review comments
1.2	Public Involvement Data Collection	L.S.	1	176	176	16 * (+1 Updates)+ (6 hours * 2 years (24 months)) - Phase I -2 years (176 hours)
1.3	Notice of Intent*	L.S.	1	8	8	,Coordinate with Agency Staff
1.4	Advance Notification / ETDM*	L.S.	1	550	550	Programming Screen Set Up and Evaluation. DOE determinations and documentation. Programming Screen Summary Report
1.5	Scheduled Public Meetings		Item total	→	964	
	Scoping Meeting					
	Set Up/Scoping Package *	L.S.			160	Advertisements and Mail-outs, Graphics and presentations for meeting, handouts, meeting minutes, response to questions
	Participation	L.S.			140	10 staff * 14 hours each (preparation, travel & participation)
	Elected Officials/Agency Kickoff Meeting					
	Set Up *	L.S.	2	80	160	2 meetings - one with County, one to Florida/Alabama TPO. Presentation, Graphics, Handouts, Meeting Minutes
	Participation and notes	L.S.	2	48	96	2 meetings - one to County, one to Florida/Alabama TPO. 4 staff - 12 hours for each meeting.
	Public Kickoff Meeting					
	Set up *	L.S.			0	
	Participation and notes	L.S.			0	
	Corridor or other Public Meeting					
	Set up *	L.S.	1	240	240	Advertisements and Mail-outs, Graphics and presentations for meeting, handouts, meeting minutes, response to questions
	Participation and notes	L.S.	1	168	168	14 staff * 12 hours each - includes travel time, meeting time, note preparation, distribution
	Alternatives Public Meeting					

PUBLIC INVOLVEMENT

Task No.	Task	Units	# of Units	Hours/Unit	HOURS	Comments
	Set up *	L.S.	0	0	0	Phase II
	Participation and notes	L.S.	0	0	0	Phase II
1.6	Other (Unscheduled) Public and Agency Meetings	per meeting	24	24	576	Total Meetings - Phase I - 24 meetings * 24 hours each (avg. 4 attendees, 2 hours per meeting, 2 hour preparation, 2 hour, travel & Follow up). 576 hours
1.7	Public Hearing	Item total			0	
	Invitation / notification / setup / follow-up *	L.S.	0	0	0	Phase II
	Participation	L.S.	0	0	0	Phase II
1.8	Location and Design Concept Acceptance	L.S.	1	0	0	Phase II
1.9	Special Public Involvement Requirements	Item total			794	
	General Public Correspondence *	L.S.			240	Assume 60 inquiries from the public over the two year corridor phase * 4 hours per inquiry (coordination, production of requests, documentation of correspondence)
	News Letters, Preparation / Distribution *	L.S.			80	Assume 2 newsletters - 50 hours for first and 30 hours for second Phase I - 80 hours
	Web Site Development *	L.S.			80	Phase I - 80 hours
	Web Site Maintenance *	per month	6	24	144	24 months Phase I
	Videos, Renderings, etc. *	L.S.			250	special renderings for public meetings - 250 hours Phase I
		Sub total			3148	
		% QC				
1.10	Quality Assurance / Quality Control	LS	7%		139	
	PUBLIC INVOLVEMENT TOTAL HOURS				3287	

ENGINEERING ANALYSIS AND REPORT

Task No	Task	Units	Per Units	Hours/Unit	Hours	Comments
2.17	Traffic Analysis	Item total	→	→	2390	
	Design Traffic *	L.S.			900	Phase I Analysis 900 hours
	Traffic Operational Analysis *	L.S.			1390	Phase I Analysis - 1390 hours
	Design Traffic Documentation *	L.S.			100	Phase I Analysis - 100 hours
2.18	Typical Section Analysis *	per typ section	12	12	144	Mainline, Interstate, Beulah south of I-10, US 29, 4 crossing streets, 4 ramps. All coordination with County and current sector plans. Effort will begin in Phase I - 144 hours. Effort will conclude in Phase II with Typical Section Package
2.19	Roadway Design Alternatives *	L.S.	1	970	970	Phase I - 3 corridors * 12 miles (mainline & side roads) * 20 hours + 5 interchanges * 50 hours = 970. Review all options within corridors with proposed typical widths.
2.20	Prepare Concept Plans *	per sheet	20	12	240	
2.21	Drainage and Floodplain Analyses	Item total	→	→	820	
	Drainage and Floodplain Analyses and Pond Siting Report *	per basin	15	36	540	Develop conceptual alternatives for all corridors. Draft LHR and PSR will be developed. Single Corridor will be refined in Phase II.
	Location Hydraulic Report *	L.S.			280	Extensive wetland crossing for the all three proposed roadway corridors. Draft LHR that will be updated in Phase II.
2.22	Structures *	per structure	15	20	300	Phase I - Corridor Phase - Analysis 15 locations for bridge concerns, cost components 15 * 20 hours = 300 hours
2.23	Access Management *	L.S.	1	56	56	Phase I 56 hours
2.24	Multi-modal Accommodations *	per agency	1	36	36	Phase I - 36 hours
2.25	Maintenance of Traffic Analysis *	L.S.	1	40	40	Phase I - 40 hours - Interstate considerations with alternatives.
2.26	Geotechnical Coordination	L.S.	1	8	8	Coordinate with structural engineer on assumptions for Phase I
2.27	Intelligent Transportation Systems *	L.S.	1	36	36	Coordination with FDOT/Transcore on interstate alternatives.
2.28	Utilities and Railroads *	L.S.	1	104	104	40 hours for Utility Assessment Package Preparation + 8 hours * 8 utilities - Phase I - 104 hours
2.29	Other Engineering Services *	L.S.	1	0	0	
	COMPARATIVE ANALYSIS OF ALTERNATIVES					
2.30	Comparative Analysis and Evaluation Matrix *	L.S.	1	340	340	Create evaluation matrix, Provide analysis documentation of evaluation matrix for meetings, project documentation, public hearing, and preferred alternative. 340 hours Phase I
2.31	Selection of Alternative(s) (preferred corridor)*	L.S.	1	100	100	Documentation of and coordination with lead agencies for identification of alternatives for further study and the identification of the preferred alternative Phase I - 100 hours

ENGINEERING ANALYSIS AND REPORT

Task No	Task	Units	# of Units	Hours/Unit	HOURS	Comments
2.32	Conceptual Design Plans (preferred) (preferred corridor*)	per sheet	20	6	120	Preferred Corridor Concept Finalization - Phase I - 1" = 250'. Include all data on aerial depiction.
2.33	Identify Construction Segments *	L.S.	1	0	0	Phase II
2.34	Value Engineering	per study	0	0	0	Phase II
2.35	Construction Cost Estimates *	L.S.	1	64	64	Phase I - 3 corridors * 16 hours = 72 Hours + 16 hours for 1 update.
2.36	Right of Way Cost Estimates	Item total		----->	380	
	Notes and Maps for Estimate *	L.S.			300	Phase I - (100 parcels * 1 hour) * 3 corridors
	Preparation Cost Estimate *	L.S.			80	Phase I - 80 hours
2.37	Typical Section Package *	L.S.	1	0	0	Phase II
2.38	Design Exceptions and Variations *	L.S.	1	0	0	Phase II
2.39	Project Development Summary Report (PDSR) (Corridor Evaluation Summary Report)	Item total		----->	500	Corridor Report
	First Draft *	L.S.			225	Phase I - 225 hours
	Second Draft *	L.S.			150	Phase I - 150 hours
	Final *	L.S.			125	Phase I - 125 hours
2.40	Preliminary and Final Interchange Justification Report	LS	1	525	525	Preliminary Interchange Justification Report Preparation - All Meetings, Methodology Letter of Understanding Development - 525 hours - Final IJR will be completed in Phase II.
		Sub total		----->	10512	
		% QC				
2.41	Quality Control	L.S.		7.0%	645	
	ENGINEERING TOTAL HOURS			----->	11157	

ENVIRONMENTAL ANALYSIS AND REPORTS

Estimator:	GSA / G.G.								I-10/Beulah Interchange & Escambia Beltway PD&E Study	N/A
Task No	Task	# of Units	Hours/Unit	HOURS					Comments	
3.0	ENVIRONMENTAL ANALYSIS and REPORTS									
	SOCIAL AND CULTURAL IMPACTS									
3.1	Land Use Changes *	L.S.	80	80					analyze and document land use changes Phase I - 80 hours	
3.2	Social / Community Cohesion *	L.S.	100	100					Socio-Economic Effects Report includes: 3 corridors x 100 hours ea for evaluating community impacts, emergency services affects, forecasting demographic impacts (i.e., Environmental justice, economic benefits, employment impacts, future population growth/distribution) - Phase I - 100 hours for each task (3.2, 3.3, 3.4)	
3.3	Economic / Community Services*	L.S.	100	100						
3.4	Mobility / Social and Economic Impacts*	L.S.	100	100						
3.5	Visual Impacts and Aesthetics *	L.S.	225	225					Phase I - 3 corridors * 75 hours for analysis / fieldwork/ renderings per corridor and draft document - Phase I - 225 hours	
3.6	Relocation Potential	Item total	----->	225						
	Concept Stage Relocation Plan *	L.S.		75					Draft Conceptual Stage Relocation Plan for Corridors - Aide in reducing to one potential corridor. - 25 hours for each corridor - Phase I - 75 hours	
	Review and Impact Determination *	L.S.		150					Draft Conceptual Stage Relocation Plan for Corridors - Aide in reducing to one potential corridor. - 50 hours for each corridor - Phase I = 150 hours	
3.7	Archaeological and Historical Sites	Item total	----->	395					Corridor Probability Assessment	
	Archaeology	# holes	0	0					Phase II effort	
	Historic Sites	# sites	0	0					Phase II effort	
	Florida Master Site Files *	L.S.		0					Phase II effort	
	Pond Site Addendum *	L.S.		0					Phase II effort	
	Cultural Resource Assessment Survey *	L.S.	395	395					Perform Corridor Probability Assessment - 395 hours Phase I. Perform Cultural Assessment Survey. Includes all reviews and modifications required by agency reviewers/client.	

ENVIRONMENTAL ANALYSIS AND REPORTS

Task No.	Task	Units	# of Units	Hours/Unit	TOTAL HOURS	Comments
	Determination of Eligibility *	each resource	0	0	0	Phase II effort
	Case Study Report *	L.S.			0	Phase II effort
	Memorandum of Agreement *	L.S.			0	Phase II effort
3.8	Section 4(f)	Item total		----->	140	
	Section 4 (f) Applicability *	L.S.			140	Coordination with FHWA on potential sites. If warranted Phase II will contain additional efforts. Identification of potential sites, coordination with FDOT/FDOT on sites within corridors. Aide in elimination of corridors.
	Section 4 (f) Evaluation *	L.S.			0	Optional Service if needed.
NATURAL IMPACTS						
3.9	Wetlands and Essential Fish Habitat	Item total		----->	573	
	Data Collection - Wetlands	L.S.	3	60	240	includes completion of desktop analyses of 3 corridors, wetland ground truthing for all 3 corridors and UMAM assessment of each wetlands in all 3 corridors; Phase I - 240 hours
	Data Collection - Essential Fish Habitat	L.S.	3	20	60	Desktop analysis (FNAI, project-specific report) of 3 corridors. T&E species surveys for all 3 corridors. Depending upon species encountered or those that are likely to occur, multiple seasonal surveys will be required during Phase II. Phase I - 60 hours
	Conceptual Mitigation Plan *	L.S.	1	18	18	mitigation assessment and summarize options from 3 available methods; private mitigation banks, state in-lieu program through NWFVMD and / or permittee responsible. Phase I - 18 hours
	Analysis & Report - Essential Fish Habitat *	L.S.	3	20	60	includes multiple ESBA drafts and final report; does not include Section 7 BA for federal species should any be involved. Should be able to produce a preliminary species list (potential involvement - similar to DPDER table) for each corridor. Phase 1 - 60 hours
	Evaluation & Report - Wetlands *	L.S.	3	65	195	includes composing WER drafts and final report. Summarize and calculate potential wetland involvement for all 3 corridors - Phase I - 195 hours
3.10	Water Quality *	L.S.	1	0	0	Phase II effort
3.11	Special Designations *	L.S.	1	36	36	identify OFW and aquatic features. Quantify impacts to features and document avoidance measures. Identify differences between corridors.
3.12	Wildlife and Habitat	Item total		----->	451	

ENVIRONMENTAL ANALYSIS AND REPORTS

Task No.	Task	# of Units	Hours/ Unit	HOURS	Comments	
	Data collection	L.S.	3	80	240	Desktop analysis (FNAI project-specific report) of 3 corridors. T&E species surveys for all 3 corridors. Depending upon species encountered or those that are likely to occur, multiple seasonal surveys will be required. Phase I - 240 hours
	Analysis and report *	L.S.	3	65	195	includes multiple ESBA drafts and final report; does not include Section 7 BA for federal species should any be involved. Should be able to produce a preliminary species list (potential involvement - similar to DPDER table) for each corridor. Phase I - 195 hours
	Conservation Measures and Mitigation Plan *	L.S.	1	16	16	Majority of efforts are in Phase II - 16 hours for conceptual review for each corridor to determine if one corridor is more appropriate.
3.13	Identify Permit Conditions *	L.S.	1	16	16	identify permits required for wetland and T&E species. Determine if differences exist between corridors. Phase I - 16 hours
3.14	Farmlands *	L.S.	1	36	36	Phase I - 36 hours - Quantity Farmlands in each corridor for use in selection process
	PHYSICAL IMPACTS					
3.15	Noise	Item total		----->	0	
	Data collection, and field work	L.S.	0	0	0	Phase II
	Analysis *	L.S.	0	0	0	Phase II
	Report *	L.S.	0	0	0	Phase II
3.16	Air Quality	Item total		----->	0	
	Screening Analysis *	L.S.			0	Phase II
	Air Quality Modeling *	L.S.			0	Phase II
3.17	Construction Impact Analysis *	L.S.	1	0	0	Phase II
3.18	Contamination	Item total		----->	110	
	Field Data	L.S.	1	50	50	Phase I - 50 hours
	Analysis/Report *	L.S.	1	60	60	Phase I - 60 Hours - Draft Report to aide in Corridor Selection Process.

ENVIRONMENTAL ANALYSIS AND REPORTS

Task No.	Task	Units	# of Units	Hours/Unit	HOURS	Comments
	ENVIRONMENTAL REPORTS					
3.19	Class of Action Determination *	L.S.	1	80	80	Write up Class of Action Determination for County/FDOT, revise and resubmit to FHWA
3.20	Environmental Assessment (Corridor Report) *	L.S.	1	100	100	Write up for Environmental Portions of Corridor Report
3.21	FONSI *	L.S.	1	0	0	
3.22	Draft EIS *	L.S.	1	0	0	
3.23	Final EIS *	L.S.	1	0	0	
			Sub total	----->	2767	
			% QC			
3.24	Quality Control	L.S.		7%	152	
	ENVIRONMENTAL TOTAL HOURS			----->	2919	

MISCELLANEOUS

Estimator:	GSA									I-10/Beulah Interchange & Escambia Beltway PD&E Study	N/A
Task No.	Task	Units	# of Units	Hours/ Unit	HOURS	Comments					
4.0	MISCELLANEOUS SERVICES										
4.1	Contract and Project Files	LS	1	512	512	EIS - Large Project - 80 hours initial set up + 18 hours per month * 24 months Phase I = 588 hours					
4.2	Project Management Meetings and Coordination	LS	1	1632	1632	(PM + Deputy PM) * 24 months * 2 mtgs per month * 8 hours per meeting (2 hrs preparation + (2 hr Travel time) + 2 hr mtg.) + 2 Hrs Follow up) + (36 hrs coord. * 24 months) - Phase I = 1632 hours					
4.3	Additional Services		Item total	----->	0						
	Additional Services to be performed	L.S.			0						
	4. Roadway Analysis	L.S.			0						
	5. Roadway Plans	L.S.			0						
	6. Drainage Analysis	L.S.			0						
	8. Environmental Permits	L.S.			0						
	27. Survey	L.S.			0						
	28. Photogrammetry	L.S.			0						
	29. Mapping	L.S.			0						
	30. Geotechnical	L.S.			0						
	MISC. TOTAL HOURS				2144						

MISCELLANEOUS

Task No.	Task	# of Units	Hours/Unit	HOURS	Comments
	SUMMARY				
	PUBLIC INVOLVEMENT			3287	
	ENGINEERING ANALYSIS AND REPORTS			11157	
	ENVIRONMENTAL ANALYSIS AND REPORTS			2919	
	MISCELLANEOUS			2144	
	PROJECT TOTAL HOURS			19507	

SIGMA



Miles B. Williams, P.E. (LA), *President*

Gregory P. Sepeda, P.E., *Chief Engineer*

Stephen J. Brasuell, P.E. (LA), *Director*

Jason L. Lashley, P.E.

Michael N. Dooley, M.B.A., P.E., *Director*

Paul M. Heffernan, P.E.

Sigma Consulting Engineers

Scope of Services

Escambia Beltway Project Development & Environment (PD&E) Study

Task 1: Public Involvement:

Sigma will aide Atkins in obtaining public involvement data regarding the corridor and attend project meetings and public meetings throughout the PD&E process providing adequate documentation for the project files. Sigma will provide support for any preparations necessary for project or public meetings. Sigma staff will attend project and public meeting as required by Atkins. Sigma staff will aide in drafting public involvement correspondence for any public requests for information. Sigma will aide in preparing the public involvement summary report for the project. Task will be lump sum.

Task Fee: \$15,000

Task 2: Structural Analysis:

Sigma will obtain all preliminary information available for the proposed bridge crossings including existing structural and geotechnical data available. Sigma will coordinate with Atkins drainage staff regarding structure lengths. Sigma will prepare corridor level bridge options for each corridor alternative in order to aide in selection of the preferred corridor. The bridge options will include type of structure, length and width of structure, foundation options and estimated costs. Task will be lump sum.

Task Fee: \$85,000

Total Fee Tasks 1 & 2: \$100,000

ENGINEERING & PLANNING RESOURCES (EPR)

Project Activity 3: Project Common and Project General Tasks

Escambia Beltway PD&E- Traffic Counts/Public Involvement
0

Estimator:
Updated 060818

Task No.	Task	Units	No of Units	Hours/ Unit	Total Hours	Comments
3.1	Public Involvement		1	102	102	Phase I
3.1.1	Community Awareness Plan	LS	1	0	0	
3.1.2	Notifications	LS	1	0	0	
3.1.3	Prepare Mailing Lists	LS	1	0	0	
3.1.4	Median Modification Letters	LS	1	0	0	
3.1.5	Driveway Modification Letters	LS	1	0	0	
3.1.6	Newsletters	LS	1	0	0	
3.1.7	Renderings and Fly Throughs	LS	1	0	0	
3.1.8	PowerPoint Presentation	LS	1	0	0	
3.1.9	Public Meeting Preparations	LS	1	0	0	
3.1.10	Public Meeting Attendance/Followup	LS	1	0	0	
3.1.11	MPO Meetings	LS	1	0	0	
3.1.12	Web Site	LS	1	0	0	
3.1 Public Involvement Subtotal					102	
3.2	Joint Project Agreements	EA	0	0	0	
3.3	Specifications Package Preparation	LS	1	0	0	
3.4	Contract Maintenance	LS	1	0	0	
3.5	Value Engineering (Multi-Discipline Team) Review	LS	1	0	0	
3.6	Prime Consultant Project Manager Meetings	LS	1	0	0	See listing below
3.7	Plans Update	LS	1	0	0	

Project Activity 3: Project Common and Project General Tasks

Task No.	Task	Units	No of Units	Hours/ Unit	Total Hours	Comments
3.8	Post Design Services	LS	1	0	0	
3.9	Electronic Delivery	LS	1	0	0	
3.10	Other Project General Tasks	LS	1	0	0	
3. Project Common and Project General Tasks Total					102	

3.6 - List of Project Manager Meetings

Roadway Analysis	EA	0	0	0
Drainage	EA	0	0	0
Utilities	EA	0	0	0
Environmental	EA	0	0	0
Structures	EA	0	0	0
Signing & Pavement Marking	EA	0	0	0
Signalization	EA	0	0	0
Lighting	EA	0	0	0
Landscape Architecture	EA	0	0	0
Survey	EA	0	0	0
Photogrammetry	EA	0	0	0
ROW & Mapping	EA	0	0	0
Geotechnical	EA	0	0	0
Architecture	EA	0	0	0
Noise Barriers	EA	0	0	0
ITS Analysis	EA	0	0	0
Progress Meetings	EA	0	0	0
Phase Reviews	EA	0	0	0
Field Reviews	EA	0	0	0
Total Project Manager Meetings		0	0	0

Notes:

1. If the hours per meeting vary in length (hours) enter the average in the hour/unit column.
2. Do not double count agency meetings between permitting agencies.
3. Project manager meetings are calculated in each discipline sheet and brought forward to column D except for Photogrammetry.

Project Activity 21: Signalization Analysis

Estimator: Escambia Beltway PD&E- Traffic Counts/Public Involvement 0

Task No.	Task	Units	No. of Units	Hours/ Units	Total Hours	Comments
21.1	Traffic Data Collection	LS	1	841.2	841	30-8 hour tmc,38-3-day matching counts, 4 speed and delay studies
21.2	Traffic Data Analysis	PI	1	0	0	
21.3	Signal Warrant Study	LS	1	0	0	
21.4	System Timings	LS	1	0	0	
21.5	Reference and Master Signalization Design File	PI	0	0	0	
21.6	Reference and Master Interconnect Communication Design File	LS	1	0	0	
21.7	Overhead Street Name Sign Design	EA	0	0	0	
21.8	Pole Elevation Analysis	LS	1	0	0	
21.9	Traffic Signal Operation Report	LS	1	0	0	
21.10	Quantities	LS	1	0	0	
21.11	Cost Estimate	LS	1	0	0	
21.12	Technical Special Provisions	LS	1	0	0	
21.13	Other Signalization Analysis	LS	1	0	0	
Signalization Analysis Technical Subtotal					841	
21.14	Field Reviews	LS	2	3	6	
21.15	Technical Meetings	LS	2	4	8	Meetings are listed below
21.16	Quality Assurance/Quality Control	LS	%	5%	42	
21.17	Independent Peer Review	LS	%	2%	17	
21.18	Supervision	LS	%	5%	42	

Project Activity 21: Signalization Analysis

Task No.	Task	Units	No. of Units	Hours/Units	Total Hours	Comments
Signalization Analysis Nontechnical Subtotal						
21.19	Coordination	LS	%	4%	38	
21. Signalization Analysis Total					994	

Technical Meetings

FDOT Traffic Operations	EA	0	0	0
FDOT Traffic Design	EA	0	0	0
Power Company (service point coordination)	EA	0	0	0
Maintaining Agency (cities, counties)	EA	0	0	0
Railroads	EA	0	0	0
Other Meetings	EA	0	0	0
Subtotal Technical Meetings		0	0	0

Progress Meetings	EA	0	0	0
Phase Review Meetings	EA	0	0	0

Total Meetings		0		
Carries to 21.15				

Note: Project Manager attendance at progress, phase and field review meetings are manually entered on General Task 3

I.F. ROOKS

ESTIMATE OF WORK EFFORT AND COST - SUBCONSULTANT

Name of Project: Escambia Beltway
 County: 0
 FPN: 0
 FAP No.: 1/0/1900

Consultant Name: I. F. Rooks & Associates, Inc.
 Consultant No.: enter consultants proj number
 Date: 6/3/2012

Estimator: Ike Rooks

Staff Classification	Total Staff Hours From "SH Summary Firm"	Project Manager	Sr. Specialist	Surveyor & Mapper	CADD/Computer Tech	Specialist-Lab Tech	Staff Classification 6	Staff Classification 7	Staff Classification 8	Staff Classification 9	Staff Classification 10	Staff Classification 11	Staff Classification 12	SH By Activity	Salary Cost By Activity	Average Rate Per Task
3. Project General and Project Common Tasks	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
4. Roadway Analysis	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
5. Roadway Plans	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
6. Drainage Analysis	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
7. Utilities	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
8. Environmental Permits, Compliance & Clearances	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
9. Structures - Misc. Tasks, Dwg. Non-Tech.	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
10. Structures - Bridge Development Report	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
11. Structures - Temporary Bridge	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
12. Structures - Short Span Concrete Bridge	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
13. Structures - Medium Span Concrete Bridge	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
14. Structures - Structural Steel Bridge	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
15. Structures - Segmental Concrete Bridge	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
16. Structures - Movable Span	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
17. Structures - Retaining Walls	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
18. Structures - Miscellaneous	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
19. Signing & Pavement Marking Analysis	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
20. Signing & Pavement Marking Plans	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
21. Signalization Analysis	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
22. Signalization Plans	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
23. Lighting Analysis	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
24. Lighting Plans	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
25. Landscape Architecture Analysis	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
26. Landscape Architecture Plans	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
27. Survey (Field & Office Support)	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
28. Photogrammetry	880	49	49	223	561	9	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	891	\$21,798	\$24.46
29. Mapping	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
30. Geotechnical	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
31. Architecture Development	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
32. Noise Barriers Impact Design Assessment	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
33. Intelligent Transportation Systems Analysis	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
34. Intelligent Transportation Systems Plans	0	0	0	0	0	0	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	0	\$0	#DIV/0!
Total Staff Hours	880	49	49	223	561	9	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	891	\$21,798.20	\$24.46

Check # \$21,798.20

SALARY RELATED COSTS:

OVERHEAD: \$21,798.20
 OPERATING MARGIN: 187.19% \$40,804.05
 FCCM (Facilities Capital Cost Money): 28% \$6,103.50
 EXPENSES: 0.00% \$0.00
 SUBTOTAL ESTIMATED FEE: 0.00% \$0.00
 Survey (Field) 0 4-man crew da \$ / day
 Photogrammetric Expense \$0.00
SUBTOTAL ESTIMATED FEE: \$71,105.75
 Optional Services \$0.00
GRAND TOTAL ESTIMATED FEE: \$71,105.75

Notes:
 1. This sheet to be used by Subconsultant to calculate its fee.

Project Activity 28: Photogrammetry

Estimator: Ike Rooks

Escambia Beltway

Task No.	Task	Units	No. of Units	Hour/Unit	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Hours	Total Range	Comments
28.1	Flight Preparation	Frame	0	0									0.00	Flight crew only
		Frame	0	0									0.00	Compiler only
28.2	Control Point Coordination	Point	0	0									0.00	PSM only
	Post ID	Point	0	0									0.00	Compiler only
28.3	Mobilization	Hour	0	0									0.00	Flight crew only
	Fixed Wing	Hour	0	0									0.00	Flight crew only
	Rotary Wing	Hour	0	0									0.00	Flight crew only
28.4	Flight Operations	Mile	0	0									0.00	
	Fixed Wing	Mile	0	0									0.00	
	Rotary Wing	Mile	0	0									0.00	
28.5	Film Processing	Frame	450	0.2									4.50	
28.6	Photo Products	Sheet	0	0									0.00	
28.7	Scanning	Frame	450	0.25									112.50	Ortho Analyst only
		Frame	0	0									0.00	Lab Processor only
28.08	Lidar	Mile	0	0									0.00	PSM only
		Mile	0	0									0.00	Compiler only
		Mile	0	0									0.00	Map/Data Editor only
28.8	Aerial Triangulation	Frame	0	0									0.00	PSM only
	Field Control	Frame	450	0.5									225.00	Compiler only
	With Aerial GPS Control	Frame	0	0									0.00	PSM only
		Frame	0	0									0.00	Compiler only
28.10	Surfaces	Digital Elevation Model	0	0									0.00	Compiler only
	Digital Terrain Model	Model	0	0									0.00	Compiler only
28.11	Ortho Generation	Image	0	0									0.00	Ortho Analyst only
28.12	Rectified Digital Imagery (Georeferenced)	Image	450	0.5									225.00	
28.13	Mosaicking	Seams	450	0.5									225.00	
28.14	Sheet Clipping	Sheet	0	0									0.00	Map/Data Editor only
		Sheet	0	0									0.00	Ortho Analyst only
28.15	Topographics (3D)	Model	0	0									0.00	Compiler only
28.16	Planimetrics (2D)	Model	0	0									0.00	
28.17	Drainage Basin	Sheet	0	0									0.00	Map/Data Editor only
		Sheet	0	0									0.00	Ortho Analyst only
28.18	CADD Edit	LS	25%										0.00	Enter in formula for CADD Edit

Project Activity 28: Photogrammetry

Task No.	Task	Units	No. of Units	Hour / Unit	Hours	Hours	Hours	Hours	Hours	Hours	Total Range	Comments
28.19	Data Merging	Model	0	0		0.00					0.00	Map/Data Editor only
		Model	0	0		0.00					0.00	Compiler only
28.20	Miscellaneous	LS	1	0	0.00						0.00	PSM only
		LS	1	0							0.00	Compiler only
		LS	1	0		0.00					0.00	Map/Data Editor only
		LS	1	0		0.00					0.00	Ortho Analyst only
		LS	1	1	1			1			1.00	Lab Processor only
		LS	1	0						0.00	Flight Crew only	
Photogrammetry Technical Subtotal												
28.21	Field Reviews	LS	0	0	0.00						0.00	PSM only
		LS	1			0					0	Map/Data Editor only
28.22	Technical Meetings	LS			0						0	
28.23	Quality Assurance/Quality Control	LS	5%		40						40	
28.24	Supervision	LS	5%		40						40	
Photogrammetry Nontechnical Subtotal												
28.25	Coordination	LS	2%		17						17	
28. Photogrammetry Total					97	225	0	563	5	0	890	

Check = 889

Technical Meetings

Aerial Mapping Submittal Review	EA	0	0	0	0
Other Meetings	EA	0	8	0	0
Subtotal Technical Meetings				0	

Progress Meetings	EA	0	0	0	0
Phase Review Meetings	EA	0	0	0	0

Total Meetings				0	
Carries to 28.22					

HATCH MOTT MACDONALD (HMM)

Hatch Mott MacDonald
Scope of Services
Beulah Beltway PD&E Study

Surveying

Task1. Specific Purpose survey setting 109 aerial targets with RTK GPS referenced to NAD83 & NAVD88 datum's at sites designated by I.F. Rooks & Assoc. (see attached location map for aerial targets). Task also includes HMM coordination with property owners (i.e. initial contact letter and any on-site meetings for access) for entry on the tracts where the targets will be placed and the tracts needed for ingress / egress. HMM will coordinate with Escambia County, Atkins and I.F. Rooks & Assoc. for any re-positioning of suggested target locations due to inaccessibility or any unfit location for targets.

Survey Crew – 3.2 hrs per target = 349 hours @ \$150 / hr = \$52,350

Technician – 80 hrs @ \$75 / hr = \$6,000

PLS – 40 hrs @ \$150 = \$6,000

Task2. Preparing control maps showing spatial locations of aerial targets, northing, easting, elevation, latitude and longitude of each target on 24x36 sheets. Also includes location sketches of each aerial target. HMM will supply Atkins with a Microstation file with the control maps and locations.

Technician – 40 hours @ \$74 / hr = \$3,000

PLS – 30 hours @ \$150 / hr = \$4,500

Total Lump Sum Fee = \$71,850

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1-24. Approval of Various Consent Agenda Items – Continued

13. Taking the following action concerning a Purchase Order for additional network storage capacity (Funding: Fund 001, General Fund, Cost Center 140101 – *[in the amount of]* 1847 \$55,048):
- A. Authorizing the County to piggyback off the Florida State Contract 250-000-09-01 and awarding a Purchase Order, in the amount of \$55,048, to e-Tech Services, Inc., for additional network storage capacity of the two County datacenters located in the Escambia County Governmental Complex and the Public Safety Building; and
 - B. Authorizing the County Administrator to execute the Purchase Order.
14. Taking the following action concerning a Task Order Award for PD 08-09.027, New Interchange in the Vicinity of I10/Beulah Road Study (Funding: Fund 352, Local Option Sales Tax III, Account 210107, Object Code 56301, Project No. 08EN002; Fund 110, *[Other]* Grants and Projects, Account 210505, Object Code 56301, *[in the amount of]* 1847 \$248,375.00):
- A. Approving the following Selection/Negotiation Committee Ranking:
 - (1) Post, Buckley, Schuh & Jernigan, Inc. (PBS&J)
 - (2) Hernandez & Swift
 - B. Awarding a Task Order for PD 08-09.027, New Interchange in the Vicinity of I10/Beulah Road Study, per the terms and conditions of PD 02-03.079, Professional Services as Governed by Florida Statute 287.055.00, to PBS&J, for a lump sum amount of \$499,037.84 for Phases I and II, and allowances of \$166,223.33, for a total of \$665,261.17.
15. Approving, and authorizing the Chairman to sign, the Interlocal Agreement for the resurfacing of certain County roadways by the Emerald Coast Utilities Authority (ECUA), in conjunction with the ECUA Main Street Wastewater Treatment Plant Replacement Project; funds will be supplied from the annual resurfacing budget to perform this scope of work; funds are available in Fund 352, Local Option Sales Tax III, Account 210107/56301, Project #08EN020. 1847

BOARD OF COUNTY COMMISSIONERS

ESCAMBIA COUNTY FLORIDA
 213 PALAFOX PLACE SECOND FLOOR SUITE 11.101
 PO BOX 1591
 PENSACOLA, FL 32591-1591
 (850) 595-4980

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 CLERK OF THE COURT & COMPTROLLER
 HON. ERNIE LEE MAGAHA
 221 PALAFOX PLACE, SUITE 140
 PENSACOLA, FL 32502-5843
 (850) 595-4841

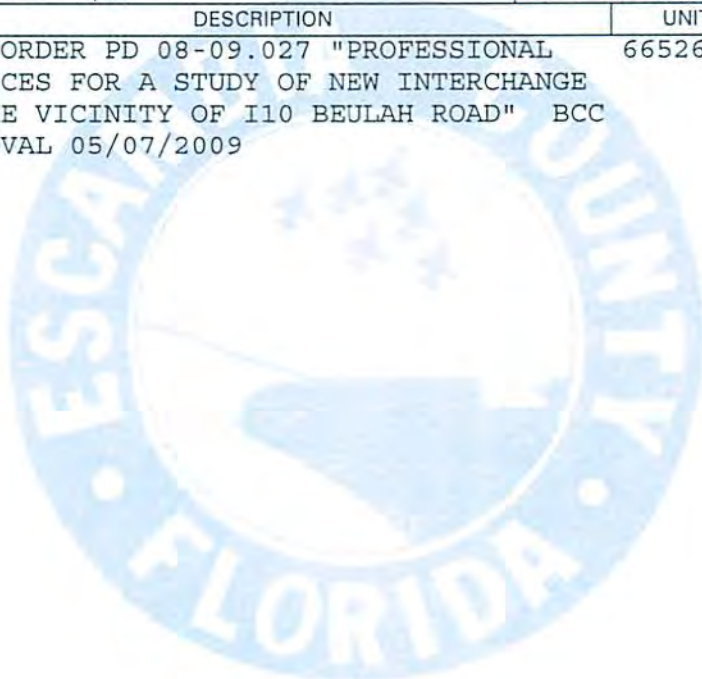
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 120 BECKRICH RD STE 230
 PANAMA CITY BEACH FL 32407-2516

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 ENGINEERING
 ENGINEERING DEPARTMENT
 1190 WEST LEONARD ST., SUITE #
 PENSACOLA FL 32501
 ATTN: ROBIN LAMBERT

ORDER DATE: 05/29/09 BUYER: PAUL NOBLES REQ. NO.: 29001389 REQ. DATE: 05/26/09

TERMS: NET 30 DAYS F.O.B.: N/A DESC.: CONTACT LARRY NEWSOM AT 5

ITEM#	QUANTITY	UOM	DESCRIPTION	UNIT PRICE	EXTENSION
01	1.00	LOT	TASK ORDER PD 08-09.027 "PROFESSIONAL SERVICES FOR A STUDY OF NEW INTERCHANGE IN THE VICINITY OF I10 BEULAH ROAD" BCC APPROVAL 05/07/2009	665261.1700	665,261.17



ITEM#	ACCOUNT	AMOUNT	PROJECT CODE	PAGE TOTAL \$	665,261.17
01	210107 56301	416,886.17	08EN0021	TOTAL \$	665,261.17
01	210505 56301	248,375.00			

APPROVED BY



BOARD OF COUNTY COMMISSIONERS ESCAMBIA COUNTY, FLORIDA

TASK ORDER - PD 08-09.027

PROFESSIONAL SERVICES FOR A STUDY OF NEW INTERCHANGE IN THE VICINITY OF I10 BEULAH ROAD

1.0 Authorization

This task order is issued under approval by the Board of County Commissioners, Escambia County, Florida May 7, 2009 and under the terms and conditions of PD 02-03-79, "Professional Services" as governed by Florida Statutes 287.055, which was approved by the Board of County Commissioners on October 2, 2003.

2.0 Scope

Under this Task Order, the Engineer (Post, Buckley, Schuh & Jernigan, Inc. [PBS&J]) will provide professional services to study a proposed new interchange with I-10 in the vicinity of Beulah Road in western Escambia County. The proposed interchange would connect with a proposed 4-Lane Beltway from US 90 (Mobile Highway) to US 29, identified on the Florida-Alabama Transportation Planning Organizations 2025 Cost Feasible Plan. The Engineer will be responsible for preparing the following technical memorandums, letters, reports, studies, plans, documents and services for this project:

- 1) Project Study Design (Technical Memorandum)
- 2) Methodology Letter of Understanding (MLOU)
- 3) Preliminary Interchange Proposal (Draft IJR – Report)
- 4) Final Preliminary Interchange Proposal (Final IJR – Report)

See attached Scope of Services.

3.0 Schedule

The work authorized herein shall be completed within 620 calendar days from the issuance of the Notice to Proceed.

4.0 Compensation

This Task Order is issued for a lump sum amount for Phases I and II of \$560,839.11, allowances of \$104,422.06, for a total of \$665,261.17. Invoices shall be submitted for monthly progress payments subject to the terms and conditions of PD 02-03.79.

5.0 Progress Meetings

The Engineer shall schedule periodic progress review meetings with the County project manager as necessary but every 30 days as a minimum to discuss design and permitting issues.

Issued by:


Escambia County, Florida

5/29/09
Date

Accepted by:


Post, Buckley, Schuh & Jernigan, Inc.
(PBS&J)

May 27, 2009
Date

EXHIBIT A

SCOPE OF SERVICES

FOR

NEW INTERCHANGE
IN THE VICINITY OF I-10/BEULAH ROAD

January 2009

ESCAMBIA COUNTY, FLORIDA

EXHIBIT A

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I. STUDY OBJECTIVE

A. GENERAL OBJECTIVE

The general objective of the study is to provide documentation information necessary for Escambia COUNTY to determine the required improvements to the transportation facility and to provide, to the extent feasible, data that may be used in conjunction with a Project Development and Environment (PD&E) Study. The Interchange Justification Report (IJR) process shall be governed by the Department's Topic No.000-525-015-f. The Interchange Justification process is governed by Topic No. 525-030-160-g and by information as contained within the *Interchange Handbook* and its supplements (Policy and Technical Resource Documents). All information regarding proposals of this type is located at the Department website at <http://www.dot.state.fl.us/planning/systems/sm/intjus>.

Throughout this scope of services, these publications will be defined as the IJR Process. The Florida Department of Transportation's Policy No. 000-525-015 requires that new interchanges or modifications to existing interchanges on Florida Intrastate Highway System (FIHS) limited access facilities is minimized. Any proposed interchanges must follow the process, and the analysis and documentation requirements established in the Department's Interchange Justification Procedure.

The IJR Process through the use of the Efficient Transportation Decision Making Process (ETDM) incorporates the initial steps to ensuring the IJR is compliant with all of the requirements of the National Environmental Policy Act (NEPA); Federal law and Executive Orders; applicable Federal regulations included in the FHWA Federal-Aid Policy Guide; and applicable State laws and regulations. The project documentation prepared by the CONSULTANT in accordance with the IJR Process shall therefore comply with all applicable State and Federal laws, executive orders, and regulations.

This Scope of Services will establish which items described in the IJR Process are specifically included in this contract, and which of the items will be the responsibility of the CONSULTANT and which will be the responsibility of the COUNTY.

The study and its required documentation shall be objective and complete, and developed in compliance with all applicable State and Federal regulations, including, but not limited to:

- Chapter 335.181, 338.001 and 339.155 of the Florida Statutes
- Florida Administrative Rule 14-97
- Title 23 Section 771, Code of Federal Regulations (23 CFR 771)
- Federal Aid Highway Program Manual issuances (or their replacements)
- DEPARTMENT'S IJR Process (in its entirety)
- All applicable State and local long-range transportation plans and approved local comprehensive plans, governing the considerations for and content of an

Environmental Assessment

Through coordination with the **COUNTY's** Project Manager, revisions to the above list, underway at the time of contract execution, will apply.

The **CONSULTANT** shall perform the necessary coordination with Federal, State, and local agencies administering community facilities and services. The

CONSULTANT shall also identify other citizen groups, businesses, civic, and minority groups, which would have an influence upon the study and the preparation of the IJR as directed by the **COUNTY**. This coordination will specifically include regular contact with the local government's public works staff, community development staff, economic development staff and other appropriate staff throughout the life of the study.

The **CONSULTANT** may be called upon to prepare the content of letters from **COUNTY** personnel to other agencies, public officials, etc. The **CONSULTANT** shall mark development plans per individual property owner requests, etc., regarding the effect of the project on the properties in question as directed by the **COUNTY**. The **CONSULTANT** shall use existing and current information and mapping from State, regional, and local agencies, private sources, and their own files and observations. The **CONSULTANT** is encouraged to seek and notify the **COUNTY** of unforeseen information and issues that are relevant to the project decision.

B. SPECIFIC PROJECT OBJECTIVE

The study is for a proposed new interchange with I-10 in the vicinity of Beulah Road in western Escambia County. The proposed interchange would connect with a proposed 4-Lane Beltway from US 90 (Mobile Highway) to US 29, identified on the Florida-Alabama Transportation Planning Organizations 2025 Cost Feasible Plan. The **CONSULTANT** will be responsible for preparing the following technical memorandums, letters, reports, studies, plans, documents and services for this project:

- 1) Project Study Design (Technical Memorandum)
- 2) Methodology Letter of Understanding (MLOU)
- 3) Preliminary Interchange Proposal (Draft IJR – Report)
- 4) Final Preliminary Interchange Proposal (Final IJR – Report)
- 5) Project Development and Environmental Study and Master Plan Update (Scope to be developed during the Final IJR).
- 6) Final Design and Construction Bid documents (Scope to be developed during the PD&E study)

The Interchange Study documents as noted above utilizes a modified sequential process as outlined within the IJR Process. The COUNTY, Department and FHWA retain the right to combine, reduce or increase the modified sequential process as noted above in the event that additional detailed information may be required by unforeseen circumstances and/or events revealed during the study process. The need for more detailed information will only be as described within the IJR Process and as requested by the District Interchange Review Committee (DIRC) or other government agency. Additional allowances may be provided for costs associated with the production of these supplemental documents but not for labor directly associated with the production of the supplemental documents as it represents only refinements to the review process but not to the level of work required to fulfill the obligations of this specific Scope of Services.

The study will also include a hurricane evacuation analysis concerning the possible addition of a new interchange with I-10 in the vicinity of Beulah Road. The analysis will address evacuation travel demand patterns, impacts to the future evacuation road network and evacuation decision making/timing impacts.

Because each step in the Interchange Justification Study Process requires approval by the District Interchange Review Committee (DIRC), FDOT System Planning Office (SPO) and FHWA, the County has chosen to break the I-10/Beulah Road Interchange Project into multiple phases as described below. The detailed scopes for Phase I and II are included in this package; however, only Phase I is funded at this time.

Phase I will include:

- Pre-Application Process
- Project Study Design
- Methodology Letter of Understanding (MLOU)
- Hurricane Evacuation Analysis

Phase II will include:

- Preliminary Interchange Justification Report (PIJR)
- Final Interchange Justification Report

Phase III will include:

- Project Development and Environment Study
- I-10 Master Plan update (as required)

Phase IV will include:

- Final Design and Permitting of I-10 Interchange in the vicinity of Beulah Road (approved in Phase II and Phase III).
- Construction Documents

II. SCOPE OF SERVICES COMPONENTS

The **CONSULTANT** shall formulate a specific work plan that satisfies all requirements of the project's components. The work plan shall address all components of the Scope of Services outlined herein. Prior to initiating any work activities, the **COUNTY** Project Manager will approve this work plan (fully described in Section IV of this document)

A. PRE – APPLICATION PROCESS

The **CONSULTANT** with the assistance of the **COUNTY** Project Manager shall conduct an initial presentation to the DIRC to introduce the project, study limits and provide a brief overview of the work effort outlined within the work plan. In addition, the **CONSULTANT** shall address the technical aspects of the study to include but not be limited to:

- Type of Proposal
- Basis for the Approval (FHWA 8 Points)
- Evaluation Criteria to be Used
- Data and Analyses to be Provided
- Format of the Documentation
- Preliminary Funding Agreement and Proposed Project Schedule, and
- Any Anticipated Variances and/or Exceptions

The **CONSULTANT** will provide Efficient Transportation Decision Making (ETDM) process management including all coordination necessary with FDOT staff and ETAT members. The **CONSULTANT** will provide all available information to move the project through the ETDM process.

B. PROJECT STUDY DESIGN

After receipt of the ETDM Screening process comments and input received from the DIRC, the **CONSULTANT** will be responsible for the development of an initial Project Study Design. This study design shall serve as the starting point for the development of the Methodology Letter of Understanding (MLOU). The study design should include the following:

- the basis for approval and evaluation criteria including acceptable LOS criteria, including at a minimum the eight FHWA Policy Requirements,
- relationship with other area transportation and land use plans including MPO plans, facility master plans and the FDOT FIHS Plan,

- relationship of project to local transportation plans and processes,
- relationship to the PD&E/NEPA process and to subsequent project production phases,
- proposed access management measures in interchange area, especially within 1/4 mile from the end of the taper of the egress or ingress ramp,
- a definition of the analysis years tied to Interchange Proposal funding and production,
- the area of influence tied to PD&E logical termini as appropriate and including a field review if appropriate,
- relationship to other interchanges and interchange proposals in the study area or area of influence,
- transportation network alternatives to be considered (build, no-build, TSM, alternative travel modes),
- proposed data sources and required additional data collection (traffic, land use, planned and programmed network improvements),
- travel demand model selection, adjustments and, if necessary, sub-area calibration techniques,
- proposed design traffic development process (technique, factors including data sources) consistent with Project Traffic Forecasting Handbook and documentation if chosen factors are outside of the recommended ranges,
- proposed traffic analysis technique to be used,
- proposed documentation format and requirements - sequential or single document,
- proposed preliminary funding commitment plan definition including any FDOT funding commitments,
- a project schedule including anticipated documentation delivery dates and anticipated FDOT review times; the proposed project production and construction years; and, the proposed opening year,
- anticipated exceptions to FDOT or FHWA Policies and Standards for the project,
- known fatal flaw and significant environmental issues,

- other data, analysis, information, or qualifying provisions as deemed necessary by the DIRC to make an approval decision.

The **CONSULTANT** will submit the Project Study Design to the **COUNTY** for review and approval. Once approved, the **CONSULTANT** will transmit the Project Study Design to the **FDOT's** District Interchange Review Committee (**DIRC**) for review and comment. The **CONSULTANT** shall then respond to all comments provided by the **DIRC** and provide a final Project Study Design Report to the **DIRC**.

C. **METHODOLOGY LETTER OF UNDERSTANDING (MLOU)**

Upon concurrence with the Project Study Design by the **DIRC**, **SPO**, and **FHWA**, the **CONSULTANT** will prepare a MLOU documenting the agreements reached between **Escambia COUNTY**, **DIRC**, **SPO** and **FHWA** in the Study Design Development. The **CONSULTANT** will prepare and submit the MLOU to the **COUNTY** for review. Upon acceptance by the **COUNTY**, the **CONSULTANT** will forward the MLOU to the **DIRC** for review and comment. The **CONSULTANT** will assist the **COUNTY** in addressing and resolving any MLOU issues raised by **FDOT** and **FHWA** prior to final decision. The criteria, assumptions, process, and documentation in the MLOU will form the basis of the analysis for the interchange proposal. Once approved and signed by **FDOT** District 3, **Central Office System Planning Office**, and **FHWA**, the **COUNTY** can initiate the interchange proposal analysis.

The **CONSULTANT**, on behalf of the **COUNTY**, will coordinate a maximum of three (3) Methodology Meetings with the District Interchange Review Committee (**DIRC**), **FDOT System Planning Office (SPO)**, **FHWA** and others, as required. The **CONSULTANT** will prepare all materials necessary for the Methodology meeting including any presentations required and in addition, will coordinate the agenda for the meetings with **DIRC**. The **CONSULTANT** will provide detailed minutes of each meeting.

The MLOU, as prepared by the **CONSULTANT**, should be formatted as follows:

Introduction - This section should identify the Applicant (**Escambia COUNTY**), the engineering **CONSULTANT**, the type of Interchange Proposal (**IJR**, **IMR**) and the interchange location.

PURPOSE AND NEED FOR PROJECT - Identify the **Escambia COUNTY's** purpose and objectives; summarize the need for the interchange.

PROJECT SCHEDULE - Identify the anticipated proposal development and review schedule and the schedule of production activities consistent with the proposed funding and opening year.

PROJECT LOCATION - Include aerial photography with an overlay of the proposed interchange (1"-200' scale) and aerial photography (1"-500' scale) showing area of influence and a scalable map or map with distances clearly marked showing the proposed interchange location. The subject interchange location should be identified by highway section number, milepost, relationship to adjacent interchanges and system linkages. The map should also include all possible alternative existing routes.

CONSIDERED ALTERNATIVES – If Escambia COUNTY has developed specific alternatives to consider in the proposal, a description and a figure to scale should be provided illustrating their location and spacing to adjacent interchanges; to existing and proposed access connections; and to median openings. If alternatives were eliminated from consideration as a result of existing site conditions, a brief justification is required.

ANTICIPATED AREA OF INFLUENCE - Identify the anticipated area of influence. Factors which should be discussed in recommending the anticipated area of influence may include:

- interchange spacing,
- signal locations,
- anticipated traffic impacts,
- anticipated land use changes,
- proposed transportation improvements, and
- relationship to PD&E Logical Termini (if applicable).

ANALYSIS YEARS - The proposed opening year, interim year(s) and design year for the project should be identified. If appropriate, these analysis years should be related to the analysis years in the facility Master or Action Plans, MPO Long-Range Transportation Plan, planned and programmed improvements, MPO TIP, the Department's Adopted Five-Year Work Program, development phasing, etc.

EXISTING CONDITIONS – Listing known conditions in the project corridor:

- Social Impacts
- Cultural Impacts
- Land Use
- Natural Environment
- Physical Impacts

TRAVEL DEMAND FORECASTING - Identify the travel demand forecasting model to be used in the proposal and the method to be used to interpolate or extrapolate travel demand for the analysis years. The model approved by the District and TPO for use in project level analysis is recommended. If Escambia COUNTY recommends the use of an alternative model or method, the justification for the decision should be documented.

MODEL AND NETWORK VALIDATION PROCEDURES – Identify how modifications to the travel demand forecasting model will be made, including

modifications to the facility type and area type for links; modifications to socio-economic data and other modeling files; and, the location of centroid connectors.

ADJUSTMENT PROCEDURES - Identify the process used to adjust modeled future year traffic to the defined analysis years.

DATA COLLECTION AND SOURCES - Sources for data should be listed.

Data to be collected should include:

- transportation systems data
- existing traffic data
- land use data
- environmental data
- analysis of existing condition
- related plans, programs and projects

DATA COLLECTION METHODOLOGY - Identify any existing data that Escambia COUNTY intends to utilize in the existing conditions analysis, forecast for travel demand associated with the proposal, future land forecasts, etc. Data collection methodologies should be identified. If Escambia COUNTY utilizes current FDOT procedures in data collection, the COUNTY need only identify the procedure or policy.

TRAFFIC FACTORS - Identify all design traffic factors to be used and the data source to support the choice. If these factors differ from the recommended ranges identified in the FDOT *Project Traffic Forecasting Handbook and Procedure (525-030-120)*, Escambia COUNTY must document and justify their use with appropriate historical data. If the specific traffic factors are not agreed to and contained in the MLOU, Escambia COUNTY, FDOT and the Approval Authority must agree to and document the factors prior to the initiation of any traffic analysis.

CONSISTENCY WITH MASTER PLANS, LRTP, LGCP AND DRI APPLICATIONS - The interchange Proposal's consistency with facility Master Plans, Action Plans, FIHS Plan, TPO Long Range Transportation Plans, Local Government Comprehensive Plans or development applications, etc., should be identified. Where the proposal is inconsistent with any plan, steps to bring the proposal and the plan into consistency should be developed. The need for a local government adopted access management plan should also be determined by the DIRC at this time.

OPERATIONAL ANALYSIS PROCEDURES – Discuss the proposed operational analysis procedures and software to be used, including the potential need for a systems operational analysis.

ENVIRONMENTAL CONSIDERATIONS – Identify any known potential fatal environmental factors, flaws, and public sentiment considerations.

CONCEPTUAL FUNDING PLAN/CONSTRUCTION SCHEDULE – Identify specific funding sources available to finance the planning, design, construction and maintenance of the proposed improvements. If the project will be funded in part by federal, state or local transportation programs, the project's status in the Department's Work Program, MPO TIP and MPO Long-Range Transportation Plan should be identified.

ANTICIPATED EXCEPTIONS – Any known exceptions to FDOT or FHWA rules, Policies, standards, and procedures should be identified.

CONSIDERATION OF OTHER INTERCHANGE PROPOSALS – Identify other Interchange Proposals located within the study area and the relationship of this proposal to the others.

QUALIFYING PROVISIONS – Include the qualifying provisions defined in the Project Study Design, those defined in this section and any other provisions required by the DIRC, SPO or FHWA.

PUBLIC INVOLVEMENT – Include all public involvement information and feedback from any Newsletters or public information meetings or workshops.

SIGNATURE BLOCK – Provides space for signatures from the Applicant, DIRC, SPO and FHWA.

D. **PRELIMINARY INTERCHANGE JUSTIFICATION REPORT (PIJR)**

The purpose of the Preliminary IJR is to serve as a review document for FDOT and FHWA. The need for the interchange must be clearly shown and all analysis and documentation requirements as defined in the MLOU met. The document shall contain an analysis of:

1. Existing conditions and conceptual need
2. Future year traffic forecasting and project traffic
3. Operational analysis, evaluation of alternatives, financial feasibility and alternative recommendation

The Preliminary IJR can be prepared as a single document or in three sequential documents which are individually reviewed and approved by the DIRC prior to development of the next document. The DIRC will determine the documentation requirements (sequential process vs. a single document). However, the total documentation to be provided must contain the same level of information, regardless of which documentation/review technique is employed.

The proposed analysis shall consider the following potential improvements.

- No-Build Alternative,
- Transportation System Management Alternative,

- Alternative Travel Modes, and
- All Viable Build Alternatives (a maximum of 3 specific “concepts” to be considered). The initial interchange concept layouts will be prepared at a scale of 1”=200’ while the final preferred/recommended interchange configuration will be prepared at a scale of 1”=100’. The **CONSULTANT** shall obtain recent aerial photography from Escambia **COUNTY** or FDOT and develop the base map that will be used with the interchange concepts. A maximum of two typical sections will be developed and evaluated for the portion Beulah Road north and south of I-10 located both within the limited access right-of-way and external to the limited access right-of-way.

1. **EXISTING CONDITIONS AND CONCEPTUAL NEED**

The **CONSULTANT** shall provide an existing operational baseline for comparison of build and no-build alternatives and a conceptual analysis as to the need for the interchange. The **CONSULTANT** shall be responsible for providing all data necessary to determine existing conditions and travel demand modeling and operational analysis. The **COUNTY** will provide the **CONSULTANT** will all existing available information that the **COUNTY** has in its possession. This information shall include but not be limited to the following:

Corridor Master Plan	Local Government Comp Plans – Land Use/Transportation
Previous Studies and/or Approved Actions	Area wide Transportation Plans
DRI’s and/or Sector plans	TIPs & Work Programs
Roadway Construction Plans	Design Standards
Local Development Policies	Traffic Counts
Traffic Factors	Traffic Accident/Collision Data

2. **FUTURE YEAR TRAFFIC FORECASTS AND PROJECT TRAFFIC**

The **CONSULTANT** shall develop future year traffic forecasts as outlined in the IJR Process materials specifically the Technical Resource Documents 8, 9 and 10 and the FDOT’s Project Traffic Forecasting Handbook. The approach to the work shall include but not be limited to the following elements:

- Network Model Validation – The **CONSULTANT** shall ensure that the most current travel demand forecasting unit is utilized in the analysis.
- Perform Sub-Area Review/Validation – As established within the MLOU, the **CONSULTANT** shall perform a review of the sub-area for the proposed project. The consultant shall ensure that the model is appropriate for use based on the reasonableness of the predicted travel demand within the area of influence.

• **Future Year Travel Demand** – The **CONSULTANT** shall develop future year travel demand for the area of influence for opening, interim and design year. The future travel demand forecast, as measured in vehicles and transit services (if applicable) must meet the technical analysis requirements of the IJR Process Technical Resource Document 9. The design year for this study is 2035 and the opening year is 2015.

• **Project Traffic** – The **CONSULTANT** shall prepare project traffic for the opening, interim and design year. The information shall be summarized in a tabular and graphic format for both average annual daily traffic (AADT) and directional design hourly volumes (DDHV). The **CONSULTANT** shall determine:

- K-factor, or ratio of design hour traffic to the AADT in the 30th highest hour, K30
- Directional distribution factor or the ratio of the predominant movement in a peak hour to the two-way hourly volume for a balanced movement, (D30)
- Peak hour factor or the ratio of four times the highest 15-minute period volume to the total volume occurring within the peak hour, PHF
- Daily truck percentage, or the percentage of vehicles that are classified as truck or combination vehicles with 9,000 pounds or greater gross vehicle weight and usually have dual rear tires, T
- Design hour truck percentage, the percentage of vehicles occurring in the peak hour that are trucks, DHT
- Percentage of buses in the design hour
- Percentage of recreational vehicles in the design hour
- Driver population factor as defined in the latest edition of the *Highway Capacity Manual*

3. **OPERATIONAL ANALYSIS, EVALUATION OF ALTERNATIVES
FINANCIAL FEASIBILITY AND ALTERNATIVE
RECOMMENDATION**

The **CONSULTANT** shall provide a thorough technical traffic engineering investigation to show the Interchange Proposal's operational characteristics; the impacts on the mainline and adjacent interchange operations; and, the Interchange Proposal impacts on the surrounding local roadway network. The analysis will demonstrate the operational benefit of the interchange in lieu of maximum feasible (physically and financially) improvements to the transportation system and shall take into account Level of Service and simulated network improvements using the travel demand network and/or an operational simulation (if required).

The analysis must clearly demonstrate the need for and the feasibility of, the preferred alternative, the operational aspects and required mitigation of

the proposal and the costs/funding commitments to construct the Interchange Proposal and associated mitigation.

The analysis shall include but not be limited to the following information (described in detail in Technical Resource Document 5):

- Conformance with transportation plans,
- Compliance with policies and engineering standards
- Coordination (each alternatives relationship to the approved transportation, land use plans and programs, related Sector plan/DRI's in the area and required modifications to local plans to accommodate the Interchange Proposal as well as any public involvement which occurred during the project)
- System Performance
- Operational Performance
- Environmental Impacts
- Safety

This information shall be presented narrative, graphically, using tabular formats and with a summary “matrix” format, showing a comparative ranking for all viable alternatives considered.

The **CONSULTANT** shall review the existing environmental reports, including Optional Sector Plan prepared for Escambia **COUNTY**, the EDTM Screening Summary Report, and available GIS data sources including the Florida Geographic Data Library and the Florida Natural Area Inventory. Based on this review, the **CONSULTANT** shall document the existing environmental conditions within the proposed interchange area and use this information to determine whether there are any fatal environmental flaws associated with the implementation of an interchange at the proposed location. The **CONSULTANT** shall provide preliminary estimates of the environmental impacts associated with the alternative interchange concepts and these potential impacts will be included as evaluation criteria in the interchange alternatives evaluation matrix.

The **CONSULTANT** shall prepare a funding plan with information supplied by the applicant. This plan will identify the specific funding programs and private sources needed to support all of the improvements proposed in this report.

The **CONSULTANT** shall provide a “preferred” alternative for final action by the DIRC, Department and FHWA. This summary recommendation shall provide a specific narrative, graphics, tables and summary evaluation that addresses the 8 Points for consideration as presented in the Interchange Process resource information.

E. FINAL INTERCHANGE JUSTIFICATION REPORT

When the DIRC is satisfied that all comments and on the Preliminary Interchange Justification Report have been properly addressed, any exceptions granted, the recommended alternative is needed and all evaluation criteria have been satisfied, the COUNTY will be notified that the preparation of the Final Interchange Justification Report for an approval decision may begin. The CONSULTANT will develop the Final Interchange Justification Report as a “stand alone” document responding to all comments from the DIRC and consistent with the requirements of the MLOU. When completed, the CONSULTANT will submit the Final Interchange Justification Report to the DIRC for review and an approval recommendation.

III. HURRICANE EVACUATION ANALYSIS

As part of the overall Interchange Justification Report process, the CONSULTANT will perform a hurricane evacuation analysis concerning the possible addition of a new interchange with I-10 in the vicinity of Beulah Road. The analysis will address evacuation travel demand patterns, impacts to the future evacuation road network and evacuation decision making/timing impacts.

The CONSULTANT will perform an analysis to determine the hurricane evacuation impact of current and proposed permanent and seasonal dwelling units which might use the new interchange. The analysis will address five major items:

- 1) Calculate/specify the number of current and future permanent and seasonal related units within each Escambia COUNTY evacuation zone that would use the new interchange. Future land use data will need to be built into a hurricane evacuation model to match up with a possible build out date for the proposed interchange.
- 2) Determine the number of evacuating vehicles the dwelling units would generate during a hurricane evacuation event based on the socioeconomic, transportation and behavioral assumptions identified in the latest hurricane evacuation study transportation analysis performed for the US Army Corps of Engineers, Mobile District and for Escambia COUNTY Emergency Management. Examine recent post Ivan/Dennis/Katrina land use inventories to determine major changes in baseline evacuation zonal land use and socioeconomic assumptions and make adjustments where necessary.
- 3) Run the hurricane transportation model/analysis with and without the proposed interchange taking into account other roadway improvements that would be present on the evacuation routes. Identify/reaffirm bottlenecks that will control overall evacuation clearance time and specify hourly flow rates for each quarter of the evacuation based on expected congestion levels and rate of highway loading.

4) Perform clearance time calculations for two levels of seasonal occupancy and a medium rate of behavioral response (speed at which traffic loads the roadway network). Meter evacuation traffic through the network bottlenecks using appropriate evacuation flow rates and background traffic levels for the area's evacuation routes. Compare newly calculated times to existing evacuation clearance times.

5) Estimate any savings in hours and decision making benefits if the interchange is built.

IV. PROJECT ADMINISTRATION

A. PROJECT SCHEDULE

Within ten (10) days after Notice to Proceed the **CONSULTANT** shall provide a project schedule to address completion of the IJR Process within an established time. Said schedule shall be subject to approval by the **COUNTY**.

B. PROJECT WORK PLAN

Upon approval of the project schedule, the **CONSULTANT** shall provide a work plan. The project work plan will address all aspects of the Project Components, communications, coordination, process and applicable standards/references in the work plan. The **COUNTY** project manager and DIRC will approve the work plan.

C. SUBMITTALS

The **CONSULTANT** shall provide the following number of "hard copies" for each document or document type listed below:

- Project Study Design Report – 10 Copies
- ETDM Programming Summary Report – 5 Copies
- MLOU – Originals - as required, 3 copies
- Technical Memorandums – 10 Copies
- Hurricane Evacuation Analysis – 10 copies
- Preliminary Interchange Proposal (Draft IJR) – 15 Copies
- Final Interchange Proposal (Final IJR) – 25 Copies

These copies apply to both the draft and final submittals. The **CONSULTANT** will also provide one (1) CD of each document that is submitted (draft and final). The **CONSULTANT** shall also provide each of the submittals above in electronic format. This format shall be a pdf or other "ready to print" format. Submittals will be professionally organized such they will become part of the permanent electronic record.

D. PROGRESS REPORTING

Unless notified otherwise by the COUNTY project manager, the CONSULTANT shall be prepared to meet on a monthly basis and provide a project briefing along with a written progress report, which describes in detail the work accomplished by task. These progress reports shall be delivered to the District concurrently with monthly invoices.

E. PROJECT REVIEW MEETINGS AND PUBLIC INVOLVEMENT

In addition to the monthly progress report meetings, the CONSULTANT shall conduct various public involvement activities in support of the IJR. These public involvement activities shall include the following;

- Public Involvement Program – The CONSULTANT shall identify the stakeholders, communities, agencies, ETAT members, and non-governmental organizations with interest in the proposed project.
- Public Involvement Data Collection – The CONSULTANT shall create a project mailing list using GIS data and tax rolls from the Escambia County Property Appraiser and update periodically.
- Newsletters – The CONSULTANT shall prepare three (3) newsletters to introduce the public to the project and the IJR process, to invite the public to the workshop, and to inform the public of the final results of the IJR process.
- Public Information Workshop – The CONSULTANT will assist the COUNTY in conducting one (1) Public Information Workshop to obtain public comments on the alternative interchange concepts and the need for the new interchange.
- TPO Technical Advisory Committee (TAC) and Citizens Advisory Committee (CAC) Meetings – The CONSULTANT shall attend two (2) TAC and CAC meetings to discuss the status/findings of the study.
- TPO Board Meetings – The CONSULTANT shall attend two (2) MPO Board Meetings for the purpose of assisting the COUNTY with presentations on the study findings/results and recommendations.
- Unscheduled Public and Agency Meetings – The CONSULTANT shall attend a maximum of six (6) unscheduled meetings with various groups including homeowners associations, residential neighborhoods, business owners, elected officials, and environmental agencies or advocacy groups.
- Power Point Presentation – The CONSULTANT will prepare a Power Point presentation to be used at the TPO Board Meetings as well as the Public Information Workshop.
- Monthly Status Summary/Briefing Sheets – The CONSULTANT shall prepare a Project Status Summary/Briefing sheet each month to be used by the COUNTY's Project Manager at the TPO TAC/CAC/Board meetings.
- Project Correspondence – The CONSULTANT shall respond to letters, emails

and web site comments received about the project at the direction of the COUNTY Project Manager.

F. CORRESPONDENCE

Copies of all written correspondence between the **CONSULTANT** and any outside party pertaining specifically to work performed under this Scope of Services shall be provided to the **COUNTY** Project Manager within 1 week of the receipt or mailing of said correspondence. In addition, at the completion of the project the consultant shall provide the **COUNTY** in electronic format, a complete set of professionally organized project files. These files shall be in a pdf or other "ready to print" format.

G. KEY PERSONNEL

The **COUNTY** will designate a Project Manager who shall be the representative of the **COUNTY** for the Project. While it is expected the **CONSULTANT** shall seek and receive advice from various Federal, State, regional, and local agencies, the final direction on all matters of this Project remain with the Project Manager.

The **CONSULTANT'S** work shall be performed and directed by the key personnel identified in the proposal presentations by the **CONSULTANT**. Any changes in the indicated personnel shall be subject to review and approval by the **COUNTY**. The **COUNTY** anticipates that the **CONSULTANT** Project Manager will be local to ensure adequate and close coordination with **COUNTY** staff and the general public. Additionally, the **CONSULTANT** Project Manager should have experience working with **FDOT** and **FHWA** on interchange projects.

H. QUALITY CONTROL

The **CONSULTANT** shall be responsible for insuring that all work products conform to **COUNTY**, **FDOT** and **FHWA** standards and criteria. This shall be accomplished through an internal Quality Control (QC) process performed by the **CONSULTANT**. This QC process shall insure that quality is achieved through checking, reviewing, and surveillance of work activities by objective and qualified individuals who were not directly responsible for performing the initial work.

Prior to submittal of the first invoice, the **CONSULTANT** shall submit to the **COUNTY'S** Project Manager for approval the proposed method or process of providing Quality Control for all work products. The Quality Control Plan shall identify the products to be reviewed, the personnel who perform the reviews, and the method of documentation.

V. OPTIONAL SERVICES

At the **COUNTY** option, the **CONSULTANT** may be requested to provide **OPTIONAL SERVICES** in support of a new interchange on I-10 in the vicinity of Beulah Road. These services may include:

- **Meetings and Coordination** - Preparation and or attendance at additional including but not limited to, TPO and committee meetings, meetings with public officials, internal FDOT meetings and meeting with FHWA.
- **Engineering Analysis** - Development of additional alternatives that may arise during the course of the study. This may include but is not limited to development of traffic, conceptual design and analysis and cost estimation.
- **Environmental Analysis** - Development of potential environmental impacts associated with the additional alternatives.
- **Public Involvement** - Preparation and attendance at additional public and community meetings.
- The **CONSULTANT** may be requested to input the proposed interchange project into the ETDM “Programming Screen” for environmental and social review of the proposed project.
- Have new aerials flown if existing imagery available is not satisfactory for the scale required.
- **Project Development and Environmental Study** for approved interchange on I-10 near Beulah Road.
- **Update I-10 Master Plan.**
- **Final Design, Permitting and Bid Documents** for the approved interchange on I-10 near Beulah Road.
- **Construction Engineering and Inspection Services.**

The fee for these optional services shall be negotiated in accordance with the terms detailed in Exhibit B, method of compensation, for a fair, competitive and reasonable cost, considering the scope and complexity of the project(s). A Supplemental Amendment adding the additional services shall be executed in accordance with the standard consultant agreement.

VI. METHOD OF COMPENSATION

Payment for the work accomplished will be in accordance with Exhibit B of this contract. Invoices shall be submitted to the **COUNTY**, in a format prescribed by the **COUNTY**. The **COUNTY'S** Project Manager and the **CONSULTANT** shall monitor the cumulative invoiced billings to insure the reasonableness of the billings compared to the project schedule and the work accomplished and accepted by the **COUNTY**.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2886

County Administrator's Report 11. 12.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Sale of the County's Brownfields Voluntary Cleanup Tax Credits to IGT, a Nevada Corporation

From: Keith Wilkins, REP, Department Director

Organization: Community & Environment

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Sale of the County's Brownfields Voluntary Cleanup Tax Credits (VCTC) to IGT, a Nevada Corporation - Keith Wilkins, REP, Community & Environment Department Director

That the Board take the following actions concerning the sale of the County's VCTC:

- A. Approving and authorizing the Chairman to execute the Purchase Agreement for State Tax Credits to sell the County's Brownfields Voluntary Cleanup Tax Credits to IGT, a Nevada Corporation; and
- B. Authorizing the Chairman to sign the Agreement for Reissuance and Transfer of Voluntary Cleanup Tax Credit Certificate and Indemnification.

[Funding Source: All funds will be deposited in Fund 129, CDBG Entitlement.]

BACKGROUND:

Environmental Site Cleanup and Remediation at the Former Escambia County Mosquito Control Facility, located at 603 West Romana Street, is an ongoing project since 2005. Environmental assessment and remediation activity expenses have totaled \$911,442.20 to date, all of which have been funded through the CDBG HUD Funding mechanism of the County. The County is eligible to apply annually for reimbursement of fifty percent of expenses in the form of tax credits through the Florida Department of Environmental Protection (FDEP) Voluntary Cleanup Tax Credit Program (VCTC). The Tax Credit can be transferred one time via either an assignment or sale of the credits. The proceeds of the sale must be returned to the HUD CDBG eligible activities in keeping with the original purpose of the expenditures (24 CFR Part 570.504). At the 10/06/11 Board meeting the Board authorized the County's Community Redevelopment Agency to retain a Tax Brokerage Firm to facilitate the sale of the tax credits. The Agreement for Reissuance and Transfer of Voluntary Cleanup Tax Credit Certificate and Indemnification is necessary for the sale of the VCTC.

BUDGETARY IMPACT:

All funds will be deposited in Fund 129, CDBG Entitlement.

LEGAL CONSIDERATIONS/SIGN-OFF:

Both the Purchase Agreement and the Agreement for Reissuance have been reviewed by Kristin Hual, Assistant County Attorney, and found to be in form and legally sufficient.

PERSONNEL:

Community & Environment Department/Community Redevelopment Agency (CED/CRA) staff will coordinate all tasks.

POLICY/REQUIREMENT FOR BOARD ACTION:

Board approval is required for all contractual signatures. This recommendation is consistent with Purchasing policies and procedures.

IMPLEMENTATION/COORDINATION:

CED/CRA Staff shall execute and deliver all documents and perform further actions necessary to complete the contract.

Attachments

VCTC Reissuance Agreement

Credit Sale Contract

**AGREEMENT FOR REISSUANCE AND TRANSFER OF VOLUNTARY CLEANUP
TAX CREDIT CERTIFICATE AND INDEMNIFICATION**

This Agreement for Reissuance and Transfer of Voluntary Cleanup Tax Credit Certificate and Indemnification ("Agreement") is made this ____ day of _____, 2012, between **ESCAMBIA COUNTY BOARD OF COMMISSIONERS** and the **FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION**, a Florida governmental agency ("DEP") (collectively, the "Parties").

WHEREAS, DEP issued Voluntary Cleanup Tax Credit Certificate ("Tax Credit Certificate") No. 258 in the amount of \$76,647.34 to Escambia County Board of Commissioners on July 6, 2012; and

WHEREAS, the Department's delivery service provider, Federal Express, delivered the Tax Credit Certificate to 221 Palafox Place, Pensacola, Florida 32502 on July 13, 2012 at 11:19 AM and the whereabouts of the Tax Credit Certificate are unknown; and

WHEREAS, the lost Tax Credit Certificate has not been transferred to another entity pursuant to Section 220.1845(1)(g), Florida Statutes; and

WHEREAS, Escambia County Board of Commissioners has requested that DEP simultaneously issue a replacement Tax Credit Certificate and transfer the replacement Tax Credit Certificate to the entity IGT, a Nevada Corporation; and

WHEREAS, to the extent permitted by law, Escambia County Board of Commissioners has agreed to indemnify the State of Florida in the event that the lost Tax Credit Certificate should be redeemed.

WITNESSETH

NOW THEREFORE, in consideration of the foregoing, the Parties agree as follows:

1. To the extent permitted by law, Escambia County Board of Commissioners hereby agrees to defend, indemnify and hold harmless the State of Florida, and any department or agency thereof, from any claim, loss, or damages arising out of the redemption of the lost Tax Credit Certificate.

2. Escambia County Board of Commissioners and its agents, assigns, heirs, successors in interest, and affiliates, do hereby waive their entire interest in the lost Tax Credit Certificate and divest themselves of any interest in the lost Tax Credit Certificate.

3. Escambia County Board of Commissioners hereby agrees to immediately return the lost Tax Credit Certificate to DEP in the event that said certificate is located.

4. Escambia County Board of Commissioners hereby agrees that it will not transfer the lost Tax Credit Certificate to another entity as provided by Section 220.1845(1)(g), Florida Statutes, except as described in this Agreement, which shall constitute the one-time transfer request pursuant to Section 62-788.400(6), Florida Administrative Code.

5. The Parties agree that pursuant to Section 220.1845(1)(c), Florida Statutes, the lost Tax Credit Certificate issued on July 6, 2012, will expire on July 6, 2017.

6. DEP hereby agrees to issue a replacement Tax Credit Certificate in the form of a transfer of the Tax Credit Certificate in the amount of \$76,647.34 to IGT, a Nevada Corporation, FEIN No. 88-0062109, and DEP shall also notify the Florida Department of Revenue of the issuance of a replacement Tax Credit Certificate and that the lost Tax Credit Certificate shall be null and void.

7. This Agreement may not be amended, waived or terminated orally, but only by an instrument in writing signed by both, Escambia County Board of Commissioners and DEP (or their respective successors and assigns).

8. This Agreement may be executed in one or more counterparts, each of which shall be deemed to be an original, but all of which, together, shall constitute but one and the same instrument and shall be binding upon each of the undersigned individually as fully and completely as if all had signed but one instrument.

[SIGNATURES APPEAR ON FOLLOWING PAGE]

IN WITNESS THEREOF, the Parties have entered into this Agreement as of the date first above written.

ATTEST: ERNIE LEE MAGAHA
CLERK OF THE CIRCUIT COURT

BY: _____
DEPUTY CLERK

Escambia County Board of
Commissioners

By: _____
Printed Name: Wilson B. Robertson, Chairman
Title: _____

ACKNOWLEDGMENT

STATE OF _____)

COUNTY OF _____)

The forgoing instrument was acknowledged before me this _____ day of _____
2012 by _____, as _____ of Escambia County Board of Commissioners,
who is personally known to me or who produced _____ as identification.

Notary Public, State of _____

Printed or Stamped Notary Name
Commission No. _____
My Commission Expires: _____

**FLORIDA DEPARTMENT OF
ENVIRONMENTAL PROTECTION**

By: _____
Printed Name: _____
Title: _____

Purchase Agreement for State Tax Credits

This Purchase Agreement for State Tax Credits ("Agreement") is dated as of June 26, 2012 by and between IGT, a Nevada corporation, with its principal place of business at 9295 Prototype Drive, Reno, NV 89521, or an affiliate ("Investor"), and Escambia County Board of Commissioners ("Owner"), with its principal place of business at 211 Palafox Place, Pensacola, FL 32502.

In consideration of the mutual promises of the parties hereto and other valuable consideration, the receipt of which is mutually acknowledged, the parties agree as follows:

- Project:** **603 S. Romana St. – Pensacola, Florida**
- Voluntary cleanup of a Brownfield site which qualifies for Tax Credits as described below.
- Tax Credits:** Florida Voluntary Cleanup Tax Credit Certificates in the total amount of **\$211,397.51** ("Tax Credit Certificates") issued as follows:
Certificate #136 issued in 2008 for \$ 49,062.13
Certificate #185 issued in 2011 for \$ 9,407.24
and one or more certificates to be issued in 2012 for \$ 152,928.14.
- Statutory Authority:** Section 376.30781 of the Florida Statutes
- Owner:** **Escambia County Board of Commissioners**
- Administering Agency:** Florida Department of Environmental Protection, Division of Waste Management ("FDEP")
- Investment Structure:** The Owner has expended costs integral to the rehabilitation of the Project site. Such costs, as certified by an independent CPA, have qualified for Tax Credits under the statute, and the FDEP has issued or will issue Florida Voluntary Cleanup Tax Credits as described above to Owner. Owner agrees to sell such Tax Credit Certificates, and Investor will purchase the Tax Credit Certificates, in the amount and in the manner described herein.
- Investor will have no interest in or liability arising from the Project, other than the right to use the tax credits so transferred.
- Purchase Price:** **\$186,029.81** (provided, however, if the face amount on the Tax Credit Certificates is other than **\$211,397.51**, the Purchase Price shall be **\$0.88** for each dollar of tax credit available to be transferred to the Investor shown on the new Tax Credit Certificates). The Purchase Price includes **\$10,569.88** (equal to \$0.05 per dollar shown on the Tax Credit Certificates, the "Broker's Fee") to be paid to the Broker (as later defined).
- Due Diligence:** Owner will provide Investor with a copy of the independent CPA's Cost Certification, Engineer's Certification, Owner's Certification, and Financial Statements (collectively, "Due Diligence Material") upon the execution of this Agreement. Investor represents that it will proceed diligently with its Due Diligence review and will act in good faith to complete this transaction in a timely manner; and will notify the Owner in writing that it either will or will not proceed with the purchase no later than ten (10) business days after Investor's receipt of the Due Diligence Material (the "Inspection Period"). If Investor, in Investor's sole and absolute discretion, is not satisfied for any reason whatsoever with the results of its review of the Due Diligence Material prior to expiration of the Inspection Period then, in such event, Investor may terminate this Agreement by giving written notice of termination to Owner prior to the

federal regulations, and the transfer of the Tax Credits to Investor. Nothing herein is intended to serve as a waiver of sovereign immunity by County and nothing herein shall be construed as consent by County to be sued by third parties in any matter arising out of this agreement.

Owner represents that it will proceed diligently in effecting the transfer thereof, and will act in good faith and in accordance with the rules and regulations of FDEP.

Owner agrees to indemnify Investor for any damages incurred as a result of Owner's bad faith, misrepresentation, or fraud, or if FDEP or the Florida Department of Revenue disallows or recaptures any or all of the Tax Credits for any reason relating to their original issuance, but in no event shall the amount of this indemnity exceed the Purchase Price plus any penalties and interest due to the appropriate taxing authority as a result of any such disallowance or recapture.

**Investor
Representations:**

The Investor is purchasing the Tax Credits for its own account, for investment purposes only and not with a view to the resale or distribution thereof except to an entity affiliated with the Investor. Investor acknowledges that the statute prohibits any subsequent transfer of a New Certificate except through merger or acquisition.

The Investor acknowledges that the Tax Credits have not been registered under the Securities Act of 1933, as amended (the "Act") or any state securities laws and are being offered and sold in reliance upon exemptions from such registration.

The Investor has not relied upon any representations or other information (whether oral or written) other than as contained in any documents so furnished to it by the Owner or contained herein.

The Investor is an "accredited investor" as that term is defined in Rule 501 of Regulation D, promulgated by the Securities and Exchange Commission, under the Act.

Investor has the financial wherewithal readily available to purchase the Tax Credit Certificates as contemplated herein and represents that no agreement exists, written or otherwise, which would adversely affect its ability to enter into this Agreement, and to timely complete the transaction contemplated herein.

Investor agrees to indemnify and hold Owner harmless for any loss or damage incurred as a result of Investor's bad faith, misrepresentation, or fraud, but in no event shall the amount of this indemnity exceed the Purchase Price.

**Submissions &
Reporting:**

Owner and Investor shall cooperate in providing any materials necessary to file with the Florida Department of Revenue to claim the Tax Credits, including but not limited to the Tax Credit Certificates and information required in order to effectuate transfer.

Notices:

Any notice or demand to be given or that may be given hereunder shall be in writing and shall be (i) delivered by hand delivery, or (ii) be delivered through the United States mail, postage prepaid, certified, return receipt requested, or (iii) delivered through or by Federal Express, Express Mail or other expedited mail or package service, addressed to the parties as follows:

Owner

Mr. Glenn C. Griffith
Brownfields Coordinator
Escambia County
221 Palafox Place
Pensacola, FL 32502
Phone: (850) 595-3538
Email: gcgriffi@co.escambia.fl.us

Investor

Mr. Tim Angus
IGT
Corporate Tax Department
P.O. Box 10580
Reno, NV 89510-0580
Phone: 775-448-2386
Email: timothy.angus@igt.com

With copy to:
Lukas Krause
Backroads Capital Partners, LLC
5050 Quorum Dr, Suite 330
Dallas, Texas 75254
Phone: 800-655-1485 x107
Email: lkrause@backroadscapital.com

Escrow Agent

Gary S. Jacobson, Esq.
Herold Law, P. A.
25 Independence Blvd.
Warren, NJ 07059
Phone: (908) 484-1117
Fax: (908) 647-7721
Email: gjacobson@heroldlaw.com

**Entire Agreement;
Successors; Venue:**

This Agreement sets forth the entire agreement of the parties and may not be modified except in writing executed by the parties hereto or their authorized representatives. This Agreement shall inure to the benefit of and be legally binding upon the parties hereto and their respective legal representatives, successors and assigns. This Agreement shall be governed by Florida law. Venue for any action hereunder shall be in Hillsborough County, Florida.

Counterparts:

This Agreement may be executed in any number of counterparts, all of which taken together shall constitute one and the same instrument; and any party or signatory hereto may execute this Agreement by signing any such counterpart and delivering an electronic or facsimile version to the other party.

Miscellaneous:

No failure or delay by a party in exercising any right hereunder or any partial exercise thereof shall operate as a waiver thereof or preclude any other or further exercise of any right hereunder. The invalidity or unenforceability of any provision of this Agreement shall not affect the validity or enforceability of any other provisions of this Agreement, which shall remain in full force and effect.

Expiration:

This Agreement shall expire and shall be of no further force and effect if not fully executed by the parties on or before August 31, 2012.

Signature page follows.

Purchase Agreement – Signature Page

INVESTOR:

IGT, a Nevada corporation

FEIN: 88-0062109

By: 

Name: Michael Small

Title: Vice President of Global Tax

Date: 6-26-12

OWNER:

Board of County Commissioners
Escambia County, Florida

FEIN: 59-6000598

ATTEST: Ernie Lee Magaha

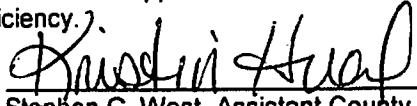
By: _____
Deputy Clerk

By: _____
Wilson B. Robertson, Chairman

Date BCC Approved: _____

Date Executed: _____

This document approved as to form and legal sufficiency.

By: 
Stephen G. West, Assistant County Attorney

Date: 7/10/12

Account No.: 003813138205
Reference: Clocktower – VCTC

3. Obligations of Escrow Agent.

(a) Upon receipt of the Purchase Price, the Escrow Agent shall deposit the Purchase Price ("Deposit") into the account identified in paragraph 2 above and upon receipt of the Deposit, Escrow Agent shall promptly notify Seller and Buyer of such receipt by email.

(b) The Escrow Agent shall notify the parties if the Purchase Price has not been received by Escrow Agent within ten (10) days of Escrow Agent's receipt of a copy of the Tax Credit Certificates from Owner.

(c) If the Purchase Price is remitted to the Escrow Agent other than by wire transfer, cashier's check or certified check, Escrow Agent shall have no obligation to disburse the Purchase Price or any portion thereof prior to the expiration of ten (10) business days following deposit.

(d) Upon receipt by Escrow Agent of the New Certificates in accordance with the Transfer Instruction Letter, and subject to the provisions of Paragraph 3(c) above, Escrow Agent is hereby instructed to simultaneously:

- (1) forward such New Certificates to Buyer at the address set forth in Paragraph 4, below,
- (2) release the Deposit (less Broker's Fee) to Seller,
- (3) release the Broker's Fee (less Escrow Agent's Fee) to Broker, and
- (4) release the Escrow Agent's Fee to Escrow Agent.

Disbursement to Seller shall be by check sent to the following:

Mr. Glenn C. Griffith
Brownfields Coordinator
Escambia County
221 Palafox Place
Pensacola, FL 32502
Phone: (850) 595-3538

Disbursement of Broker's Fee to Broker shall be by check sent to the following:

Northeast Securities, Inc.
The Omni Building
333 Earle Ovington Blvd.; Suite 706
Mitchel Field, NY 11553-3645
Attn: Andy Zimmerman – Accounting
Phone: (516) 396-1633

Deliveries and disbursements may be delivered through the United States mail, postage prepaid and certified, or delivered through or by Federal Express, Express Mail or other expedited mail or package service.

4. Cancellation of Escrow. All obligations under the Agreement shall be null and void should FDEP fail to transfer the all the Original Certificates to the correct and proper name of the Buyer with an effective date of on or before December 31, 2012. In the event that a New Certificate contains typographical errors or otherwise is not issued in the form required by the Transfer Instruction Letter, the Escrow Agent shall provide the parties with immediate written

notice of same specifying the deficiency regarding the New Certificate, whereupon Seller shall contact the FDEP regarding such error(s), and upon written direction of Seller, the New Certificate shall be returned to FDEP in order to be reissued in accordance with the Transfer Instruction Letter. Escrow Agent and Buyer hereby covenant to cooperate and assist Seller to the fullest extent possible. Such corrected and re-issued New Certificate ("Corrected Certificate") must be effectively dated on or before December 31, 2012. If the FDEP is unable or unwilling to correct such errors or otherwise deliver the New Certificate or a Corrected Certificate to Escrow Agent on or before March 1, 2013, but has returned the Original Certificate to Escrow Agent, then the parties hereby instruct Escrow Agent to return the pro rata share of the Deposit and any interest earnings thereon to Buyer and to likewise return the Original Certificate to the Seller. If none of the New Certificates or Corrected Certificates are received by the Escrow Agent on or before March 1, 2013, then the parties hereby instruct Escrow Agent to return the entire Deposit and any interest earnings thereon to Buyer and to likewise return the Original Certificates to the Seller. In which event all obligations under the Agreement shall be null and void.

Disbursement to Buyer pursuant to this paragraph 4 shall be by check to the following:

Name: Mr. Tim Angus
Address: IGT
Corporate Tax Department
P.O. Box 10580
Reno, NV 8951-0580
Phone: 775-448-2386

5. Changes in Instructions. No notice, demand or change of instructions shall be of any effect in this escrow unless given in writing by all parties affected thereby. If conflicting demands, notices, or instructions are made or served upon Escrow Agent at any time with respect to this escrow, Escrow Agent shall have the absolute right, at his/her election, to stop the performance of the escrow, and further, to file a suit in interpleader at the expense of Buyer and Seller (50% each).

6. Escrow Agent. Escrow Agent shall not be liable (i) for the validity or correctness as to form or manner of execution of any document provided to it; (ii) as to the identity, authority or rights of any person executing such document; (iii) for the failure by one party or the other to comply with any of the provisions of any document provided or referred to in this escrow; or (iv) for the level of interest earnings earned on the Deposit. Each party acknowledges that the services being provided by Escrow Agent are strictly limited to those described above, and to the safekeeping of any property, funds or documents received by it as Escrow Agent and to their disposition in accordance with instructions accepted in these Escrow Instructions. Broker shall pay the ordinary fees and expenses of Escrow Agent. Escrow Agent shall only be liable hereunder for its gross negligence in performing its duties hereunder.

Escrow Agent assumes no liability under these Instructions except that of a stakeholder, and Escrow Agent shall be under no responsibility other than to faithfully follow the instructions herein contained. Escrow Agent may receive advice from counsel and shall be fully protected in any actions taken in good faith, in accordance with such advice. Escrow Agent shall not be required to defend any legal proceedings which may be instituted against Escrow Agent in respect to the subject matter of these Instructions. Escrow Agent shall not be required to institute legal proceedings of any kind. Escrow Agent shall have no responsibility for the genuineness or validity of any document deposited with Escrow Agent, and shall be fully protected in acting in accordance with any written instructions given to Escrow Agent hereunder

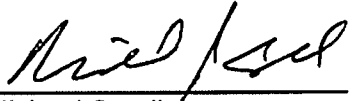
and believed by Escrow Agent to have been signed by the proper parties.

7. Miscellaneous. (A) These Instructions and the interpretation and enforcement of same shall be governed by and construed in accordance with the laws of the State of Florida and shall be binding upon the parties and their successors and permitted assigns, and shall inure to the benefit of and be enforceable by the parties, and their respective successors and permitted assigns. (B) In the event of any legal action, suit or proceeding, each of the parties hereto hereby consents to the exclusive jurisdiction and venue of the courts of the State of Florida located in Escambia County, Florida with respect to any matter relating to these Instructions and the performance of the parties' obligations hereunder and each of the parties hereto hereby further consents to the personal jurisdiction of such court. The parties hereby agree that service of process may be made in any manner permitted by the rules of such court and the laws of the State of Florida. Each party further agrees that the exclusive choice of forum set forth in this paragraph does not prohibit the enforcement of any judgment obtained in that forum or any other appropriate forum. (C) These Instructions may not be modified or amended nor may any provision contained herein be waived, except in writing signed by all parties. No failure or delay by a party in exercising any right hereunder or any partial exercise thereof shall operate as a waiver thereof or preclude any other or further exercise of any right hereunder. (D) The invalidity or unenforceability of any provision of these Instructions shall not affect the validity or enforceability of any other provisions of these Instructions, which shall remain in full force and effect. (E) These Instructions may be executed in any number of identical counterparts, and each counterpart hereof shall be deemed to be an original instrument, but all counterparts hereof taken together shall constitute but a single instrument. The parties may deliver an executed counterpart by facsimile or electronic means, which shall be binding in the same manner as an original.

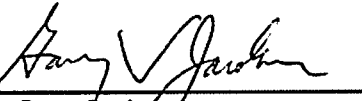
Signature page follows.

Escrow Instructions – Signature Page

BUYER:
IGT

By: 
Michael Small
Its: Vice President of Global Tax
Date: 6-26-12, 2012

ESCROW AGENT:
HEROLD LAW, P. A.

By: 
Name: Gary S. Jacobson
A Shareholder and Director
Date: July 2,, 2012

OWNER:
Board of County Commissioners
Escambia County, Florida

ATTEST: Ernie Lee Magaha

By: _____
Deputy Clerk

Date BCC Approved: _____

Date Executed: _____

FEIN: 59-6000598

By: _____
Wilson B. Robertson, Chairman

This document approved as to form and legal sufficiency.

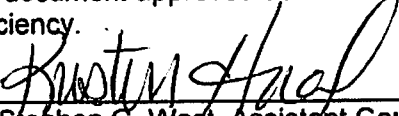
By: 
Stephen G. West, Assistant County Attorney
Date: 7/19/12

EXHIBIT B
TRANSFER INSTRUCTION LETTER

VCTC Certificate Transfer Request

_____, 2012

Ms. Teresa Boeshaghi
VCTC Program Manager
Department of Environmental Protection
Division of Waste Cleanup
Twin Towers Office Building
2600 Blair Stone Road
Tallahassee, Florida 32399-2400

Re: Escambia County Board of Commissioners Voluntary Cleanup Tax Credit
Certificate # 136, dated July 2, 2008
Certificate # 185, dated July 1, 2011
Certificate # _____, dated July _____, 2012
Certificate # _____, dated July _____, 2012

Dear Ms. Boeshaghi,

The Escambia County Board of Commissioners has received Voluntary Cleanup Tax Credit Certificates issued from the State of Florida pursuant to Section 376.30781 of the Florida Statutes. We are requesting, pursuant to Section 220.1845(1)(g), that the following Certificates be transferred:

<u>Certificate Number</u>	<u>FDEP Facility ID#</u>	<u>VCTC Application #</u>	<u>Amount</u>
136	17-0502001	145	\$ 49,062.13
185	17-0502001	182	\$ 9,407.24
_____	17-0502001	231	\$ 76,280.80
_____	17-0502001	262	\$ 76,647.34

The Escambia County Board of Commissioners herein authorizes that the enclosed Voluntary Cleanup Tax Credit Certificates (outlined above) be transferred in its entirety as follows to:

Transferee Percent: 100%
Transferee Name: IGT
Address: Corporate Tax Department
P.O. Box 10580
Reno, NV 89510-0580
Contact Name: Mr. Tim Angus
Phone Number: 775-448-2386
Fax Number: 775-448-2582
Transferee FEIN: 88-0062109

Upon transfer in accordance with the terms hereof, please mail the new original tax credit certificates bearing an issue date on or before December 31, 2012, to the Escrow Agent at the following address:

Gary S. Jacobson, Esq.
Herold Law, P. A.
25 Independence Blvd.
Warren, NJ 07059
Phone: (908) 484-1117
Fax: (908) 647-7721

In the event that FDEP cannot complete the requested transfer on or before December 31, 2012, issuing new tax credit certificates in accordance with the terms hereof and bearing an issue date on or before December 31, 2012, then you are instructed to return the original tax credit certificates to:

Mr. Glenn C. Griffith
Brownfields Coordinator
Escambia County
221 Palafox Place
Pensacola, FL 32502
Phone: (850) 595-3538
Fax: (850) 595-3218

The undersigned is a duly authorized person for the purposes of authorizing transfer of these Tax Credit Certificates.

Sincerely,

Escambia County Board of Commissioners

By: _____

Name: Wilson Robertson
As its: Chair

STATE OF _____)

COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2012, by Wilson Robertson as Chair of Escambia County Board of Commissioners. who is personally known to me or has produced _____ as identification and who (did/did not) take an oath.

Notary Public, State of _____

(Print Notary Name)

Commission No.: _____

My commission expires: _____



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2965

County Administrator's Report 11. 13.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Escambia Consortium 2012 Annual Action Plan and Analysis of Impediments to Fair Housing Choice

From: Keith Wilkins, REP, Department Director

Organization: Community & Environment

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Approval of the Escambia Consortium 2012 Annual Action Plan and Analysis of Impediments to Fair Housing Choice - Keith Wilkins, REP, Community & Environment Department Director

That the Board take the following action concerning approval of the Escambia Consortium 2012 Annual Action Plan and Analysis of Impediments to Fair Housing Choice:

A. Approve the Escambia Consortium 2012 Annual Action Plan for Housing and Community Development, including the Escambia County 2012 Annual Plan, detailing use of 2012 Community Development Block Grant (CDBG) funds, in the amount of \$1,685,274; 2012 HOME Investment Partnerships Act (HOME) funds, in the amount of \$1,020,957; and 2012 Emergency Solutions Grant Program (ESG) funds, in the amount of \$163,087;

B. Acknowledge the receipt of the updated Analysis of Impediments (AI) to Fair Housing Choice and approve the AI as part of the Escambia Consortium Consolidated Plan; and

C. Authorize the County Administrator to execute all 2012 Annual Action Plan Forms, Certifications and related documents, as required to submit the Plans to the U.S. Department of Housing and Urban Development (HUD), and authorize the County Administrator or Chairman, as appropriate, to execute documents required to receive and implement the 2012 CDBG, 2012 HOME, and 2012 ESG Programs.

[Funding: Fund 129/CDBG, Fund 147/HOME, and Fund 110/ESG - Cost Centers to be assigned]

(A complete copy of the entire Annual Action Plan is available for review in the County Administrator's Office or on the County's website at

http://www.myescambia.com/Bureaus/CommunityServices/Plans_Reports.html.)

BACKGROUND:

With Congressional approval of the National Affordable Housing Act, local government grantees are required to prepare and submit for HUD approval a local housing specific planning document encompassing a five year period, known as the Consolidated Plan (for Housing and Community Development). Neighborhood Enterprise Foundation, Inc. (NEFI), in conjunction with representatives of other members of the Escambia Consortium (City of Pensacola, Santa Rosa County, and City of Milton) prepared the 2010-2014 Escambia Consortium Consolidated Plan, as approved by the Board on August 4, 2011 and by the U.S. Department of HUD in October 2011, enabling the local jurisdictions to continue to receive HUD funds under the CDBG, HOME, and ESG programs.

Additionally, each year the Consortium must prepare and submit an Annual Action Plan, which incorporates the specific funding applications of all member jurisdictions for the CDBG, HOME, and ESG Programs for that fiscal year. This funding will encompass the HUD Program Year extending from October 1, 2012 through September 30, 2013. A detailed breakdown of the projects and activities to be financed with 2012 CDBG, HOME, and ESG resources is provided in Exhibit I (NOTE: Exhibit I summarizes the Plan; due to the large size of the document, a complete copy of the entire Annual Action Plan is available for review in the County Administrator's Office or on the County's website at http://www.myescambia.com/Bureaus/CommunityServices/Plans_Reports.html). Activities included in the Plan are also in direct support of the Escambia County Comprehensive Plan Housing Element and the County's Community Redevelopment Agency areas and Enterprise Zone initiatives.

A public notice regarding preparation of the Consolidated Plan and Annual Plan was published in the *Pensacola News Journal* on March 21, 2012 to initiate the public participation process in order to receive public input, comments and agency proposals or recommendations concerning housing and community development needs and priorities within the area. A public hearing was held in Escambia County on April 24 and one public hearing was held in Santa Rosa County on April 25. Following the input phase of the process, the Plans were drafted and made available for public review and comment. During this period, various County Departments were also invited to submit project proposals for CDBG eligible activities targeting lower income neighborhoods. The CDBG, HOME and ESG activities proposed for funding through the 2012 Annual Action Plan were prominently advertised in the *Pensacola News Journal* on May 30, 2012 for a minimum 30 day comment period, and two additional public hearings were held on June 12 in Escambia County and June 13 in Santa Rosa County, to receive public review, comments and specific input concerning the draft Plan. Finally, as denoted in the public notice, written comments were received by the Consortium through July 5, 2012. Copies of the draft Annual Action Plan were available in numerous accessible locations in Escambia and Santa Rosa Counties during the review period.

The final step in the process is to obtain approval of the Plans by all governmental bodies within the Consortium. The City of Pensacola, Santa Rosa County, and the City of Milton will approve the Plans during their respective July Council (or Board) meetings, with Escambia County's approval currently targeted as the final approval action. Escambia County serves as the lead participating jurisdiction for the Consortium. The Plan is due to HUD on or before August 15, 2012, and HUD approval is anticipated in late October 2012.

Additionally, the Consortium is required by HUD to prepare a new or update the existing Analysis of Impediments to Fair Housing Choice as needed, but at least as frequently as the five year Consolidated Plan timetable. The new AI as prepared by Florida Planning Group, Inc. was not completed until June 2012; therefore, the new report needs to be acknowledged by the

Board. Several minor findings were noted that have been mentioned in the Annual Action Plan as items to be addressed this year by the Consortium. A summary of the AI is included in Exhibit II, and a full copy of the report will be made available on the County website at http://www.myescambia.com/Bureaus/CommunityServices/Plans_Reports.html .

BUDGETARY IMPACT:

The Annual Action Plan does not commit any County General Fund revenue. The County will receive the below listed amounts for uses specified in the Annual Action Plan and summarized in Exhibit I of this recommendation:

Funding	Amount
CDBG/Fund 129	\$1,685,274
HOME/Fund 147	\$1,020,957
ESG/Fund 110	\$163,087
TOTALS:	\$2,869,318

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

There will be no impact upon County personnel or positions as a result of the Board's approval of the Escambia Consortium Annual Action Plan. Preparation of the Plan and implementation of the CDBG, HOME, and ESG activities financed hereunder are administered by existing NEFI staff, and/or staff of the Consortium's member jurisdictions.

POLICY/REQUIREMENT FOR BOARD ACTION:

The Annual Action Plan requires formal approval by the Board prior to submission to HUD by the August 15 deadline in order to receive CDBG, HOME, and ESG funding.

IMPLEMENTATION/COORDINATION:

Completion of the Annual Plan process and the Analysis of Impediments to Fair Housing Choice has necessitated extensive coordination with many sectors of the local community, such as public and private affordable housing interests; County Departments with respect to CDBG project activities; non profit public service agencies; agencies of the State of Florida; local public housing authorities; organizations providing services to the homeless; Escambia County, City of Pensacola and Santa Rosa County administrative and program staff; interested citizens; and low/moderate income families. This Plan would have been an impossibility without the extensive level of input provided by governmental and community agencies, and direction provided by HUD staff. The Annual Action Plan was jointly prepared through the efforts of NEFI, Escambia County's Community & Environment Department, the Pensacola Housing Department and Santa Rosa County's Community Planning, Zoning, and Development Division.

Attachments

[Exhibit I-Summary](#)

[Exhibit II-AI Summary](#)

**ESCAMBIA COUNTY
2012/2013 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG)
PROPOSED BUDGET AND ACTIVITIES DESCRIPTION**

HOUSING REHABILITATION:**FUNDING:****Housing Rehabilitation Program (General)****\$510,500***

Provide assistance for low/moderate income families through Deferred Payment Grants/Deferred Payment Loans/Low Interest Loans, or a combination thereof, for the rehabilitation of 9 substandard homeowner occupied units, optional sanitary sewer connection assistance for lower income owners in targeted areas and related program operating costs. Funds may also be used to provide energy improvements, weatherization and storm protection/mitigation improvements, such as insulation, hurricane shutters/film, rated windows, lead based paint assessment and abatement, and other applicable improvements. (Unincorporated Escambia County)

*All program income from housing rehabilitation loans will be used to rehabilitate substandard homeowner occupied units for low and moderate income families located within unincorporated Escambia County (estimated program income is \$15,000). (Unincorporated Escambia County)

TEMPORARY RELOCATION:**\$20,000**

Funds to provide temporary relocation for families whose dwelling units are being rehabilitated via the County's Housing Rehabilitation Program. (Unincorporated Escambia County)

PROGRAM PLANNING, ADMINISTRATION AND FAIR HOUSING:**General Grant Administration/Management****\$308,554**

Provides for oversight, management, coordination and monitoring of financial and programmatic administration of the CDBG Program and indirect costs (Finance).

Escambia County Community Redevelopment Agency**\$10,000**

Provides support for planning and administrative staffing and operation of the Community Redevelopment Agency which targets designated areas of slum and blight within the County, as well as the County's Enterprise Zone.

Fair Housing**\$18,500**

Support ongoing Community Development Block Grant Fair Housing initiatives in the community.

ESCAMBIA BROWNFIELDS REDEVELOPMENT:**Brownfields Community Redevelopment Project****\$200,000**

Funds allocated for this activity will be used to identify and assess actual or perceived environmental contamination issues, and partially support remediation/redevelopment costs associated with vacant or abandoned commercial properties that have been designated as Brownfield sites and are located within the County's Community Redevelopment Areas (Palafox Corridor, Warrington, Brownsville, Barrancas, and Englewood), the City of Pensacola's Community Redevelopment Areas; the County or City's designated Enterprise Zones; and/or designated Brownfield sites within the County or City. Funds may be used to pay for site evaluations/assessments (including but not limited to: title searches, property surveys, access/utilization agreements, quality assurance project reviews, Phase I & II environmental assessments and Brownfield site assessments), site remediation/clean-up costs and/or public infrastructure related development expenses. Activities will be closely coordinated with other local, Federal or State Brownfield Programs. (Limited to areas of slum and blight as designated by Escambia County or the State of Florida in accordance with Florida law, including designated Brownfield sites).

PUBLIC SERVICES:

Council on Aging of West Florida, Inc. **\$47,000**
Funds support the Council on Aging's Rural Elderly Outreach Program which provides supportive services, including transportation, for approximately 2,000 rural elderly citizens in Cantonment, Century, Davisville and McDavid in Escambia County, Florida. (132 Mintz Lane, Cantonment)

CRA/Neighborhood Restoration Program **\$175,000**
Funds provide staffing and support for targeted community redevelopment, reinvestment, and neighborhood-based initiatives implemented specifically within designated areas of slum and blight in Escambia County, specifically the Warrington, Brownsville, Englewood, Barrancas, and Palafox Corridor Community Redevelopment Areas, as well as County's Enterprise Zone.

DEMOLITION/CLEARANCE

Demolition/Clearance of Unsafe Structures or Properties **\$25,000**
Funds will be used to assist with the elimination of dilapidated, structurally unsound buildings and/or abandoned lots/properties in designated areas of slum and blight, specifically the Warrington, Brownsville, Englewood, Barrancas, Palafox Corridor Community Redevelopment Areas and Century.

PUBLIC FACILITIES AND IMPROVEMENTS:

Fire Hydrants/Water Main Upgrade **\$120,000**
Provides for installation of fire hydrants and adequately sized water supply mains in CDBG Target Area lower income neighborhoods in unincorporated Escambia County (as prioritized locally in conjunction with the utility provider). Should funds remain after completion of these improvements, additional related improvements will be made in other local CDBG eligible areas.

County Facility Handicapped Accessibility Improvement Project **\$50,000**
Completion of Americans with Disabilities Act (ADA) required handicapped accessibility planning, design and improvements to Escambia County public buildings and facilities. (Countywide)

Community Redevelopment Facade Improvement Program **\$0**
Prior year funds will continue to support matching grants not to exceed \$25,000 per commercial business for exterior/facade, streetscape and related improvements along the commercial corridors located in the designated Community Redevelopment Areas (including Warrington, Barrancas, Brownsville, Englewood and the Palafox Corridor), and the County's Enterprise Zone, the boundaries of which are legally defined in the governing CRA and Enterprise Zone designation ordinances and resolutions.

CRA Neighborhood Improvement Project Enhancements **\$200,720**
Funds to provide enhancements in conjunction with other community redevelopment and housing projects located within eligible CDBG low and moderate income Community Redevelopment Areas (CRA) to include street rehabilitation/reconstruction; new or upgraded street lighting; sidewalk construction/reconstruction; sanitary sewer and/or stormwater drainage improvements; and related infrastructure improvements, including those in support of housing development. Priority will be given to projects identified in the Redevelopment Plans for the County designated Community Redevelopment Areas: Warrington, Brownsville, Englewood, Palafox Corridor and Barrancas. Funds may also be utilized to support costs for improvements/enhancements to County owned Senior Citizen Center facilities serving neighborhoods in unincorporated Escambia County. Funds, if any, remaining after completion of CRA priorities may be expended in other CDBG eligible neighborhoods.

Redevelopment Area Neighborhood Renewal Incentive/Initiative **\$0**
 Until exhausted, prior year funds will be provided for small scale community based, volunteer projects targeting improvements to public right-of-way, neighborhood beautification and enhancement activities carried out in locally designated areas of slum and blight, specifically the Warrington, Brownsville, Englewood, Barrancas, and Palafox Corridor Community Redevelopment Areas.

TOTAL 2012 ESCAMBIA COUNTY CDBG FUNDS PROJECTED **\$ 1,685,274**
=====

ESCAMBIA CONSORTIUM
2012-2013 HOME INVESTMENT PARTNERSHIPS ACT (HOME)
PROPOSED BUDGET AND ACTIVITIES DESCRIPTION
FOR MEMBER JURISDICTIONS

RECOMMENDED PROGRAM ACTIVITIES **FUNDING**

ESCAMBIA COUNTY:
SUBSTANTIAL HOUSING REHABILITATION/RECONSTRUCTION **\$410,192**

Provide assistance for low/moderate income families through Deferred Payment Grants/Deferred Payment Loans/Low Interest Loans, or a combination thereof, for the substantial rehabilitation or reconstruction of approximately 4 to 5 severely substandard homeowner occupied housing units. (Escambia County)

CITY OF PENSACOLA:
SUBSTANTIAL HOUSING REHABILITATION/RECONSTRUCTION **\$205,158**

Provide assistance for low/moderate income families through Deferred Payment Grants/Deferred Payment Loans/Low Interest Loans, or a combination thereof, for the substantial rehabilitation or reconstruction of approximately 2-3 severely substandard homeowner occupied housing units. (City of Pensacola)

SANTA ROSA COUNTY:
HOMEBUYER ASSISTANCE **\$150,368**

Provide down payment/closing cost or second mortgage (gap financing) assistance, through Deferred Payment Grants, Deferred Payment Loans, Low Interest Loans, or a combination thereof, to enable low/moderate income homebuyers to purchase an affordable home. It is estimated that this funding will assist 13-15 families. (Santa Rosa County)

JOINT HOME ACTIVITIES (CONSORTIUM-WIDE):
RENTAL HOUSING DEVELOPMENT (CHDO SET-ASIDE) **\$153,144**

Provide low interest and/or deferred loan assistance to partially support the costs for development of approximately 2 affordable rental, special needs or homeless housing units through activities of locally designated non-profit Community Housing Development Organizations (CHDO's) in Escambia or Santa Rosa County.

ADMINISTRATION/MANAGEMENT (JOINT) **\$102,095**

Provides for oversight, management, monitoring and coordination of financial and general administration of the HOME Program in all participating jurisdictions.

2012 HOME Funds Available to the Consortium (FINAL) \$ 1,020,957
 (Local match provided through limited SHIP funds and carry forward match balance)

TOTAL 2012 HOME FUNDS PROJECTED **\$ 1,020,957**
=====

Introduction

The purpose of the *Analysis of Impediments to Fair Housing* is to review the housing choices in the jurisdiction to determine whether those choices are available to all. The Fair Housing Act specifies that housing occupancy shall not be affected by **race, color, religion, sex, familial status, disability, or national origin.**

The Escambia Consortium is preparing this Analysis in order to "affirmatively further fair housing" as required by three HUD programs in which it participates: the Community Development Block Grant Program, the HOME housing program, and the Emergency Shelter Grant Program. The funding for the Analysis came from the first two programs. The Escambia Consortium consists of Escambia County, the City of Pensacola, Santa Rosa County, and the City of Milton.

The Analysis includes a demographic profile of the entities' population and housing market, research to determine the current fair housing status in the consortium, an identification of impediments, and recommended actions to address/eliminate impediments. A schedule for the recommended actions is also included.

The Consortium prepared this Analysis with assistance from Florida Planning Group, Inc. Escambia County's Neighborhood Enterprise Foundation will continue to maintain records concerning fair housing activities, and will be responsible for carrying out the corrective actions and monitoring and evaluating their progress and effectiveness. Monitoring of the progress in carrying out the recommended actions will be incorporated into the County's CDBG program monitoring process.

Recommended Actions

The findings identified in the previous section have revealed the need for several actions on the part of the Escambia Consortium in order to address and remedy the impediments to fair housing choice. The following actions are recommended, with identified timetables for implementation. All of the actions are to be undertaken by the lead agency of the Consortium, Escambia County's Neighborhood Enterprise Foundation, in cooperation with identified program partners.

1. The Neighborhood Enterprise Foundation (lead agency of the Consortium) web site should display information concerning fair housing. This should include as much as possible of the following: links or references to the Escambia-Pensacola Human Relations Commission; a link to HUD's housing discrimination web page and other fair housing web resources; and the phone number of the HUD hotline fair housing information.

Addresses finding number 1.

Timetable: Begin work with IT provider in October 2012. Implement by October 2013.

2. The increase in Spanish-speaking residents, while much slower than other parts of Florida, has provided the Consortium with more time to prepare tools to address the possible language barrier. The Consortium's member entities should monitor the growth of this population in order to provide brochures, translation services, etc. when needed.

Addresses finding number: 2

Timetable: Revisit population statistics in mid-2014 and annually thereafter.

3. HMDA data has revealed that credit history (African-Americans) and unverifiable information (Hispanics) are the two primary reasons for mortgage loan denials for these groups. Consortium staff should consult with lenders and discuss whether there are steps that can be taken to prepare and/or assist applicants with these issues.

Addresses finding number: 3

Timetable: March 2013

4. The Escambia-Pensacola Human Relations Commission web site has no Spanish-language content. Although the area's Spanish-speaking population is not large, they may still require assistance with fair housing. The Commission should be asked to add information in Spanish, even if just a reference to HUD's Spanish language information. (A link to HUD information and discrimination complaint form is: <http://portal.hud.gov/hudportal/documents/huddoc?id=903-a.pdf>)

HUD forms, brochures, and webcasts are available in many languages at: [http://portal.hud.gov/hudportal/HUD?src=/program offices/fair housing equal opp/promoting_fh/lep](http://portal.hud.gov/hudportal/HUD?src=/program_offices/fair_housing_equal_opportunity/promoting_fair_housing/lep)

Addresses finding number: 4

Timetable: July 2014

5. Fair Housing complaints concerning disability can be addressed by increasing the visibility and information to landlords concerning reasonable accommodation. The Pensacola Association of Realtors and the Human Relations Commission should be asked to provide increased emphasis on this subject in their trainings. In addition, since both Santa Rosa and Escambia are home to military bases, the poster showing a disabled veteran (see Appendix) should be distributed.

Addresses finding number 5

Timetable: January 2013

6. Housing discrimination surveys have recently been undertaken by the Escambia Consortium (in 2010) and the Human Relations Commission (in 2011). Preparers of the surveys should meet to compare results and determine what patterns and/or consistent information have been reflected in the surveys. Discussions should include ideas for addressing the patterns.

Addresses finding number 6

Timetable: December 2013

7. The *Pensacola News Journal* provides information on fair housing, but the online version does not. Newspaper readership is increasingly an online function; therefore, the online versions should contain the same important information as the print versions. Adding fair housing information to the online version may prove to be difficult, as the online homebuyer section is provided by HomeFinder.com, and the rental section is provided by Apartments.com. Nonetheless, the *Journal* should be requested to provide the fair housing logo and information.

Addresses finding number 7

Timetable: October 2012

ANALYSIS OF IMPEDIMENTS - SUMMARY MATRIX

IMPEDIMENTS TO BE ADDRESSED (Listed in the order shown on the previous pages)	GOALS (What do you hope to achieve?)	STRATEGIES TO MEET THE GOALS (How will you achieve your goals?)	RESPONSIBLE ENTITIES ASSIGNED TO MEET GOALS	BENCHMARK (In which ConPlan year do you plan to achieve this?)	PROPOSED INVESTMENT (Amount and funding source)	YEAR TO BE COMPLETED	DATE COMPLETED	IF THE IMPEDIMENT WAS NOT ADDRESSED, PROVIDE AN EXPLANATION AS TO WHY AND WHEN
The Escambia County and Neighborhood Enterprise Foundation web sites contain no specific information concerning fair housing.	Better/easier access to information for both residents and housing providers.	The Neighborhood Enterprise Foundation (lead agency of the Consortium) web site should display information concerning fair housing. This should include as much as possible of the following: links or references to the Escambia-Pensacola Human Relations Commission; a link to HUD's housing discrimination web page and other fair housing web resources; and the phone number of the HUD hotline fair housing information.	Escambia Consortium	2013	Staff time. Could also include time expended by IT staff which may need to be covered on an hourly basis by CDBG program funds.	2013		
No specific attention or programs have been implemented for the Spanish-speaking population.	Being prepared to provide services as the Spanish-speaking population increases.	The Consortium's member entities should monitor the growth of this population in order to provide brochures, translation services, etc. when needed.	Escambia Consortium	2014	Staff time.	2014		
HMDA data for Escambia County has revealed that credit history (African-Americans) and unverifiable information(Hispanics) are the two primary reasons for mortgage loan denials for these groups.	Residents to be better prepared when applying for mortgage loans.	Consortium staff should consult with lenders and discuss whether there are steps that can be taken to prepare and/or assist applicants with these issues.	Escambia Consortium	2013	Staff time.	2013		

ANALYSIS OF IMPEDIMENTS - SUMMARY MATRIX

<p>The Escambia-Pensacola Human Relations Commission web site, containing fair housing information, is only in English.</p>	<p>Better information availability for Spanish-speaking residents.</p>	<p>The Commission should be asked to add information in Spanish, even if just a reference to HUD's Spanish language information.</p>	<p>Escambia-Pensacola Human Relations Commission</p>	<p>2014</p>	<p>Staff time.</p>	<p>2014</p>		
<p>Fair housing complaints are predominantly disability-related.</p>	<p>Increased awareness of the Fair Housing Act as it relates to disability and reasonable accommodation.</p>	<p>The Pensacola Association of Realtors and the Human Relations Commission should be asked to provide increased emphasis on this subject in their trainings. In addition, since both Santa Rosa and Escambia are home to military bases, the poster showing a disabled veteran (should be distributed.</p>	<p>Escambia Consortium, Pensacola Assn. of Realtors, and the E-P Human Relations Commission.</p>	<p>2013</p>	<p>Staff time.</p>	<p>2013</p>		
<p>Fair housing surveys have provided interesting results.</p>	<p>Coordination of agency efforts.</p>	<p>Preparers of the surveys should meet to compare results and determine what patterns and/or consistent information have been reflected in the surveys. Discussions should include ideas for addressing the patterns.</p>	<p>Staff from Escambia Consortium and Escambia-Pensacola Human Relations Commission</p>	<p>2013</p>	<p>Staff time.</p>	<p>2013</p>		
<p>The real estate sections of the online version of the Pensacola News-Journal, the newspaper of general circulation, does not contain the fair housing logo or any narrative concerning fair housing.</p>	<p>Visible commitment to fair housing by the newspaper and advertisers.</p>	<p>The online versions should contain the same important information as the print versions. The <i>Journal</i> should be requested to provide the fair housing logo and information about fair housing.</p>	<p>Escambia Consortium</p>	<p>2012</p>	<p>Staff time.</p>	<p>2012</p>		



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2983

County Administrator's Report 11. 14.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Issue Task Order to Atkins North America, Inc., for the Mahogany Mill Boat Ramp Project

From: Keith Wilkins, REP, Department Director

Organization: Community & Environment

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Issuance of a Task Order to Atkins North America, Inc., for the Mahogany Mill Boat Ramp Project - Keith Wilkins, REP, Community & Environment Department Director

That the Board approve the issuance and authorize the County Administrator to execute a Task Order to Atkins North America, Inc., for the Mahogany Mill Boat Ramp Project, for a not-to-exceed amount of \$84,784.16, on Contract PD 02-03.79, "Professional Services", for construction, engineering, inspection (CEI), and project management services.

[Funding Source: Fund 001, General Fund, Cost Center 220101, Admin Neighborhood & Environment, Object Code 56301, Project NRDA1201]

BACKGROUND:

This project is conducted under the Natural Resources Damage Assessment Recovery Program (NRDA) to offset losses to human use of our water resources resulting from the BP Deepwater Horizon Oil Spill. Escambia County and the Florida Department of Environmental Protection entered a Memorandum of Understanding allowing for Escambia County to be reimbursed for construction, engineering and inspection (CEI) services. Under this task order, the consultant (Atkins) will provide CEI and project management services for the Mahogany Mill Road Upgrades and Boat Ramp Project.

BUDGETARY IMPACT:

Fund 001, Cost Center 220101, Admin Neighborhood & Environment, Cost Center 56301, Project NRDA1201.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is in compliance with the provisions of the Code of Ordinances of Escambia County, Florida, Chapter 46, Finance, Article II, Purchases and Contracts.

IMPLEMENTATION/COORDINATION:

Community & Environment Department staff will coordinate this project with Public Works Department, Engineering Division.

Attachments

Scope and Fee Schedule

**ESCAMBIA COUNTY ENGINEERING DEPARTMENT
CAPITAL IMPROVEMENT PROJECTS - REQUEST FOR FUNDS**

Project Name: Mahogany Mill Boat Ramp
 Project ID: ENG 1652
 Location: _____
 Expedition Name: _____
 Project Manager: Kirk Kassebaum
 Date: 7/18/2012

(Handwritten initials: KK)

(Handwritten signature: Jay Jones 7/18/12)
 Signature Approval, Division Chief

This section to be completed by Project Managers:

DESCRIPTION OF REQUEST

CEI services for this NRDA funded construction project. Contract for 365 days.

Attached backup documentation 4 page (s); Not including copies
 Time shall be (increased/decreased) by _____ calendar days. New completion date is _____

	Obligated	Required
Balance of CIP Project	\$ _____	\$ _____ -
Funds for Original Construction Contract	\$ _____	\$ _____ -
Funds for Construction Change Order # _____	\$ _____	\$ _____ -
Contract PD _____ Contractor: _____		
Funds for Original Task Order		
Funds for Addendum # _____	\$ _____	\$ _____ -
Task Order PD _____ Consultant: _____	\$ _____	\$ _____ -
Funds for Original Work Order		
Funds for Change Order # _____ to the Work Order	\$ _____	\$ _____
Contract PD _____ Contractor: _____	\$ _____	
Funds for Contingency	\$ _____	\$ _____
Funds for Permit Fees	\$ _____	\$ _____ -
Funds for Land Purchases	\$ _____	\$ _____ -
Funds for Title Work	\$ _____	\$ _____ -
Contract PD _____ Contractor: _____		
Funds for CEI services	\$ _____	\$ 84,784.16
New Balance of CIP Project	\$ _____	\$ _____

This section to be completed by Administration to accomplish fund transfer:

From:	Fund	Project #	Amount
_____	_____	_____	\$ _____
_____	_____	_____	\$ _____
To:	Fund	Project #	Project Name
_____	_____	_____	_____
_____	_____	_____	_____
			Transfer
			\$ _____

County Engineer _____ Transferred by _____ Transfer Date _____

Posted to Expedition _____
 Date: _____

File name _____



Atkins North America, Inc.
2639 North Monroe Street, Building C
Tallahassee, Florida 32303-4027

Telephone: +1.850.575.1800
Fax: +1.850.575.0105

www.atkinsglobal.com/northamerica

July 17, 2012

Escambia County Engineering
3363 W. Park Place
Pensacola, Florida 32505

Attn: Kirk Kassebaum

**SUBJECT: REQUEST FOR PROPOSAL – CONSTRUCTION ENGINEERING INSPECTION
FOR MAHOGANY MILLS DOCK (REVISED)**

Mr. Kassebaum:

Atkins is pleased to be able to provide the attached fee proposal for the subject Natural Resource Damage Assessment Early Restoration Project. Atkins will provide the services, documentation and deliverables as detailed in the FDEP Scope of Services and Contract between FDEP and Escambia County. All related Federal, State and Local rules and regulations will be adhered to by Atkins in the performance of our services.

Attached please find the Atkins fee proposal to perform construction engineering and inspection (CEI) for the subject project.

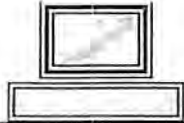
The project will include a Senior Project Engineer working a total of 50 hours, a Senior Inspector working 100% per month and an Asphalt Plant Inspector working 80 hours. The project is 8 months with a man month being 165 hours.

Position	Work Load	Months	Hours
Senior Project Engineer			50 Hours
Inspector	100%	8	100% x (8 x 165) =1320 Hours
Asphalt Plant Inspector			80 Hours

Please do not hesitate to contact me at 850.596.7392 (harry.wood@atkinsglobal.com), if you have any questions.

Sincerely,

Harry L. Wood
Associate Vice President



Go to DBB
sheet

FEE SUMMARY

CREATE
TABLES



CONTRACT DETAIL	CONSULTANT TOTALS	CONTRACT TOTAL
-----------------	----------------------	-------------------

Atkins North America Field Office

Labor(Unloaded)	\$	35,071.42
Overhead %	124.68% \$	43,727.05
Operating Margin %	12.00% \$	4,208.57
FCCM %	0.849% \$	297.76
Loaded		
Premium O/T	\$	1,479.36
Expense %	-	
Other Expense		
CONSULTANT COST:	\$	<u>84,784.16</u>

SUBCONSULTANTS

84,784.16

Updated Info

Mid/Yrs: Mid

Transfer to Salary Analysis

EMPLOYEE INFORMATION

CONSULTANT	EMPLOYEE NAME	POSITION			PROPOSED			NEG. SALARY
		NAME	#	COMP. ELEMENT	WEIGHT FACTOR	CLASS	AVG.	
Atkins North America Field Office	Eric Rosenstein	CEI Senior Project Engineer		Basic Services - L		\$ 50.51	\$ 50.51	\$ 50.51
Atkins North America Field Office	Richard Smith	CEI Senior Inspector/Senior Engineer		Basic Services - L		\$ 21.08	\$ 21.08	\$ 21.08
Atkins North America Field Office	Melvin Skipper	CEI Inspector/Engineer Intern		Basic Services - L		\$ 22.02	\$ 22.02	\$ 22.02

WORK EFFORT



UNLOADED

Name of Prime Consultant Atkins North America Field Office

Consultant	Staff Classification	Element	OT	Midpoint			Rate	Hours	Cost	Rate	Hours	Cost	Rate	Hours	Cost
				Rate	Hours	Cost									
Atkins North America Field Office	CEI Inspector/Engineer Intern	Basic Services - LA	<input checked="" type="checkbox"/>	\$ 22.02	30	\$ 1,761.60									
Atkins North America Field Office	CEI Senior Inspector/Senior Engineer Intern	Basic Services - LA	<input checked="" type="checkbox"/>	\$ 21.08	132	\$ 2,782.56									
Atkins North America Field Office	CEI Senior Project Engineer	Basic Services - LA	<input type="checkbox"/>	\$ 30.51	750	\$ 2,288.25									
			<input type="checkbox"/>												
			<input type="checkbox"/>												
			<input type="checkbox"/>												
			<input type="checkbox"/>												
			<input type="checkbox"/>												
			<input type="checkbox"/>												



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-2995

County Administrator's Report 11. 15.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Change Order 2 to Purchase Order 120016 to Ward International Trucks, LLC

From: Mike Weaver, Department Director

Organization: Public Safety

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Change Order Number 2 to Purchase Order 120016 to Ward International Trucks, LLC, for Public Safety's Ambulance Fleet Repair and Maintenance - Michael D. Weaver, Public Safety Department Director

That the Board approve and authorize the County Administrator to execute the following Change Order Number 2 adding funds for the repair and maintenance of the Public Safety Department's ambulance fleet through the balance of the Fiscal Year:

Department:	Public Safety
Division:	Emergency Medical Services
Type:	Addition
Amount:	\$70,000.00
Vendor:	Ward International Trucks, LLC
Project Name:	N/A
Contract:	N/A
PO No.:	120016
CO No.:	2
Original Award Amount:	\$ 97,000.00
Cumulative Amount of Change Orders through this CO:	\$ 88,000.00
New P.O. Total	\$185,000.00

[Funding Source: Fund 408, Emergency Medical Services, Cost Center 330302, EMS Operations]

BACKGROUND:

In its meeting held September 15, 2011, the Board authorized issuance of blanket purchase orders to Ward International, LLC, for \$115,000 and to ECAT for \$63,000, for repair and maintenance of Public Safety's ambulance fleet for Fiscal Year 2011-12. The resulting Purchase Order to Ward, 120016, was initially issued for \$97,000. Change Order Number 1 was subsequently issued to increase the Purchase Order total to the Board authorized amount. The Purchase Order to ECAT has recently been closed and the balance unencumbered. The

recommended Change Order will add the funds formerly encumbered on the ECAT Purchase Order and an amount to total that estimated to be needed for the balance of the current fiscal year. The amount expended through purchase orders issued for repairs and maintenance of ambulances in Fiscal Year 2010-11 to these same vendors totaled \$182,469.

BUDGETARY IMPACT:

Funds are available in Fund 408, Emergency Medical Services, Cost Center 330302, EMS Operations.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is in compliance with the provisions of the Code of Ordinances of Escambia County, Florida, Chapter 46, Finance, Article II, Purchase and Contracts.

IMPLEMENTATION/COORDINATION:

Upon approval of this recommendation, a Change Order will be transmitted to the Office of Purchasing for processing.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3013

County Administrator's Report 11. 16.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Issuance of Purchase Orders in Excess of \$50,000

From: Gordon Pike, Department Head

Organization: Corrections

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Purchase Orders in Excess of \$50,000 - Gordon C. Pike,
Corrections Department Director

That the Board approve the issuance of a Purchase Order to Gulf Coast Office Products and a Purchase Order to Innerspace Architectural Interiors, the totals of which exceed \$50,000, as provided below:

<u>Vendor/Contractor</u>	<u>Amount</u>
A. Gulf Coast Office Products Vendor # 072702 Fund: 114 Cost Center: 290301	\$150,000
B. Innerspace Architectural Interiors Vendor # 090663 Fund: 114 Cost Center: 290301	\$150,000

REPLACEMENT RECOMMENDATION TO BE SUBMITTED PRIOR TO MEETING.

BACKGROUND:

Due to the severe flooding on June 9, 2012 the Corrections Department, Community Corrections Division offices were flooded and all contents located in the downstairs area were damaged beyond repair.

BUDGETARY IMPACT:

Funding is budgeted in the fund and cost centers listed.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is in compliance with Code of Ordinances of Escambia County, Florida, 1999, Chapter 46, Finance, Article II, Purchases and Contracts.

IMPLEMENTATION/COORDINATION:

The Department will issue purchase requisitions upon approval by the Board of County Commissioners.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3032

County Administrator's Report 11. 17.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Federal Elections Activities Funds FY 12/13

From: Michael Hardin

Organization: Escambia County Super. of Elections

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Federal Elections Activities Grant Funding for the Office of the Supervisor of Elections - David H. Stafford, Supervisor of Elections

That the Board take the following action concerning Federal Elections Activities Grant Funds from the Department of State:

A. Certify that the County will match State Grant funds with \$7,937.95 from the Supervisor of Elections' Budget; and

B. Authorize the Chairman to sign the Certificate Regarding Matching Funds.

In order to receive the Federal Elections Activities funds, the Legislature has required that the Chairman of the Board of County Commissioners certify that the County will match the State funds with a 15% County match. Both the State funds and the County matching funds must be held in a separate account to be used solely for activities relating to Federal Elections. The required match for this Grant is \$7,937.95. The match is included in the Supervisor of Elections' Fiscal Year 2011/2012 Budget under Cost Center 550101 and various Object Codes.

BACKGROUND:

The 2012 Legislature appropriated \$3,000,000 specifically for federal elections activities. These funds will be distributed to the Supervisor of Elections pursuant to a formula based on active registered voters in each county as of the 2012 Presidential Preference Primary Election, as certified by the Department of State. The amount for Escambia County is \$52,919.69. The Legislature specified that these funds could be used for activities relating to federal election activities.

BUDGETARY IMPACT:

In order to receive the federal elections activities funds, the Legislature has required the Chairman of the Board of County Commissioners certify that the county will match the state funds with a 15% county match. Both the state funds and the county matching funds must be held in a separate account to be used solely for activities relating to federal elections. The required match for this grant is \$7,937.95. The match is included in the Supervisor of Elections' FY 11/12 Budget under cost center 550101 and various object codes.

LEGAL CONSIDERATIONS/SIGN-OFF:

The documentation has been reviewed and approved by the County Legal Department.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

No county Supervisor of Elections shall receive funds pursuant to the agreement until the Board of County Commissioners certifies to the Department that the county will provide matching funds in an amount equal to 15% of the amount to be received by the state.

IMPLEMENTATION/COORDINATION:

This agreement will be implemented by the Supervisor of Elections.

Attachments

Memorandum & Certificate Regarding Matching Funds




FLORIDA DEPARTMENT OF STATE

RICK SCOTT
Governor

KEN DETZNER
Secretary of State

12 JUL 24 9:21 AM

MEMORANDUM

To: Supervisors of Elections 
From: Dr. Gisela Salas, Director, Division of Elections
Date: July 16, 2012
Subject: FY 2012-13 Federal Election Activities Funds

The 2012 Legislature appropriated \$3,000,000 specifically for federal election activities. These funds will be distributed to the Supervisors of Elections pursuant to a formula based on active registered voters in each county as of the 2012 Presidential Preference Primary.

Funds received pursuant to this Agreement may be spent for any of the following purposes relating to federal election activities:

- Voter education;
- Poll worker training;
- Standardizing election results reporting; or
- Other federal election administration activities, as approved by the Department of State, such as implementing and maintaining the provisions of the Military and Overseas Voter Empowerment (MOVE) Act and the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA); or
- Any software or hardware technology, including but not limited to any emerging technology, that enhances or facilitates the delivery of absentee ballots, the casting and counting of valid votes, voting system audits or recount processes, and the certification of accurate and complete official election results. Such technology or any pilot program that uses such technology must first be certified or approved, whichever is applicable, by the Department of State.

These are the acceptable uses for the funds under the categories listed above:

- Mailing or publishing sample ballots *which must include additional information on voting procedures, voting rights or voting technology;*

Division of Elections

R.A. Gray Bldg., Rm. 316 • 500 S Bronough St. • Tallahassee, Florida 32399-0250
Telephone: (850) 245-6200 • Facsimile: (850) 245-6217 elections.myflorida.com
Commemorating 500 years of Florida history www.fl500.com



FY 2012-2013 Federal Election Activities Funds

July 16, 2012

Page 2 of 3

- Voter information cards ***which must include additional voter education information on voting procedures, voting rights or voting technology;***
- Advertising or publications outlining voting procedures, voting rights or voting technology;
- Voting System demonstrations;
- Poll worker ***training*** stipends;
- Training materials for poll workers;
- Voter guides, ***which must include voter education information concerning voting procedures, voting rights, or voting technology but shall not contain elected officials' contact information other than the supervisor's contact information;*** or
- Maintaining online or web-based absentee ballot request and ballot tracking and precinct-finder system as relates to use in federal elections and for the costs for upgrades and future license fees and maintenance fees for the MOVE Act and other UOCAVA expenditures.
- Any software or hardware technology, including but not limited to any emerging technology, that enhances or facilitates the delivery of absentee ballots, the casting and counting of valid votes, voting system audits or recount processes, and the certification of accurate and complete official election results. Such technology or any pilot program that uses such technology must first be certified or approved, whichever is applicable, by the Department of State.

These funds must be used to support election activities related only to federal elections (that is, elections in which a federal candidate is on the ballot). If any of the funds are used for an election in which a federal candidate is not on the ballot, the cost must be pro-rated for the portion of the expenditure that is allocable to federal elections. Any of these funds can be used for the 2012 Presidential Preference Primary, Primary Election and General Election.

In order to receive the funds, the Legislature has required that the Supervisor of Elections provide the Department of State with a detailed description of the programs that will be implemented in the Supervisor's federal election activities plan. The Supervisor shall identify the source of funds (federal funds, county matching funds, other county funds/local) being used for each federal election activity set forth in the plan. ***Samples of any documents and/or publications that you plan to produce as part of these activities must be provided along with the plan.***

The Division has enclosed a federal election activities plan form, required to be used when submitting the plan. It will simplify the preparation of your plan, and it will expedite the Division's review and allow your check to be mailed to you more quickly. Simply place an X in the box for the programs that you plan to carry out this fiscal year, and place an X in the box for the topics that apply to each activity. Please also put an X in the appropriate boxes indicating which funds will be used for each activity.

FY 2012-2013 Federal Election Activities Funds
July 16, 2012
Page 3 of 3

There is no need to enter specific dollar amounts on the plan. The dollar amounts will be addressed when you submit your annual financial report due December 31, 2012.

Please also note, the 2012 Legislature included the following requirement in the appropriation. ***Supervisors shall also report to the Department any unspent funds remaining on June 30, 2013.*** We will send out the reporting form in mid-July this year. If you need to make any changes to your original plan, the revised plan must be submitted in advance, in writing and approved by the Department of State.

As a reminder, the Chairman of the Board of County Commissioners will be required to provide written certification that the county will match the state funds with a 15% county match. If the county governing body fails to appropriate the matching funds, the Supervisor must return or repay to the State a portion of the funds for which the matching funds applied. Both the federal funds and the county matching funds must be held in a separate interest bearing account to be used solely for federal election activities purposes.

Enclosed are the following documents:

1. Memorandum of Agreement, Receipt and Use of HAVA Funds for Federal Election Administration Activities, MOA #2012-2013-0001 (required to be signed by the Supervisor of Elections);
2. Attachment A, Compliance Requirements;
3. Attachment A-1, Federal Election Activities Plan, form DS-DE 126 (required to be completed and returned by the Supervisor of Elections);
4. Attachment A-2, Certificate Regarding Matching Funds, form DS-DE 127 (required to be signed by the Chairman of the Board of County Commissioners);
5. Attachment A-3, Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions, ED form GCS-009 (required to be signed by the Supervisor of Elections);
6. Attachment B, FY 2012-13 Federal Election Activities Funds Spreadsheet.

Please return all of these documents to the Division of Elections. You will be provided a copy of the agreement upon execution by the Division.

If you have any questions, please don't hesitate to contact me or the HAVA team.

GS/jd/ma

Enclosures

MEMORANDUM OF AGREEMENT
RECEIPT AND USE OF HAVA FUNDS
FOR FEDERAL ELECTION ADMINISTRATION ACTIVITIES

This agreement is between the State of Florida, Department of State, Division of Elections (“Department”), R.A. Gray Building, 500 South Bronough Street, Tallahassee, FL 32399-0250 and The Honorable David H. Stafford, Supervisor of Elections (“Supervisor”), on behalf of Escambia County, P.O. Box 12601, Pensacola, FL 32591-2601. This agreement is effective as of the date fully executed by the parties.

I. GOVERNING LAW

The Department is authorized pursuant to specific appropriation 3134 of the 2012-2013 General Appropriations Act (see section 6, chapter 2012-118 Laws of Florida), to disburse a total of \$3,000,000 from the Federal Grants Trust Fund (HAVA Account # 261011) to the county supervisors of elections for the fiscal year 2012-2013 (“FY 2012-2013 funds”). Therefore, funds are made available through section 251 of the Help America Vote Act of 2002 (HAVA) and the Catalog of Federal Domestic Assistance (CFDA) 90.401, Help America Vote Act Requirements Payments for improving the administration of federal elections.

II. SCOPE OF USE AND RESTRICTIONS

As more specifically set forth in **paragraph 1 of Attachment A**, which is hereby incorporated by reference, the funds granted shall be used for federal election administration activities.

- These funds shall be used to support election activities related only to federal elections (that is, elections in which a federal candidate is on the ballot). If any of these funds are used for an election in which a federal candidate is not on the ballot, the cost must be pro-rated for the portion of the expenditure that is allocable to a federal election. These funds shall not be used to support state or federal lobbying activities but this does not affect the right, or that of any other organization to petition Congress, or any other level of Government, through the use of other resources.
- Prior to receiving FY 2012-2013 funds, the Supervisor must first submit in accordance with **paragraph 2 of Attachment A**: 1) A Federal Election Activities plan (DS-DE 126, Revised 7/5/2011] that details the planned use of the funds; 2) Certification from the county governing body to provide matching funds equal to 15% of the HAVA funds received, [DS-DE 127, Revised 7/5/2011; and 3) Certification Regarding Debarment, Suspension, Ineligibility and Voluntary Exclusion Lower Tier Covered Transactions form. Any change, modification or deviation from the activities or expenses initially provided in the plan for use of the funds must be reviewed and approved by the Department prior to expenditure.
- The FY 2012-2013 funds shall be placed in a separate interest bearing account in a qualified public depository as set out in section 280.03, Florida Statutes, and in

accordance with accounting requirements as set forth in paragraphs 3 and 4 of **Attachment A**.

- The Supervisor shall report and account for expenditures in accordance with this agreement and specifically paragraphs 5 and 6 of **Attachment A**.

III. DISBURSEMENT

The Department shall distribute to each eligible county supervisor of elections an amount equal to the funding level per voter multiplied by the number of active registered voters in the county for the 2012 Presidential Preference Primary. The Department shall determine the funding level per voter in the state based on that information. The Supervisor shall receive a sum certain as outlined in **Attachment B**, incorporated by reference.

IV. MONITORING, AUDITS, AND REPORTING

The administration of resources awarded to the Supervisor is subject to monitoring, audits, and reporting as described herein.

A. Monitoring

In addition to reviews of audits conducted in accordance with OMB Circular A-133 (as revised), the Department may provide additional monitoring including on-site visits, and/or other procedures permitted under federal and state law. The Supervisor shall comply and cooperate with any monitoring procedures/processes the Department deems appropriate.

The Department shall closely monitor the Supervisors' annual expenditure reports required by paragraph 5 of **Attachment A** to ensure that the Supervisors expend HAVA funds in accordance with approved plans and will require reimbursement for all expenditures not approved or otherwise authorized. Also, the Department shall ensure that Supervisors report the expenditures made with HAVA funds separately from expenditures made with county funds.

B. Audits

1. Federal audit/OMB Circular A-133 (as revised)

If the Supervisor expends \$500,000 (\$300,000 for fiscal years ending before December 31, 2003) or more in federal awards in its fiscal year, a single or program-specific audit must be conducted in accordance with the provisions of OMB Circular A-133 (as revised). This may be satisfied by an audit of the Supervisor of Elections conducted by the Auditor General in accordance with OMB Circular A-133 (as revised). In determining the federal awards expended in its fiscal year, the Supervisor shall consider all sources of federal awards. **Attachment A** indicates federal resources are being awarded under this Agreement. The determination of amounts of federal awards expended shall be in accordance with the guidelines established by OMB Circular A-133 (as revised). In connection with an audit herein, the Supervisor shall fulfill the requirements relative to auditee responsibilities as provided in Subpart C of OMB Circular A-133 (as revised).

If the Supervisor expends less than \$500,000 (\$300,000 for fiscal years ending before December 31, 2003) in federal awards in its fiscal year, an audit pursuant to OMB Circular A-133 (as revised), is optional. If the Supervisor elects to have an audit conducted in accordance with the provisions of OMB Circular A-133 (as revised), the cost of the audit must be paid from non-federal resources (i.e., from sources other than federal entities).

2. Other audits

The Department may conduct a limited scope audit of federal funds as defined by OMB Circular A-133 (as revised) or other financial analysis or review of federal funds as permitted by federal law. In the event the Department determines that such audit analysis, or review is appropriate, the Supervisor agrees to comply with any additional instructions provided by Department staff to the Supervisor regarding such process. If the Department determines that federal funds received under this Agreement were used for any unauthorized purpose or that the Supervisor did not comply with this agreement or state or federal requirements for receipt, expenditure, or accounting, the Supervisor must return or repay these federal funds in an amount sufficient to ensure or obtain compliance, including expenses for any corrective or remedial action. Additionally, the Department may withhold funds, otherwise due, in an amount sufficient to cover any costs associated with the limited scope audit or financial analysis or review to determine or ensure compliance.

The Supervisor further agrees to comply and cooperate with any inspections, reviews, investigations, or audits of federal funds deemed necessary by the Department of State, Chief Financial Officer (CFO) or Auditor General.

For additional guidance to state and federal monitoring and auditing requirements, refer to: <http://election.dos.state.fl.us/hava/index.shtml> and <http://www.eac.gov>.

C. Reporting

Copies of financial reporting packages as described in section .320(c), OMB A-133 (as revised) for audits conducted by or on behalf of the Supervisor pursuant to Section IV.B.1 of this agreement, shall be submitted as required by sections .320(d) of such circular to:

<i>Department of State</i>	<i>Department of State</i>	<i>Auditor General's Office</i>	<i>Federal Audit</i>
<i>Division of Elections</i>	<i>Office of Inspector General</i>	<i>Room 401, Pepper Bldg</i>	<i>Clearinghouse</i>
<i>R.A. Gray Building, Ste 316</i>	<i>R.A. Gray Bldg., Rm 114A</i>	<i>111 West Madison St.</i>	<i>Bureau of the Census</i>
<i>500 S. Bronough St.</i>	<i>500 S. Bronough Street</i>	<i>Tallahassee, FL</i>	<i>1201 East 10th St.</i>
<i>Tallahassee, FL 32399-0250</i>	<i>Tallahassee, FL 32399-0250</i>	<i>32399-1450</i>	<i>Jeffersonville, IN 47132</i>

Other Federal agencies and pass-through entities in accordance with Sections .320 (e) and (f), OMB Circular A-133 (as revised).

Any reports, management letter, or other required information shall be submitted timely in accordance with OMB Circular A-133 (as revised), the Florida Single Audit Act, and Chapters 10.550 (local governmental entities) or 10.650 (nonprofit and for-profit organizations), Rules of the Auditor General, as applicable. When submitting financial reporting packages to the Department for audits conducted in accordance with the aforementioned circular or Rules of the Auditor General, the Supervisor shall include within the information the date the Supervisor received the reporting package.

V. RECORD RETENTION

The Supervisor shall keep and maintain accurate and detailed records (e.g., invoices, receipts, and other documentation) sufficient to identify how and whether expenditures were used for authorized purposes, to support financial reporting, and to conduct audits as may be required or requested. The Supervisor shall retain these records for five fiscal years in accordance with the guidelines of the Department of Financial Services and the Office of the Auditor General, or three years after the date an audit report is issued, whichever is later. The Supervisor shall allow the Department or its designee, CFO, or Auditor General access to such records, including the audit working papers upon request.

Failure to provide adequate documentation shall result in a request to return the funds to the Department.

VI. ENTIRETY OF THE AGREEMENT

All terms and conditions of this agreement are fully set forth in this document and attachments incorporated by reference and shall be governed by the laws of the State of Florida regardless of any conflict of laws provisions. In any proceeding or action brought under this section, the parties agree that the prevailing party will be entitled to its reasonable attorney's fees from the other party. The parties agree that proper venue will be in Leon County, Florida.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed by their undersigned officials as duly authorized.

County Supervisor of Elections:
By: _____

Department of State, Division of Elections
By: _____

Printed name and title

Printed name and title

Witness

Witness

Date

Date

Please complete, sign & return the Memorandum of Agreement, Federal Election Activities plan, Certificate Regarding Matching Funds signed by the county governing body, & Certification Regarding Debarment and Suspension to:

Joyce Durbin, HAVA Funds Coordinator, Florida Department of State, Division of Elections, R.A. Gray Building, Room 316, 500 South Bronough Street, Tallahassee, Florida 32399-0250

Certificate Regarding Matching Funds

I, Wilson B. Robertson, Chairman of the Board of County Commissioners of Escambia County, Florida, do hereby certify that the Board of County Commissioners will provide matching funds for the Federal Election Activities grant in county FY 2012-2013 to the Supervisor of Elections in an amount equal to at least 15% of the amount to be received from the state, which for Escambia County is \$7,937.95. I understand that if the Board fails to appropriate the required matching funds, all funds received from the state for this grant during the 2012-2013 state fiscal year will be required to be returned to the Department of State.

Chairman, Board of County Commissioners
Wilson B. Robertson

Date

This document approved as to form and legal sufficiency,

By 

Title ASST. COUNTY ATTORNEY

Date JULY 24, 2012

ATTEST: Ernie Lee Magaha
Clerk of the Circuit Court

Deputy Clerk



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3028

County Administrator's Report 11. 18.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Issue Purchase Orders in Excess of \$50K to Christopher C. Bargaineer Concrete Construction, Inc.

From: Michael Rhodes, Dept Director

Organization: Parks and Recreation

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Issuance of Purchase Orders in Excess of \$50,000 for Fiscal Year 2011-2012 to Christopher C. Bargaineer Concrete Construction, Inc., for Americans with Disabilities Act (ADA) Related to Concrete Work Associated with County Parks - Michael Rhodes, Parks and Recreation Department

That the Board authorize the issuance of Purchase Orders in excess of \$50,000, for Fiscal Year 2011-2012 to Christopher C. Bargaineer Concrete Construction, Inc., to provide concrete construction work for County Parks and Recreation, as required to meet the Americans with Disabilities Act (ADA) requirements.

Escambia County Parks and Recreation Department must comply with ADA requirements by installing sidewalks and other accessibility aids. This action will finance completion of accessibility improvements to various County park facilities in order to comply with the requirements of the ADA.

[Funding Source: Fund 129, "CDBG HUD Entitlement Fund", CDBG 2010, Cost Center 220435, Object Code 56301]

BACKGROUND:

Escambia County Parks and Recreation Department must comply with ADA requirements by installing sidewalks and other accessibility aids. This action will finance completion of accessibility improvements to various County Park facilities in order to comply with the requirements of the ADA.

BUDGETARY IMPACT:

Funding for this project is available in Fund 129 "CDBG HUD Entitlement Fund", CDBG 2010, Cost Center 220435, Object Code 56301.

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

This recommendation is in compliance with the provisions of the Code of Ordinances of Escambia County, Florida, Chapter 46, Finance, Article II, Purchases and Contracts.

IMPLEMENTATION/COORDINATION:

N/A



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3037

County Administrator's Report 11. 19.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Out-of-County Travel

From: Charles R. (Randy) Oliver, County Administrator

Organization: County Administrator's Office

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Out-of-County Travel - 35th Joint Meeting of the Japan-U.S. Southeast and Southwest Associations' "In Harmony with Tradition and Innovation" Economic Development Trip - Charles R. "Randy" Oliver, County Administrator

That the Board authorize out-of-County travel for Wilson B. Robertson, Chairman, to attend the 35th Joint Meeting of the Japan-U.S. Southeast and Southwest Associations' "In Harmony with Tradition and Innovation" Economic Development Trip on September 13-15, 2012, in Tokyo, Japan.

BACKGROUND:

Commissioner Wilson B. Robertson, Chairman, has been invited to attend the 35th Annual Japan-U.S. Southeast and Southwest Associations' Joint Meeting in Tokyo, Japan, on September 13-15, 2012. This year's meeting theme is "In Harmony with Tradition and Innovation". Commissioner Robertson will be joined on this trip by members of the Pensacola Chamber of Commerce to promote trade between Escambia County and Japan.

BUDGETARY IMPACT:

Travel Expenses will be paid from Cost Center 110101, Object Code 54001 (Out-of-County Travel).

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

Travel reimbursement is in compliance with Florida Statutes Chapter 112.061 Per Diem and Travel Expenses and the Board of County Commissioner's Policy "Out-of-County Travel, Section I, Part C.4".

IMPLEMENTATION/COORDINATION:

The County Administrator's Office will coordinate all travel arrangements with the U.S. Southeast and Southwest Association along with the Pensacola Chamber of Commerce.



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3002

County Administrator's Report 11. 20.

BCC Regular Meeting

Budget & Finance Consent

Meeting Date: 08/09/2012

Issue: Acquisition of Property for Public Boat Ramp Facility on Mobile Highway

From: Joy D. Blackmon, P.E., Department Director

Organization: Public Works

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Acquisition of Property for a Public Boat Ramp Facility on Mobile Highway - Joy D. Blackmon, P.E. Public Works Department Director

That the Board take the following action regarding the acquisition of real property for a Public Boat Ramp Facility on Mobile Highway:

A. Authorize staff to make an offer to Ricky and Traci Herndon to purchase a parcel of real property (0.52 acres with a residential structure consisting of approximately 1100 square feet) located at 11794 Mobile Highway for the appraised amount of \$165,000, subject to the owner retaining and removing the structure from the property and subject to completion of the due diligence process;

B. Authorize staff to make an offer to Michael R. Monsour to purchase a parcel of real property (0.52 acres with a residential structure consisting of approximately 1100 square feet) located at 11790 Mobile Highway for the appraised amount of \$190,000, and subject to completion of the due diligence process; and

C. Authorize the County Attorney to prepare and the Chairman or Vice Chairman to execute any documents necessary to complete the acquisition of these properties.

"The acquisition of these properties is funded by the Florida Boating Improvement Program and Local Option Sales Tax (LOST). Current planned improvements at the Perdido River Ramp (English property) are being funded by National Resource Damage Assessment (NRDA); future further improvements to Perdido or Lillian will require Grant funding or future LOST funds.

[Funding Source: Fund 352, Lost III, Cost Center 220102, NESD Capitol Projects, Project 08NE0018, Boat Ramps]

BACKGROUND:

Meeting in regular session on April 21, 2011, the Board approved the recommendation to authorize staff to make an offer to Ricky and Tracy Herndon to purchase their property located at 11794 Mobile Highway for the appraised amount of \$165,000. At the same meeting the Board authorized staff to make an offer to Michael R. Monsour to purchase property he owns located at 11790 Mobile Highway, for the appraised amount of \$190,000, with the understanding that acquisition of the Monsour property is contingent upon the County acquiring the Herndon property.

The appraisals for the Herndon property and the Monsour property were performed by Asmar Appraisal Company, dated November 23, 2010. The appraisals were based on deeds of record and existing surveys. Subsequent to the Board action of April 21, 2011, staff discovered that Florida Department of Transportation (FDOT) owned more right-of-way abutting these properties than was thought. This in effect lessened the amount of square footage the County would be acquiring. Staff requested an opinion from Asmar Appraisal Company as to what impact the reduced square footage would make on the appraisals. Mr. Asmar indicated that the exclusion of the right-of-way is expected to have a modest negative impact on the overall value for both parcels. FDOT recently conveyed to the County a portion of the FDOT right-of-way, which fronts the recently purchased English property. FDOT has indicated that if the County acquired other properties along Mobile Highway that they would be amenable to conveying those portions also.

"The acquisition of these properties is funded by the Florida Boating Improvement Program and Local Option Sales Tax (LOST). Current planned improvements at the Perdido River Ramp (English property) is being funded by National Resource Damage Assessment (NRDA), future further improvements to Perdido or Lillian will require Grant funding or future LOST.

BUDGETARY IMPACT:

[Funding Source: Fund 352, Lost III, Cost Center 220102 NESD Capitol Projects, Project 08NE0018 Boat Ramps]

LEGAL CONSIDERATIONS/SIGN-OFF:

The County Attorney's Office will prepare the closing documents and conduct the closing for the purchase of this property.

PERSONNEL:

All work associated with this request is being done in-house and no additional staff is required.

POLICY/REQUIREMENT FOR BOARD ACTION:

These actions are consistent with the provisions of Section 46-139, Escambia County Code of Ordinances.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

[Herndon Appraisal](#)

[Herndon Parcel Information](#)

[Monsour Appraisal](#)

Monsour Parcel Information

Herndon Aerial Map

Monsour Aerial Map

SUMMARY APPRAISAL REPORT
SINGLE FAMILY RESIDENTIAL PROPERTY
OWNED BY RICKY AND TRACI HERNDON
11794 MOBILE HIGHWAY
PENSACOLA, FLORIDA

PREPARED FOR
MR. LARRY GOODWIN
ESCAMBIA COUNTY NEIGHBORHOOD REDEVELOPMENT DEPT.
1190 WEST LEONARD STREET
PENSACOLA, FLORIDA 32501

BY
ASMAR APPRAISAL COMPANY, INC.
3 WEST GARDEN STREET, SUITE 504
PENSACOLA, FLORIDA 32502

ASMAR APPRAISAL COMPANY, INC.



Joel J. Asmar, MAI
State Certified General Appraiser RZ1565

APPRAISERS · CONSULTANTS

3 WEST GARDEN STREET, SUITE 504
PENSACOLA, FLORIDA 32502

Telephone (850) 433-7631
Fax (850) 433-7632

November 23, 2010

Mr. Larry Goodwin
Escambia County Neighborhood Redevelopment Dept.
1190 West Leonard Street
Pensacola, Florida 32501

Re: Appraisal of
Single Family Residential Property
Owned by Ricky and Traci Herndon
11794 Mobile Highway
Pensacola, Florida
AAC Job No. 10-1743b

Dear Mr. Goodwin:

I have made an inspection of the referenced property for the purpose of providing an opinion of the market value of the fee simple interest as of a current date. Based on the information provided, my inspection and valuation analysis, it is my opinion that the market value of the property in fee simple estate as of November 17, 2010, is:

**MARKET VALUE OPINION – FEE SIMPLE INTEREST
ONE HUNDRED SIXTY-FIVE THOUSAND DOLLARS
(\$165,000)**

This is a summary appraisal report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice. The reader is advised that the level of detail presented within this report is in a summarized format with supporting documentation pertaining to data, reasoning, and the analyses retained in the work file.

This appraisal has been made in compliance with the Uniform Standards of Professional Appraisal Practice (USPAP) and with the Code of Professional Ethics of the Appraisal Institute. This appraisal assignment was not made, nor was the appraisal rendered on the basis of a requested minimum valuation, specific valuation, or an amount which would result in the approval of a loan.


Mr. Larry Goodwin, Escambia County

November 23, 2010

I estimate a reasonable marketing period at 12 to 18 months. This estimate is based on my review of sales of similar properties within the same market area.

I appreciate the opportunity to perform this work for you. If there should be any questions, please do not hesitate to call.

Sincerely,



Joel J. Asmar, MAI
State-Certified General Appraiser
Florida RZ1565

SUMMARY OF SALIENT FACTS AND IMPORTANT CONCLUSIONS

PROPERTY IDENTIFICATION:	Single Family Residential Property
CURRENT OWNERSHIP:	Ricky and Traci Herndon
LOCATION OF PROPERTY:	The property is located on the north side of Mobile Highway approximately 225' west of Ruby Fish Camp Road. The property address is 11794 Mobile Highway, Pensacola, Florida.
PURPOSE OF APPRAISAL:	The purpose of this appraisal is to provide an opinion of the market value of the fee simple interest as of a current date.
PROPERTY RIGHTS APPRAISED:	Fee simple ownership rights.
DATE OF REPORT:	November 23, 2010
DATE OF VALUATION:	November 17, 2010
ASSESSMENT:	The 2010 assessment is \$61,741.
ZONING CLASSIFICATION:	R-R, Rural Residential District.
SITE AREA & DIMENSIONS:	The appraised property consists of an irregular shaped tract with 110' of frontage on the service road adjacent to Mobile Highway with an approximate average depth of 290'. The property has 64' of effective frontage along the Perdido River. The gross site area is estimated to be 0.52 acres per the tax rolls.
IMPROVEMENT DATA:	The property is improved with a two bedroom, one bathroom single-family residence that was originally constructed in 1976. The residence has a gross living area of approximately 864 SF and features 864 SF of carport area, a covered deck and wood dock. It was recently refurbished on the interior and exterior with the effective age reduced to seven years and the condition rated as very good.
HIGHEST AND BEST USE:	Single Family Residence
FINAL VALUE OPINION:	\$165,000
HYPOTHETICAL CONDITIONS AND/OR SPECIAL ASSUMPTIONS:	None.

[Back](#)

Source: Escambia County Property Appraiser

[Restore Full Page Version](#)

General Information	
Reference:	101S327004000022
Account:	102454000
Owners:	HERNDON RICKY & TRACI
Mail:	8190 BELLE PINES LN PENSACOLA, FL 32526
Situs:	11794 MOBILE HWY 32526
Use Code:	SINGLE FAMILY RESID
Taxing Authority:	COUNTY MSTU
Tax Inquiry:	Open Tax Inquiry Window
Tax Inquiry link courtesy of Janet Holley, Escambia County Tax Collector	

2010 Certified Roll Assessment	
Improvements:	\$46,779
Land:	\$14,962
Total:	\$61,741
Save Our Homes:	\$0
Disclaimer	
Amendment 1 Calculations	

Sales Data					
Sale Date	Book	Page	Value	Type	Official Records (New Window)
11/2006	6034	26	\$100,000	WD	View Instr
09/2006	5984	931	\$100	QC	View Instr
06/2004	5438	798	\$100,000	WD	View Instr
08/2000	4598	1158	\$85,000	WD	View Instr
Official Records Inquiry courtesy of Ernie Lee Magaha, Escambia County Clerk of the Court					

2010 Certified Roll Exemptions	
None	
Legal Description	<input type="checkbox"/>
BEG AT SE COR OF LT 7 W ALG S LI OF LT 820 43/100 FT N 3 DEG 9 MIN W 94 32/100 FT TO N R/W LI OF...	
Extra Features	<input type="checkbox"/>
None	

Parcel Information

[Restore Map](#)

[Get Map Image](#)

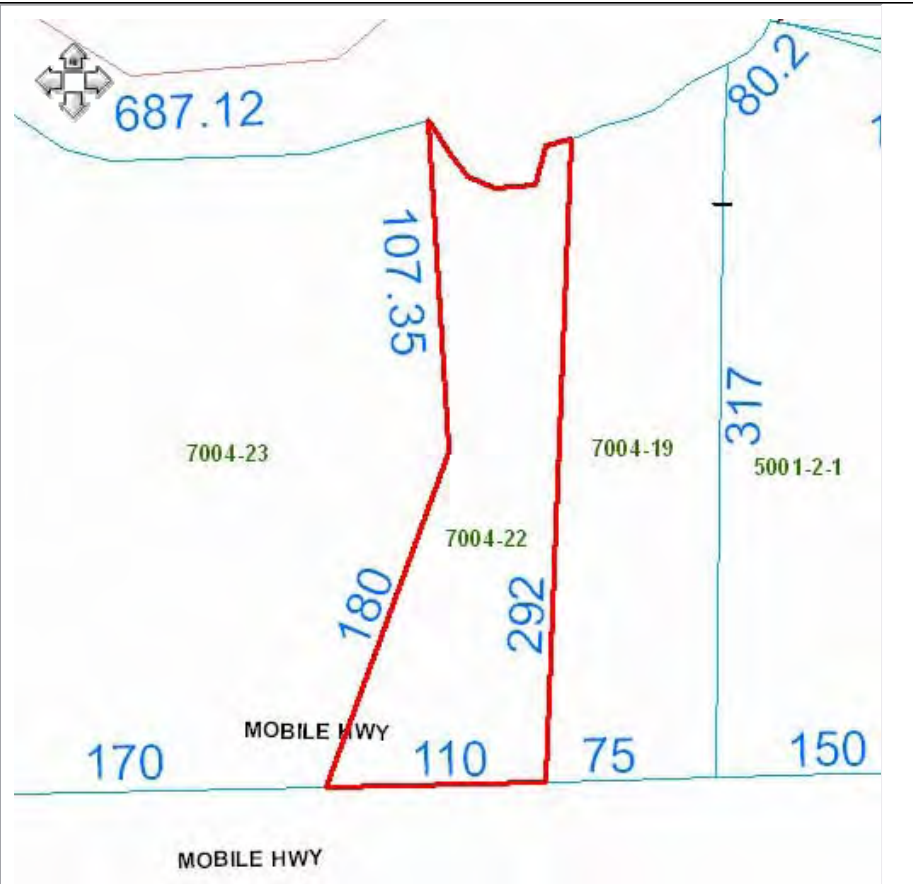
[Launch Interactive Map](#)

Section Map Id:

[10-1S-32](#)

Approx. Acreage:
0.5200

Zoned:
[R-R](#)



Buildings	
Building 1 - Address: 11794 MOBILE HWY, Year Built: 1976, Effective Year: 1986	
<div style="border: 1px solid black; padding: 2px;">Structural Elements</div> <p>FOUNDATION-PILINGS EXTERIOR WALL-SIDING-SHT.AVG. NO. PLUMBING FIXTURES-3.00 DWELLING UNITS-1.00 ROOF FRAMING-GABL/HIP COMBO ROOF COVER-METAL/MODULAR INTERIOR WALL-DRYWALL-PLASTER FLOOR COVER-CARPET NO. STORIES-1.00 FLOOR COVER-VINYL/CORK DECOR/MILLWORK-ABOVE AVERAGE HEAT/AIR-CENTRAL H/AC STRUCTURAL FRAME-WOOD FRAME</p> <div style="border: 1px solid black; padding: 2px;">Areas - 1152 Total SF</div> <p>BASE AREA - 864 OPEN PORCH FIN - 192 WOOD DECK FIN - 96</p>	
Images	



05/06/03



05/06/03

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

SUMMARY APPRAISAL REPORT
SINGLE FAMILY RESIDENTIAL PROPERTY
OWNED BY MICHAEL R. MONSOUR
11790 MOBILE HIGHWAY
PENSACOLA, FLORIDA

PREPARED FOR
MR. LARRY GOODWIN
ESCAMBIA COUNTY NEIGHBORHOOD REDEVELOPMENT DEPT.
1190 WEST LEONARD STREET
PENSACOLA, FLORIDA 32501

BY
ASMAR APPRAISAL COMPANY, INC.
3 WEST GARDEN STREET, SUITE 504
PENSACOLA, FLORIDA 32502

ASMAR APPRAISAL COMPANY, INC.



Joel J. Asmar, MAI
State Certified General Appraiser RZ1565

APPRAISERS · CONSULTANTS

3 WEST GARDEN STREET, SUITE 504
PENSACOLA, FLORIDA 32502

Telephone (850) 433-7631
Fax (850) 433-7632

November 23, 2010

Mr. Larry Goodwin
Escambia County Neighborhood Redevelopment Dept.
1190 West Leonard Street
Pensacola, Florida 32501

Re: Appraisal of
Single Family Residential Property
Owned by Michael R. Monsour
11790 Mobile Highway
Pensacola, Florida
AAC Job No. 10-1743a

Dear Mr. Goodwin:

I have made an inspection of the referenced property for the purpose of providing an opinion of the market value of the fee simple interest as of a current date. Based on the information provided, my inspection and valuation analysis, it is my opinion that the market value of the property in fee simple estate as of November 17, 2010, is:

**MARKET VALUE OPINION – FEE SIMPLE INTEREST
ONE HUNDRED NINETY THOUSAND DOLLARS
(\$190,000)**

This is a summary appraisal report, which is intended to comply with the reporting requirements set forth under Standards Rule 2-2(b) of the Uniform Standards of Professional Appraisal Practice. The reader is advised that the level of detail presented within this report is in a summarized format with supporting documentation pertaining to data, reasoning, and the analyses retained in the work file.

This appraisal has been made in compliance with the Uniform Standards of Professional Appraisal Practice (USPAP) and with the Code of Professional Ethics of the Appraisal Institute. This appraisal assignment was not made, nor was the appraisal rendered on the basis of a requested minimum valuation, specific valuation, or an amount which would result in the approval of a loan.


Mr. Larry Goodwin, Escambia County

November 23, 2010

I estimate a reasonable marketing period at 12 to 18 months. This estimate is based on my review of sales of similar properties within the same market area.

I appreciate the opportunity to perform this work for you. If there should be any questions, please do not hesitate to call.

Sincerely,

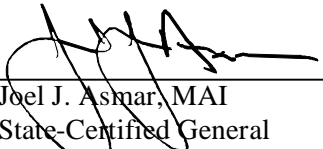


Joel J. Asmar, MAI
State-Certified General Appraiser
Florida RZ1565

CERTIFICATION OF VALUE

I certify, to the best of my knowledge and belief, the following:

- The statements of fact contained in this appraisal report are true and correct.
- The reported analyses, opinions, and conclusions are limited only by the reported assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions, and conclusions.
- I have no present or prospective interest in the property that is the subject of this report, and no personal interest with respect to the parties involved. I also have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.
- My engagement and compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value estimate, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this appraisal.
- My analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice.
- I have made a personal inspection of the property that is the subject of this report. No one provided significant professional assistance to the person signing this report.
- The reported analyses, opinions, and conclusions were developed, and this report has been prepared, in conformity with the requirements of the Code of Professional Ethics and the Standards of Professional Appraisal Practice of the Appraisal Institute.
- The use of this report is subject to the requirements of the Appraisal Institute and the State of Florida relating to review by its duly authorized representatives.
- The appraisal assignment was not based on a requested valuation, a specific valuation or the approval of a loan.
- As of the date of this report, I have completed the requirements of the continuing education program of the Appraisal Institute and the State of Florida for the current cycle.
- I certify that I have complied with the competency provision of the Uniform Standards of Professional Appraisal Practice.
- The appraiser herein, by reason of this report, is not required to give testimony in court with reference to the property appraised unless arrangements have been previously made therefore.



Joel J. Asmar, MAI
State-Certified General
Appraiser Florida RZ1565

November 23, 2010

Date

SUMMARY OF SALIENT FACTS AND IMPORTANT CONCLUSIONS

PROPERTY IDENTIFICATION:	Single Family Residential Property
CURRENT OWNERSHIP:	Michael R. Monsour
LOCATION OF PROPERTY:	The property is located on the north side of Mobile Highway approximately 150' west of Ruby Fish Camp Road. The property address is 11790 Mobile Highway, Pensacola, Florida.
PURPOSE OF APPRAISAL:	The purpose of this appraisal is to provide an opinion of the market value of the fee simple interest as of a current date.
PROPERTY RIGHTS APPRAISED:	Fee simple ownership rights.
DATE OF REPORT:	November 23, 2010
DATE OF VALUATION:	November 17, 2010
ASSESSMENT:	The 2010 assessment is \$94,474.
ZONING CLASSIFICATION:	R-R, Rural Residential District.
SITE AREA & DIMENSIONS:	The appraised property consists of an irregular shaped tract with 75' of frontage on the service road adjacent to Mobile Highway with an approximate average depth of 300'. The property has 82' of meandering frontage along the Perdido River. The gross site area is estimated at 0.52 acres.
IMPROVEMENT DATA:	The property is improved with a three bedroom, two bathroom single-family residence that was constructed in 1993. The residence has a gross living area of approximately 1,521 SF and features a 492 SF two-car garage, a covered entry, covered deck and wood dock.
HIGHEST AND BEST USE:	Single Family Residence
FINAL VALUE OPINION:	\$190,000
HYPOTHETICAL CONDITIONS AND/OR SPECIAL ASSUMPTIONS:	None.



Chris Jones

Escambia County Property Appraiser

- Chris Jones, ECPA
- RECORD SEARCH
- MAPS
- GENERAL INFORMATION
- GOVERNMENT AGENCIES
- TANGIBLE PROPERTY
- CAREERS

Navigate Mode **Account**
 Reference

Printer Friendly Version

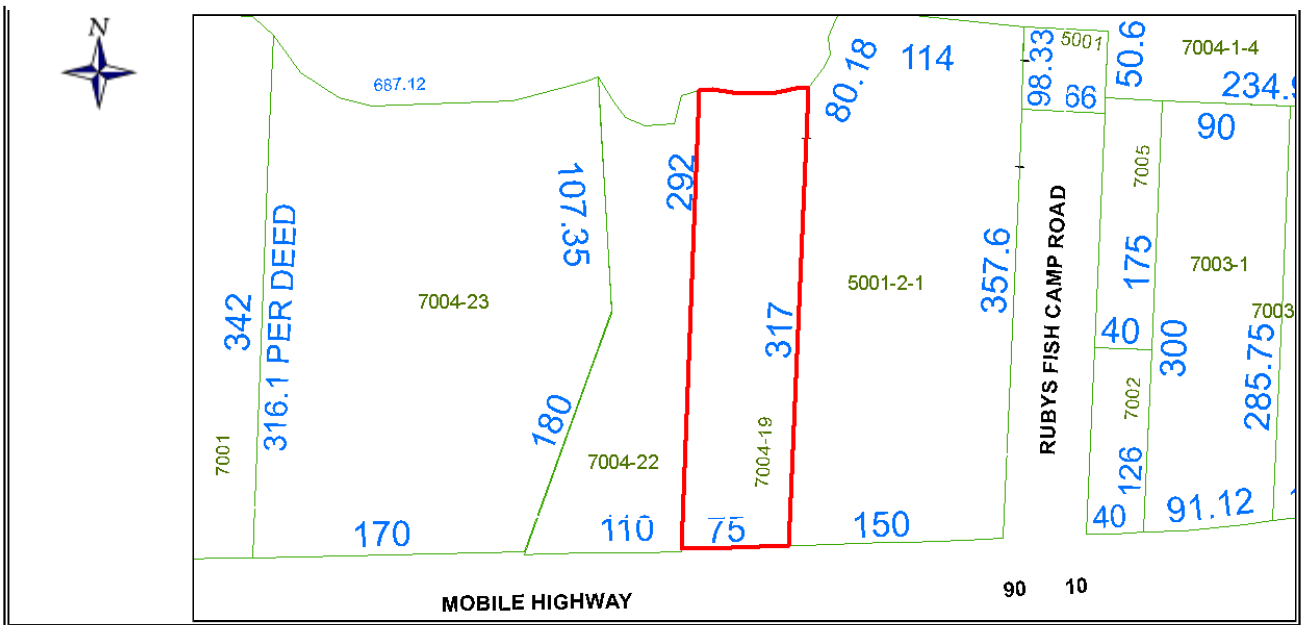
General Information	
Reference:	101S327004000019
Account:	102453600
Owners:	MONSOUR MICHAEL R
Mail:	11790 MOBILE HWY PENSACOLA, FL 32526
Situs:	11790 MOBILE HWY
Use Code:	SINGLE FAMILY RESID
Tax Inquiry:	Open Tax Inquiry Window
Tax Inquiry link courtesy of Janet Holley, Escambia County Tax Collector	

2008 Certified Roll Assessment	
Improvements:	\$93,669
Land:	\$11,970
Total:	\$105,639
<i>Save Our Homes:</i>	\$81,823
Disclaimer	
Amendment 1 Calculations	

Sales Data					
Sale Date	Book	Page	Value	Type	Official Records (New Window)
01/1993	3300	0438	\$99,000	WD	View Instr
10/1992	3257	0876	\$25,000	WD	View Instr
09/1992	3295	0315	\$95,000	SC	View Instr
02/1990	2872	0723	\$100	QC	View Instr
Official Records Inquiry courtesy of Ernie Lee Magaha, Escambia County Clerk of the Court					

2008 Certified Roll Exemptions	
HOMESTEAD EXEMPTION	
Legal Description	<input type="button" value="🔍"/>
BEG AT SE COR OF LT 7 N 90 DEG W 820 43/100 FT N 0 DEG E 94 32/100 FT TO N R/W LI OF US HWY 90 S 86 DEG 51...	
Extra Features	
None	

Parcel Information	View Online Map
Section	
Map Id: 10-1S-32	
Approx. Acreage: 0.5500	
County Zoned: R-R	



Buildings

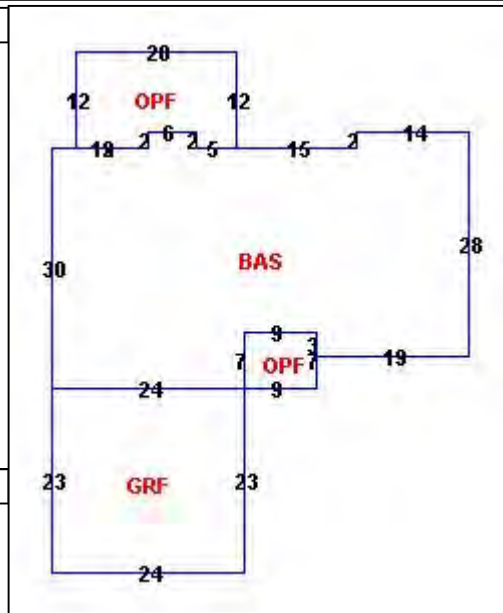
Building 1 - Address: 11790 MOBILE HWY, Year Built: 1992

Structural Elements

- FOUNDATION-SLAB ON GRADE
- EXTERIOR WALL-BRICK-FACE
- NO. PLUMBING FIXTURES (7)
- DWELLING UNITS (1)
- ROOF FRAMING-HIP-HI PITCH
- ROOF COVER-COMPOSITION SHG
- INTERIOR WALL-DRYWALL-PLASTER
- FLOOR COVER-CARPET
- NO. STORIES (1)
- DECOR/MILLWORK-ABOVE AVERAGE
- HEAT/AIR-CENTRAL H/AC
- STRUCTURAL FRAME-WOOD FRAME

Areas - 2304 Total SF

- BASE AREA - 1461
- GARAGE FIN - 552
- OPEN PORCH FIN - 291



Images



05/06/03

The primary use of the assessment data is for the preparation of the current year tax roll. No responsibility or liability is assumed for inaccuracies or errors.

HERNDON PROPERTY @ 11794 MOBILE HIGHWAY / PROPOSED ACQUISITION



ESCAMBIA COUNTY
PUBLIC WORKS BUREAU
LWG 11/12/10 DISTRICT 1

**PARCEL OWNED BY RICKI & TRACI HERNDON / PARCEL REFERENCE NUMBER:
10-1S-32-7004-000-022 / ACCOUNT # 102454000 / PROPERTY CONSISTS OF
APPROXIMATELY 0.52 ACRES / APPRAISED VALUE: \$165,000**

MONSOUR PROPERTY @ 11790 MOBILE HIGHWAY / PROPOSED ACQUISITION



ESCAMBIA COUNTY
PUBLIC WORKS DEPARTMENT
LWG 07/22/12 DISTRICT 1

**PARCEL OWNED BY MICHAEL R. MONSOUR / PARCEL REFERENCE NUMBER:
10-1S-32-7004-000-019 / ACCOUNT # 102453600 / PROPERTY CONSISTS OF
APPROXIMATELY 0.55 ACRES / APPRAISED VALUE: \$190,000**



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3020

County Administrator's Report 11. 1.

BCC Regular Meeting

Discussion

Meeting Date: 08/09/2012

Issue: Escambia County Health Facilities Authority Appointment

From: Charles R. (Randy) Oliver, County Administrator

Organization: County Administrator's Office

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Escambia County Health Facilities Authority Appointment - Charles R. "Randy" Oliver, County Administrator

That the Board approve appointing one of the following nominees to the Escambia County Health Facilities Authority for a four-year term, effective August 22, 2012, through August 21, 2016, to replace Ms. Patricia M. Pennewill, whose term will expire August 21, 2012. Ms. Pennewill is not seeking reappointment:

A. Commander Michael S. Kohler;

OR

B. Mr. Rufus E. Harris, III.

BACKGROUND:

This Escambia County Health Facilities Authority (Authority) was created in accordance with Chapter 74-323, Laws of Florida, Acts of 1974. The purpose of the Authority is to assist health facilities in the acquisition, construction, financing and refinancing of projects in any incorporated or unincorporated area within the geographical limits of Escambia County.

Ms. Paula Drummond, Executive Director, Escambia County Health Facilities Authority, on behalf of the Authority, has requested that the Board appoint Commander Michael S. Kohler. Commander Kohler has expressed a desire to serve; his Resume is provided for your review.

Mr. Rufus E. Harris, III, has also expressed a desire to be serve on the Authority; his Resume is provided for your review.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

In accordance with Section I B, of the Board of County Commissioners Policy Manual, Board approval is required for all appointments / reappointments to Boards and Committees established by the Board of County Commissioners.

IMPLEMENTATION/COORDINATION:

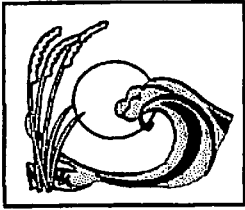
N/A

Attachments

Letter

Commander Kohler's Resume

Resume of Mr. Rufus E. Harris, III



ESCAMBIA COUNTY HEALTH FACILITIES AUTHORITY

Capital Finance Solutions for Non-Profit Health Facilities

July 23, 2012

Mr. Randy Oliver
County Administrator
221 Palafox Place – 4th Floor
Pensacola, FL 32502

Via Email

Re: Vacancy on the Health Facilities Authority Board
Term: August 22, 2012 - August 21, 2016

Dear Mr. Oliver:

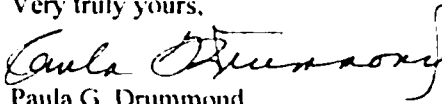
The term of our board member Patricia Pennewill is expiring on August 21, 2012. Ms. Pennewill is not seeking reappointment due to a substantial increase in out of town travel connected with her position at Lakeview Center. Ms. Pennewill, our current Chairman, has served on the Authority with dedication and professionalism. We sincerely regret that she cannot continue to serve on the Board, but wish her much success in the future.

Your office very kindly provided me with copies of the resumes of two members of the public who indicated an interest in serving on our board. We have reviewed the resumes carefully. While both individuals have good credentials, we believe that United States Navy Commander Michael S. Kohler would be the best candidate to serve on the Health Facilities Authority. Commander Kohler has a professional medical background and considerable hospital leadership experience at Naval Hospital Pensacola and other medical facilities. These qualifications will be of great benefit to the Health Facilities Authority. As the Authority does not provide any financing services for the Naval Hospital, there will be no conflict of interest in his sitting on our Board.

Commander Kohler contacted this office to discuss the responsibilities of an Authority board member. He indicated his position at the Naval Hospital Pensacola will allow him the flexibility to attend our meetings, travel when necessary, and fully perform the duties of a member of the Authority Board.

The Health Facilities Authority requests the appointment of Commander Kohler to a four year term on the Authority, commencing August 22, 2012 through August 21, 2016. It will be greatly appreciated if you would provide each of the Commissioners with a copy of this letter, and extend to each our sincere appreciation for their consideration of the Authority's choice of Commander Kohler as the best qualified candidate for appointment to our Board.

Very truly yours,


Paula G. Drummond
Executive Director/Counsel

PGD:dl
Copy to: Ms. Patricia Pennewill
Chairman

MICHAEL S. KOHLER
COMMANDER, NURSE CORPS
UNITED STATES NAVY

BIOGRAPHY

Commander Michael Kohler a pioneer from the centennial state of Colorado. He entered the Navy in 1987 as a seaman recruit shortly after graduating from Longmont High School. He completed hospital corpsman school and was selected to attend basic laboratory school (8501). His first assignment as a hospital apprentice was at Naval Hospital Pensacola in May 1988. During his tour, during off duty time, he received his Associate Degree of Nursing from PJC in June 1991. He left Pensacola as an HM2 and was commissioned at 22 as a Warrant Officer 1.

While stationed at Oakland Naval Medical Center (December 1991-July 1995); he was a staff nurse on a medical nursing floor. During his liberty time he completed his Bachelor of Science Nursing at California State University, Hayward. CWO2 Kohler received a promotion to Ensign prior to transferring to Naval Hospital Guam.

During his tour at Naval Hospital Guam (July 1995- August 1997); he was a Trauma Nursing Instructor affiliated with the Emergency Nurses Association. He has taught trauma nursing in Japan, Korea, Guam, and the United States. He achieved his Certified Emergency Nurse (CEN), and Certified Critical Care Registered Nurse (CCRN). He was a health care provider in Korean airline crash 801.

In September 1997 he returned to Naval Hospital Pensacola and was assigned to the intensive care unit; he then moved to the post anesthesia care unit before being assigned Department Head, Health Promotions. He achieved his certification in health promotions (CHPD). He was Co-Chairman of the Pensacola Health Excellence Symposium for two years prior to his transferring to BMC Whiting Field. He was awarded district 1 military nurse of the year by the Florida Nurses Association. In addition, he gave the commencement address to the 1998 spring graduation at Pensacola Junior College.

During his tour at BMC Whiting Field (March 2001-December 2004) as the clinic manager, he spearheaded the award winning video "If You Wait, It Could be too Late!" The video received a DOD and DON award. He also completed his Master's of Education (Education Leadership/Education and Training Management) from the University of West Florida. Commander Kohler was nominated for Nurse of the year in both 2002 and 2003.

Commander Kohler reported to NMETC (January 2005- July 2007); he developed the Expeditionary Medicine Web Based Training. He also was the knowledge manager for all Nurse Corps specialty leaders in development and infrastructure for NKO. Other accolades included Captain of the Navy DC Running Team, coordinated the CJ Reddy leadership conference for the Director of the Nurse Corps, as well as completing his Executive Medicine Skills and carrying the 67A AQD.

In July 2008, he assumed responsibilities as Officer in Charge for NBHC NAS Pensacola in which he served until March 2011. He then deployed as an Individual Augmentee to Joint Task Force Joint Medical Group Guantanamo Bay, Cuba until October 2011. He currently is serving as the Associate Directorate for Professional Education.

CDR Kohler is married to Shannon K. Kohler. They have three girls Natalie 19, Cassie 18, and Allison 16.

CURRICULUM VITAE

- 08/07- current Pensacola, FL
Naval Hospital Pensacola/ Lieutenant Commander-Commander
- ◆ Associate Directorate for Professional Education
 - ◆ Department Head Education & Training
 - ◆ Officer in Charge NBHC NAS Pensacola
 - ◆ Operational Training Officer
 - ◆ Clinic Manager NATTC & NASP
 - ◆ Clinic Manager Instructor NAVMED MPT&E
 - ◆ TNCC Instructor/Trainer
 - ◆ ACLS & PALS Instructor
- 02/05-07/07 Bethesda, MD
NMETC/NAVMEDMPT&E/Lieutenant Commander
- ◆ Knowledge Manager NC Specialty Leaders
 - ◆ Developed Expeditionary Medicine Web Based Training -NAVMED POLICY 07-016
 - ◆ Developed Training Plan for Operational Medicine 67B AQD
 - ◆ Developed Medical Deployer Page-NKO
 - ◆ Coordinator CJ Reddy Leadership Conference 2005 & 2006
 - ◆ Command Manage Equal Opportunity/CMEO
 - ◆ Instructor TNCC Provider and TNCC Instructor Trainer
 - ◆ Team Captain Navy DC Running Team
 - ◆ Received Executive Medicine 67A AQD
- 03/01-01/05 Milton, FL
BMC Whiting Field/Lieutenant-Lieutenant Commander
- ◆ Clinic Manager
 - ◆ Trauma Nurse Provider/Instructor/and Instructor Trainer for region
 - ◆ Command Fitness Coordinator
 - ◆ PHA Coordinator
 - ◆ Wellness Coordinator
 - ◆ Tobacco Cessation Instructor
 - ◆ ACLS Instructor
 - ◆ Received DoD & DoN award for tobacco cessation video "If You Wait It Could Be Too Late"
 - ◆ Command Manage Equal Opportunity/CMEO

8/97-3/01 Pensacola, FL

Naval Hospital Pensacola/Lieutenant

- ◆ Department Head, Health Promotion
- ◆ Coordinator for Health Excellence Symposium
- ◆ Command Fitness Coordinator
- ◆ Staff Nurse ICU and PACU
- ◆ Received military nurse of the year district 1 Florida Nurses Association.
- ◆ Gave Commencement Address Pensacola Junior College. "Not Yet"
- ◆ Trauma Nurse Core Course Provider/Instructor/Instructor Trainer.

7/95-8/97 Guam, USA

Naval Hospital Guam/ Ensign-Lieutenant Junior Grade

- ◆ Trauma Nurse Core Course Coordinator.
- ◆ Staff Nurse ICU/multi-service ward.
- ◆ Achieved Certified Emergency Nurse (CEN)
- ◆ Achieved Certified Critical Care Nurse (CCRN)
- ◆ Provider for Korean Airline Crash 801.

12/91-7/95 Oakland, CA

Naval Hospital Oakland/WO1-CWO2

- ◆ Staff Nurse Medicine/Oncology.
- ◆ Staff Nurse Orthopedic Surgical Floor.
- ◆ Staffed nurse in multiple hospitals in bay area (primarily emergency rooms.)

5/88-12/91 Pensacola, FL

Naval Hospital Pensacola/HR-HA-HN-HM3-HM2

- ◆ Laboratory Tech (8501)

EDUCATION

- 2002-2004 University of West Florida Pensacola, FL
 - ◆ M.ED, Education Leadership/Education and Training Management
- 1991-1995 California State University, Hayward. Hayward, CA
 - ◆ B.S.N., Bachelor of Science Nursing.
- 1989-1991 Pensacola Junior College. Pensacola, FL.
 - ◆ A.D.N., Associate Degree Nurse, R.N.

MISCELLANEOUS CREDENTIALS & ACHIEVEMENTS

- ◆ Executive Medicine 67A AQD
- ◆ Managed Care Coordinator 67G AQD
- ◆ Ambulatory Care 69O AQD
- ◆ Completed AMDOC, Med Excellence & BMDOC
- ◆ Clinic Management Course Instructor NMPDC
- ◆ Trauma Nurse Instructor Trainer ENA
- ◆ TCCC Instructor
- ◆ Certified Health Promotion Director (Coopers Clinic)
- ◆ Smoking Cessation Instructor
- ◆ Navy Exercise Leadership Course
- ◆ Member Southeast Region Navy Running Team
- ◆ Advance Cardiac life Support Instructor & Provider
- ◆ Pediatric Advance Life Support Instructor & Provider
- ◆ 7/97 Critical Care Registered Nurse (CCRN)
- ◆ 2/97 Certified Emergency Nurse (CEN)
- ◆ Certified Public Health Nurse (CPHN), CA.

MEMBERSHIP/MILITARY DECORATIONS

- ◆ Emergency Nurses Association
- ◆ Pensacola Runners Association
- ◆ Marcus Pointe Baptist Church
- ◆ Tri Gulf Coast
- ◆ USA Triathlon Member

Decorations: Meritorious Service Medal (1) Navy Commendation Medal (2), Navy Achievement Medal (5), Meritorious Unit Commendation (2), Humanitarian Service Medal, Global War on Terrorism Expeditionary Medal, Global War on Terrorism Service Medal, National Defense Medal (2), Sea Service Deployment Ribbon, Overseas Service Medal, Good Conduct Medal, Expert Rifle Medal, and Expert Pistol Medal.

Rufus E Harris, III
10102 Castleberry Blvd
Pensacola, FL 32526
Contact Phone: (850) 525 4972
Work Phone: (850) 452-3449
Email Address: reharris65@bellsouth.net
Work Email Address: rufus.e.harris@navy.mil

EXPERIENCE

11/2010 to Present; 40 hours per Week; Human Resources Assistant (Military); GS-0203-05; last promoted 11/2010; permanent employee; not on a temporary promotion; Navy Pay and Personnel Support Center (PSD), Mrs. Jo Amon, 850 452 4284; may contact supervisor.

Human Resources Assistant (Military)

Human Resources Specialists involved in using information systems, in delivering services to Military Personnel, and in classification, recruitment and placement, employee benefits, human resource development, performance management, and employee and labor relations. Services may be provided onsite at a command Human Resources Office or at a regional Human Resources Service Center.

Knowledge and skill to review theories and proposed standards and instructions for Navy wide-implementation covering a broad range of topics such as personnel manning, accounting and reporting manpower management and a through comprehension of the Pay and Personnel Administrator System Manual in addition to Navy's Military Personnel Manual. Perform (SLDCADA) data for section and administration systems.

Conducts personnel classification interviews with non-prior service trainees. Review and analyzes information from personnel records and biographies of trainees to assist them in selecting preferences from available jobs. The incumbent discussed the trainees' background, education, training and job history to identify skills and determine with occupations they should be considered for.

Determines if trainees qualify for the Personal Reliability Program (PRP), and skills requiring a Top Secret or higher security clearance. Verifies the accuracy of the Enlisted Classification Record which includes information about the recruit prior to and at the time of entry into the Navy such as the recruits' aptitude test scores, civilian education and training, personal interests, and the Interviewer's recommendation regarding the member's assignment.

Solicits background information from the trainees about involvement with law enforcement agencies, drug experiences, and medical history. Determines whether trainees are qualified for the Navy, and what specialties they may be eligible for. Must determine if adjustments to a trainee's service records should be made if derogatory information is revealed that may be potentially disqualifying, and whether the trainee should be referred for possible discharge action. Serves as the primary source of information for trainees or seamen regarding job selection procedures and requirements. Briefs trainees on availability of jobs for which they qualify. Assist the trainees in preparing the necessary paperwork to request specific training classes or courses. Counsels trainees on various types on various types of specialties including the type of work, possible assignments, and civilian related positions.

Legal

General duties involve the legal operational, managerial, clerical, and administrative duties. Typical duties include research, preparation and typing of general correspondence, forms, and reports. Maintaining office correspondence files, directives, and publications. Leading or perform clerical or technical legal work that requires specialized knowledge of processes, procedures and practices to support legal activities. To perform this work, I possess knowledge, skills and abilities associated with the form, content and uses of civilian and military legal instruments and documents, and or the steps and procedures involved in processing civilian or military legal actions.

Supply

Supervise assignments require knowledge of common methods and techniques to analyze and evaluate the effectiveness and efficiency of supply programs and/or operations. As the Supply Specialist in receiving instructions and assignments dealing with supply and accountability matters. The incumbent will need to have knowledge of requisitioning, receiving, issuing and disposing of installation supplies and equipment, and of multiple supply objectives including inventory management of expendable and non-expendable items. Has a secret security clearance.

03/2009 to 11/2010; 40 hours per Week; Medical Support Assistant; GS-0679-4; last promoted Not Specified; permanent employee; not on a temporary promotion; Naval Hospital Pensacola, 6000 hwy 98 w Pensacola FL 32512; David Gary , 850 505 6556 ; may contact supervisor.

Medical Support Assistant

Verifies beneficiary's eligibility for care by using the Defense Eligibility Enrollment Reporting System (DEERS). Once eligibility has been verified, incumbent registers patient data into the Composite Health Care System (CHCS) computer database and prints a patient's identification card and record label. Assists patient by giving directions and general information concerning hospital hours, and appointments.

Establishes new outpatient records for eligible beneficiaries by selecting the appropriate record jacket and completing all required forms and data ensuring correct patient information. Ensures the patient completes the required Privacy Act Statement in accordance with the Federal Privacy Act of 1974, and the third party collection forms. Replaces record jackets when records are received in worn condition or are otherwise not consistent with Navy medical records procedure, and merges old medical records with new outpatient records' ensuring all data is placed in proper chronological order.

Locates pulls and or files medical records utilizing the terminal digit filing system. Retrieves medical records as needed to facilitate record movement or transfer. Reviews and develops procedures and guidelines for reviewing and verifying information in outpatient records to identify record deficiencies. Forwards appropriately requested medical records chits to other medical facilities. Utilizes record tracking system to facilitate record availability. Strives to attain continuous quality improvement in record availability and tracking. Tracks medical records internally and externally to include: between this hospitals' internal clinics; between this hospitals' records department and internal clinics; between the hospitals' records department and external branch clinics; between his hospitals' records department and external military/federal medical treatment facilities; and between this hospitals' medical records department and external civilian medical facilities. Maintains automated/manual tracking methods to facilitate expeditious record movement and ensure record tracking accuracy. Files pertinent medical information/form/reports in outpatient records.

Assist in assessing, researching and resolving medical record content and availability deficiencies. Deficiencies discovered as a result of record review, assessment and verification may include but limited to: the prescribed order and placement of in excess of 100 military medical forms; placement of a myriad of civilian forms; utilization of the appropriate record page/part; privacy act information; utilization of the Putting Prevention Into Practice form; immunizations: HIV testing; physical examinations periodicity, terminal digit system and archiving. The employee uses judgment to identify and select the most appropriate guidelines, references and procedures for accomplishing the aforementioned duties. Searches for health records and other administrative material when searching involves several possible locations: when information provided is meager, vague or

misleading; or when existence of records is undetermined. Prepares appropriate outpatient health records for retirement to National Archives.

Operates photocopying equipment and FAX machine, provides general information to patients. Prints identification cards for Ambulatory Procedure Visit patients. Trains newly reporting personnel in all duties. Verifies eligibility for patients presenting civilian prescriptions. Fills in for incumbent admissions clerk as needed and in this capacity properly admits patients, and completes applicable paperwork and provides applicable information to customers, customer assistance, inventory, computer operations, and computer security.

Performs all procedures for the admission of the patients to the MTF and ensures proper entry in the Composite Health Care System. (CHCS). This individual is the hospital point of contact for all patient admissions, transfers, and dispositions. Performs data entry for admissions, transfers, and dispositions including active duty dispositions after normal working hours. Interviews patients to obtain admission information. Provides Advanced Directives and organ/tissue donation information to patients, and refers them as appropriate to physicians, social workers and/or the legal office. Performs qualitative analysis of admission, discharge documents by reviewing content for internal consistency and completeness. Notifies the appropriate Command of the inpatient admission of active duty personnel. Notifies head, Patient Administration of a "command interest" admissions.

05/2008 to 10/2008; 40 hours per Week; Medical Disability Examiner, Claims Adjuster, Exa; \$16 per Hour; last promoted Not Specified; permanent employee; not on a temporary promotion; Dept of Disability Determination , 5620 Davis Hwy; Allison Page , 850 475 5440 ; may contact supervisor.

Medical Disability Examiner, Claims Adjuster, Examiner

Handling and reviewing claims to determine that appropriate payments and settlements are made in accordance with statutes, rules, case law, ensuring that proper methods are followed; and conferring with legal counsel on claims requiring litigation. Some positions in this occupation may be responsible for coordinating work and supervising employees. Investigates and assesses loss and damage. Interviews or corresponds with claimant and witnesses, consults police, employer, medical records, and other sources to determine extent of liability. Recommends that an award either be approved or denied based on statutory requirements. Talking to others to effectively convey information. Weighing the relative costs and benefits of a potential action and understanding written sentences and paragraphs in work related documents. Listening to what other people are saying and asking questions as appropriate. Identifying the things that must be changed to achieve a

goal. Communicating effectively with others in writing as indicated by the needs of the audience. Using logic and analysis to identify the strengths and weaknesses of different approaches. Knowing how to find information and identifying essential information as Medicare and commercial insurance. Interviews or corresponds with agents and claimants to correct errors or omissions and to investigate questionable entries.

Analyzes information gathered by investigation and report's findings and recommendations. Arranges for the defense of state agencies when claim is filed; manages litigation of claims through defense attorneys; and directs and monitors legal defense strategies. Negotiates outstanding medical bills to assure the most effective and equitable distribution of moneys available. Participates in mediation of litigated claims; resolves disputed claims; and negotiates fair and equitable claim settlement. Examines titles to property to determine validity and acts as company agent in transactions with property owners. Examines claims form and other records to determine insurance coverage. Communicating with persons outside the organization, representing the organization to customers, the public, government, and other external sources. This information can be exchanged face-to-face, in writing, or via telephone/electronic transfer.

Combining, evaluating, and reasoning with information and data to make decisions and solve problems. These processes involve making decisions about the relative importance of information and choosing the best solution. Compiling, coding, categorizing, calculating, tabulating, auditing, verifying, or processing information or data. Providing information to supervisors, fellow workers, and subordinates. This information can be exchanged face-to-face, in writing, or via telephone/electronic transfer. Identifying information received by making estimates or categorizations, recognizing differences or similarities, or sensing changes in circumstances or events. Evaluating information against a set of standards and verifying that it is correct. Making judgments about or assessing the value, importance, or quality of things or people. Observing, receiving, and otherwise obtaining information from all relevant sources. Maintains accurate patient accounts and ledgers by depicting what action was taken on each claim, the amount collected, amount resolved, invalid billing, delinquent amount and final account disposition. Reviews patient medical data to identify sources of recoverable earnings and insuring complete compliance for accounts, billing and collecting. Knowledge of cash handling techniques. Entering, transcribing, recording, storing, or maintaining information in either written form or by electronic and magnetic recording.

04/1988 to 07/2008; 40 hours per Week; Administration; last promoted Not Specified; permanent employee; not on a temporary promotion; U.S. Marine Corps, Marine Corps Security Force Kings Bay, GA; James Smith , 912 573-0179/2700 ; may contact supervisor.

Over twenty years of experience as a Leader in positions of increasing responsibility integrating physical security, designing security plans, executive protection, anti terrorism training, vulnerability assessments, quality control, site surveys, security operations, investigations, and confinement. Excellent and experienced public speaker. Proficient in the use of personal computers and their associated programs; Microsoft Office, Word, PowerPoint, Windows OS. Composite Health Care System (CHCS) Certificate of Training, Excel 2003 Level 1, Certificate of Training, and SharePoint Introduction, Certificate of Training. Current Secret - Security Clearance.

U.S. Marine Corps

Administration

Personnel and Administrative chiefs supervise the flow of paperwork to ensure proper staffing of all inbound and outbound correspondence, drafting and publishing, and supervising the maintenance and distribution of directives and correspondence. Review of existing directives instructions to determine compliance with established format and to ensure clarity and accuracy. Plan, develop, implement, and maintain programs, policies, and procedures to protect the integrity and confidentiality of systems, networks, and data input to include training in applying hardware and software systems. Type reports, maintain files, arrange meetings and travel, and conduct research concerning the interpretation and application of a variety of rules and regulations. Maintain files and regulations and procedures relative to legal activities.

The main goal is to provide customer services to military and civilian personnel. You will develop technically sound and creative solutions to human resources issues considering organizational objectives and goals, as well as legal and regulatory limitations. Have the ability to communicate both orally and in writing. Skilled in applying academic counseling techniques and knowledge of educational opportunities. Ability to perform, plan, prepare and maintain required files, letters and documents in proper format into electronic records, calendar, directories, spreadsheets, and databases. Develop and administer databases used to store and retrieve data and develop standards for the handling of data. Provide technical support to customers who need advice, to include employee benefits, human resource development, performance management, and employee and labor relations assistance, recommend and develop details for operations and procedures for the collection, compilation, editing, and data.

Review travel vouchers and settled claims to determine that payments and settlements have been made in accordance with company practices and procedures and how to input

travel claims into the computer database and breakdown travel vouchers for distribution to the member, commands, and office retain files. The work requires knowledge of the negotiability and validity of cash items, the acceptability of required supporting documents, and cash processing procedures of federal agencies and commercial institutions. Responsible for arranging transportation for, or perform other actions in connection with, the movement of freight, passengers or personal property by government or commercial means. Requires review to determine signature authentication, correct processing codes and may include operation of cash registers. The work also requires knowledge of accounting systems, standard accounting codes, classifications and terminology and the ability to apply various accounting methods and techniques. Responsible for maintain bank accounts in support of receipt, disbursement, examination, deposit and custody of cash items which includes handling cash items or use of cash accountability control methods.

Coordinate or otherwise exercise control over supplies, equipment or other material. I have an overall knowledge of both personnel and operational administrative procedure in order to establish direct supervision in the office. Coordinates work assignments and supervise clerical personnel in preparing and planning work for daily assignments. Responsibilities may include one or more phases of material management such as: initial planning, provisioning and requirements determination; acquisition and distribution; accountability; and ultimate issue for consumption, retention or disposal.

Utilizes many manuals and regulations such as the Joint Travel Regulation, Joint Federal Travel Regulation, and Dept. of Defense Volumes along with several various websites such as Defense Finance and Accounting Service (DFAS), Defense Table of Official Distance (DOD), to ensure rules are applied properly and payments paid correctly. By applying financial regulations and maintaining records, by the instruction for guidance. Prepares collection letters for the service member or civilian if an overpayment has occurred. Knowledgeable of Marine/Navy policies, regulations and military rank structure. Knowledgeable of NSIPS/DMO, military pay, ID cards, LIMDU, ESO and SATO and NAVPTO. Perform duties as Government Charge Card (GTCC) Account Program Coordinator and Assistant. Complete the necessary daily function for Government Travel Charge Card (GTCC) account to include opening/closing accounts, tracking balances and ensuring no fraudulent activity occurred.

Supervise Training section and responsible for the coordination and documentation of training for over 400 Marines and 400 Sailors. In functional areas: Weight Control, Marine Corps Common Skills(MCCS), Education, Marksmanship, Physical Fitness, and resident Professional Military Education(PME), Risk Management(RM), Nuclear, Biological, Chemical(NBC) Defense Training Program. Responsible for preparing annual, quarterly, and monthly training plan. Preparing monthly and weekly situation reports. Coordinate training and support with external supporting commands. With the use of government facilities and equipment shops, buildings, printing, and maintenance facilities, to perform

various duties concerned with the operation. Using many different Military bases such as: U.S. Army Florida National Guard at Camp Blanding, Florida; Fort Stewart Army Base; USMC Mobile Training Teams from Parris Island, South Carolina. Perform as the Non-Lethal Weapons Instructor. Assisted in the production and revision of the company's annual training plan for the fiscal years. Ensure a new training database for over 400 Marines and 400 Sailors was built and updated to reflect the current status of all Marines and Sailors. Training new personnel to the travel section. Insure personnel know how to answer the phone, load and unload printers, copiers, fax machines, analyzing, compiling, maintaining and distributing organizational charts, staffing levels, reports, graphs, mission statements and other types of organizational reports and documents.

TRANSPORTATION

Supervise, lead or perform work to arrange transportation for, or perform other actions in connection with, the movement of freight, passengers or personal property by government or commercial means. Your responsibilities may include transportation support work such as fleet management, safety or regulatory program support, quality control and inspection, carrier performance evaluation or transportation report analysis and preparation. Knowledgeable of SATO and NAVPTO.

EDUCATION

Arlington Heights High School, Ft Worth, Tx; 1983 High School Diploma
Norfolk State University, 700 Park Ave Norfolk, VA 23504; Bachelor in BS in Interdisciplinary Studies , 2013; 2.50 out of 4 Point GPA; 93 Semester Hours
Coastline Community College, 11460 Warner Ave, Fountain Valley, Ca 92; Associate in Business Administration & Electrical Technology , 2006; 2.54 out of 4 Point GPA; 86 Semester Hours

PROFESSIONAL TRAINING

Huntsville, AL, Ordinance School, 1986.
Ft. Ord, Ca, Leadership Development crs, 1989.
Augsburg, Germany, Combat Lifesaver crs, 1991.
Texas, Air Force Reserve Food Service, 1994.
Marietta, Ga, Air Force Diet Therapy crs 1994.
Marietta, Ga, Air Force Cycle Ergometry crs, 1995.
Camp Johnson, NC, Administration School (Basic), 1996.
Camp Johnson, NC, Administration School (Senior Clerk)2000.
Pensacola, FL, Antiterrorism/Force Protection Force Auxiliary Security Force, 2001.
Norfolk, Va, Legal clerk's crs, 2001.
Camp Johnson, NC Administration School (Advance), 2002.
Camp Geiger, NC, Staff Noncommissioned Academy, Career crs, 2004.
Norfolk, Va Security Supervisor crs, 2005.

Camp Geiger, NC, Noncommissioned Academy, Advance crs, 2006.
Fort Leonard Wood, Mo, Non-Lethal Individual Wpns Instructor (NIWIC),2006.
Kings Bay, Ga, Motor vehicle Operator, Instructor crs, 2007
Volunteer Fire Fighter (Training)(BEULAH) Pensacola, FL 2010

PROFESSIONAL LICENSES/CERTIFICATES

Composite Health Care System (CHCS) Certificate of Training 12 May 2009.
EXCEL 2003 Level 1, Certificate of Training, 3 June 2009.
Excel 2003 Level 2, Certificate of Training, 14 July 2009.
SharePoint Introduction, Certificate of Training, 17 Jun 2009.
SharePoint Site Administration, Certificate of Training 30 July 2009.
Terminal Area Security Officer (TASO/ATASO), Certificate of Training
28 July 2009.
System Authorization Access Request (SAAR)11/2010
Navy Standard Integrated Personnel System (NSIPS)11/2010
Transaction online Processing System (TOPS) 11/2010



BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3024

County Administrator's Report 11. 2.

BCC Regular Meeting

Discussion

Meeting Date: 08/09/2012

Issue: Pensacola-Escambia Development Commission Reappointment/Appointment

From: Charles R. (Randy) Oliver, County Administrator

Organization: County Administrator's Office

CAO Approval:

RECOMMENDATION:

Recommendation Concerning the Pensacola-Escambia Development Commission - Charles R. "Randy" Oliver, County Administrator

That the Board take the following action concerning a reappointment/appointment to the Pensacola-Escambia Development Commission:

- A. Waive the Board's Policy, Section I, Part B 1. (D), Appointment Policy and Procedures; and
- B. Reappoint Steven Barry for another two-year term, effective August 16, 2012, through August 15, 2014;

OR

- C. Appoint Rufus E. Harris, III, for a two-year term, effective August 16, 2012, through August 15, 2014.

BACKGROUND:

This Commission was established through the adoption of a legislative act in 1989, HB 984, Amending Chapter 67-1365, Laws of Florida providing for a change in the membership structure of the Pensacola-Escambia Development Commission (PEDC) with its purpose being to actively seek new industry for the area, and expansion of existing industries. It is responsible for promoting tourism and convention activities for the Escambia County area.

Mr. Steven Barry has expressed the desire to be reappointed to the PEDC. Mr. Rufus E. Harris, III, has also expressed the desire to be appointed. Both Resumes are attached for your review.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

N/A

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

In accordance with Section I B, of the Board of County Commissioners' Policy Manual, Board approval is required for all appointments/reappointments to Boards and Committees established by the Board of County Commissioners.

IMPLEMENTATION/COORDINATION:

N/A

Attachments

Resume of Mr. Steven Barry

Resume of Mr. Rufus E. Harris, III

Steven Barry

Residence – 10975 Country Ostrich Dr. – Pensacola, FL 32534
Office/Mailing – 3200 South Hwy 95A – Cantonment, FL 32533
Cell – 850-341-2424 Office – 850-505-0334
StevenLBarry@yahoo.com

Employment

- 03/06 – Present Independent Practice – Steven Barry, CFP®, AIF®
- 01/01 – 02/06 Independent Contractor – American Express Financial Advisors, Inc.
- 08/99 – 12/00 Employee – American Express Financial Advisors, Inc.

Education and Licenses

- 1993 – JM Tate High School
- 1997 – University of West Florida – BA – Financial Accounting – Cum Laude
- 1999 – FINRA Series 7 – General Securities Representative
- 1999 – State of Florida – Life, Health and Variable Annuity Agent
- 1999 – US SEC Exchange Comm. – Investment Adviser Representative
- 2000 – FINRA Series 66 – Uniform Combined State Law Representative
- 2001 – Certified Financial Planner™ Practitioner
- 2006 – State of Florida – General Lines Agent – Property and Casualty
- 2008 – FINRA Series 24 – General Securities Principal
- 2010 – Accredited Investment Fiduciary ®

Professional Recognition

- 2012 – University of West Florida “Outstanding Young Alumnus Award”
- 2008- 2011 – United Planners Financial Services “Outstanding Office Award”
- 2005- 2006 – Fidelity Investments – Advisor Council

Non Profit Boards and Community Involvement

- Escambia County Public Schools Foundation – Past Chair – 2005 – Present
- Pensacola-Escambia Development Commission – (PEDC) – Vice Chair – 2010 – Present
- Rotary Club of Cantonment – Paul Harris Fellow - Treasurer - 2004 – Present
- Miracle League of Northeast Pensacola – Treasurer – 2004 – Present
- Escambia County Planning & Zoning – Board Member – 2008 – 2012
- Citizens Environmental Committee – Board Member – 2008-2011
- Covenant Hospice – Leadership Council – 2007
- Pace Center for Girls – Board Member – 2005-2011
- Fire Services Citizens Advisory Committee – Chair - 2007

Rufus E Harris, III
10102 Castleberry Blvd
Pensacola, FL 32526
Contact Phone: (850) 525 4972
Work Phone: (850) 452-3449
Email Address: reharris65@bellsouth.net
Work Email Address: rufus.e.harris@navy.mil

EXPERIENCE

11/2010 to Present; 40 hours per Week; Human Resources Assistant (Military); GS-0203-05; last promoted 11/2010; permanent employee; not on a temporary promotion; Navy Pay and Personnel Support Center (PSD), Mrs. Jo Amon, 850 452 4284; may contact supervisor.

Human Resources Assistant (Military)

Human Resources Specialists involved in using information systems, in delivering services to Military Personnel, and in classification, recruitment and placement, employee benefits, human resource development, performance management, and employee and labor relations. Services may be provided onsite at a command Human Resources Office or at a regional Human Resources Service Center.

Knowledge and skill to review theories and proposed standards and instructions for Navy wide-implementation covering a broad range of topics such as personnel manning, accounting and reporting manpower management and a through comprehension of the Pay and Personnel Administrator System Manual in addition to Navy's Military Personnel Manual. Perform (SLDCADA) data for section and administration systems.

Conducts personnel classification interviews with non-prior service trainees. Review and analyzes information from personnel records and biographies of trainees to assist them in selecting preferences from available jobs. The incumbent discussed the trainees' background, education, training and job history to identify skills and determine with occupations they should be considered for.

Determines if trainees qualify for the Personal Reliability Program (PRP), and skills requiring a Top Secret or higher security clearance. Verifies the accuracy of the Enlisted Classification Record which includes information about the recruit prior to and at the time of entry into the Navy such as the recruits' aptitude test scores, civilian education and training, personal interests, and the Interviewer's recommendation regarding the member's assignment.

Solicits background information from the trainees about involvement with law enforcement agencies, drug experiences, and medical history. Determines whether trainees are qualified for the Navy, and what specialties they may be eligible for. Must determine if adjustments to a trainee's service records should be made if derogatory information is revealed that may be potentially disqualifying, and whether the trainee should be referred for possible discharge action. Serves as the primary source of information for trainees or seamen regarding job selection procedures and requirements. Briefs trainees on availability of jobs for which they qualify. Assist the trainees in preparing the necessary paperwork to request specific training classes or courses. Counsels trainees on various types on various types of specialties including the type of work, possible assignments, and civilian related positions.

Legal

General duties involve the legal operational, managerial, clerical, and administrative duties. Typical duties include research, preparation and typing of general correspondence, forms, and reports. Maintaining office correspondence files, directives, and publications. Leading or perform clerical or technical legal work that requires specialized knowledge of processes, procedures and practices to support legal activities. To perform this work, I possess knowledge, skills and abilities associated with the form, content and uses of civilian and military legal instruments and documents, and or the steps and procedures involved in processing civilian or military legal actions.

Supply

Supervise assignments require knowledge of common methods and techniques to analyze and evaluate the effectiveness and efficiency of supply programs and/or operations. As the Supply Specialist in receiving instructions and assignments dealing with supply and accountability matters. The incumbent will need to have knowledge of requisitioning, receiving, issuing and disposing of installation supplies and equipment, and of multiple supply objectives including inventory management of expendable and non-expendable items. Has a secret security clearance.

03/2009 to 11/2010; 40 hours per Week; Medical Support Assistant; GS-0679-4; last promoted Not Specified; permanent employee; not on a temporary promotion; Naval Hospital Pensacola, 6000 hwy 98 w Pensacola FL 32512; David Gary , 850 505 6556 ; may contact supervisor.

Medical Support Assistant

Verifies beneficiary's eligibility for care by using the Defense Eligibility Enrollment Reporting System (DEERS). Once eligibility has been verified, incumbent registers patient data into the Composite Health Care System (CHCS) computer database and prints a patient's identification card and record label. Assists patient by giving directions and general information concerning hospital hours, and appointments.

Establishes new outpatient records for eligible beneficiaries by selecting the appropriate record jacket and completing all required forms and data ensuring correct patient information. Ensures the patient completes the required Privacy Act Statement in accordance with the Federal Privacy Act of 1974, and the third party collection forms. Replaces record jackets when records are received in worn condition or are otherwise not consistent with Navy medical records procedure, and merges old medical records with new outpatient records' ensuring all data is placed in proper chronological order.

Locates pulls and or files medical records utilizing the terminal digit filing system. Retrieves medical records as needed to facilitate record movement or transfer. Reviews and develops procedures and guidelines for reviewing and verifying information in outpatient records to identify record deficiencies. Forwards appropriately requested medical records chits to other medical facilities. Utilizes record tracking system to facilitate record availability. Strives to attain continuous quality improvement in record availability and tracking. Tracks medical records internally and externally to include: between this hospitals' internal clinics; between this hospitals' records department and internal clinics; between the hospitals' records department and external branch clinics; between his hospitals' records department and external military/federal medical treatment facilities; and between this hospitals' medical records department and external civilian medical facilities. Maintains automated/manual tracking methods to facilitate expeditious record movement and ensure record tracking accuracy. Files pertinent medical information/form/reports in outpatient records.

Assist in assessing, researching and resolving medical record content and availability deficiencies. Deficiencies discovered as a result of record review, assessment and verification may include but limited to: the prescribed order and placement of in excess of 100 military medical forms; placement of a myriad of civilian forms; utilization of the appropriate record page/part; privacy act information; utilization of the Putting Prevention Into Practice form; immunizations: HIV testing; physical examinations periodicity, terminal digit system and archiving. The employee uses judgment to identify and select the most appropriate guidelines, references and procedures for accomplishing the aforementioned duties. Searches for health records and other administrative material when searching involves several possible locations: when information provided is meager, vague or

misleading; or when existence of records is undetermined. Prepares appropriate outpatient health records for retirement to National Archives.

Operates photocopying equipment and FAX machine, provides general information to patients. Prints identification cards for Ambulatory Procedure Visit patients. Trains newly reporting personnel in all duties. Verifies eligibility for patients presenting civilian prescriptions. Fills in for incumbent admissions clerk as needed and in this capacity properly admits patients, and completes applicable paperwork and provides applicable information to customers, customer assistance, inventory, computer operations, and computer security.

Performs all procedures for the admission of the patients to the MTF and ensures proper entry in the Composite Health Care System. (CHCS). This individual is the hospital point of contact for all patient admissions, transfers, and dispositions. Performs data entry for admissions, transfers, and dispositions including active duty dispositions after normal working hours. Interviews patients to obtain admission information. Provides Advanced Directives and organ/tissue donation information to patients, and refers them as appropriate to physicians, social workers and/or the legal office. Performs qualitative analysis of admission, discharge documents by reviewing content for internal consistency and completeness. Notifies the appropriate Command of the inpatient admission of active duty personnel. Notifies head, Patient Administration of a "command interest" admissions.

05/2008 to 10/2008; 40 hours per Week; Medical Disability Examiner, Claims Adjuster, Exa; \$16 per Hour; last promoted Not Specified; permanent employee; not on a temporary promotion; Dept of Disability Determination , 5620 Davis Hwy; Allison Page , 850 475 5440 ; may contact supervisor.

Medical Disability Examiner, Claims Adjuster, Examiner

Handling and reviewing claims to determine that appropriate payments and settlements are made in accordance with statutes, rules, case law, ensuring that proper methods are followed; and conferring with legal counsel on claims requiring litigation. Some positions in this occupation may be responsible for coordinating work and supervising employees. Investigates and assesses loss and damage. Interviews or corresponds with claimant and witnesses, consults police, employer, medical records, and other sources to determine extent of liability. Recommends that an award either be approved or denied based on statutory requirements. Talking to others to effectively convey information. Weighing the relative costs and benefits of a potential action and understanding written sentences and paragraphs in work related documents. Listening to what other people are saying and asking questions as appropriate. Identifying the things that must be changed to achieve a

goal. Communicating effectively with others in writing as indicated by the needs of the audience. Using logic and analysis to identify the strengths and weaknesses of different approaches. Knowing how to find information and identifying essential information as Medicare and commercial insurance. Interviews or corresponds with agents and claimants to correct errors or omissions and to investigate questionable entries.

Analyzes information gathered by investigation and report's findings and recommendations. Arranges for the defense of state agencies when claim is filed; manages litigation of claims through defense attorneys; and directs and monitors legal defense strategies. Negotiates outstanding medical bills to assure the most effective and equitable distribution of moneys available. Participates in mediation of litigated claims; resolves disputed claims; and negotiates fair and equitable claim settlement. Examines titles to property to determine validity and acts as company agent in transactions with property owners. Examines claims form and other records to determine insurance coverage. Communicating with persons outside the organization, representing the organization to customers, the public, government, and other external sources. This information can be exchanged face-to-face, in writing, or via telephone/electronic transfer.

Combining, evaluating, and reasoning with information and data to make decisions and solve problems. These processes involve making decisions about the relative importance of information and choosing the best solution. Compiling, coding, categorizing, calculating, tabulating, auditing, verifying, or processing information or data. Providing information to supervisors, fellow workers, and subordinates. This information can be exchanged face-to-face, in writing, or via telephone/electronic transfer. Identifying information received by making estimates or categorizations, recognizing differences or similarities, or sensing changes in circumstances or events. Evaluating information against a set of standards and verifying that it is correct. Making judgments about or assessing the value, importance, or quality of things or people. Observing, receiving, and otherwise obtaining information from all relevant sources. Maintains accurate patient accounts and ledgers by depicting what action was taken on each claim, the amount collected, amount resolved, invalid billing, delinquent amount and final account disposition. Reviews patient medical data to identify sources of recoverable earnings and insuring complete compliance for accounts, billing and collecting. Knowledge of cash handling techniques. Entering, transcribing, recording, storing, or maintaining information in either written form or by electronic and magnetic recording.

04/1988 to 07/2008; 40 hours per Week; Administration; last promoted Not Specified; permanent employee; not on a temporary promotion; U.S. Marine Corps, Marine Corps Security Force Kings Bay, GA; James Smith , 912 573-0179/2700 ; may contact supervisor.

Over twenty years of experience as a Leader in positions of increasing responsibility integrating physical security, designing security plans, executive protection, anti terrorism training, vulnerability assessments, quality control, site surveys, security operations, investigations, and confinement. Excellent and experienced public speaker. Proficient in the use of personal computers and their associated programs; Microsoft Office, Word, PowerPoint, Windows OS. Composite Health Care System (CHCS) Certificate of Training, Excel 2003 Level 1, Certificate of Training, and SharePoint Introduction, Certificate of Training. Current Secret - Security Clearance.

U.S. Marine Corps

Administration

Personnel and Administrative chiefs supervise the flow of paperwork to ensure proper staffing of all inbound and outbound correspondence, drafting and publishing, and supervising the maintenance and distribution of directives and correspondence. Review of existing directives instructions to determine compliance with established format and to ensure clarity and accuracy. Plan, develop, implement, and maintain programs, policies, and procedures to protect the integrity and confidentiality of systems, networks, and data input to include training in applying hardware and software systems. Type reports, maintain files, arrange meetings and travel, and conduct research concerning the interpretation and application of a variety of rules and regulations. Maintain files and regulations and procedures relative to legal activities.

The main goal is to provide customer services to military and civilian personnel. You will develop technically sound and creative solutions to human resources issues considering organizational objectives and goals, as well as legal and regulatory limitations. Have the ability to communicate both orally and in writing. Skilled in applying academic counseling techniques and knowledge of educational opportunities. Ability to perform, plan, prepare and maintain required files, letters and documents in proper format into electronic records, calendar, directories, spreadsheets, and databases. Develop and administer databases used to store and retrieve data and develop standards for the handling of data. Provide technical support to customers who need advice, to include employee benefits, human resource development, performance management, and employee and labor relations assistance, recommend and develop details for operations and procedures for the collection, compilation, editing, and data.

Review travel vouchers and settled claims to determine that payments and settlements have been made in accordance with company practices and procedures and how to input

travel claims into the computer database and breakdown travel vouchers for distribution to the member, commands, and office retain files. The work requires knowledge of the negotiability and validity of cash items, the acceptability of required supporting documents, and cash processing procedures of federal agencies and commercial institutions. Responsible for arranging transportation for, or perform other actions in connection with, the movement of freight, passengers or personal property by government or commercial means. Requires review to determine signature authentication, correct processing codes and may include operation of cash registers. The work also requires knowledge of accounting systems, standard accounting codes, classifications and terminology and the ability to apply various accounting methods and techniques. Responsible for maintain bank accounts in support of receipt, disbursement, examination, deposit and custody of cash items which includes handling cash items or use of cash accountability control methods.

Coordinate or otherwise exercise control over supplies, equipment or other material. I have an overall knowledge of both personnel and operational administrative procedure in order to establish direct supervision in the office. Coordinates work assignments and supervise clerical personnel in preparing and planning work for daily assignments. Responsibilities may include one or more phases of material management such as: initial planning, provisioning and requirements determination; acquisition and distribution; accountability; and ultimate issue for consumption, retention or disposal.

Utilizes many manuals and regulations such as the Joint Travel Regulation, Joint Federal Travel Regulation, and Dept. of Defense Volumes along with several various websites such as Defense Finance and Accounting Service (DFAS), Defense Table of Official Distance (DOD), to ensure rules are applied properly and payments paid correctly. By applying financial regulations and maintaining records, by the instruction for guidance. Prepares collection letters for the service member or civilian if an overpayment has occurred. Knowledgeable of Marine/Navy policies, regulations and military rank structure. Knowledgeable of NSIPS/DMO, military pay, ID cards, LIMDU, ESO and SATO and NAVPTO. Perform duties as Government Charge Card (GTCC) Account Program Coordinator and Assistant. Complete the necessary daily function for Government Travel Charge Card (GTCC) account to include opening/closing accounts, tracking balances and ensuring no fraudulent activity occurred.

Supervise Training section and responsible for the coordination and documentation of training for over 400 Marines and 400 Sailors. In functional areas: Weight Control, Marine Corps Common Skills(MCCS), Education, Marksmanship, Physical Fitness, and resident Professional Military Education(PME), Risk Management(RM), Nuclear, Biological, Chemical(NBC) Defense Training Program. Responsible for preparing annual, quarterly, and monthly training plan. Preparing monthly and weekly situation reports. Coordinate training and support with external supporting commands. With the use of government facilities and equipment shops, buildings, printing, and maintenance facilities, to perform

various duties concerned with the operation. Using many different Military bases such as: U.S. Army Florida National Guard at Camp Blanding, Florida; Fort Stewart Army Base; USMC Mobile Training Teams from Parris Island, South Carolina. Perform as the Non-Lethal Weapons Instructor. Assisted in the production and revision of the company's annual training plan for the fiscal years. Ensure a new training database for over 400 Marines and 400 Sailors was built and updated to reflect the current status of all Marines and Sailors. Training new personnel to the travel section. Insure personnel know how to answer the phone, load and unload printers, copiers, fax machines, analyzing, compiling, maintaining and distributing organizational charts, staffing levels, reports, graphs, mission statements and other types of organizational reports and documents.

TRANSPORTATION

Supervise, lead or perform work to arrange transportation for, or perform other actions in connection with, the movement of freight, passengers or personal property by government or commercial means. Your responsibilities may include transportation support work such as fleet management, safety or regulatory program support, quality control and inspection, carrier performance evaluation or transportation report analysis and preparation. Knowledgeable of SATO and NAVPTO.

EDUCATION

Arlington Heights High School, Ft Worth, Tx; 1983 High School Diploma
Norfolk State University, 700 Park Ave Norfolk, VA 23504; Bachelor in BS in Interdisciplinary Studies , 2013; 2.50 out of 4 Point GPA; 93 Semester Hours
Coastline Community College, 11460 Warner Ave, Fountain Valley, Ca 92; Associate in Business Administration & Electrical Technology , 2006; 2.54 out of 4 Point GPA; 86 Semester Hours

PROFESSIONAL TRAINING

Huntsville, AL, Ordinance School, 1986.
Ft. Ord, Ca, Leadership Development crs, 1989.
Augsburg, Germany, Combat Lifesaver crs, 1991.
Texas, Air Force Reserve Food Service, 1994.
Marietta, Ga, Air Force Diet Therapy crs 1994.
Marietta, Ga, Air Force Cycle Ergometry crs, 1995.
Camp Johnson, NC, Administration School (Basic), 1996.
Camp Johnson, NC, Administration School (Senior Clerk)2000.
Pensacola, FL, Antiterrorism/Force Protection Force Auxiliary Security Force, 2001.
Norfolk, Va, Legal clerk's crs, 2001.
Camp Johnson, NC Administration School (Advance), 2002.
Camp Geiger, NC, Staff Noncommissioned Academy, Career crs, 2004.
Norfolk, Va Security Supervisor crs, 2005.

Camp Geiger, NC, Noncommissioned Academy, Advance crs, 2006.
Fort Leonard Wood, Mo, Non-Lethal Individual Wpns Instructor (NIWIC),2006.
Kings Bay, Ga, Motor vehicle Operator, Instructor crs, 2007
Volunteer Fire Fighter (Training)(BEULAH) Pensacola, FL 2010

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Composite Health Care System (CHCS) Certificate of Training 12 May 2009.
EXCEL 2003 Level 1, Certificate of Training, 3 June 2009.
Excel 2003 Level 2, Certificate of Training, 14 July 2009.
SharePoint Introduction, Certificate of Training, 17 Jun 2009.
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System Authorization Access Request (SAAR)11/2010
Navy Standard Integrated Personnel System (NSIPS)11/2010
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BOARD OF COUNTY COMMISSIONERS
Escambia County, Florida

AI-3012

County Attorney's Report 11. 1.

BCC Regular Meeting

Action

Meeting Date: 08/09/2012

Issue: Wireless Communications Tower Site Lease with Navy Federal Credit Union

From: Stephen G. West, Senior Assistant County Attorney

Organization: County Attorney's Office

CAO Approval:

RECOMMENDATION:

Recommendation Concerning Wireless Communications Tower Site Lease with Navy Federal Credit Union

That the Board authorize the Chairman to execute the Wireless Communications Tower Site Lease with Navy Federal Credit Union attached to the recommendation.

BACKGROUND:

The Wireless Communications Tower Site Lease was negotiated as part of the sale of the Matt Langley Bell 4-H Center Property to Navy Federal Credit Union. The lease will allow the County to maintain its wireless communication tower and related antenna equipment on the property.

BUDGETARY IMPACT:

N/A

LEGAL CONSIDERATIONS/SIGN-OFF:

The Wireless Communications Tower Site Lease has been reviewed and approved as to form and legal sufficiency by County Attorney Alison Rogers.

PERSONNEL:

N/A

POLICY/REQUIREMENT FOR BOARD ACTION:

N/A

IMPLEMENTATION/COORDINATION:

N/A

Attachments

Wireless Communications Tower Site Lease with NFCU

**WIRELESS COMMUNICATIONS
TOWER SITE LEASE**

THIS WIRELESS COMMUNICATIONS TOWER SITE LEASE ("Lease"), entered into this ____ day of _____, 2012 by and between Escambia County, Florida, a subdivision of the State of Florida (County) and the Navy Federal Credit Union, Inc. (NFCU).

1. **Property.** NFCU is the owner of real property and improvements previously known as the Matt Langley Bell 4-H Center, as more particularly described in Exhibit "A" ("Property"). NFCU leases to the County the portion of the property as shown on the Description Drawing in Exhibit B (Site), together with a non-exclusive license for reasonable access to the appropriate sources of electric and telephone facilities to service the Site, and reasonable access to the Site, provided, however, that NFCU will have the right, which NFCU may exercise at any time during the Initial Term (as defined below) or during any Renewal Term(s) (as defined below) to relocate, modify or adjust access to the Site so that NFCU's intended development of the Property will not be limited, interrupted, delayed or otherwise impacted.
2. **Use.** The Site will be used by the County for the purpose of maintaining and operating a wireless communications tower (Facility), including, without limitation, related antenna equipment, fixtures and buildings. The County will use the Site in a manner that will not unreasonably disturb the occupancy of other users of the Property.
3. **Term.** The term of the lease is five (5) years ("Initial Term") to commence on the day of closing and conveyance of the Property to NFCU. The term of the Lease will automatically renew for successive five-year terms ("Renewal Term(s)") with no rent increase. County may, at its discretion, terminate the Lease at any time without cause provided the County gives at least ninety (90) days written notice to NFCU. NFCU will have the right to terminate this Lease, which NFCU may exercise anytime after the Initial Term in its sole and absolute discretion, upon twelve (12) months prior written notice to the County.
4. **Rent.** The annual lease fee is one dollar (\$1), due and payable beginning on January 1, 2013 and afterwards each January 1, during the Initial Term and all Renewal Term(s).
5. **Compliance with Laws.** The County shall fully comply with all applicable laws, statutes, ordinances, rules and regulations pertaining to the County's operation of the Facility, the improvements constructed, used, or maintained by the County at the Site, or the County's use and occupancy of the Site.

6. Improvements, Alterations and Maintenance. After prior written approval from NFCU, which shall not be unreasonably withheld, County may, at the County's sole cost and expense, make the improvements to the Site and Facility as it deems necessary. After prior written approval from NFCU, which shall not be unreasonably withheld, the County shall also have the right to make additional alterations and improvements to the Facility, as the County necessary from time to time for the operation of its Facility. The NFCU agrees to reasonably cooperate with the County, at the County's sole cost and expense, with respect to obtaining any required zoning approvals, or other governmental approvals or permits for the Facility; provided, however, the NFCU is not obligated to accept any restrictions or conditions of approval that would adversely affect the NFCU's use and enjoyment or the market value of the Property. All improvements to the Facility constructed or installed by the County remain the personal property of the County. The County, at the County's sole cost and expense, shall maintain and repair the Site and Facility, in good and safe condition and in compliance with all applicable laws, ordinance, rules, and regulations. The NFCU has no obligation to the County to maintain and repair the Facility. The County must promptly repair any damage to the NFCU's personal property or the Property caused by the County's construction, operation, or maintenance of the Facility, or the County's use or occupancy of the Site. Upon the termination of the Lease, the County and the NFCU agree that any cost of dismantling the Facility, along with the restoration of the Site, shall be the sole responsibility and expense of the County.
7. Liability. Each party shall be responsible under Florida Law for any liability, costs, damages, claim or cause of action resulting from any act, omission, activity or the negligent action, whether foreseeable or unforeseeable, of its agents, representatives, employees, assigns and independent contractors. The County in no way waives its sovereign immunity protections as provided by Florida Law.
8. Damage and Destruction. If the Facility is destroyed or damaged so as, in the County's reasonable judgment, to materially affect County's effective use of the Facility, the County may elect to terminate this Lease as of the date of the damage or destruction by notifying the NFCU no more than thirty days following the date of the damage or destruction. If the County and the NFCU so desire, they may enter into a separate agreement to repair and rebuild the Facility on the Site under mutually agreeable terms.
9. Interference. The County has the responsibility for resolving any technical interference problems between the Facility and other equipment located on the Property. The County must resolve any interference between equipment on the tower and on the Property within five (5) days (to NFCU's satisfaction) or NFCU can terminate the Lease upon written notice to the County. The NFCU shall not permit the installation of any future equipment on the Property that results in unreasonable technical interference problems with the County's then existing

equipment. In case of such interference with the County's operations, the County shall notify the NFCU in writing, and the NFCU will have a reasonable period to correct the interference. Should the NFCU be unsuccessful in correcting the interference within a reasonable period after receipt of the County's written notice, the NFCU will be deemed in breach of the Lease, and the County's sole remedy will be to terminate the Lease immediately upon written notice to the NFCU.

10. Collocation. After prior written approval from NFCU, which shall not be unreasonably withheld, the County may elect to enter into agreements with other wireless communications operators ("Other Operators"), to all the use ("Other Use") of the Facility space for a fee, provided, however, such Other Use shall not interfere with operations of NFCU and further provided, however, that such Other Operators' access to the appropriate sources of electric and telephone facilities to service the Site and access to the Site, must be the same as that of the County, as such may change, from time to time, as provided herein. Other Operators must obtain and maintain during the term of their use, comprehensive general liability insurance in limits not less than One Million Dollars (\$1,000,000.00) for any one occurrence for personal injury, death or property damage occurring in or upon the Property and arising out of the use of the Property by the Other Operator. All insurance so required shall be written by an insurance company carrying a Best's rating of "A" or better and, prior to using and accessing the Facility, NFCU must be provided with acceptable certificates of insurance. Such policies shall also provide no less than thirty (30) days' prior written notice to NFCU before such policies are terminated, cancelled or modified and shall be designated as primary to any insurance maintained by NFCU.

11. Notices. All notices must be in writing and sent by certified mail, return receipt request, to the addresses below:

TO THE COUNTY:
County Administrator
221 Palafox Place
Pensacola, Florida 32502

TO THE NFCU:

WITH A COPY TO:
County Attorney's Office
221 Palafox Place, Ste. 430
Pensacola, Florida 32502

WITH A COPY TO:

12. Successors. The terms, covenants, conditions, and agreements contained in this Lease shall apply to and bind the successors and assigns of the parties to the Lease.

13. Prior Agreements. This lease supersedes any prior written agreement or lease for the County's use of the site for wireless communications tower uses.

IN WITNESS WHEREOF, the County causes this Lease to be executed in its name by its Board of County Commissioners acting by the Chair or Vice-Chair, and the NFCU causes this Lease to be executed by its Senior Vice President.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

Wilson B. Robertson, Chairman

ATTEST: ERNIE LEE MAGAHA
Clerk of the Circuit Court

Deputy Clerk

(Seal)

Witnesses:

Print Name: _____

Print Name: _____

This document approved as to form and legal sufficiency.

By [Signature]
Title Asst. County Attorney
Date July 30, 2012

NAVY FEDERAL CREDIT UNION

By: _____
Deborah H. Calder
As Its: Senior Vice President
Date: _____

EXHIBIT "A"

REAL PROPERTY

The Northeast Quarter lying Southwesterly of the right of way for Interstate 10 as described in Deeds recorded in O.R. Book 160, page 688 and O.R. Book 166, page 211, the Southeast Quarter of the Northwest Quarter, the Southeast Quarter and the East Half of the Southwest Quarter of Section 4, Township 1 South, Range 31 West, Escambia County, Florida, less road right of way.

LESS AND EXCEPT that portion conveyed to the State of Florida by Deed recorded in O.R. Book 2906, Page 129, being more particularly described as follows:

A parcel of land situate, lying and being in the East one half of Section 4, Township 1 South, Range 31 West, being more particularly described as follows: Begin on the East line of said Section 4, at a point 2599.30 feet South 01 degree 07 minutes 27 seconds West of a one inch iron pipe on the Northeast corner of said Section 4, said point being on the existing Southerly Limited Access right of way line of State Road 8 (I-10); thence run North 51 degrees 46 minutes 50 seconds West 1042.04 feet along said Southerly right of way line; thence South 38 degrees 13 minutes 10 seconds West 40.0 feet; thence North 51 degrees 46 minutes 50 seconds West 575.0 feet; thence North 38 degrees 13 minutes 10 seconds East 40.0 feet; thence North 51 degrees 46 minutes 50 seconds West 572.57 feet; thence run South 01 degree 43 minutes 12 seconds West 430.25 feet; thence North 88 degrees 16 minutes 48 seconds West 310.31 feet; thence South 38 degrees 13 minutes 10 seconds West 69.56 feet; thence South 51 degrees 46 minutes 50 seconds East 2636.84 feet to a point on the East line of said Section 4, said point being 752.23 feet South 01 degree 07 minutes 27 seconds West of the Point of Beginning; thence North 01 degree 07 minutes 27 seconds East 752.23 feet along said East line of Section 4 to the Point of Beginning.

ALSO LESS AND EXCEPT that portion thereof previously conveyed to Escambia County by Deed recorded in O.R. Book 4711, page 1015, being more particularly described as follows:

Commence at the Southwest corner of Section 4, Township 1 South, Range 31 West, Escambia County, Florida; thence proceed North 02 degrees 19 minutes 44 seconds East along the West line of said Section 4 a distance of 110.48 feet to a point on the North right of way line of U.S. Highway Alternate 90 (200 foot right of way); thence proceed South 87 degrees 11 minutes 00 seconds East along said North right of way line a distance of 1326.07 feet to the Point of Beginning; thence continue South 87 degrees 11 minutes 00 seconds East along said right of way line a distance of 1964.00 feet; thence departing said right of way line, proceed North 02 degrees 22 minutes 32 seconds East a distance of 331.12 feet; thence proceed North 29 degrees 03 minutes 52 seconds East a distance of 655.67 feet to a point on the water's edge of an existing lake; thence meander Northwesterly along said water's edge a distance of 833 feet, more or less (chord bearing and distance of North 39 degrees 11 minutes 36 seconds West, 647.11 feet); thence departing said water's edge proceed North 87 degrees 11 minutes 00 seconds West a distance of 1829.12 feet to a point on the West line of the East half of the Southwest Quarter of said Section; thence proceed South 02 degrees 22 minutes 32 seconds West along said West line a distance of 1400.04 feet to the Point of Beginning, lying in Section 4, Township 1 South, Range 31 West, Escambia County, Florida.

