

AGENDA  
Escambia County Area Transit Authority  
Organizational Meeting

April 5, 2018 – Time 9:00 a.m.  
BOARD CHAMBERS, FIRST FLOOR  
ERNIE LEE MAGAHA GOVERNMENT BUILDING  
221 PALAFOX PLACE, PENSACOLA FLORIDA

Call to Order.

**(PLEASE TURN YOUR CELL PHONE TO THE VIBRATE, SILENCE, OR OFF SETTING)**

Proof of Publication.

The Meeting of the Escambia County Area Transit Authority was properly advertised in the Pensacola News Journal.

**I. Public Forum**

**II. Technical/Public Service**

1. Designation of Chair and Vice Chair - Alison Rogers, County Attorney
2. Designation of Registered Agent and Registered Office - Alison Rogers, County Attorney
3. Recommendation Concerning the Acknowledgement of the Appointment of the Officers of the Escambia County Area Transit Authority - Alison Rogers, County Attorney

That the Board acknowledge for the Official Record the appointment of the following officers of the Escambia County Area Transit Authority:

- A. President - Jack R. Brown, County Administrator;
- B. Secretary/Treasurer - Pam Childers, Clerk of the Circuit Court and Comptroller; and
- C. Executive Director - Mike Crittenden, Mass Transit Director.

### III. Discussion/Information Items

1. Schedule of Meetings - Alison Rogers, County Attorney
2. Website Requirements - Alison Rogers, County Attorney
3. Recommendation Concerning Recognition-Acknowledgement Petition and Resolution of Recognition to the Public Employees Relations Commission- Kristin D. Hual, Senior Assistant County Attorney

That the Board, acting in its capacity as the Board of Directors of the Escambia County Area Transit Authority, take the following action:

A. Approve the Recognition-Acknowledgement Petition as requested by the Amalgamated Transit Union, Local 1395, and authorize the Chairman to execute Part II as the "Employer Representative"; and

B. Adopt the Resolution of Recognition and authorize the Chairman to execute the Resolution.

4. Recommendation Acknowledging the Ordinance Establishing the Escambia County Area Transit Authority as a Dependent Special District of Escambia County, Florida - Kristin Hual, Senior Assistant County Attorney

That the Board acknowledge for the Official Record Ordinance 2018-8, adopted at the February 15, 2018, Board of County Commissioners' Meeting, which established the Escambia County Area Transit Authority as a Dependent Special District of Escambia, County, Florida.

Adjournment.



**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

**Escambia County Area Transit Authority**

3.

**Meeting Date:** 04/05/2018

**Issue:** Acknowledgement of the Appointment of Officers

**From:** Alison Rogers, County Attorney

**Organization:** County Attorney's Office

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**RECOMMENDATION:**

Recommendation Concerning the Acknowledgement of the Appointment of the Officers of the Escambia County Area Transit Authority - Alison Rogers, County Attorney

That the Board acknowledge for the Official Record the appointment of the following officers of the Escambia County Area Transit Authority:

A. President - Jack R. Brown, County Administrator;

B. Secretary/Treasurer - Pam Childers, Clerk of the Circuit Court and Comptroller; and

C. Executive Director - Mike Crittenden, Mass Transit Director.

**BACKGROUND:**

N/A

**BUDGETARY IMPACT:**

N/A

**LEGAL CONSIDERATIONS/SIGN-OFF:**

NA

**PERSONNEL:**

NA

**POLICY/REQUIREMENT FOR BOARD ACTION:**

N/A

**IMPLEMENTATION/COORDINATION:**

N/A

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## Attachments

*No file(s) attached.*

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**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

**Escambia County Area Transit Authority**

3.

**Meeting Date:** 04/05/2018

**Issue:** Recognition-Acknowledgement Petition

**From:** Kristin Hual, Senior Assistant County Attorney

**Organization:** County Attorney's Office

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**RECOMMENDATION:**

Recommendation Concerning Recognition-Acknowledgement Petition and Resolution of Recognition to the Public Employees Relations Commission- Kristin D. Hual, Senior Assistant County Attorney

That the Board, acting in its capacity as the Board of Directors of the Escambia County Area Transit Authority, take the following action:

A. Approve the Recognition-Acknowledgement Petition as requested by the Amalgamated Transit Union, Local 1395, and authorize the Chairman to execute Part II as the "Employer Representative"; and

B. Adopt the Resolution of Recognition and authorize the Chairman to execute the Resolution.

**BACKGROUND:**

The Amalgamated Transit Union, Local 1395, is seeking certification with the State of Florida, Public Employees Relations Commission (PERC) and has requested recognition by the Escambia County Area Transit Authority as the exclusive bargaining agent for collective bargaining on behalf of the bargaining unit employees of the Transit Authority. The bargaining unit employees of the ATU, Local 1395 include the following classifications: full-time and part-time bus operators; trolley operators; customer service associates; maintenance employees, to include technicians (Master, I-III & P), fuelers, and cleaners; building maintenance associates; and grounds maintenance associates.

Pursuant to §447.307, Florida Statutes, if the Transit Authority formally recognizes the ATU, Local 1395 on the basis of majority status of the organization and on the basis of appropriateness of the proposed unit then the ATU, Local 1395 may immediately petition for certification with PERC. In the absence of inclusion of a prohibited category of employees or a violation of §447.501, Florida Statutes, relating to unfair labor practices, PERC shall immediately certify the proposed unit without the necessity for further proceedings.

**BUDGETARY IMPACT:**

N/A

**LEGAL CONSIDERATIONS/SIGN-OFF:**

The Resolution was prepared by Senior Assistant County Attorney, Kristin D. Hual.

**PERSONNEL:**

N/A

**POLICY/REQUIREMENT FOR BOARD ACTION:**

N/A

**IMPLEMENTATION/COORDINATION:**

N/A

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**Attachments**

Recognition-Acknowledgement Petition and Resolution

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RESOLUTION R2018-\_\_\_

A RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA ACTING IN ITS CAPACITY AS THE BOARD OF DIRECTORS OF THE ESCAMBIA COUNTY AREA TRANSIT AUTHORITY APPROVING THE RECOGNITION-ACKNOWLEDGEMENT PETITION RECOGNIZING THE AMALGAMATED TRANSIT UNION, LOCAL 1395; AUTHORIZING THE CHAIRMAN TO EXECUTE THE RECOGNITION-ACKNOWLEDGEMENT PETITION; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, in accordance with the provisions of Chapter 447, Florida Statutes, the Amalgamated Transit Union (ATU), Local 1395, is seeking certification with the State of Florida, Public Employees Relations Commission (PERC); and

WHEREAS, pursuant to §447.307, Florida Statutes, the ATU, Local 1395 has requested formal recognition by the Escambia County Area Transit Authority as the exclusive bargaining agent for collective bargaining on behalf of the bargaining unit employees of the Transit Authority; and

WHEREAS, the Board is satisfied as to the majority status of the organization and the appropriateness of the proposed unit.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA ACTING IN ITS CAPACITY AS THE BOARD OF DIRECTORS OF THE ESCAMBIA COUNTY AREA TRANSIT AUTHORITY AS FOLLOWS:

Section 1. That the above stated recitals are true and correct and incorporated herein by reference.

Section 2. That the Board hereby approves the Recognition-Acknowledgement Petition recognizing the Amalgamated Transit Union, Local 1395 as the exclusive bargaining agent for bargaining unit employees of the Escambia County Area Transit Authority and authorizes the Chairman to execute Part II of the Petition as the Employer Representative on behalf of the Escambia County Area Transit Authority.

Section 3. That this resolution will take effect immediately upon adoption by the Board of County Commissioners.

ADOPTED THIS \_\_\_ DAY OF \_\_\_\_\_, 2018.

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA, ACTING IN ITS  
CAPACITY AS THE BOARD OF DIRECTORS OF THE  
ESCAMBIA COUNTY AREA TRANSIT AUTHORITY

\_\_\_\_\_  
Jeff Bergosh, Chairman

ATTEST: Pam Childers  
Clerk of the Circuit Court

By: \_\_\_\_\_  
Deputy Clerk

Approved as to form and legal  
sufficiency.

By/Title: [Signature]  
Date: 3/29/18

STATE OF FLORIDA  
PUBLIC EMPLOYEES RELATIONS COMMISSION  
4708 Capital Circle N.W., Suite 300  
Tallahassee, Florida 32303  
(850) 488-8641

Do Not Write In This Box

CASE NUMBER

RA-

DATE FILED

RECOGNITION-ACKNOWLEDGEMENT PETITION

PART I - REQUEST FOR RECOGNITION

INSTRUCTIONS:

Part I is to be completed by the union which is requesting recognition by the public employer. This form is to be served on the employer representative indicated in item 5 below. If more space is required for any item, attach additional sheets, numbering items accordingly.

The petitioner hereby requests recognition by the public employer as the exclusive bargaining agent for the employees in the classifications listed in item 6 below:

1. NAME OF PETITIONER: Amalgamated Transit Union Local 1395, AFL-CIO  
Address: 4302 Yarmouth Place  
Pensacola, Florida 32514  
Zip Code
2. PETITIONER REPRESENTATIVE: Michael Lowery  
Title: President / Business Agent Phone No. 850-554-6034  
Address: 4302 Yarmouth Place  
Pensacola, Florida 32514  
Zip Code
3. PERC REGISTRATION NUMBER OF PETITIONER: OR- 18-003  
Expiration of current registration: February 7, 2019



4. NAME OF EMPLOYER: Escambia County Area Transit Authority (ECAT) and Escambia County

Address: \_\_\_\_\_

1515 West Fairfield Drive, Pensacola, Florida 32501

\_\_\_\_\_  
Zip Code

5. EMPLOYER REPRESENTATIVE: Michael Mattimore

Title: Counsel for Escambia County / ECAT Phone No. 850-561-3503

Address: Allen Norton & Blue

906 N Monroe Street, Tallahassee, Florida 32303

\_\_\_\_\_  
Zip Code

6. DESCRIPTION OF UNIT CLAIMED to be appropriate for the purpose of collective bargaining. (List individually all job classifications proposed for inclusion.)

INCLUDED: Full Time Bus Operator; Part Time Bus Operator; Trolley Operator; Customer Service Associate;  
Lead Customer Service Associate; Master Technician; Technician III; Technician II; Technician I; Technician P;  
Fueler; Cleaner; Building Maintenance Associate; and Grounds Maintenance Associate

EXCLUDED: All other employees of ECAT and Escambia County, Florida

7. APPROXIMATE NUMBER OF EMPLOYEES in the unit claimed to be appropriate: 103

8. (a) Is this request supported by more than 50% of the employees in the proposed bargaining unit?  
 YES  NO

(b) If answer to (a) is YES, describe the method by which the public employer may verify the majority status claimed by the organization.

Due to the nature of the transition from private to public sector, and due to the terms of the Implementing Agreement between Escambia County and Local 1395, the employer is currently deducting dues for those employees who are members of Local 1395 and employed in the proposed bargaining unit. The employer can verify that it is deducting dues for approximately 77 of the 103 employees in the proposed unit. Those employees are existing members of Local 1395 and the number is sufficient to verify majority status.

9. DATE THIS REQUEST WAS MAILED OR DELIVERED TO public employer: 03-19-2018

  
Signature of Petitioner Representative

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## PART II - RECOGNITION-ACKNOWLEDGEMENT AND NOTICE TO EMPLOYEES

### INSTRUCTIONS:

If the public employer recognizes the petitioner/organization as the collective bargaining agent for the employees in the proposed unit, Part II is to be completed and submitted to the organization, attaching copies of the job descriptions, if any, for all classifications of employees to be included in the unit. The public employer should simultaneously serve copies of the executed form without job descriptions upon those employee organizations listed in 14, below.

10. Does the organization have the support of a majority of the employees in the proposed unit?  
 YES  NO

11. TOTAL NUMBER OF EMPLOYEES IN THE UNIT proposed in item 6: 77 of 105

12. DESCRIPTION OF THE METHOD BY WHICH THE MAJORITY STATUS OF THE EMPLOYEE ORGANIZATION HAS BEEN VERIFIED:

The number of employees paying dues was verified by the Clerk's Office.

13. DATE OF EXPIRATION OF THE CURRENT COLLECTIVE BARGAINING AGREEMENT covering any employee within the proposed unit, if any: 10/01/2017

14. ORGANIZATIONS OTHER THAN PETITIONER which claim to represent any of the employees in the unit set forth in item 6, above, if known. (If none, so state) N/A

15. (a) HAS A REPRESENTATION ELECTION BEEN CONDUCTED within the preceding twelve (12) months among any of the employees in the proposed unit?

           YES        XX   NO

(b) If answer to (a) is Yes, give the date of the last election: \_\_\_\_\_

16. NOTICE TO EMPLOYEES:

If approved by the Public Employees Relations Commission, this petition will result in the organization being certified as the exclusive bargaining agent for all employees in the unit described above. No election will be conducted. Any person who objects to approval of the petition must file written notice with the Public Employees Relations Commission, stating the basis for such objection, within twenty (20) days after initial posting of this notice.

17. (a) LIST OF LOCATIONS WHERE COPIES OF THIS FORM HAVE BEEN POSTED BY THE EMPLOYER:

1515 West Fairfield Drive Pensacola, FL 32501

(b) Date of initial posting: 04/06/2018

18. (a) The public employer recognizes the employee organization named in item 1 as the collective bargaining representative of the employees in the unit described in item 6.
- (b) Attached hereto is documentary evidence of such recognition (e.g. formal resolution or official minutes reflecting the act of recognition).
- (c) The public employer has mailed copies of this executed form and attachments to the organizations listed in item 14.

19. DATE OF EXECUTION OF PART II: \_\_\_\_\_

ATTEST: Pam Childers  
Clerk of the Circuit Court

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

By: \_\_\_\_\_  
Deputy Clerk

Jeff Bergosh, Chairman

[SEAL]

### PART III - PETITION

#### INSTRUCTIONS:

Upon receipt of Part II from the public employer, the employee organization shall execute Part III and file the original and one (1) copy of the fully executed Petition and of the job descriptions for all classifications of employees to be included in the unit with the Commission.

20. NAME AND TITLE OF PERSON EXECUTING PART III, if different from Petitioner Representative in item 2 above:

NAME: \_\_\_\_\_

Title: \_\_\_\_\_ Phone No. \_\_\_\_\_

Address: \_\_\_\_\_

Zip Code \_\_\_\_\_

I have read the above form and all attachments. The statements contained therein are true to the best of my knowledge and belief.

21. DATE OF EXECUTION OF PART III: \_\_\_\_\_

\_\_\_\_\_  
Signature of Petitioner Representative

**FALSE STATEMENTS MAY RESULT IN FINE AND IMPRISONMENT  
PURSUANT TO CHAPTER 837, FLORIDA STATUTES**

ATU 1395 Union Dues

January

2018

Employee Name	Employee Name	Total Amount
ALEXANDER	PHILIP	54.94
ALLEN	PATRICIA	38.94
ALVERSON	DAVID	54.94
ARCHIBALD	SOPHIA	54.94
BAKER	PAUL	19.47
BESS	JEROME	54.94
BOYKINS	WANDA	54.94
BRADSHAW	MICHELLE	54.94
BROOKS	MICHAEL	54.94
BROOKS	JANET	54.94
BROUGHTON	VALEREE	54.94
BROWN	VICKIE	38.94
BROWN	RORY	54.94
BROWN	QUEENIE	54.94
BULLOCK	JOHN	54.94
BURNETT	WEBBIE	54.94
BYNUM	VERONICA	54.94
CARTER	WILLIE	54.94
COULTU	WAN	54.94
CREWS	RICKY	54.94
DEBENEDETTO	DONNA	38.94
DEES	JEVON	54.94
DEVAUGHN	LALONDA	54.94
DIXON	ADIDAS	54.94
ENGLISH	FOREST	54.94
FERGUSON	MARGARET	54.94
FILLINGIM	JANET	54.94
FOX	EDNA	54.94
GIBBS	SHAWN	54.94
GIBSON	MAUREEN	54.94
GREEN	VALERIE	54.94
HERRIN	JOSEPH	54.94
HUFFSTETLER	LAURIE	54.94
JACKSON	AARON	54.94
JAQUEZ	RUBEN	54.94
JONES	VONNELL	54.94
KILGO	SEAN	54.94
KING	AMY	54.94
KITCHEN	ROBERT	54.94

LIDDELL	CEDRIC	54.94
LOWERY	BRIGITTE	54.94
LOWERY	MICHAEL	54.94
LUCKEY	DEBORAH	54.94
LUOMA	LISA	54.94
MADISON	WANDA	54.94
MCCORMICK	GWENDOLYN	54.94
MCINTYRE	JAMES	54.94
MCWHITE	RASHAD	54.94
MICHAUD	NICHOLAS	54.94
MILLER	CHARLES	54.94
MORENO	JOSE	54.94
MORIL	VIMONLUCK	54.94
PATE	TIFFANY	54.94
PROSSER	OUIDA	54.94
PULLEN	JOSEPH	38.94
RICH	ASIA	54.94
ROBINSON	LINA	54.94
ROY	ROBERT	54.94
SCOTT	JAMES	54.94
SIMMONS	ERNEST	54.94
SMITH	JOHN	54.94
SMITH	DANNY	54.94
SMITH	SHALONDA	54.94
STALLWORTH	JERRY	54.94
STALLWORTH	DEWITT	54.94
STANBERRY	ALICE	54.94
STANTON	JAMES	54.94
STANTON	MARYANN	54.94
THOMAS	SHANTIA	54.94
THREAT	STEPHANIE	54.94
WEEKLEY	BERNARD	54.94
WHITE	CHARLES	54.94
WHITE	JERRY	54.94
WIGGINS	CLARANETTA	54.94
WILLIAMS	YOLANDA	54.94
WIRES	ARLENE	54.94
WISE	ALAN	54.94
YOUNG	MICHAEL	38.94
Total		4169.85

Total employees : 70

ATU 1395 Union Dues

February

2018

Employee L Name	Employee F Name	Total Amt[2]
ALVERSON	DAVID	54.94
ARCHIBALD	SOPHIA	54.94
BAKER	PAUL	38.94
BESS	JEROME	54.94
BOYKINS	WANDA	54.94
BRADSHAW	MICHELLE	54.94
BROOKS	MICHAEL	54.94
BROOKS	JANET	54.94
BROUGHTON	VALEREE	54.94
BROWN	VICKIE	38.94
BROWN	RORY	54.94
BROWN	QUEENIE	54.94
BULLOCK	JOHN	54.94
BURNETT	WEBBIE	54.94
BYNUM	VERONICA	54.94
CARTER	WILLIE	54.94
COULTU	WAN	54.94
CREWS	RICKY	54.94
DEBENEDETTO	DONNA	38.94
DEES	JEVON	54.94
DEVAUGHN	LALONDA	54.94
DIXON	ADIDAS	54.94
ENGLISH	FOREST	54.94
FERGUSON	MARGARET	54.94
FILLINGIM	JANET	54.94
FOX	EDNA	54.94
GIBBS	SHAWN	54.94
GIBSON	MAUREEN	54.94
GREEN	VALERIE	54.94
HERRIN	JOSEPH	54.94
HUFSTETLER	LAURIE	54.94
JACKSON	AARON	54.94
JAQUEZ	RUBEN	54.94
JONES	VONNELL	54.94
KILGO	SEAN	54.94
KITCHEN	ROBERT	54.94
LIDDELL	CEDRIC	54.94
LOWERY	BRIGITTE	54.94
LOWERY	MICHAEL	54.94
LUCKEY	DEBORAH	54.94
LUOMA	LISA	54.94

MADISON	WANDA	54.94
MCCORMICK	GWENDOLYN	54.94
MCINTYRE	JAMES	0
MCWHITE	RASHAD	54.94
MICHAUD	NICHOLAS	54.94
MILLER	CHARLES	54.94
MORENO	JOSE	54.94
MORIL	VIMONLUCK	54.94
PATE	TIFFANY	54.94
PROSSER	OUIDA	54.94
PULLEN	JOSEPH	38.94
RICH	ASIA	54.94
ROBINSON	LINA	54.94
ROY	ROBERT	54.94
SCOTT	JAMES	54.94
SIMMONS	ERNEST	54.94
SMITH	JOHN	54.94
SMITH	DANNY	54.94
SMITH	SHALONDA	54.94
STALLWORTH	JERRY	54.94
STALLWORTH	DEWITT	54.94
STANBERRY	ALICE	54.94
STANTON	JAMES	54.94
STANTON	MARYANN	54.94
THOMAS	SHANTIA	54.94
THREAT	STEPHANIE	54.94
WEEKLEY	BERNARD	46.94
WHITE	CHARLES	54.94
WHITE	JERRY	54.94
WIGGINS	CLARANETTA	54.94
WILLIAMS	YOLANDA	54.94
WIRES	ARLENE	54.94
WISE	ALAN	54.94
YOUNG	MICHAEL	38.94
Total		3,977.56

Total Employees: 77





Safety Team	ID	Name	Current Ranking	Hire Date	Vacation	Seniority Date Bidding	Status	Current Status	Union Position	Years of Service	next safety yr. award	Years of service award	Base Pay Rate
	59	Robert Kitchin	59	1/25/2016		11/6/2016	Full-time	Seniority measured from previous service at EGS		2	0 2021/5		\$14.32
	60	Asia Rich	60	3/30/2016		1/9/2017	Full-time	Seniority from EGS		1	0 2022/5		\$14.32
	61	Marti Vromanlueck	61	6/6/2016		7/30/2017	Full-time	Seniority from EGS		1	0 2022/5		\$14.32
	62	Laurie Huffstader	62	4/1/2016		7/30/2017	Full-time	Seniority from EGS		1	0 2022/5		\$14.32
	63	Veronica Bynere	63	1/9/2017		7/30/2017	Full-time	Seniority from EGS		1	0 2022/5		\$14.32
	64	Valerie Green	64	7/25/2016		7/30/2017	Full-time	Seniority from EGS		0	0 2022/5		\$14.32
	65	Nobanda Williams	65	5/5/2017		7/30/2017	Full-time	Seniority from EGS		0	0 2022/5		\$14.32
	66	Hilary Pace	66	6/5/2017		7/30/2017	Full-time	Seniority from EGS		0	0 2022/5		\$14.32
	67	Dan, Cynthia	67	5/5/2017		7/30/2017	Full-time	Seniority from EGS		0	0 2022/5		\$14.32

**PART-TIME BUS OPERATORS**

Team	#	Name	Current Ranking	Hire Date	Vacation	Seniority Date Bidding	Status	Current Status	Union Position	Years of Service	next safety yr. award	Years of service award	Base Pay Rate
	1	Tarah Lovette	1	1/25/2002		2/21/2018	Part-time	Seniority from EGS		0	0 2023/5		\$14.32
	2	Norris White	2	2/21/2018		2/21/2018	Part-time	Seniority from EGS		0	0 2023/5		\$8.25
	3	Penny Dixon	3	2/21/2018		2/21/2018	Part-time	Seniority from EGS		0	0 2023/5		\$8.25
	4	Jeff Hathway	4	2/21/2018		2/21/2018	Part-time	Seniority from EGS		0	0 2023/5		\$8.25
	5	Open Position	5										
	6	Open Position	6										
	7	Open Position	7										
	8	Open Position	8										
	9	Open Position	9										
	10	Open Position	10										

**PART TIME TROLLEY OPERATORS**

Team	#	Name	Current Ranking	Hire Date/Vacation	Seniority Date Bidding	Status	Current Status	Union Position	Years of Service	next safety yr. award	Years of service award	Base Pay Rate
	1	Patricia Allen	1	5/4/2003	5/19/2003	Part-time			14	10 2018/15		\$14.32
	2	Stephan Wolfe	2	10/6/2011	12/2/2011	Part-time			5	0 2019/5		\$14.32
	3	Richard Unwag	3	12/6/2011	12/1/2011	Part-time			6	0 2021/20		\$14.32
	4	Henry Tomlinson	4	5/27/2001	9/23/2012	Part-time			15	0 2017/5		\$14.32
	5	Paul Baker	5	12/13/2007	3/11/2013	Part-time	Shop Steward		10	5 2017/10		\$14.32
	6	Lavonia Marshall	6	9/1/2015	10/23/2015	Part-time			2	0 2021/5		\$14.32
	7	Synthia Trammam	7	9/2/2015	10/25/2015	Part-time			2	0 2022/5		\$14.32
	8	Deanna DeBenedetto	8	1/9/2017	6/18/2017	Part-time			0	0 2022/5		\$14.32

**FULL TIME CUSTOMER SERVICE ASSOCIATES**

Team	#	Name	Current Ranking	Hire Date/Vacation	Seniority Date Bidding	Status	Current Status	Union Position	Years of Service	next safety yr. award	Years of service award	Base Pay Rate
	1	Bert Miller	1	10/2/2012	10/2/2012	Full-time	(Leave)		5	n/a		\$10.41
	2	Lee Pullen	2	1/17/2005	5/4/2005	Full-time			12	n/a		\$10.41
	3	Michael Ard	3	10/28/2002	6/27/2003	Part-time			15	n/a		\$10.41
	4	Jennifer McInnis	4	1/30/2018	1/30/2018	Full-time			0	n/a		\$10.41

NOTE: Lead Associate receives an additional \$1.00 a hour pay.

**MAINTENANCE TECHNICIANS/FUELERS/and CLEANERS**

Team	#	Name	Current Ranking	Hire Date	Seniority Date Bidding	Status	Current Status	Union Position	Years of Service	next safety yr. award	Years of service award	Base Pay Rate
Master	1	Wise Alan	1	10/12/1984		Full-time			33	n/a		\$23.43
II	2	Smith Danny	2	5/20/1985		Full-time			32	n/a		\$21.05
III	3	Stanton Jim	3	7/19/1985		Full-time			32	n/a		\$21.13
Master	4	Anderson David	4	2/21/1997		Full-time	Chief Shop Steward		20	n/a		\$23.43
Master	5	Shades Wesley	5	3/8/2003		Full-time			12	n/a		\$23.43
I	6	Scott James	6	10/1/2005		Full-time			12	n/a		\$25.23

Safety Team	Name	Current Ranking	Hire Date	Seniority Date	Status	Current Status	Union Position	years of service award	next salary award	years of service award	Base Pay Rate
Master	Patrick	7	11/6/2005		7 Full-time			11 1/2			\$23.43
Master	David	8	11/10/2008		8 Full-time			9 1/2			\$23.43
Master	Robert	9	8/25/2014		9 Full-time			3 1/2			\$23.43
Master	David	10	11/10/2014		10 Full-time			3 1/2			\$23.43
Master	Nick	11	2/2/2015		11 Full-time		Shop Steward	2 1/2			\$23.43
Master	Sean	12	5/7/2015		12 Full-time			1 1/2			\$21.05
Utility	Michael	13	5/7/2015		13 Full-time			1 1/2			\$11.36
Cleaner	Michael	14	5/7/2015		14 Full-time			1 1/2			\$21.05
Utility	Jason	15	8/10/2015		15 Full-time			1 1/2			\$11.36
Utility	Kristopher	16	1/7/2017		16 Full-time			1 1/2			\$21.05
Cleaner	Bernie	17	8/11/2008		17 Full-time			9 1/2			\$23.43
NOTE: Technicians pay is shown as base rates. Does not include ASE passed Certifications pay or in some cases - shift differential pay											
Rotating Promotion Seniority List to Full-Time Bus Operator											
	1	Allen	Patrick		Trolley Only						
	2	Wolfe	Steven		Trolley Only						
	3	Owicz	Richard		Trolley Only						
	4	Tomlinson	Henry		Trolley Only						
	5	Baker	Paul		Trolley Only						
	6	Pridle	Christina		Trolley Only						
	7	Marshall	Latonia		Trolley Only						
	8	Trombain	Cynthia		Trolley Only						
	9	Deanevento	Donna		Trolley						
	10	Lovette	Tarah		Part-time Bus Operator						
	11	White	Norris		Part-time Bus Operator						
	12	Dixon	Penny		Part-time Bus Operator						
	13	Hathway	Jeff		Part-time Bus Operator						
Updated by Union President / Business Agent Michael A. Lowery dated 2/22/18											
Questions on this List: Contact - Mike Lowery, President/Business Agent (850) 354-8034											
Note: The Union President/Business Agent cannot seniority placement on list - Not the Company											



**BOARD OF COUNTY COMMISSIONERS**  
Escambia County, Florida

**Escambia County Area Transit Authority**

4.

**Meeting Date:** 04/05/2018

**Issue:** Acknowledgement of the Ordinance Establishing the Escambia County Area Transit Authority as a Dependent Special District of Escambia County, Florida

**From:** Kristin Hual, Senior Assistant County Attorney

**Organization:** County Attorney's Office

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**RECOMMENDATION:**

Recommendation Acknowledging the Ordinance Establishing the Escambia County Area Transit Authority as a Dependent Special District of Escambia County, Florida - Kristin Hual, Senior Assistant County Attorney

That the Board acknowledge for the Official Record Ordinance 2018-8, adopted at the February 15, 2018, Board of County Commissioners' Meeting, which established the Escambia County Area Transit Authority as a Dependent Special District of Escambia, County, Florida.

**BACKGROUND:**

At the February 15, 2018, Regular Board of County Commissioners' (BCC) Meeting, the BCC adopted Ordinance 2018-8, at the 5:33 p.m., Public Hearing, establishing the Escambia County Area Transit Authority as a Dependent Special District of Escambia County Florida.

**BUDGETARY IMPACT:**

N/A

**LEGAL CONSIDERATIONS/SIGN-OFF:**

N/A

**PERSONNEL:**

N/A

**POLICY/REQUIREMENT FOR BOARD ACTION:**

N/A

**IMPLEMENTATION/COORDINATION:**

N/A

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## Attachments

Ordinance 2018-8

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**Escambia County  
Clerk's Original**

2/15/2018 5:33pm P.H.

ORDINANCE 2018- 8

**AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF ESCAMBIA COUNTY, FLORIDA CREATING VOLUME I, CHAPTER 99, SECTIONS 99-1 - 99-2 OF THE ESCAMBIA COUNTY CODE OF ORDINANCES; ESTABLISHING THE ESCAMBIA COUNTY AREA TRANSIT AUTHORITY AS A DEPENDENT SPECIAL DISTRICT OF ESCAMBIA COUNTY, FLORIDA; ADOPTING THE CHARTER OF SAID DISTRICT; 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 dependent special districts pursuant to Chapters 125 and 189, Florida Statutes; and

**WHEREAS**, the Board of County Commissioners has determined it is in the best interest of the citizens of Escambia County to create the Escambia County Area Transit Authority as a Dependent Special District of Escambia County, Florida for the purpose of providing public transportation in Escambia County; and

**WHEREAS**, the Board of County Commissioners finds that establishing the Escambia County Area Transit Authority as a Dependent Special District of Escambia County, Florida serves an important public purpose.

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

**Section 1.** The foregoing recitals are true and correct and incorporated herein by reference.

**Section 2.** Part I, Chapter 99, Sections 99-1 through 99-2 of the Escambia County Code of Ordinances are hereby created to read as follows:

**Sec. 99-1. – DISTRICT CREATED.** Pursuant to Chapters 125 and 189, Florida Statutes, there is hereby created the Escambia County Area Transit Authority as a Dependent Special District of Escambia County, Florida for the purpose of providing public transportation in Escambia County.

**Sec. 99-2. – CHARTER.** The Board hereby adopts the Charter of the Escambia County Area Transit Authority, attached hereto as **Exhibit A**, which may be amended as provided therein.

**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.

Date: 2/20/2018  
Verified By: A. Carver


**Section 5. EFFECTIVE DATE.** This Ordinance shall become effective 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 15th day of February 2018.

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

By:   
Jeff Bergosh, Chairman

**ATTEST: Pam Childers  
Clerk of the Circuit Court**

  
Deputy Clerk



The seal is circular with the text "BOARD OF COUNTY COMMISSIONERS" around the top edge and "ESCAMBIA COUNTY, FLORIDA" around the bottom edge. In the center, it says "SEAL" and "FL" with a star on either side.

Approved as to form and legal  
sufficiency.

By/Title:   
Date: 2/15/18

**ENACTED: February 15, 2018**

**FILED WITH DEPARTMENT OF STATE: February 20, 2018**

**EFFECTIVE: February 20, 2018**

**CHARTER**  
**ESCAMBIA COUNTY AREA TRANSIT AUTHORITY**

**ARTICLE I**  
**AUTHORITY CREATED**

Section 1.01 Name. The name of the district shall be the "Escambia County Area Transit Authority."

Section 1.02 Authority. The Escambia County Area Transit Authority is hereby created as a Dependent Special District of Escambia County, Florida in accordance with the authority granted pursuant to Chapters 125 and 189, Florida Statutes.

Section 1.03 District Created. Pursuant to Chapters 125 and 189, Florida Statutes, there is hereby created the Escambia County Area Transit Authority, a Dependent Special District of Escambia County, for the purpose of providing public transportation in Escambia County.

**ARTICLE II**  
**BOUNDARIES OF THE DISTRICT**

Section 2.01 Boundaries. The boundaries of the district shall be the unincorporated areas of Escambia County.

**ARTICLE III**  
**PURPOSE, POWERS, FUNCTION AND DUTIES**

Section 3.01 Purpose. The specific and primary purpose for which this district is formed is to provide public transportation in Escambia County for the benefit of the general public and by doing so lessening the burden on Escambia County to provide public transportation, specifically by:

- (a) owning, operating, and managing a public transportation system in Escambia County, Florida on behalf of the Board of County Commissioners of Escambia County, Florida for the benefit, use, and enjoyment of the general public;
- (b) providing an efficient and coordinated public transportation system servicing rural and urban areas that will facilitate economical and desirable urban development, reduce traffic congestion, improve air quality, reduce energy consumption, and provide mobility for the economically disadvantaged, the elderly, and persons with disabilities;
- (c) educating and informing the general public about the benefits of mass transit so as to enhance the use of the public transportation system;
- (d) improving the public welfare by establishing better access between home and work, facilitating the public's participation in society, and promoting independent living and economic self-sufficiency;
- (e) assisting with the research, planning and development of a viable public transportation system and the implementation thereof.





Section 3.02 Powers. The district shall have all the powers of a body politic and corporate under the laws of the State of Florida and shall be authorized to transact any business and to exercise those powers, duties, and functions necessary to provide public transportation in Escambia County.

#### ARTICLE IV **GOVERNANCE OF THE DISTRICT**

Section 4.01 Governance. The district shall be governed by the Board of Directors ("Board"). The authorized number of directors shall be five (5) members. The Directors shall be appointed by the Board of County Commissioners of Escambia County, Florida. Each Director shall be a member of the Board of County Commissioners of Escambia County, Florida.

Section 4.02 Term of Office. The directors named as the first Board of Directors shall hold office as appointed by the Board of County Commissioners. Thereafter, the term of each director shall be four (4) years or such lesser period of time which shall be equivalent to the period remaining for the director's unexpired term as a member of the Board of County Commissioners of Escambia County, Florida.

Section 4.03 Powers. Except as otherwise provided herein, the powers of the district shall be exercised, its properties controlled, and its affairs conducted by the Board of Directors, which may, however, delegate the performance of any duties or the exercise of any powers to such officers and agents as the Board of Directors may from time to time, by resolution, designate; provided that the resolution has been approved by the Board of County Commissioners of Escambia County, Florida.

Section 4.04 Replacement of Directors. Whenever a vacancy exists on the Board of Directors as a result of death, resignation, removal from or forfeiture of the office of county commissioner, the Board of Directors shall fill the vacancy by appointing the successor to the office of county commissioner so vacated. Any director appointed to fill a vacancy shall be appointed for the unexpired term of his predecessor. Any person appointed to fill the vacancy of a director shall have the same qualifications as were required of the director whose office was vacated.

Section 4.05 Chair and Vice Chair. The chair of the Board of County Commissioners of Escambia County, Florida shall serve as the chair of the Board of Directors. The chair shall preside at all meetings of the Board of Directors. The chair may sign such contracts or other instruments, the execution of which has been authorized by the Board of Directors, except in those cases where the signing and execution of documents has been expressly delegated by the Board of Directors or this Charter to some other officer or agent. The vice chair of the Board of County Commissioners of Escambia County, Florida shall serve as the vice chair of the Board of Directors. In the absence of the chair or his inability or refusal to act, the vice chair shall perform the duties of the chair, and when so doing shall have all the powers of and be subject to the restrictions upon the chair. The chair and vice chair shall perform such other duties assigned to them by the Board of Directors. In the event the chair or the vice chair of the Board of County Commissioners shall refuse to serve as chair or vice chair of the district, the Board of Directors shall elect one of its members to fill such positions.

Section 4.06 Compensation. No member of the Board of Directors shall receive any compensation for his or her service as a Director. Members may be reimbursed for expenses incurred solely in the conduct of the affairs of the district; provided that the reimbursement has been approved by the Board of Directors or is consistent with a resolution adopted by the Board

of Directors authorizing reimbursement for such expenses, and that such expenses are eligible for reimbursement under Chapter 112, Florida Statutes.

**Section 4.07 Meetings.** Meetings shall be held in the Board Chambers of the Ernie Lee Magaha Government Building or at such other place or places as the Board of Directors or its chair may designate.

(a) The Board of Directors may provide for the holding of regular meetings at such times as the Board of County Commissioners of Escambia County, Florida has established for its regular meetings in the manner specified in Policies and Procedures adopted by the Escambia County Board of County Commissioners, or at such other times as the Board of Directors may determine.

(b) Special meetings shall be called and noticed in accordance with the Policies and Procedures adopted by the Escambia County Board of County Commissioners for the conduct of its affairs.

(c) Meetings shall be governed by and conducted in accordance with the Policies and Procedures adopted by the Escambia County Board of County Commissioners. All meetings of the Board of Directors shall be governed by Roberts Rules of Order, except as those rules are inconsistent with this Charter or the Policies and Procedures adopted by the Escambia County Board of County Commissioners.

(d) A majority of the Board of Directors shall constitute a quorum for the transaction of business. Except as may otherwise be provided in this Charter or by law, the act of a majority of the directors present at any meeting at which a quorum is present shall be the act of the Board of Directors.

(e) An annual meeting of the Board of Directors may be held during the month of September of each year at a time and place to be established by the Board of Directors. At such annual meeting, the Board of Directors may consider the activities of the district, recommend changes in the district's operating procedures and policies or its Charter, and consider such other matters as may be brought forward by the Board of Directors. The failure to hold an annual meeting shall not cause a forfeiture or give cause to the dissolution of the district, be deemed an abuse of authority, nor affect any otherwise valid act.

**Section 4.08 Ethics.** Directors shall conduct themselves in accordance with the requirements of Part III, Chapter 112, Florida Statutes.

**Section 4.09 Sunshine Law.** All meetings of the Board of Directors shall be subject to and held in accordance with the requirements of Chapter 286, Florida Statutes.

## **ARTICLE V** **OFFICERS**

**Section 5.01. Designation of Officers.** At the organizational meeting held by the initial Board of Directors, the Board of Directors shall appoint the following officers: a president, who shall be the County Administrator of Escambia County, Florida; a secretary/treasurer, who shall be the Clerk of the Circuit Court as Clerk of the Board of County Commissioners or a deputy clerk designated for such purpose by the Clerk of the Circuit Court as Clerk of the Board of County Commissioners

(referred to hereafter as "Clerk"); and an executive director, who shall be the Director of Escambia County's Department of Mass Transit. The Board of Directors may appoint such other officers, as it shall deem desirable, such officers to have the authority and perform the duties prescribed, from time to time, by the Board of Directors. Any two or more offices may be held by the same person, except the offices of president and secretary/treasurer.

Section 5.02 Term of Office. The president, secretary/treasurer, and executive director of the district shall hold such offices so long as they hold the offices of County Administrator, Clerk, and Director of the Department of Mass Transit, respectively, unless they are removed or resign from such offices.

Section 5.03 Replacement of Officers. Any vacancy in any office, may be filled by the Board of Directors. Vacancy in the office of president shall be filled by the appointment of the successor to the office of County Administrator. Vacancy in the office of secretary/treasurer shall be filled by the appointment of the successor to the office of Clerk. Vacancy in the office of executive director shall be filled by the appointment of the successor to the position of Director of the Department of Mass Transit.

Section 5.04 Duties of President. The president shall exercise general supervision and control over all activities of the district. The president may sign any contract or instrument, the execution of which has been approved by the Board of Directors, or where the signing and execution of such instruments has been expressly delegated to him by this Charter or the Board of Directors. The president shall see that all notices are duly given in accordance with this Charter or as otherwise required by law.

Section 5.05 Duties of Secretary/Treasurer. The secretary/treasurer shall:

- (a) Prepare and keep the minutes of the meetings of the Board of Directors;
- (b) Authenticate all records of the district;
- (c) Be custodian of the records and of the seal of the district;
- (d) Exhibit to any director or agent of the district, or to any person authorized by law to inspect or copy the records of the district, the Charter, minutes of any meeting, and any other record of the district;
- (e) Give a bond for the faithful discharge of his or her duties in such sum and with such surety or sureties as the Board of Directors may deem appropriate;
- (f) Have charge of and custody of, and be responsible for, all funds and securities of the district;
- (g) Receive and give receipts for moneys due and payable to the district from any source and deposit all such moneys in the name of the district in such banks, trust companies, or other depositories in accordance with the requirements of Chapter 136, Florida Statutes; and
- (h) Perform all duties generally incidental to the office of secretary/treasurer and such other duties as may be assigned by the president or the Board of Directors.

Section 5.06 Duties of Executive Director. The executive director shall be responsible for the day to day management and operations of the district, under the direct supervision and control of the president. Unless otherwise determined by the Board of Directors or the president, the duties of the executive director shall include but not be limited to:

- (a) The planning, development, management and operation of a public transportation system;
- (b) The employment, supervision, training, and retraining of all personnel needed by the district to operate in an efficient and effective manner;
- (c) The development and maintenance of appropriate personnel policies, procedures, and records;
- (d) The preparation of the departmental budget, including capital and operating budgets;
- (e) The negotiation and administration of collective bargaining agreements, and any amendments or modifications thereto, including agreements required by 49 U.S.C. 5333(b) (13(c) agreements) and assurances;
- (f) The preparation of monthly, quarterly and annual accounting, budgetary, and other reports required by the Escambia County Board of County Commissioners;
- (g) The preparation of required plans, documents, information and reports required by governmental agencies or bodies;
- (h) Acting as a liaison between the district and Escambia County, and all other applicable federal, state and local agencies and bodies which impact or affect the district's activities;
- (i) The performance of all other duties generally incidental to the position of executive director and such other duties as may be assigned or required by the Board of Directors or the president.

#### **ARTICLE VI** **COMMITTEES**

**Section 6.01 Committees.** The Board of Directors may, by resolution, establish one or more committees to gather information or facts, to conduct investigations or negotiations, to make policy recommendations and to otherwise assist it in the management of the district.

#### **ARTICLE VII** **CONTRACTS, CHECKS, DEPOSITS AND FUNDS**

**Section 7.01 Contracts.** The Board of Directors may, by resolution duly adopted and approved by the Escambia County Board of County Commissioners, authorize any officer or agent, in addition to those authorized in this Charter, to enter into any contract or to execute and deliver any instrument in the name of and on behalf of the district. Such authority shall not be general but shall be confined to specific instances.

**Section 7.02 Deposits.** All funds of the district shall be deposited to the credit of the district in such banks, trust companies, or other depositories in accordance with the requirements of Chapter 136, Florida Statutes, and invested in accordance with the requirements established by the Escambia County Board of County Commissioners.

**Section 7.03 Checks, Drafts, Orders for Payment.** All checks, drafts, or orders for the payment of money, issued in the name of the district shall be signed by the chair of the Board of Directors and countersigned by the secretary/treasurer.

#### **ARTICLE VIII** **FINANCING OF THE DISTRICT**

Section 8.01 Financing. The district shall be financed with funds derived from operating revenues of the Authority, state and federal grant funding, and funds appropriated by Escambia County. The district shall prepare an annual budget which shall be contained within the County's general budget in accordance with §189.016, Florida Statutes.

**ARTICLE IX**  
**FINANCIAL DISCLOSURE, NOTICE AND REPORTING**

Section 9.01 The district shall comply with the requirements of §189.015, §189.016, and §189.08, Florida Statutes, as may be amended from time to time.

**ARTICLE X**  
**PUBLIC RECORDS**

Section 10.01 Records. The district shall prepare and keep correct and complete all books and records of accounts, the minutes of its meetings, and the minutes of any committee it shall establish. The corporation shall authenticate such records, and shall comply with the provisions of the Florida Public Records Act.

**ARTICLE XI**  
**AMENDMENT**

Section 11.01 Amendment. The Charter of the district shall be amended by a majority of the Board of Directors at a meeting duly called in accordance with the Charter. No amendment shall become effective until approved by the Board of County Commissioners of Escambia County, Florida.

**ARTICLE XII**  
**REGISTERED AGENT AND ADDRESS**

Section 12.01 The name and street address of the initial registered agent is as follows:

Alison P. Rogers, County Attorney  
County Attorney's Office  
221 Palafox Place, Suite 430  
Pensacola, FL 32502

**ARTICLE XIII**  
**MISCELLANEOUS**

Section 13.01 Status. The district is hereby created as a dependent special district and shall be deemed an instrumentality of Escambia County, a political subdivision of the State of Florida.

Section 13.02 Consistency. It is hereby declared that the creation of the district is consistent with the Escambia County Comprehensive Plan.

Section 13.03 Fiscal Year. The fiscal year of the district shall begin on the first day of October and end on the last day of September in each year.

Section 13.04 Immunity. The District, its directors, officers and employees, when acting for or on behalf of said district, shall have the protection of sovereign immunity as set forth in §768.28, Florida Statutes, to the maximum extent allowed by law.