



AGENDA

COMMITTEE OF THE WHOLE WORKSHOP BOARD OF COUNTY COMMISSIONERS

Board Chambers
Suite 100
Ernie Lee Magaha Government Building - First Floor
221 Palafox Place

February 12, 2015
9:00 a.m.

Notice: This meeting is televised live on ECTV and recorded for rebroadcast on the same channel. Refer to your cable provider's channel lineup to find ECTV.

1. Call to Order

(PLEASE TURN YOUR CELL PHONE TO THE SILENCE OR OFF SETTING.)
2. Was the meeting properly advertised?
3. CRA Manager Discretion of Land Use Matters
(Alison Rogers - 15 min)
 - A. Board Discussion
 - B. Board Direction
4. Perdido Key Area-Wide Habitat Conservation Plan
(Tim Day - 30 min)
 - A. Board Discussion
 - B. Board Direction
5. SHIP CDBG Funding/Construction - (NO BACKUP PROVIDED)
(Meredith Nunnari - 30 min)
 - A. Board Discussion
 - B. Board Direction
6. "Pits" Issue
(Jack Brown - 90 min)
 - A. Board Discussion
 - B. Board Direction

7. 1476-Bed Correctional Facility Design Criteria Professional
(David Wheeler - 10 min)
 - A. Board Discussion
 - B. Board Direction

8. Update on Jail Site Selection
(Amy Lovoy - 30 min)
 - A. Board Discussion
 - B. Board Direction

9. Adjourn

Committee of the Whole

3.

Meeting Date: 02/12/2015

Issue: CRA Manager Discretion of Land Use Matters

From: Alison Rogers, County Attorney

Information

Recommendation:

CRA Manager Discretion of Land Use Matters

(Alison Rogers - 15 min)

A. Board Discussion

B. Board Direction

Attachments

Ordinance 2013-32

Draft Ordinance

ORDINANCE NUMBER 2013 - 32

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," SECTION 2.14.02, TO REVISE THE LANGUAGE FOR CLARITY; AMENDING ARTICLE 6, "ZONING DISTRICTS," SECTION 6.07.02, TO AMEND CERTAIN R-3 AND R-4 ZONING DISTRICT BUILDING DESIGN STANDARDS WITHIN THE BARRANCAS 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 amend certain building design standards within the Barrancas Overlay District 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 2.14.02 is hereby amended as follows (additions are underlined and deletions are ~~struck through~~):

2.14.02 Implementation of CRA Plans and Overlay Districts. The CRA and all other County divisions shall implement the recommendations of the Palafox, Englewood, Brownsville, Warrington, Barrancas and Cantonment Redevelopment Plans, in which the plans drive the enhancement efforts for each individual community redevelopment district. These plans provide guidance enhancing the district's quality of life, encouraging private sector reinvestment, promoting sound economic development principles and providing recommendations for public sector enhancement opportunities such as capital improvement projects. The CRA Manager or designee shall determine compliance with the overlay regulations ~~particularly as it pertains to the development review process uses as well as the site and building requirements~~ and determine whether exceptions to the overlay district standards may be granted.

Section 2. Part III of the Escambia County Code of Ordinances (1999) the Land Development Code of Escambia County, Article 6, "Zoning Districts," Section 6.07.02 is hereby amended as follows:

6.07.02. Barrancas Overlay District

I. 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 3.02.00. 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.

Date: 8/13/2013 Verified By: D. Harris

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

(1) Garages. For residential uses, ~~there shall be no front facing garages unless they are only permitted when setback an additional eight 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.~~ All other garages must face the side or rear of the parcel.

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

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

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

INTENTIONALLY LEFT BLANK

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 125.68, Fla. Stat. (2013); 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 5. Effective Date.

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

DONE AND ENACTED this 8th day of August, 2013.

BOARD OF COUNTY COMMISSIONERS
OF ESCAMBIA COUNTY, FLORIDA

By: Gene M. Valentino
Gene M. Valentino, Chairman

ATTEST: PAM CHILDERS
Clerk of the Circuit Court

By: Doris Harris
Deputy Clerk

Date Executed

August 13, 2013



ENACTED: August 8, 2013

FILED WITH THE DEPARTMENT OF STATE: August 16, 2013

EFFECTIVE DATE: August 16, 2013

This document approved as to form and legal sufficiency.

By: J. J. [Signature]
Title: Asst. County Attorney
Date: Aug. 9, 2013

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ORDINANCE NUMBER 2015-_____

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 2, "ADMINISTRATION," SECTION 2.14.02, TO MODIFY THE AUTHORITY TO GRANT EXCEPTIONS TO THE OVERLAY DISTRICT STANDARDS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Board of County Commissioners created the Community Redevelopment Agency (CRA) to aid in the development of the Palafox, Englewood, Brownsville, Warrington, and Barrancas community redevelopment districts; and,

WHEREAS, through its Land Development Code the Board of County Commissioners authorized the CRA Manager or designee to grant exemptions to the overlay district standards; and,

WHEREAS, the Board of County Commissioners finds that modifying the authority to grant exceptions to the overlay district standards serves an important public purpose.

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

SECTION 1. ADMINISTRATION.

Part III of the Escambia County Code of Ordinances (1999) the Land Development Code of Escambia County, Article 2,"Administration", Section 2.14.02 is hereby amended as follows (additions are underlined and deletions are ~~strike through~~):.

2.14.02 Implementation of CRA Plans and Overlay Districts. The CRA and all other County divisions shall implement the recommendations of the Palafox, Englewood, Brownsville, Warrington, Barrancas and Cantonment Redevelopment Plans, in which the plans drive the enhancement efforts for each individual community redevelopment district. These plans provide guidance enhancing the district's quality of life, encouraging private sector reinvestment, promoting sound economic development principles and providing recommendations for public sector enhancement opportunities such as capital improvement projects. The CRA Manager or designee shall determine compliance with the overlay regulations, ~~and determine whether~~ However, exceptions to the overlay district standards may only be granted ~~by the CRA Board~~.

1 **SECTION 2. SEVERABILITY.**

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

5 **SECTION 3. INCLUSION IN CODE.**

6 It is the intention of the Board of County Commissioners that the provisions of
7 this Ordinance shall be codified as required by F.S. § 125.68 (2014); and that the
8 sections, subsections and other provisions of this Ordinance may be renumbered or re-
9 lettered and the word "ordinance" may be changed to "section," "article," or such other
10 appropriate word or phrase in order to accomplish such intentions.

11 **SECTION 4. EFFECTIVE DATE.**

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

13 **DONE AND ENACTED** this _____ day of _____, 2015.

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

16
17 By: _____
18 **Steven Barry, Chairman**

19
20 **ATTEST: PAM CHILDERS**
21 **Clerk of the Circuit Court**

22
23 By: _____
24 **Deputy Clerk**

25 **(SEAL)**

26
27 **ENACTED:**

28
29 **FILED WITH THE DEPARTMENT OF STATE:**

30
31 **EFFECTIVE DATE:**

Committee of the Whole

4.

Meeting Date: 02/12/2015

Issue: Perdido Key Area-Wide Habitat Conservation Plan

From: Keith Wilkins, Department Director

Information

Recommendation:

Perdido Key Area-Wide Habitat Conservation Plan

(Tim Day - 30 min)

A. Board Discussion

B. Board Direction

Attachments

Perdido Key HCP COW 2-12-15

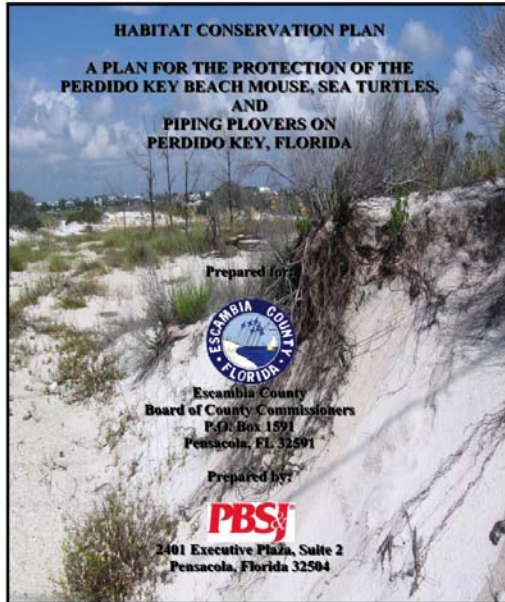


Habitat Conservation Plan

A Plan for the Protection of the
Perdido Key Beach Mouse, Sea Turtles,
And
Piping Plovers on
Perdido Key, Florida

Community and Environment Department
February 12, 2015

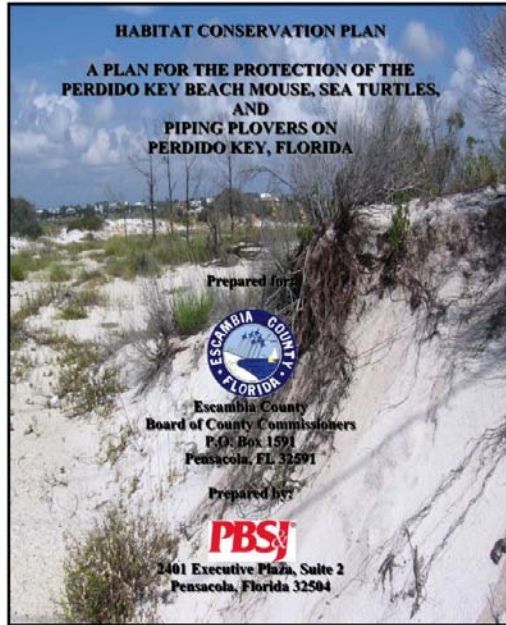
Background



- January 2004 – US Fish and Wildlife Service (FWS) trapped a beach mouse on private property. This action resulted in federal beach mouse permit requirements on the Key (Federal process 3-8 years to issue a permit)
- April 2005 – A Conservation Strategy was adopted for the Perdido Key beach mouse with representatives from Escambia County, Florida Fish and Wildlife Conservation Commission (FWC), and FWS
- July 2005 – A Business Plan was developed to determine the Conservation Strategy cost and mitigation fees



Background



- December 2005 – An intergovernmental agreement was adopted between FWC, FWS and Escambia County to streamline permitting by establishing uniform mitigation and to implement the Conservation Strategy
- December 2007 – Federal permitting process still in excess of 3 years. Escambia County contracts with Atkins to develop a Habitat Conservation Plan (HCP) to allow private development and continue to protect habitat on the Key
- January 2011 – HCP submitted to FWS
- December 2014 – FWS approves HCP



Benefits



- Reduction of permitting timelines
 - FWS permit process typically takes between 3 and 7 years to complete
 - Escambia County staff can now issue the same permit under normal permitting timelines with the HCP (generally less than 3 months)
- Predictability of permitting
 - County staff is able to provide uniform performance standards to potential investors on the Key to assure a predictable outcome for permitting
- Comprehensive approach for protection of listed species on Perdido Key consistent with the Endangered Species Act



HCP Highlights

Zoning District	Acres of PKBM Habitat Impacted
R-1 PK	1.3
R-2 PK	4.5
R-3 PK	12.3
PR PK	33.7
C-1 PK	5.4
CC PK	8.7
CG PK	0.1
Total	66

- Authorizes phased impact of 66 acres of designated beach mouse habitat
- Impacts are limited by zoning districts
- Covers all Federal and State listed species including beach mice, sea turtles, shore birds, and listed plants
- An applicant may propose full development of a parcel based on property rights allowed by zoning and future land use (density and/or intensity). In order to assure all impacted property owners have the same ability to utilize a full build out scenario, projects will have to minimize footprint and utilize vertical construction to the extent feasible



Mitigation Summary



Photograph by Joel Sadove, photographer with permission of the U.S. Fish and Wildlife Service



- Minimization of project footprint
- Impact fee - \$100,000 per acre of impact
 - Paid by applicant at time of permitting
- Recurring Fee (paid on property tax bill)
 - \$201 per single-family unit per year (30 years)
 - \$201 per commercial/hotel parking space (30 years)
- Wildlife friendly lighting
- Conservation easement for undeveloped portions of property
- Restrictions on predatory pets



County Responsibilities



- Administer the HCP/ITP Program
- Authorize development permits consistent with the HCP/ITP
- Develop a wildlife monitoring program
 - Beach mice
 - Sea turtles
 - Shorebirds
- Coordinate coastal habitat restoration
- Assure compliance with permits
- Annual Reports to FWS
- Development fees will fund the Program



Staff Request

- BCC direct staff to craft language for the Comprehensive Plan with a Goal to maintain the status quo regarding rezoning requests on Perdido Key to assure all impacted landowners have the opportunity to benefit from the County HCP process



Committee of the Whole

5.

Meeting Date: 02/12/2015

Issue: SHIP CDBG Funding/Construction

From: Keith Wilkins, Department Director

Information

Recommendation:

SHIP CDBG Funding/Construction - (NO BACKUP PROVIDED)

(Meredith Nunnari - 30 min)

A. Board Discussion

B. Board Direction

Attachments

No file(s) attached.

Committee of the Whole

6.

Meeting Date: 02/12/2015

Issue: "Pits" Issue

From: Jack Brown, County Administrator

Information

Recommendation:

"Pits" Issue

(Jack Brown - 90 min)

A. Board Discussion

B. Board Direction

Attachments

Draft Ordinance

ORDINANCE 2015-_____

AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA AMENDING CHAPTER 42, ARTICLE VIII, BORROW PITS AND RECLAMATION; SECTIONS 42-322 THROUGH 42-325; AMENDING DEFINITIONS, REGULATIONS AND PERMITTING REQUIREMENTS FOR BORROW PITS, MINING, RESOURCE EXTRACTION AND RECLAMATION USES; AMENDING LOCAL PERMIT REQUIREMENTS; ESTABLISHING REGULATIONS FOR ABANDONED OR CLOSED BORROW PITS; CLARIFYING ENFORCEMENT OPTIONS; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, this ordinance sets forth the requirements for borrow pits and reclamation of mined-out lands in Escambia County, Florida, for the safety and protection of the public; and

WHEREAS, Florida law provides that in addition to Florida Department of Environmental Protection (FDEP) and Northwest Florida Water Management District (NFWFMD) oversight and regulation, local governments may regulate borrow pit, mining or excavation and reclamation facilities; and

WHEREAS, since 2006, Escambia County has provided for a permitting scheme and regulations for borrow pits, mining, excavation and reclamation activities; and

WHEREAS, concerns have been raised regarding adverse off-site impacts and improving planning and stormwater policies relative to these uses; and

WHEREAS, amending the regulatory scheme for borrow pits, mining and excavation and reclamation activities will better protect the public's health, safety and welfare.

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

Section 1. Chapter 42, Article VIII, Sections 42-322 through 42-325 of the Code of

31 Ordinances of Escambia County, Florida is hereby amended to read as follows:

32 **ARTICLE VIII. - BORROW PITS AND RECLAMATION**

33

34 **Sec. 42-322. - Definitions.**

35 For purposes of this article, the following terms, phrases, words and their derivations
36 have the meanings given:

37

38 Abandoned. A site where no responsible or solvent owner or operator is available and
39 where there is a cessation of use and maintenance of a borrow pit, mining or excavation
40 unit or reclamation unit for a period of twelve (12) consecutive months or longer and in a
41 manner that does not include permitted closure, long-term monitoring, maintenance and
42 financial responsibility when required by a state or county rule or law.

43

44 Borrow pit. A site or parcel of property where soils, clays, gravel or similar materials are
45 removed, or have been removed for use elsewhere by either the property owner or
46 another individual or entity. May also be referred to as a mining, mineral, resource
47 excavation, and/or resource extraction site.

48

49 Closed. A borrow pit, mining or excavation unit or reclamation unit that has undergone
50 permitted closure.

51

52 Closure. The permitted cessation of operation of a borrow pit, mining or excavation unit
53 or reclamation unit and the planned act of securing such facility so that it will pose no
54 significant threat to human health or to the environment and includes closing, long-term
55 monitoring, maintenance and financial responsibility of a facility when required by any
56 state or county rule or law.

57

58 Excavation/mining unit. A specific area of land to be disturbed by mine or borrow pit
59 operations within a period of time as specified in the by an Escambia County
60 development order.

61

62 Reclamation. The restoration of land made barren through processes such as erosion,
63 mining, or land clearing to useful purposes, including, but not limited to, restoration to
64 natural vegetative states, construction of artificial bodies of water, and disposal of
65 construction and demolition or land clearing debris, while protecting the natural
66 resources of the surrounding area. In some instances, reclamation may include land
67 clearing debris as part of the ultimate reclamation process. While the type and degree of
68 such restoration may vary in any specific instance, the objective is to establish
69 vegetative cover, soil stability, water protections, and public safety conditions
70 appropriate to the area.

71

72 Reclamation plan. The A written proposal as required and approved by Escambia
73 County for the reclamation of mined-out land a borrow pit that has been approved by
74 Escambia County pursuant to this article. Approval or acceptance of a reclamation plan
75 does not equate to a permit for that use nor does it provide any grandfathering or vested

76 right for that use. Grandfathering and vested rights of previously approved borrow pits
77 are to be addressed on a case-by-case basis, which will include consideration of the
78 specific wording of development orders, permits, and any other land use approval
79 issued by the County relating to operation of the borrow pit as well as demonstrated
80 reliance and other factors deemed relevant by the Board of County Commissioners.

81
82 *Reclamation unit.* A specific area of land upon which reclamation will be accomplished
83 within a period of time as specified ~~in the development order~~ by a reclamation plan
84 approved by Escambia County pursuant to this article.

85
86 **Sec. 42-323. - Requirements and permits.**

87
88 It shall be unlawful to conduct mining, borrow pit, and/or reclamation activities thereof in
89 Escambia County without ~~first obtaining all applicable required~~ an Escambia County
90 resource extraction permits, including those from state regulatory agencies and
91 Escambia County. Additionally, any site previously used for mining, borrow pit, and/or
92 reclamation activities shall be permitted as a closed facility. The operation must also be
93 in compliance with the regulations set forth in this chapter and in the Escambia County
94 Land Development Code, to included but not be limited to regulations regarding areas,
95 setbacks, hours of operation and prevention of adverse off-site impacts. ~~The applicable~~
96 ~~state regulatory agency depends on the size, type, and extent of the planned activity.~~
97 ~~State regulatory agencies include (but may not be limited to) the Florida Department of~~
98 ~~Environmental Protection (FDEP), the Florida Bureau of Mine Reclamation (BMR) and,~~
99 ~~in cases of wetlands and surface waters that connect to waters of the state or wetlands~~
100 ~~jurisdictional to Escambia County, the Northwest Florida Water Management District~~
101 ~~(NFWMD).~~

102
103 (1) *Public hearings.* Public hearings by the board of county commissioners, the
104 local planning agency (planning board), ~~the rezoning hearing examiner, and/or the~~
105 board of adjustment may be required depending on the location of a proposed mine,
106 borrow pit, excavation site, or expansion/reclamation thereof. Public hearings are
107 required in all cases where the proposed use conflicts with the future land use
108 designation, zoning, permitted uses, and/or performance standards of this Code for the
109 site location. In applicable cases, the Escambia County ~~Planning and Zoning~~
110 Development Services Department will process completed applications and schedule
111 public hearings for future land use changes, rezonings, conditional use and/or variance
112 requests in accordance with article 2 (Administration) of the Land Development Code
113 (LDC) upon receipt of required fees.

114
115 (2) *Local permit.* A county resource extraction permit is required for all
116 excavation/mining activities ~~not permitted by the county,~~ including borrow pits. Any
117 person desiring to obtain such permit shall file an application for site plan review with
118 the Escambia County ~~Planning and Zoning~~ Development Services Department on an
119 application form provided by the department. The application shall include ~~proof~~ copies
120 of any ~~required~~ federal or state permits, a plan for excavating the land in
121 excavation/mining units, and a reclamation plan for the site that meets all state and local

122 requirements (~~reference state requirements for reclamation standards in F.A.C. ch.~~
123 ~~62C-39, and F.S. chs. 378 and 403).~~

124
125 a. ~~Term of permit. When state permits are required, the county permit~~
126 ~~shall have an expiration date that coincides with that of the state permit~~
127 ~~(generally five years, when applicable). The county resource extraction permit~~
128 ~~shall be valid for five years years following approval and may be renewed upon~~
129 ~~application by the permittee and approval by the Board of County Commissioners~~
130 ~~is renewable. As a condition of obtaining and maintaining a county resource~~
131 ~~extraction permit, a permittee shall submit an annual affidavit on a form prepared~~
132 ~~by Escambia County that describes the scope of activities occurring on-site, the~~
133 ~~percentage of materials planned to be excavated that have been removed from~~
134 ~~the site, and the estimated lifespan for resource extraction activities occurring on~~
135 ~~the site. The permittee shall also consent to random and periodic inspections of~~
136 ~~the site by Escambia County representatives, with such inspections to occur at a~~
137 ~~minimum of two (2) times per year. Refusal of an inspection or failure to submit~~
138 ~~the annual affidavit shall result in revocation of the County permit.~~

139
140 b. ~~Surety.~~ The applicant shall submit ~~a general~~ surety payable to
141 Escambia County in an amount itemized according to the respective
142 development order requirement, repair, or reclamation measure in the event of
143 noncompliance with the terms of the development order. An engineer registered
144 in the State of Florida shall certify the total surety amount. Proceeding against
145 the surety in case of violation shall be in accordance with subsection (3)b.,
146 below.

147
148 c. Performance standards. In addition to the regulations set forth in this
149 article, in order to obtain and maintain a permit, a permit applicant or holder shall
150 comply with the performance standards, including the hours of operation, as set
151 forth in section 7.07.00 of the Land Development Code, zoning requirements of
152 Article 6 of the Land Development Code, as well as any relevant provisions of ch.
153 82, of the Code of Ordinances and any other applicable local, state and federal
154 laws, rules or regulations.

155
156 (3) Reclamation plan. The reclamation plan for mined-out lands shall
157 be consistent with federal and state reclamation standards (particularly those
158 referenced in subsection (2) above), shall comply with ~~the any~~ performance
159 standards required by ~~the county listed in LDC, article 7~~ the Escambia
160 County Land Development Code, and shall be consistent with the intended
161 post-mining land use. The plan shall provide for reclamation activities to be
162 completed in a timely manner and sequence per the terms of the required
163 development order. A permittee shall submit reclamation plan updates to
164 Escambia County whenever it makes a material change to its reclamation
165 plan, but no less than annually when it submits the affidavit required by
166 subsection (2)a., above. The reclamation plan shall include ~~a process for~~
167 ~~reclaiming mined-out land in reclamation units so that no more than five~~

168 ~~acres of mined-out land are exposed at any one excavation site, unless the~~
169 ~~terms of the development order provide for an exception.~~ Reclamation of
170 mined-out lands shall commence within one year of cessation of mining
171 operations, shall include revegetation as early as practical, and shall be
172 completed by the county-approved date established for the specific site. The
173 reclamation plan, and any updates thereto, are subject to audit by Escambia
174 County, and the permit shall consent to provide any documentation or
175 records, or to otherwise authorize any inspection required, for the purpose of
176 such audit. The reclamation plan does not equate to a permit for the use set
177 forth in the plan, nor does it grandfather or provide a vested right for that
178 use, although the Board of County Commissioners may consider any
179 reasonable investment backed expectation in determining any grandfathering
180 or vested right on a case-by-case basis.

181
182 a. *Financial assurance for closure and reclamation.* The applicant shall
183 provide proof of financial assurance ~~in accordance with F.A.C. ch. 62.704~~ for
184 reclamation involving debris disposal. The applicant shall also provide a
185 reclamation surety payable to Escambia County for all land previously disturbed
186 by mining activities for which annual completion of reclamation has not been
187 approved by the county engineer. The required amount of reclamation surety
188 shall equal 110 percent of the reclamation cost, which shall be certified by a
189 professional engineer retained by the applicant. The amount shall be subject to
190 the approval of the county administrator or his/her appointed designee. Applicant
191 shall also comply with the terms of Chapter 82 of this Code. If the County is a
192 party to an interlocal agreement with the Florida Department of Environmental
193 Protection that provides for a mutual surety program, then the applicant may
194 provide one surety to address the surety requirements of both the State and the
195 County, according to the terms of the interlocal agreement.

196
197 b. *Proceeding against surety.* If at any time the applicant fails to
198 satisfactorily undertake corrective action in response to a notice of violation, the
199 ~~Board of County Commissioners~~ may initiate proceedings against the surety,
200 including any proceedings in a court of competent jurisdiction. Such proceedings
201 shall not commence until surety has been given 60 days to require
202 commencement of corrective action. In such proceeding, the recoverable
203 damages and costs shall not be limited to the reasonable value of the land prior
204 to the mining activities and shall include the award of costs and reasonable
205 attorneys' fees.

206
207 (4) *Site plan review.* An application for mining, borrow pit operations and/or
208 reclamation activities thereof in Escambia County will be processed as a major
209 development site plan review requiring an approved county development order. Upon
210 receipt of a completed application, the application will be reviewed for compliance with
211 all applicable provisions of this Escambia County Code of Ordinances, the Escambia
212 County Comprehensive Plan, and the Escambia County Land Development Code (see
213 Comprehensive Plan, chapters 7 and 11, and LDC, articles 4, 6, 7, 9, and 12). If the

214 criteria or performance standards established for the district in which the mining
215 operations or reclamation activity thereof is located conflict with the performance
216 standards regulating off-site impacts provided for in LDC, ~~article 7~~ the Escambia County
217 Land Development Code, the stricter criteria shall be applied.

218
219 ~~(5) Existing (active) borrow pits and/or reclamation.~~ All operators/owners of
220 existing active pits ~~as of the date of adoption of Ordinance 2005-18 (June 2, 2005)~~ shall
221 comply with the provisions of this article as set forth in this subsection and meet the
222 performance standards of LDC, article 7. However, such pits shall be considered legal,
223 nonconforming uses if the operators/owners hold one of the following permits from the
224 County:

225
226 a. ~~An interim local permit obtained no later than December 5, 2011. Such~~
227 ~~interim permit shall be available from the planning and zoning department and be~~
228 ~~valid for 12 months from date of issue. In order to obtain an interim local permit,~~
229 ~~the owner/operator must provide the county the right to inspect the premises, as~~
230 ~~described in subsection 42-325(2) of this article. Denial of an inspection shall~~
231 ~~result in revocation of an interim local permit. Upon expiration of an interim local~~
232 ~~permit, the owner/operator must obtain a local permit as described in part b.,~~
233 ~~below, or the existing borrow pit will become an illegal use and in violation of this~~
234 ~~section.~~

235
236 b. ~~A local permit obtained no later than December 5, 2011, or expiration~~
237 ~~of an interim permit, whichever is later. A local permit requires the~~
238 ~~owner/operator to provide the county the right to inspect the premises, as~~
239 ~~described in subsection 42-325(2) of this article, and show proof of active, valid~~
240 ~~state, federal or other applicable jurisdiction permits. Proof of valid, active state,~~
241 ~~federal or other applicable jurisdiction permits must be provided at any time upon~~
242 ~~request. Failure to maintain or provide proof of valid, active state, federal or other~~
243 ~~jurisdiction permits shall result in revocation of a local permit. Denial of an~~
244 ~~inspection shall result in revocation of a local permit.~~

245
246 ~~Interim local permits and local permits issued pursuant to this subsection are not~~
247 ~~subject to DRC or BCC review. However, any expansion of borrow~~
248 ~~pit/mining/reclamation uses to any parcel not subject to such uses on October 5,~~
249 ~~2011, is considered an expansion of a nonconforming use. Existing borrow pits~~
250 ~~properly permitted pursuant to this section shall be exempt from county surety~~
251 ~~requirements regarding borrow pits. However, other applicable jurisdictions may~~
252 ~~require a surety as a condition of obtaining those jurisdictional permits.~~

253
254 (5) Existing permitted pits. For a borrow pit, mining or excavation unit or
255 reclamation unit permitted by the County prior to August 21, 2014, grandfathering and
256 vested rights of previously approved borrow pits are to be addressed on a case-by-case
257 basis, which will include consideration of the specific wording of development orders,
258 permits, and any other land use approval issued by the County relating to operation of
259 the borrow pit.

260
261 (6) Abandoned or Closed pits.

262
263 a. Closed borrow pits, mining or excavation units or reclamation units
264 shall be those that have concluded the permitted closure plan, undergone a
265 closure inspection and maintain a permit as a closed facility. A closed facility
266 shall be subject to a minimum of one inspection per year and shall maintain the
267 facility in a condition consistent with the closure plan. The fee resolution shall
268 reflect a closed facility permit as a separate fee category. A closed facility shall
269 not conduct any active operations and must obtain a permit from the Board of
270 County Commissioners as an active facility prior to any operations at the site.

271
272 b. Abandoned borrow pits, mining or excavation units or reclamation units
273 shall be those determined by the Director of Development Services to meet the
274 definition of abandoned pursuant to this article. All abandoned facilities shall be
275 permitted as closed facilities pursuant to this article. The County may pursue any
276 legal remedy to require an abandoned facility to become permitted as a closed
277 facility; to address any condition that poses a threat to the public's health, safety
278 or welfare; or to force compliance with this article. An abandoned facility shall
279 not have any grandfathered or vested rights to conduct operations, although the
280 Board of County Commissioners can consider grandfathering or vesting of
281 certain rights as part of the permitting process on a case-by-case basis.

282
283 (67) Performance standards. Setbacks, fencing, hours of operation, stormwater
284 management and other related requirements for mining, excavation and reclamation
285 sites shall be subject to specific performance standards and zoning district regulations
286 established in the Escambia County Land Development Code in addition to those
287 required of the applicable zoning district (see LDC, articles 7 and 12).

288
289 (78) Issuance. Upon determining that the use for which the permit is sought will
290 comply with the terms of this chapter and with all county regulations and ordinances, the
291 county shall grant a resource extraction permit as part of the development order
292 concurrent with development review committee (DRC) approval allowing the requested
293 use for mining and/or resource extraction. ~~In some cases, t~~The issuance of the permit
294 may include conditions as part of the permit approval and compliance process. For
295 expired borrow pits and mined-out lands that do not require a resource extraction permit
296 per the provisions of this article, the DRC shall issue a general permit as part of the
297 development order concurrent with DRC approval for the requested reclamation activity
298 that includes a required date for complete reclamation of the site, in addition to any
299 requirements of Ch. 82 of the Escambia County Code of Ordinances or any other state
300 or county rule or law. Notwithstanding any other provision for appeal of DRC decisions,
301 the Board of County Commissioners shall review and approve, approve with conditions,
302 or deny any resource extraction permit issued pursuant to this chapter.

303
304 A resource extraction permit issued pursuant to this article does not relieve a permittee
305 of any obligation or requirement to obtain or possess any state or federal permit.

306
307 (89) *Appeals*. Upon site plan approval, any affected party may file an appeal with
308 the ~~Board of a~~ Adjustment (BOA) pursuant to LDC, article 2.

309
310 **Sec. 42-324. - Scope and compliance.**

311
312 This article applies to property located in unincorporated areas of Escambia County,
313 Florida. ~~All property subject to this article must be brought into compliance within 90~~
314 ~~days of the date of adoption of this article, except for existing pits authorized a more~~
315 ~~extended timeframe per the provisions of section 42-323(5)a., above. All property~~
316 ~~subject to this article must be brought into compliance by meeting the standards~~
317 ~~required by this article and by obtaining a permit from the County at a public hearing to~~
318 ~~be set before the Board of County Commissioners no later than one hundred twenty~~
319 ~~(120) days after the enactment of this ordinance.~~

320
321 **Sec. 42-325. - Enforcement.**

322
323 (1) *Liability*. As a condition of the issuance of a local permit, the owner and/or
324 operator shall be subject to liability to any injured party for damages resulting from any
325 discharge, emission, spill, or release of any substance, from any vibrations, noise, or
326 groundwater contamination, or from failure of the owner/operator to complete any
327 reclamation of lands as required. This provision does not affect or alter sovereign
328 immunity protections afforded governmental entities.

329
330 (2) *Inspections*. Pit operators shall allow county inspectors or contracted
331 representatives to access mine/pit property at any reasonable time for the purpose of
332 inspection to insure compliance with the terms and conditions of the permit, the
333 development order, this article, and all applicable laws. Pit operators shall be subject to
334 random ~~quarterly~~ inspections of their pits and shall assume all costs of the inspections
335 thereof. A copy of the inspection report shall be provided to the operator. Inspectors will
336 coordinate with the Florida Department of Environmental Protection and ~~the cognizant~~
337 ~~county departments~~ regarding site visits and inspection criteria.

338
339 (3) *Violations*. Violations of any portion of this article ~~will~~ may be enforced by the
340 environmental code enforcement division pursuant to chapter 30 of the Escambia
341 County Code of Ordinances, ~~the county code enforcement system~~. Failure to comply
342 with this article and/or any site specific permit requirements will result in fines and liens
343 being levied against the owner or operator, or both, pursuant to chapter 30 of the
344 Escambia County Code of Ordinances and F.S. § 162.069, as amended.

345
346 (4) *Civil action*. The county attorney is authorized to institute a civil action in a
347 federal or state court of competent jurisdiction to seek injunctive relief to enforce
348 compliance with this article in order to protect the health, safety and welfare of the
349 public. In the event the county determines a borrow pit operation is violating the terms of
350 its permit, is allowing unlawful disposal, refuses to obtain a permit or otherwise poses a
351 risk to the public health, safety and welfare, the county administrator may request that

352 the county attorney's office immediately file a request for an emergency injunction or
353 other appropriate relief in a court of competent jurisdiction, with such filing to be
354 subsequently ratified by the board of county commissioners.

355 (5) Criminal penalty.

356
357 (a) Any person violating any of the provisions of this article, upon
358 conviction thereof, may be punished by a fine not to exceed \$500.00 or by
359 imprisonment in the county jail not to exceed 60 days or by both such fine and
360 imprisonment.

361
362 (b) In lieu of making an arrest or issuing a notice to appear, a law
363 enforcement officer or a code enforcement officer may issue a citation pursuant
364 to section 30-63 of the Escambia County Code of Ordinances. Each violation of
365 any provision of this article shall constitute a separate offense.

366
367 Any person who willfully refuses to sign and accept a citation issued by a law
368 enforcement officer or a code enforcement officer shall be guilty of a misdemeanor of
369 the second degree, punishable as provided in F.S. § 775.082 or 775.083. A written
370 warning to this effect shall be provided at the time any citation is issued hereunder.

371

372 (6) Existing claims: Any code enforcement, administrative, civil or criminal claim
373 filed prior to February 19, 2015 and relating to sections 42-321 through 42-325 shall be
374 subject to the provisions in effect on the date the claim was filed.

375

376 (7) Powers of the County Administrator: The Administrator may provide for a
377 temporary waiver of the hours of operation in order to accommodate infrastructure
378 projects proceeding outside of normal business hours so long as the waiver is made in
379 writing and that no waiver may exceed ninety (90) days without a written extension by
380 the Administrator.

381

382 **Section 2. Severability.**

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

386 **Section 3. Inclusion in the Code.**

387 It is the intention of the Board of County Commissioners that the provisions of
388 this Ordinance shall become and be made a part of the Escambia County Code; and
389 that the sections of this Ordinance may be renumbered or relettered and the word

390 “ordinance” may be changed to “section”, “article”, or such other appropriate work or
391 phrase in order to accomplish such intentions.

392 **Section 4. Effective Date.**

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

394 **DONE AND ENACTED THIS ____ DAY OF _____, 2015.**

395
396
397
398
399

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

400
401

Steven Barry, Chairman

402
403

ATTEST: PAM CHILDERS
Clerk to the Circuit Court

404
405

406
407

BY: _____
Deputy Clerk

408
409

(Seal)

410
411

Enacted:

412
413

Filed with Department of State:

414
415

Effective:

416

Committee of the Whole

7.

Meeting Date: 02/12/2015

Issue: 1476-Bed Correctional Facility Design Criteria Professional

From: David Wheeler, Department Director

Information

Recommendation:

1476-Bed Correctional Facility Design Criteria Professional

(David Wheeler - 10 min)

A. Board Discussion

B. Board Direction

Attachments

Report of the 08-12-2014 CW Workshop

1476 Bed Correction Facility Presentation

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1&2. Approval of Two Consent Agenda Items – Continued

2. Continued...

* C. Report of the August 12, 2014, C/W Workshop – Continued

AGENDA NUMBER – Continued

* 7. Central Booking and Detention Facility Replacement Considerations

A. Board Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled *Central Booking and Detention Facility Replacement Considerations, Capacity and Construction Delivery Method*, presented by David Wheeler, Director, Facilities Management Department, and the C/W:

(1) Heard the request from Mr. Wheeler for Board direction regarding the following two items:

(a) The capacity of a replacement facility:

- (1) A 697-Bed CBD (*Central Booking and Detention*) Replacement;
or
- (2) A 1,476-Bed CBD and Main Jail Replacement; and

(b) The construction delivery method:

- (1) Design-Bid-Build;
- (2) Construction Manager at Risk; or
- (3) Design-Build;

(2) Heard comments from Commissioner Robinson, who expressed his support for the larger capacity facility and Design-Build process;

(Continued on Page 15)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

1&2. Approval of Two Consent Agenda Items – Continued

2. Continued...

C. Report of the August 12, 2014, C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Continued...

A. Continued...

- (3) Was advised by Commissioner Robertson that he supports the larger capacity facility and the Design-Build process, but would like to get opinions from local builders on the design process before he makes a final decision;
- (4) Was advised by Ronnie Artigues, Dewberry Consultants, LLC, that from FEMA's (Federal Emergency Management Agency) perspective, the County should solicit to all, not to just local contractors;
- (5) Heard comments from Commissioner May, who advised that the employment of local companies for the project is very important to him, he would like to see what ideas have come forward on crime prevention and how to reduce inmate population, and he will not vote until he knows that all stakeholders have been included in the process and drainage issues are addressed;
- (6) Heard comments from Commissioner Valentino, who expressed his support for the Design-Build process and the larger capacity, keeping with the concept of the "Jail Campus," and advised that he would prefer that the new facility not be located in a growing residential area;

(Continued on Page 16)

PUBLIC FORUM WORK SESSION AND REGULAR BCC MEETING MINUTES – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

- I. CONSENT AGENDA – Continued
- 1&2. Approval of Two Consent Agenda Items – Continued
2. Continued...
- C. Report of the August 12, 2014, C/W Workshop – Continued

AGENDA NUMBER – Continued

7. Continued...

A. Continued...

(7) Heard comments from Commissioner Barry, who advised that he is undecided on the construction method, he would only support the larger capacity facility knowing there is an immediate capital improvement that is outstanding at the main jail, and he is not prepared to make a decision until he knows what the payouts will be from the insurance company and FEMA for the jail; and

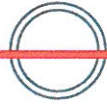
(8) Was advised by Mr. Wheeler that, if the direction of the Board is to move forward with the Design-Build construction method and a 1,476-bed facility, staff will solicit for a design criteria professional to create the Design-Build package, as required by Florida Statute, and, at the November 6 (2014) Board Meeting, the Board would award the contract; furthermore, in order to keep the process moving, the design criteria professional must be hired and the location must be chosen within the next few months; and

B. Board Direction – The C/W recommends that the Board direct staff to develop a presentation under the scope of a Design-Build construction method, for a 1,476-bed Central Booking and Detention Facility/Main Jail.

Recommended 3-2, with Commissioner Barry and Commissioner May voting “no”

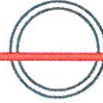
(Continued on Page 17)

1476-Bed Correctional Facility
Selection of Design Criteria
Professional (DCP)



COMMITTEE OF THE WHOLE
FEBRUARY 12, 2015

Committee of the Whole – August 12, 2014



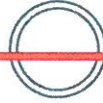
Capacity of Facility

Construct a 1476-Bed Correctional Facility to Replace the Central Booking and Detention Facility (CBDF) and the Main Jail.

Construction Delivery Method

Design-Build Contract

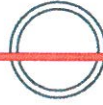
Next Step of the Design Build Contract



Hire a Design Criteria Professional (DCP)

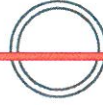
- Florida Statute 287.055 known as the Consultant's Competitive Negotiation ACT (CNNA) governs the acquisition of Design Build Services. CNNA requires the use of the DCP to prepare a Design Criteria Package. The purpose of this Design Criteria Package is to “furnish sufficient information to permit design-build firms to prepare a bid or a response to an agency's Request of Proposal (RFP), or to permit an agency to enter into a negotiated design-build contract”.
- The Design Criteria Professional must hold a certificate of registration to practice architecture or hold a Certificate as a registered engineer to practice engineering in the State of Florida.

Scope of Design Criteria Professional



1. Prepare the Design Criteria Package to include:
 - The Architectural Space Program to include Room Data Sheets.
 - The Conceptual Designs in sufficient detail to enable a Design-Build (DB) Team to prepare cost proposals and yet enable them to offer innovative ideas for design improvements.
 - A Detailed Cost Estimate.
 - Performance and Technical Specifications.
 - A Project Schedule.
 - An Operational and Management Program, defining Corrections Staffing requirements.

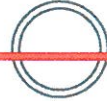
Scope of Design Criteria Professional



(Continued)

2. Assisting and advising the County during the Design-Build team selection and negotiation process.
3. Additional services of Owner's Representative:
 - a) Providing oversight through on-site observations to ensure compliance with the Design Criteria Package and the construction document.
 - b) Answering Design Criteria Package questions.
 - c) Preparing monthly progress reports and any other reports and documentation as situations warrant.
 - d) Reviewing and evaluating samples, schedules, shop drawings, and other submissions for conformance of the Design Criteria package and the DB contract documents.

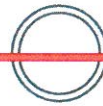
Scope of Design Criteria Professional



(Continued)

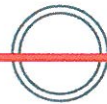
- e) Providing Quality Control Services by evaluating materials and/or workmanship.
- f) Reviewing and approving the DB's applications for payment.
- g) Ensuring that complete and accurate Record Drawings are prepared and submitted by the DB.
- h) Determining if the project, or portions thereof, are Substantially Complete.
- i) Assisting in Final Completion and Project Closeout.
- j) Assisting the County in its FF&E procurement process.
- k) Overseeing and assisting in the Detention Equipment Commissioning.
- l) Assisting during the Building Commissioning.
- m) Providing direction and coordination during the Transition and Activation Process.

Status on Solicitation PD 13-14.082 Design Criteria Professional for the New Escambia County 1479—Bed Correctional Facility



8-15-2014	5 member Selection Committee was established (2 members from Corrections, 1 member from Sheriff's Office, 1 member from Court Administration and 1 member from Escambia County Facilities Management)
8-25-2014	Public Solicitation for PD 13-14.082, Design Criteria Professional for the New Escambia County 1476-Bed Correctional Facility.
09-16-2014	Responses due (5 firms submitted a Request for Letters of Interest.
09-17-2014	Register of submitters posted and Purchasing sends packages to Committee Members to grade
09-30-2014	County Administrator places selection process on hold pending site selection

Staff is Seeking Direction from the Board on the Following



1. Proceed with the selection process for the Design Criteria Professional (shortlist, rank, and negotiate fee). It is anticipated that a recommendation to award the Design Criteria Professional will be presented to the Board in April or May 2015.
2. Design Criteria Professional to be Owner's Representative through the duration of the construction project and transition into the new facility.

DCP Fee Range of 3.1% to 4.9% of the Construction/Project Cost

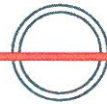
Example:

$$\$140,000,000 \times 3.1\% = \$4,340,000$$

$$\$140,000,000 \times 4.9\% = \$6,860,000$$

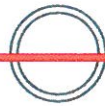
Plan of Action and Milestones

Project Duration Estimated at 44 Months



- ❖ Site Selection and Acquisition
- ❖ DCP Selection and Award
- ❖ Design Criteria Package
- ❖ Design-Build Selection
- ❖ Design/Construction
- ❖ Transition and Move-In

Status on Central Booking and Detention Facility (CBDF)



1. Request for Letters of Interest – Structural Analysis and Scope of Damages
2. Central Energy Plant Under Construction
3. Insurance
4. FEMA
5. Funding

Committee of the Whole

8.

Meeting Date: 02/12/2015

Issue: Update on Jail Site Selection

From: Amy Lovoy, Interim Assistant County Administrator

Information

Recommendation:

Update on Jail Site Selection

(Amy Lovoy - 30 min)

A. Board Discussion

B. Board Direction

Attachments

Report of the 12-18-2014 CW Workshop

Potential Jail Locations

RESUME OF THE REGULAR BCC MEETING – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

4. Continued...

* C. Report of the December 18, 2014, C/W Workshop – Continued

AGENDA NUMBER – Continued

3. Continued...

A. Continued...

(5) Was advised by County Administrator Brown that there are only two permitted CD&D facilities in Escambia County; and

(6) Was advised by Commissioner May that before he makes any decisions concerning the process, he would like input from the industry, the Health Department, environmental scientists, and County staff; and

B. Board Direction – None.

* 4. Property Search for 1,476-Bed Correctional Complex

A. Board Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled *Escambia County Jail Site Selection Briefing*, presented by County Administrator Brown, and the C/W:

(1) Was advised by the Honorable David Morgan, Sheriff, that locating the facility farther north may be an issue for the Judiciary System and other Law Enforcement Agencies (i.e. Florida Highway Patrol; Pensacola Police Department; with rare exception, University/College Police Departments; State Attorney's and Public Defender's Office; and Judges), and families and friends of inmates;

(Continued on Page 11)

RESUME OF THE REGULAR BCC MEETING – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

4. Continued...

C. Report of the December 18, 2014, C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Continued...

A. Continued...

(2) Heard an overview from County Administrator Brown of the pros and cons of the following ten sites that have been identified for the Board's consideration:

- (a) Site 1 - Vicinity: 1/2 mile north of Highway 196 and Highway 29 (Molino Area);
- (b) Site 2 - Vicinity: 2 1/2 miles north of Muscogee Road on Highway 29 (Central Commerce Park Phase II);
- (c) Site 3 - Vicinity: Intersection of Becks Lake Road and Highway 29;
- (d) Site 4 - Vicinity: Intersection of Interstate 10 and Beulah Road (adjacent to the Perdido Landfill);
- (f) Site 5 - Vicinity: East side of Highway 29, at the intersection of "W" Street (old Soccer Complex site);
- (g) Site 6 - Vicinity: East side of Palafox Street, at the intersection of Airport Boulevard;
- (h) Site 7 - Vicinity: Near Palafox Street and Brent Lane, south of Pensacola Christian College (north of Superfund Site – private ownership);
- (i) Site 8 - Vicinity: East of Palafox Street and Pace Boulevard fork and west of Rail Road (Superfund Site);
- (j) Site 9 - Vicinity: Southeast quadrant at the intersection of Fairfield Drive and Pace Boulevard (adjacent to the current Corrections Campus); and
- (k) Site 10 - Vicinity: North of Leonard, south of Fairfield, between "G" and "L" Streets (existing Central Booking and Detention Facility);

(Continued on Page 12)

RESUME OF THE REGULAR BCC MEETING – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

4. Continued...

C. Report of the December 18, 2014, C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Continued...

A. Continued...

- (3) Heard comments from Commissioner Robinson concerning the "Grand Jury Report," which recommended that the jail facility not be rebuilt on the current site (*Site 10*) because the area is prone to flooding;
- (4) Was advised by Commissioner Robertson that Sites 6, 7, and 9, which are south of the interstate, are his top choices for prioritization;
- (5) Upon inquiry from Commissioner May, was advised by Sheriff Morgan that Commissioner Robertson's top choices are very close on how he feels the sites should be prioritized, and "Judiciary," contact with family, and expenses and transport, in that order, are the three criterions he would consider in the selection process;
- (6) Heard the request from Commissioner Barry for input from the Judiciary branch regarding the potential sites;
- (7) Was advised by County Administrator Brown that one of the requirements for FEMA (*Federal Emergency Management Agency*) participation is that the location has to be outside of the "500-year floodplain";
- (8) Was advised by Commissioner Robinson that he could support Sites 6, 7, 9, the non-contaminated portions of Site 8;

(Continued on Page 13)

RESUME OF THE REGULAR BCC MEETING – Continued

CLERK OF COURTS & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

4. Continued...

C. Report of the December 18, 2014, C/W Workshop – Continued

AGENDA NUMBER – Continued

4. Continued...

A. Continued...

(9) Heard the request from Commissioner Robertson for staff's recommendation/ranking of the Sites; and

(10) Agreed to authorize staff to perform due diligence on Sites 6, 7, 8, and 9; and

B. Board Direction – The C/W recommends that the Board eliminate the following sites, which are north of Interstate 10, as a possible site for a Correctional Complex:

(1) Site 1 - Vicinity: 1/2 mile north of Highway 196 and Highway 29 (Molino Area);

(2) Site 2 - Vicinity: 2 1/2 miles north of Muscogee Road on Highway 29;

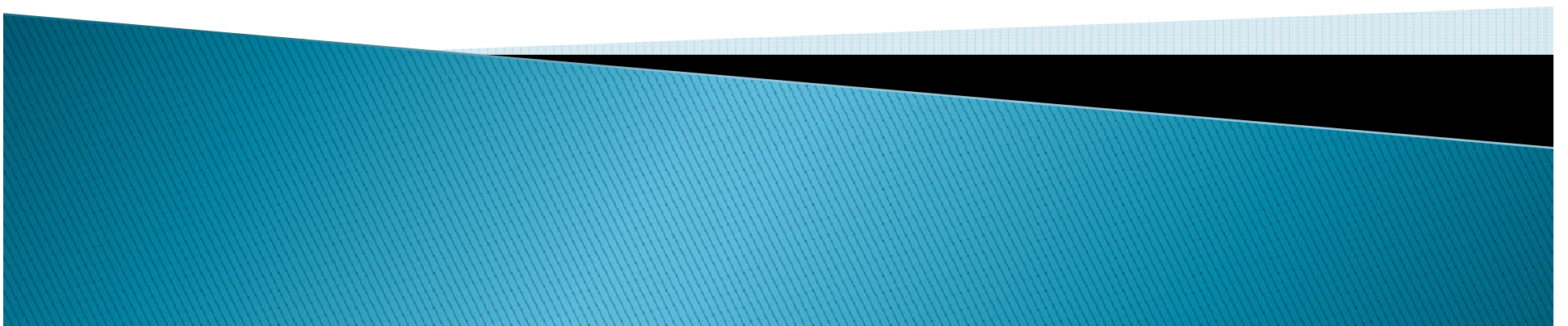
(3) Site 3 - Vicinity: Intersection of Becks Lake Road and Highway 29; and

(4) Site 4 - Vicinity: Intersection of Interstate 10 and Beulah Road;

Recommended 4-0, with Commissioner Robinson abstaining (and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers)

(Continued on Page 14)

Potential Jail Locations

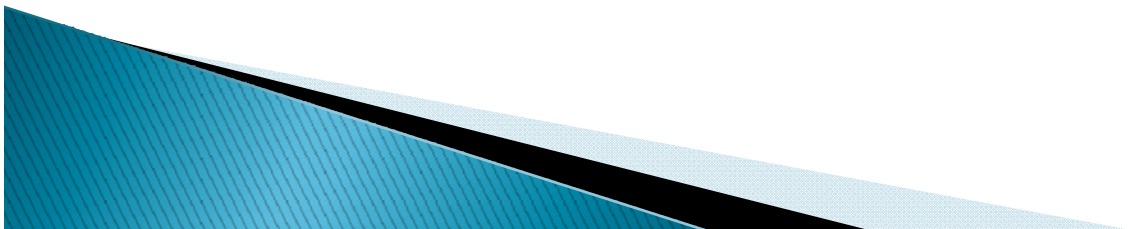


NIC Jail Site Selection Guide

- ▶ Start Early

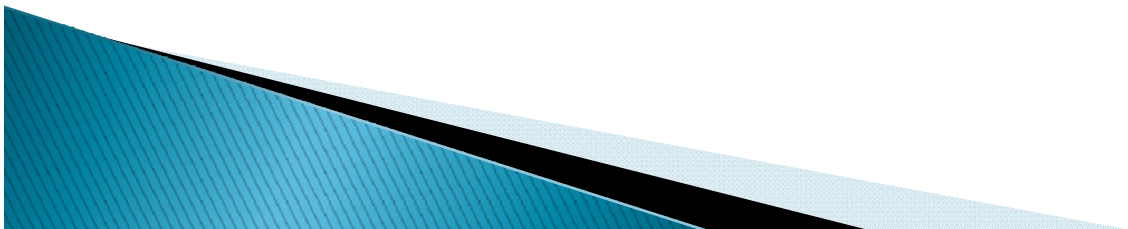
- ▶ Appoint a Site Selection Committee

- ▶ Site Selection Process
 - Develop Site Evaluation Criteria
 - Identify Potential Sites
 - Conduct a Preliminary Evaluation
 - Select the Recommended Site
 - Conduct a Detailed Site Analysis



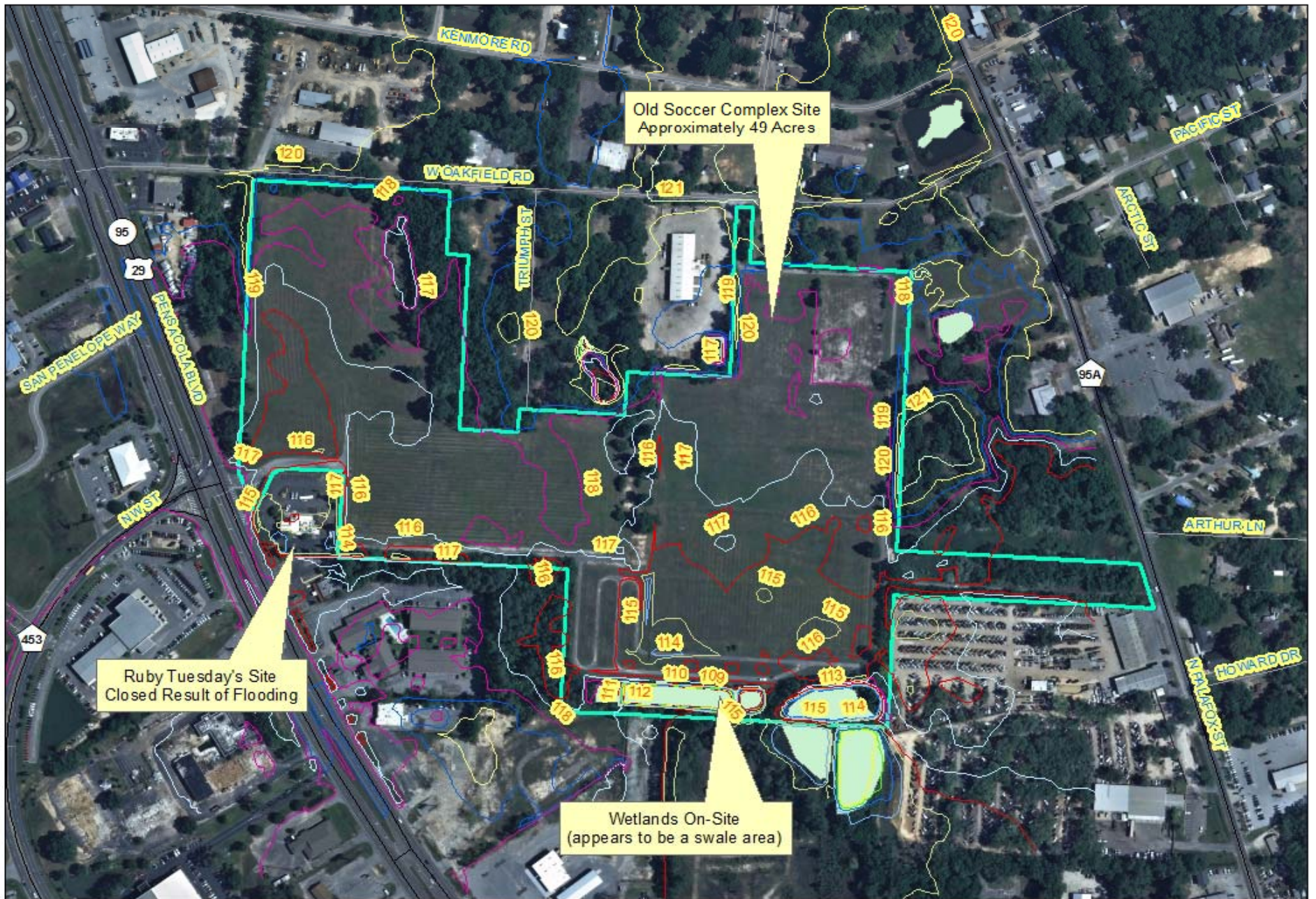
Points to Consider

- ▶ Under Executive Order 11988, Floodplain Management, Federal agencies funding and/or permitting critical facilities are required to avoid the 0.2% (500-year) floodplain or protect the facilities to the 0.2% chance flood level.
- ▶ NIC Guidelines suggest that a key criteria in a site selection is that the site is big enough not just to accommodate the footprint of the building but also other considerations such as parking, drainage and buffer zones.
- ▶ Under the FEMA public assistance program, FEMA/State funding will be limited to 87.5% of the eligible costs associated with repairing/replacing a CBDF sized facility (697 beds) utilizing current codes and standards after deducting all insurance proceeds.



Old Soccer Complex

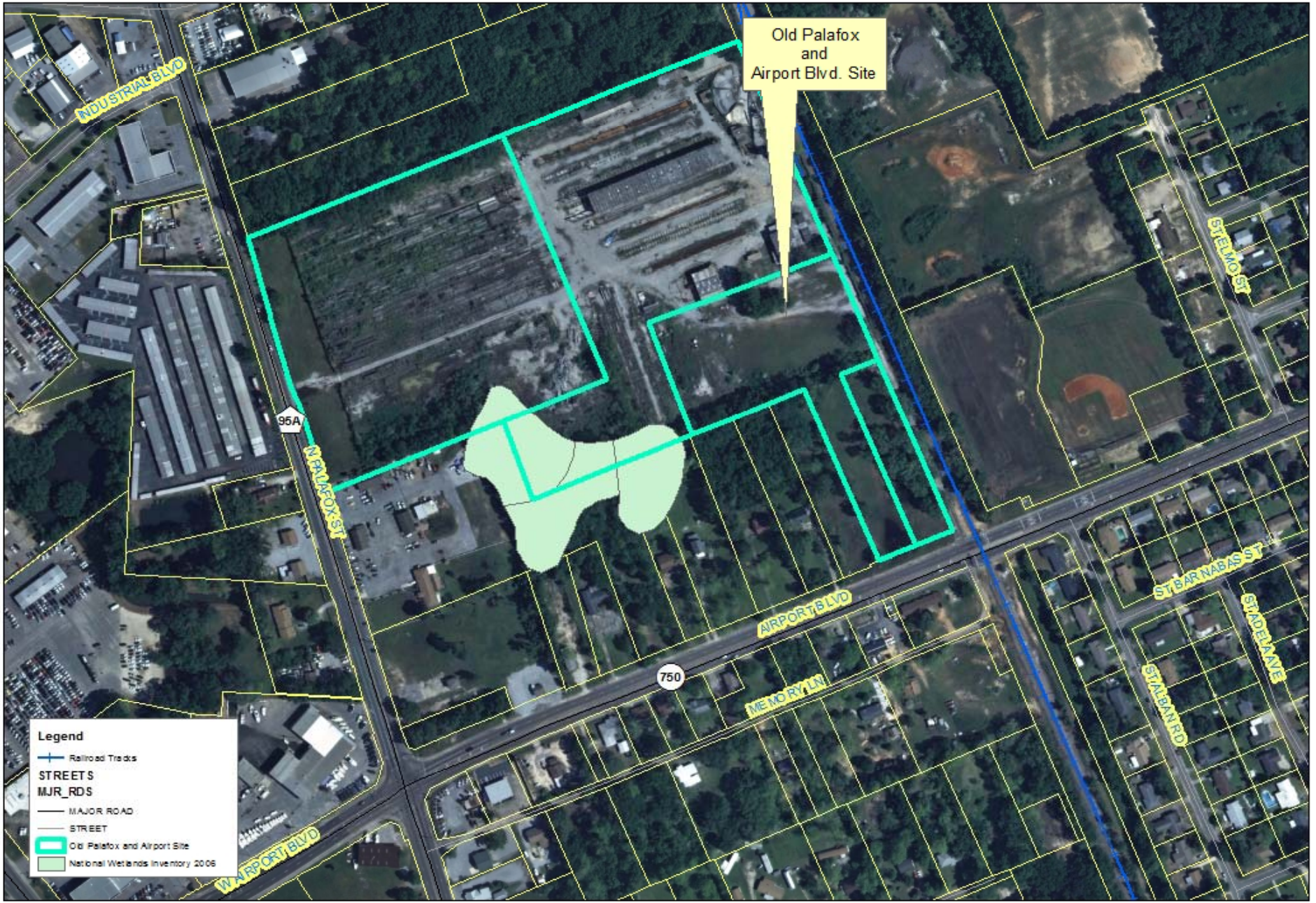
Item	Response	Notes
Acres	49	
Zoning	C-2	Change Required
FLU	COMM (C)	No Change Required
Traffic Concurrency	Sufficient	Hwy 29 at 67% of PM peak hour capacity
Flood Zone	X	
Flood Potential	Major flood issues reported in the area including Ruby Tuesday, other commercial sites and residential houses.	Existing retention pond on the site could be analyzed/modified for this development.
County Owned	No	PA Value is \$2,804,030, Owners did not respond to County's RLI.
Wetlands	Wetland features skirt the edge of the parcels	
Water Main	12" main on the east side of Hwy. 29	
Proximity to Schools (<1,000 ft)	No	
Proximity to Rail (<1,000 ft)	No	
Distance to Judicial Center	6.8 miles	
Topological Concerns	None listed	



Date of Photography - May 2014

Old Palafox and Airport

Item	Response	Notes
Acres	28	
Zoning	ID-1, C-1	Change Required
FLU	MU-U	No change required
Traffic Concurrency	Sufficient	Palafox St. at 77% of PM peak hour capacity
Flood Zone	X	
Flood Potential	No major flooding reported in the area following April floods.	Has a positive outfall possibility to a closed inlet/piping system located on Palafox.
County Owned	No	PA Value is \$1,196,224
Wetlands	Wetland features located in the extreme southern part of the property.	
Water Main	12" main on Old Palafox and Airport	
Proximity to Schools (<1,000 ft)	No	
Proximity to Rail (<1,000 ft)	Rail line abuts the property and runs north/south along the eastern portion of the property	
Distance to Judicial Center	5.8 miles	
Topological Concerns	None listed	



Old Palafox
and
Airport Blvd. Site

- Legend**
- Railroad Tracks
 - STREETS**
 - MJR_RDS**
 - MAJOR ROAD
 - STREET
 - Old Palafox and Airport Site
 - National Wetlands Inventory 2006



Date of Photography - May 2014

Current Jail Site

Item	Response	Notes
Acres	48	
Zoning	R-4	Legal non-conforming use (grandfathered)
FLU	MU-U	
Traffic Concurrency	Sufficient	Leonard St at 9% of PM peak hour capacity
Flood Zone	X	
Flood Potential	Site has flooded in 2009, 2012 and 2014	There is a possibility of a positive outfall possibility to a closed conveyance inlet/piping system. This system is connected to the L St. pond, which is undersized, and the overflow discharge structure from the pond is undersized.
County Owned	Yes	
Wetlands	No	
Water Main	6" on Leonard and H St. /8" on L St.	
Proximity to Schools (<1,000 ft)	No	
Proximity to Rail	No	
Proximity to Judicial	3.2 miles	
Topological Concerns	None listed	

McDonald's Site

Item	Response	Notes
Acres	12.7	
Zoning	C-2	Change Required
FLU	COMM (C)	No Change Required
Traffic Concurrency	Sufficient	Fairfield Dr at 80% of PM peak hour capacity
Flood Zone	X	
Flood Potential	Major flood issues reported in the area including ECAT, Health Department, CBDF	There is a possibility of a positive outfall possibility to a closed conveyance inlet/piping system. This system is connected to the L St. pond, which is undersized, and the overflow discharge structure from the pond is undersized.
County Owned	No	PA value = \$1,766,717, Owners did not respond to County RLI.
Wetlands	No	
Water Main	6" on Leonard/8" on Pace and Fairfield	
Proximity to Schools (<1,000 ft)	No	
Proximity to Rail	No	
Distance to Judicial Center	3.8 miles	
Topological concerns	None listed	

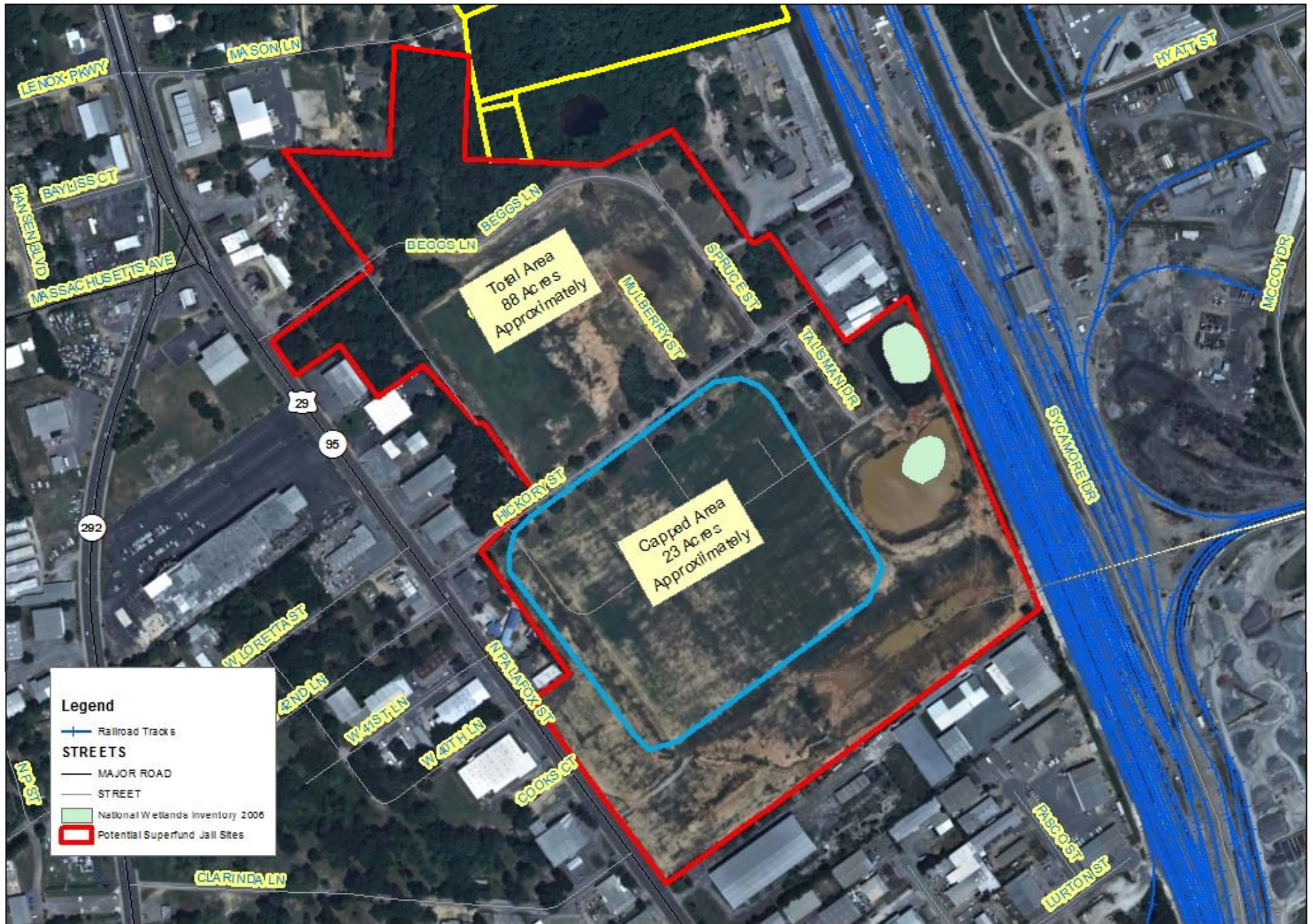


0 0.025 0.05 0.1 0.15 0.2 0.25 Miles

Date of Photography - May 2014

Superfund Site

Item	Response	Notes
Acres	88 including 23 in the capped area	
Zoning	M-1 / R1AA (City)	Change Required
FLU	CITY(I), MU-U	Unknown if change required
Traffic Concurrency	Sufficient	Palafox St at 28% of PM peak hour capacity
Flood Zone	X	
Flood Potential	Major flood issue reported in the area such as Brentwood Shopping Center.	
County Owned	Yes/No	Some parcels owned by the County, some by private individuals, remainder by federal government.
Wetlands	Immaterial parcel has wetland features that could be a stormwater pond.	
Water Main	12" on Palafox	
Proximity to Schools (<1,000 ft)	No	Brentwood Elementary is less than 2,000 feet way.
Proximity to Rail (<1,000 ft)	Abuts portions of the eastern part parcels and runs north/south along the edge.	
Distance to Judicial Center	3.8 miles	
Topological concerns	Steep contours on southern part of the site which may pose challenging for site development.	



Legend

- Railroad Tracks
- STREETS**
- MAJOR ROAD
- STREET
- National Wetlands Inventory 2006
- Potential Superfund Jail Sites

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0 1 2 3 4 5 6 7 8 9 10 Miles



Date of Photography - May 2014

North of Superfund Site

Item	Response	Notes
Acres	68	
Zoning	ID-1 /R6/C1	Change required
FLU	MU-U	No change required
Traffic Concurrency	Sufficient	Palafox St at 44% of PM peak hour capacity.
Flood Zone	X	
Flood Potential	Major flood issue reported in the area such as Brentwood Shopping Center.	No clean positive outfall defined.
County Owned	No	PA value = \$908,262. Owners did not respond to County RLI.
Wetlands	Wetland features skirt the northernmost and southernmost sections of the property	
Water Main	12" on Palafox.	A water main would need to be extended to this site.
Proximity to Schools (<1,000 ft)	Backs up to Brentwood Elementary	
Proximity to Rail (<1,000 ft)	Abuts the eastern part of part of the property and runs north/south along the edge.	
Distance to Judicial Center	4.5 miles	
Topological concerns	Possible steep contours/questionable elevations may pose challenge for development.	



