



## **AGENDA**

### **COMMITTEE OF THE WHOLE WORKSHOP BOARD OF COUNTY COMMISSIONERS**

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

March 8, 2018  
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. Progress Update on the New Correctional Facility  
(Steve Jernigan/Bob Dye - 10 min)
  - A. Board Discussion
  - B. Board Direction
4. FloridaWest Update  
(Scott Luth - 10 min)
  - A. Board Discussion
  - B. Board Direction
5. Mid-Town Commerce Park Development  
(Amy Lovoy - 20 min)
  - A. Board Discussion
  - B. Board Direction

6. Low Impact Design (LID) Initiative  
(Chips Kirschenfeld/Tim Day - 15 min)
  - A. Board Discussion
  - B. Board Direction
  
7. RESTORE Update  
(Chips Kirschenfeld - 15 min)
  - A. Board Discussion
  - B. Board Direction
  
8. Small Wireless Facilities Ordinance  
(Alison Rogers - 30 min)
  - A. Board Discussion
  - B. Board Direction
  
9. Temporary Permit for Concrete Crushing  
(Amy Lovoy - 20 min)
  - A. Board Discussion
  - B. Board Direction
  
10. Unity In the Family's Changing Anti-Social Habits (CASH) Program Update  
(Dr. Calvin Avant - 5 min)
  - A. Board Discussion
  - B. Board Direction
  
11. Day Reporting  
(Matt Coughlin - 30 min)
  - A. Board Discussion
  - B. Board Direction
  
12. Utilizing Main Jail Inmates to Perform Road Clean Up  
(Commander Selina Barnes/Wes Moreno - 15 min)
  - A. Board Discussion
  - B. Board Direction
  
13. Hass Center Study Regarding the Alcohol Ordinance  
(Jack Brown - 15 min)
  - A. Board Discussion
  - B. Board Direction
  
14. Adjourn

**Committee of the Whole**

**3.**

**Meeting Date:** 03/08/2018

**Issue:** Progress Update on the New Correctional Facility

**From:** Robert E. Dye, Interim Facilities Director

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**Information**

**Recommendation:**

Progress Update on the New Correctional Facility

(Steve Jernigan/Bob Dye - 10 min)

A. Board Discussion

B. Board Direction

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**Attachments**

*No file(s) attached.*

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**Committee of the Whole**

**4.**

**Meeting Date:** 03/08/2018

**Issue:** FloridaWest Update

**From:** Jack Brown, County Administrator

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**Information**

**Recommendation:**

FloridaWest Update

(Scott Luth - 10 min)

A. Board Discussion

B. Board Direction

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**Attachments**

FloridaWest Economic Development Report

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# ECONOMIC DEVELOPMENT REPORT

Year to Date  
October 1, 2017– March 5, 2018

**SCOTT LUTH**  
Chief Executive Officer



**GATEWAY TO FLORIDA'S  
ENTERPRISE**

An aerial photograph of a city, likely New York City, showing a dense urban landscape with various buildings and a river. A large, stylized green graphic, resembling a stylized 'R' or a checkmark, is overlaid on the bottom left corner of the image.

## Report Overview

### 1. Business Development Activities

Economic Development Pipeline

RFP's and Site Visits

Active Projects

Business Retention and Expansion Visits

Project Announcements

### 2. Innovation & Entrepreneurship Key Metrics

Co:Lab

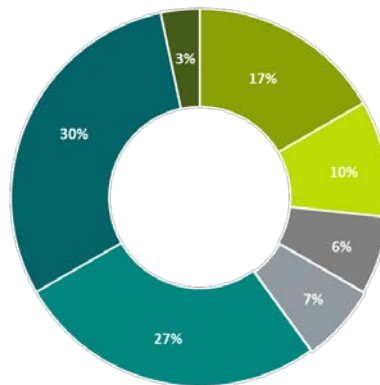
### 3. Workforce Development Activities

## BUSINESS DEVELOPMENT

### REPORT OVERVIEW

<i>Total Pipeline</i>	30
<i>Active Projects</i>	20
<i>Existing</i>	7
<i>New</i>	13
<i>Site Visits</i>	8
<i>Business Retention Visits</i>	26

Pipeline by Sector



■ Aviation/Aerospace Mfg 14%    ■ Information Technology 11%  
■ Professional Services/BPO 7%    ■ Headquarters 7%  
■ Warehouse/Distribution 29%    ■ Manufacturing 29%



## Economic Development Pipeline

Project Code	# Jobs	Industry Sector	Status	Space Required	Lead	Project Rating
P02172015_BPO	1000	BPO	Active	100,000	Direct	95%
H07172015_MFG	100	Manufacturing	Active	50,000	EFI	70%
G08152015_AAM	44	Aviation Manufacturing	Active	128,000	Direct	50%
Q02252016_MFG	45	Manufacturing	Dead	60,000	Direct	0%
J02262016_MFG	10	Manufacturing	Active	1,500	Direct	95%
S08162016_WD	400	Warehouse/Distribution	Active	350,000	Direct	80%
A08312016_WD	5	Warehouse/Distribution	Active	150,000	Direct	90%
G10142016_HQ	6	Headquarters-BusServices	Active	7,000	Direct	95%
F12282016_MFG	35	Manufacturing	Active	60,000	Direct	70%
V01102017_IT	22	IT	Announced	5,000	Direct	100%
A06132017_AAM	65	Aviation MRO	Active	60,000	Direct	40%
A06172017_WD	55	Warehouse/Distribution	On-Hold	35,000	Direct	40%
P07062017_MFG	15	Manufacturing	Active	0	Direct	60%
P07072017_BPO	250	BPO	Active	25,000	Direct	40%
C07122017_IT	25	IT	Active	15,000	Consultant	30%
T07172017_AAM	800	Aviation	Active	200,000	Direct	30%
F10012017_BSVC	5	Business Services	Active	20,000	Direct	40%
T10012017_WD	20	Warehouse/Distribuiton	Active	600,000	Direct	40%
A10182017_HQ		Headquarters	Dead	500,000	Public	20%
E10202017_WD	5	Distribution	Active	3 AC	Direct	20%
V10302017_MFG	75	Manufacturing	Active	60,000	Direct	30%
D11012017_WD	40	Warehouse/Distribuiton	Active	350,000	Direct	40%
P11092017_WD	20	Warehouse/Distribuiton	Active	300,000	Direct	40%
G01/02/2018_WD	TBD	Warehouse/Distribution	Active	100,000	Direct	50%
I02052015_MFG	75	Manufacturing	Active	155,000	Direct	50%
E02082018_IT	TBD	IT	Active	TBD	EFI	15%
N02152018_AAM	200	Aviation	Active	100,000	EFI	20%
P02122-018_MFG	20	Manufacturing	Active	30,000	Direct	30%
D02202018_AAM	TBD	Aviation	Active	173,000	Direct	30%
J02282018_MFG	TBD	Manufacturing	Active	30,000	Direct	30%
# Jobs	3,337		Total Space	7,709,833		
			Average SF	192,746		

### LEAD SOURCE:

Enterprise Florida, Inc. (3)  
 Florida's Great Northwest (0)  
 Site Consultant (1)  
 Direct (25)  
 Public/Open RFP (1)

### TYPE:

Existing   
 New 

### STATUS:

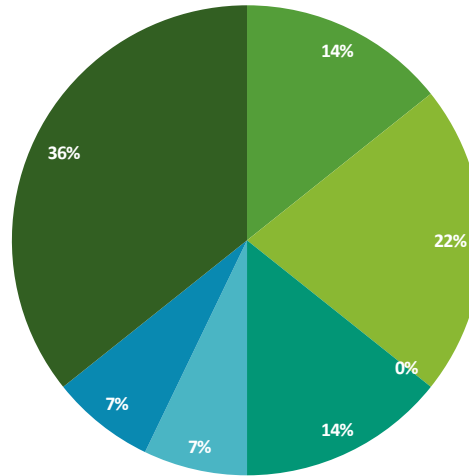
Active (27)  
 Inactive  
 Hold (1)  
 Dead (1)  
 Announced (1)

# Request For Proposal (RFP) by Sector

TOTAL YEAR TO DATE = 14

RFP'S

Aviation Aerospace Mfg 14% Manufacturing 21% Call Center/BPO 0% Information Technology 14%  
Headquarters 7% Business Services 7% Warehouse/Distribution 36%

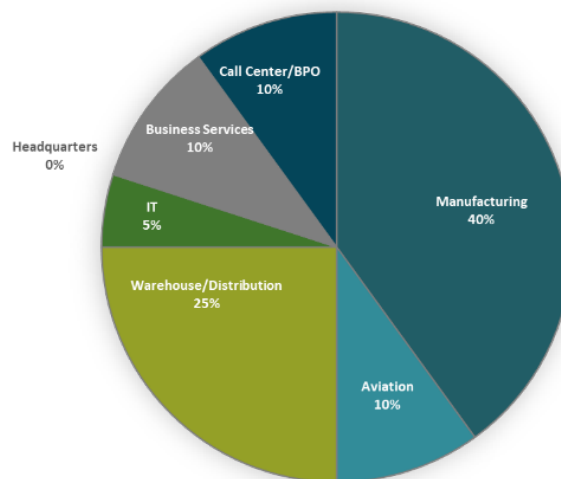


## Site Visits 8

F12282016_MFG	ACTIVE	November 13, 2017
T10012017_WD	ACTIVE	Nov 16 2017
D11012017_WD	ACTIVE	Nov 14, 2017
P11132017WD	ACTIVE	Nov 13/Dec 18, 2017
R11152017AAM	ACTIVE	Nov 19, 2017
I02052015_MFG	ACTIVE	Jan 29/Feb15, 2018

## TOTAL ACTIVE PROJECTS 20

13 RECRUITMENT  
7 EXPANSIONS  
2942 Jobs



Manufacturing Aviation Warehouse/Distribution IT Headquarters Business Services Call Center/BPO

# Business Retention-Expansion

## 26 Existing Industry Visits

Date	Visit	# Employees
10/4/2017	Custom Control	50
10/6/2017	Ferguson/HASE	48
10/07/17	Ascend Performance Materials	888
10/19/17	VetFed	18
10/20/17	Hanto-Clarke	12
11/14/17	LeGrange	60
11/30/17	Superior Granite	11
12/01/17	Fleetco	16
12/07/17	DigiPro	20
12/07/17	Exxon Mobil	160
12/08/17	Offshore Inland	30
12/08/17	VetFed	22
12/12/18	AT&T	300
12/14/17	NFCU	6393
01/04/18	AppCom Solutions	8
01/05/18	Armoured Frog	5
01/12/18	West Fraser Mill	140
01/15/18	Ascend Performance Materials	888
01/15/18	VTMAE	
01/19/18	Custom Control	50
01/19/18	International Paper	453
01/26/18	Lewis Bear Company	100
01/31/18	Primerica	2
02/01/18	Pall Corporation R&D	40
02/12/18	Ferguson/HASE	48
02/12/18	KA Med Data/Vet CV	10

1/8/2018 Warn Notice to be issued

Corporate decision affecting QMotion, 46 Manufacturing jobs

- March 2018, production positions will be moved to other US facility
- Sales office to remain in Pensacola (approx. 15- 18 positions)

## Project Announcement

### 12/8/2017 Project Valor

- Professional, Scientific and Technical Services (NAICS 541990)

- 20 new jobs, 2 retained jobs
- \$46,005 annual average wages, (115% of the current Escambia County average wage)
- \$95,000 capital investment

ROI Analysis - Haas Center, UWF

- Will create / support an additional 4-7 jobs (1.2-1.3 multiplier)
- will generate an additional \$11-14k in local taxes annually
- will generate \$15-30k in state taxes annually
- will add \$1.2M each year to Escambia's GDP



CO:LAB  
Collaborate. Innovate. Accelerate.

Report for Policy Board as of 02/01/2018



Current Clients	Connection	Status
Intelligent Retinal Imaging Systems	Tenant	Non-Small Business Concern
Lost Key Media	Tenant	4th year
Hatchmark Studio	Tenant	3rd year
Samantha Weaver, LLC.	Tenant	2nd year
YourTechnoGeeks	Tenant	2nd year
International Debt Recovery, Inc.	Tenant	2nd year
EBI Management Group, Inc.	Tenant	2nd year
Coast Software, dba. Building on Knowledge	Tenant	1st year
Data Revolution, LLC	Tenant	1st year
Pensacola Media Group, LLC.	Tenant	1st year
Altius Marketing	Tenant	1st year
Guided Particle Systems, Inc.	Tenant	1st year
Business RadioX	Tenant	1st year
Vivid Bridge Studios	Tenant	1st year
Exited Clients	Date of Entry	Status
The Analyst Group	Mar-09	Graduated 7/15/12
Engineering & Planning Resources	Sep-10	Graduated 4/2014
Robotics Unlimited, Inc.	Oct-14	Graduated 12/2015
Pay Cell Systems, Inc.	Aug-12	Graduated 6/01/16
Clearstream	Aug-14	Graduated 9/1/16
Re Vera Services, LLC	Dec-12	Graduated 9/9/16
Accountingfly	Jun-12	Graduated 2/15/17
FFCFC	Oct-12	Graduated 2/15/17
Paint University	Jun-14	Graduated 2/1/17
Broker Frameworks	Dec-15	Moved Out 2/1/17
Koala Pickup	Jul-16	Moved Out 2/1/17
Hexad Analytics	Jul-16	Moved out 4/1/17
Jewel Graphics	Feb-15	Moved out 4/1/17
Robotics Unlimited, Inc.	17-May	Moved out 10/31/17
Total Tenant Companies	13	
Total Virtual Tenant Companies	0	
Total Affiliate Companies	1	
Total Current Employment (working in Co:Lab)	47	
Total Net New Jobs (including graduate companies)	32*	

Office space in Milton, FL
Office space in downtown Pensacola
Office space in downtown Pensacola
Office space in Escambia County
Moved company to NYC
Bought office in downtown Pensacola
Office space in downtown Pensacola
Office space in downtown Pensacola
Bought office/warehouse in downtown Pensacola
Moved into other office space in Pensacola
Dissolved company, no scalability
Dissolved company, loss of founder
Continues as freelance developer
Company in idle state, took jobs out of town



KELLY REESER ENTREPRENEURIAL DEVELOPMENT

# ECONOMIC DEVELOPMENT & WORKFORCE DEVELOPMENT ACTIVITIES AND EVENTS

Year to Date

October 1, 2017 – December 31, 2017

- Assisted with Entrecon Pensacola
- Launched the Cyber Strategy Initiative
- Assisted Leadership Pensacola – Economic Development Day
- Coordinated VT MAE Information Session and Job Fairs
- Coordinated DHS Job Fair and Roundtable Event
- Assisted with the Japan Walk in America – Talk on Japan meetings

January 1, 2018 – March 5, 2018

- Participation and presentation with Greater Pensacola Chamber of Commerce at the Association of Defense Communities (ADC)\_Installation Innovation, held in San Diego, CA
- FloridaWest partnered with Santa Rosa EDO and Okaloosa EDC to host Consul General Susan Harper and Consul, Laurent Morel-à-l'Huissier with regional community and business leaders
- FloridaWest joined Ferguson Airport and Brown Helicopter for an Aviation Career Fair
- FloridaWest was awarded three Golden American Advertising Federation Pensacola Addy's and a Best of Show:
  - o Integrated Advertising Campaign
  - o Direct Mail, 3 D Mixed
  - o Internet Commercial – the Bluffs promotional video
  - o Best of Show - External Communications/PR for Economic Development



January 11, Regional Business Dinner with Consulate General of Canada in Miami, Susan Harper



February 12, Aviation Career Fair at Ferguson Airport and Brown Helicopter

**Committee of the Whole**

**5.**

**Meeting Date:** 03/08/2018

**Issue:** Mid-Town Commerce Park Development

**From:** Amy Lovoy, Assistant County Administrator

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**Information**

**Recommendation:**

Mid-Town Commerce Park Development

(Amy Lovoy - 20 min)

A. Board Discussion

B. Board Direction

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**Attachments**

Mid-Town Commerce Park Update

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The slide features abstract blue geometric shapes. On the left, a light blue triangle points downwards. On the right, a complex arrangement of overlapping triangles in various shades of blue (from light to dark) creates a dynamic, layered effect. The main title is centered in a light blue sans-serif font.

# Mid-Town Commerce Park Update

# Master Plan Scope

- ▶ Vacate the current plat
- ▶ Prepare an Analysis of Needs to determine the constraints and opportunities of Commercial Park and focus on:
  - ▶ Specific types of businesses feasible for site
  - ▶ Specific requirements that may affect parcel planning
  - ▶ Stormwater Retention
  - ▶ Entry and access points
  - ▶ Prepare alternative site plan concepts
- ▶ Re-establish new plat with:
  - ▶ Infrastructure
  - ▶ Parcel dimensions and placement
  - ▶ Carve-out for Fire/EMS Training Facility
  - ▶ Carve-out New Hope Missionary Baptist Church
  - ▶ Carve out for expansion of existing businesses in the area?

# Master Plan Scope

- ▶ Define the following:
  - ▶ Minimum lease rate
  - ▶ Requirements for a timeframe to start development
  - ▶ Incentives for development
    - ▶ Jobs per acre
    - ▶ Average Wage
    - ▶ High Impact Performance Incentive (HIPI), Capital Investment Tax Credit (CITC), QUALIFIED Targeted Industries (QTI), Quick Response Training (QTR), Brownfields Redevelopment Bonus
  - ▶ Preferred businesses
  - ▶ Economic Profile
    - ▶ Indicators of potential competitive advantage
    - ▶ Examine commercial and industrial activity in the area
    - ▶ Demand forecasts
    - ▶ Economic development strategy

# Financing

- ▶ Commercial financing would be available for a credit worthy client if a “No Further Action” required statement has been given by the EPA/FDEP.
  - ▶ The EPA believes that the Ready for Reuse Determination document would suffice for this.

# Insurance

- ▶ Otherwise insurable commercial entities would be able to obtain insurance coverage.
  - ▶ Sub-limits related to environmental claims may be excluded.

**Committee of the Whole**

**6.**

**Meeting Date:** 03/08/2018

**Issue:** Low Impact Design Initiative

**From:** Chips Kirschenfeld, Director

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**Information**

**Recommendation:**

Low Impact Design (LID) Initiative  
(Chips Kirschenfeld/Tim Day - 15 min)

A. Board Discussion

B. Board Direction

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**Attachments**

LID Initiative Manual

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# Low Impact Design Initiative

Board of County Commissioners

3/8/2018

# Low Impact Design

- LID is a stormwater and land use management strategy that strives to mimic pre-disturbance hydrologic processes of infiltration, storage, evaporation, and transpiration.
- LID emphasizes conservation, use of on-site natural features, improved site planning, and multiple distributed stormwater management practices that are integrated into a project's design.
- LID emphasizes the combining of a series of stormwater BMPs into a treatment train that is fully integrated into the site's landscaping and design.



Vegetated Swales / Bioswales



Rain Gardens



Rain Cisterns



Green Roofs



Permeable Pavers



Porous Pavement



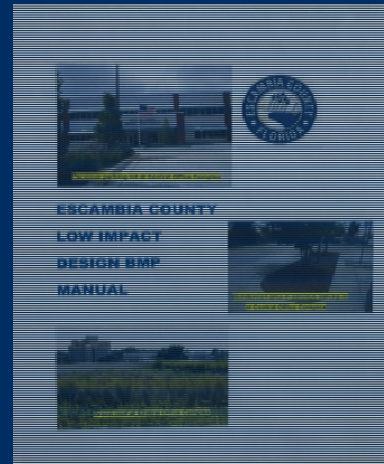
Curb Bump-Outs



Curb Cuts



Mollie A. Taylor



my escambia

# Escambia County LID Manual

- Stormwater Advisory Team (SWAT) was established by the BCC after April 2014 flood event
- Recommendation: develop a manual to encourage LID practices to reduce impervious surfaces, reduce stormwater runoff, and improve site design
- Natural Resources Management Department applied for and received a grant from FDEP to develop an Escambia County LID Manual
- Dr. Marty Wanielista, UCF Professor
- Eric Livingston, FDEP Watershed Management Director, retired

# Escambia County LID Manual

- Intended to be a guide and reference tool to facilitate the design, permitting, and construction of LID stormwater treatment systems
- Intent is for manual to be considered as a supplement to, and not a replacement of, the current County stormwater management regulations
- These newer LID BMPs provide increased flexibility to achieve better stormwater treatment, increased flood control, increased aesthetics, and increased development potential

# BCC Guidance

- LID Manual was presented to the County Professional Advisory Committee with a recommendation to include it as an appendix to the LDC so it could be used as an option to meet stormwater management requirements
- Committee asked for guidance from BCC

**Committee of the Whole**

**7.**

**Meeting Date:** 03/08/2018

**Issue:** RESTORE Update - March 2018

**From:** Chips Kirschenfeld, Director

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**Information**

**Recommendation:**

RESTORE Update

(Chips Kirschenfeld - 15 min)

A. Board Discussion

B. Board Direction

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**Attachments**

RESTORE Update Presentation-Mar 2018

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# RESTORE Update

Committee of the Whole  
March 8, 2018

# Funding Update

- \$16,589,894.27 currently available in the Direct Component (Pot 1) Trust Fund
  - \$8,638,650 encumbered for 10 BCC approved projects
  - Additional \$4 million will be deposited by BP in April
- \$11,951,244.27 available in April

Pot 1 Projects	Status	Budget
Carpenter Creek/Bayou Texar Plan	Awarded	\$1,308,000
Project Universal Access	Awarded	\$360,000
Eleven Mile Creek Basin	Awarded	\$268,800
Eleven Mile Creek Restoration	Submitted to Treasury	\$1,332,930
Hollice T. Williams Park	Submitted to Treasury	\$1,597,320
South Dogtrack Drainage	Submitted to Treasury	\$240,000
SOAR with RESTORE	Submitted to Treasury	\$900,000
OLF8 Commerce Park	Submitted to Treasury	\$1,524,000
Perdido Key Multi-Use Path	Awaiting FDOT Info	\$960,000
Perdido Key Gulf Access	Awaiting Property ID	\$147,600

**Committee of the Whole**

**8.**

**Meeting Date:** 03/08/2018

**Issue:** Small Wireless Facilities Ordinance

**From:** Bobbie Ellis-Wiggins, Assistant County Attorney

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**Information**

**Recommendation:**

Small Wireless Facilities Ordinance

(Alison Rogers - 30 min)

A. Board Discussion

B. Board Direction

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**Attachments**

PowerPoint

Summary

Ordinance

Lists of Street Lights and Utility Poles in ROWs

Maps

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# Small Wireless Facilities (SWFs)

*Small Cell - 5G Technology*

**F.S. § 337.401(7)**

## Small Cell/5G Technology

- ▶ Small cell/5G technology expands macro tower capacity and coverage by enhancing transition/switch point capabilities.
- ▶ The wireless industry reported that its 5G efforts received “unacceptable pushback” from government entities: application processing delays, indefensible permit rejections, “astronomical” application, franchise, and use fees (\$5K-\$10K to inspect antenna structures; \$8,500 per pole to review applications; \$6K per pole annual collocation fees).
- ▶ Florida’s response: the Advanced Wireless Infrastructure Deployment Act, F.S. § 337.401(7), effective July 1, 2017.

## Small Wireless Facilities

- ▶ A “wireless facility” includes radio transceivers, antennas, wires, coaxial and fiber-optic cables, and power supplies
- ▶ The Act defines a Small Wireless Facility as a wireless facility:
  - With antennas no more than **6 cubic feet** in volume  
*and*
  - All associated wireless equipment totaling no more than **28 cubic feet** in volume

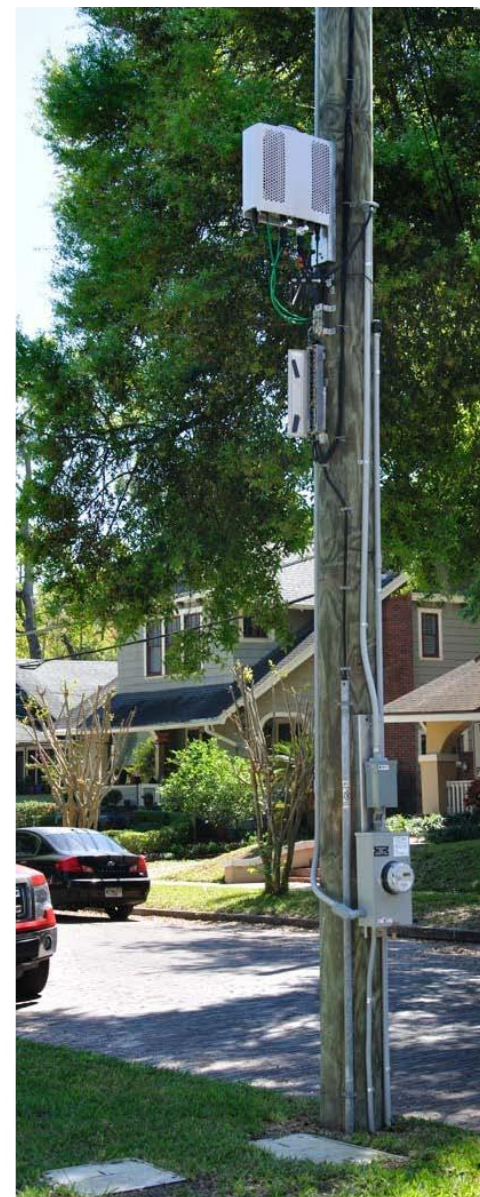




Utility Pole  
with  
Small Cell  
(Shrouded Antenna, Radio Unit  
& Power Meter)  
and  
Streetlight



WOODEN  
POLES  
with  
Collocated  
Small Cells



## The Act: Preemption with Few Exceptions

- ▶ With few exceptions, the Act preempts the county's home-rule authority over its rights-of-way: the county cannot prohibit, regulate, or charge for installation of SWFs.
- ▶ Exceptions. The county may:
  - Establish registration and permitting systems (but cannot charge registration, permit, inspection, or any other fees)
  - Charge a collocation fee of up to \$150 per year per pole
  - Establish “objective design standards” governing location context, color, stealth, and concealment
  - Adopt by ordinance reasonable and nondiscriminatory provisions for indemnification, performance bonds, security funds, force majeure, abandonment, county liability, and county warranties

# Implementation & Administration

## *Some Examples*

- ▶ “Shot Clock” Timelines
  - The Act establishes strict timelines for application processing, permit approval, alternative location negotiation, and other procedures
  - If timelines are not met, applications are deemed complete, permits are deemed approved, and alternative locations are deemed accepted
- ▶ Multi-Unit Permit Applications
  - A wireless services provider may submit a consolidated application for collocation/installation of up to **30** SWFs
  - If approved, the consolidated application results in the issuance of one permit

# Consideration & Adoption *Content*

## Chapter 86, Article IV, Division 3 “Small Wireless Facilities Ordinance”

For the Board’s determination:

1. Collocation Fee:  
Impose the maximum allowed \$150 per pole per year?
2. Objective Design Standards:  
Revisions? Additions? Deletions?
3. Ordinance Provisions:
  - In general
  - Registration and permitting schemes
  - Indemnification, performance bonds, security funds, force majeure, abandonment, county liability, county warranties

## Consideration & Adoption *Schedule*

March 8 and beyond: Continue dialogue with wireless providers

March 15: Schedule public hearing for April 5, 2018, to consider adoption of ordinance

April 5: Public hearing to consider adoption of ordinance

**SMALL WIRELESS FACILITIES (SWFs) ORDINANCE**  
***Small Cell ~ 5G Technology***  
(Summary)

1. Small cell/5G technology is needed to expand macro tower capacity and coverage by enhancing transition/switch point capabilities.
2. The wireless industry reported that its 5G efforts received “unacceptable pushback” from government entities: application processing delays, indefensible permit rejections, and “astronomical” application, franchise, and use fees, i.e., \$5,000 - \$10,000 per site to inspect antenna structures, \$8,500 per pole to review siting applications, and \$6,000 per pole for annual collocation fees.
3. In response, the Advanced Wireless Infrastructure Deployment Act, F.S. § 337.401(7), effective July 1, 2017, requires the county to allow SWFs in its rights-of-way, either by collocation on county ROW poles or by installation of new poles in county ROWs.
4. A “wireless facility” includes radio transceivers; antennas; wires; coaxial, fiber-optic, or other cables; and power supplies. The Act defines a SWF as a wireless facility:
  - With antennas no more than 6 cubic feet in volume; and
  - All associated wireless equipment totally no more than 28 cubic feet in volume.
5. With few exceptions, the Act preempts the county’s home-rule authority over its rights-of-way: the county cannot prohibit, regulate, or charge for installation of SWFs.
6. *Exceptions.* The county may:
  - Establish registration and permitting systems (but cannot charge registration, permit, inspection, or any other fees);
  - Charge a collocation fee up to \$150 per year per pole;
  - Establish “objective design standards” governing location context, color, stealth, and concealment; and
  - Adopt by ordinance reasonable and nondiscriminatory provisions for indemnification, performance bonds, security funds, force majeure, abandonment, county liability, and county warranties.
7. The Act establishes strict “shot clock” timelines for application processing, permit approval, alternative location negotiation, and other procedures. If timelines are not met, applications are deemed complete, permits are deemed approved, and alternative locations are deemed accepted.

**ORDINANCE NO. 2018-\_\_**

**AN ORDINANCE OF ESCAMBIA COUNTY, FLORIDA, CREATING CHAPTER 86, ARTICLE IV, DIVISION 3, SECTIONS 86-131 THROUGH 86-160 OF THE CODE OF ORDINANCES OF ESCAMBIA COUNTY, FLORIDA, THE SMALL WIRELESS FACILITIES ORDINANCE, FOR THE PURPOSE OF ESTABLISHING REQUIREMENTS FOR COLLOCATION OF SMALL WIRELESS FACILITIES IN COUNTY RIGHTS-OF-WAY; PROVIDING FOR DEFINITIONS, REGISTRATION, PERMITTING, OBJECTIVE DESIGN STANDARDS, MAKE-READY WORK, APPEALS, INSURANCE, INDEMNIFICATION, FORCE MAJEURE, PERFORMANCE BONDS, ABANDONMENT, COLLOCATION FEES, LIABILITY, AND NOTICE; PROVIDING FOR SEVERABILITY AND CONFLICTS; PROVIDING FOR INCLUSION IN THE CODE; PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the County rights-of-way are a valuable and limited resource which the County must appropriately manage for both current and future uses; and

**WHEREAS**, the County is authorized to regulate its rights-of-way pursuant to F.S. § 125.01(m) and F.S. § 336.02; and

**WHEREAS**, in 2017, the Florida Legislature enacted HB 687, codified in F.S. § 337.401, and known as the "Advanced Wireless Infrastructure Deployment Act," which addressed the authority of local governments to regulate the placement and maintenance of small wireless facilities in public rights-of-way; and

**WHEREAS**, the Board desires to accommodate the growing need and demand for wireless communications services while also protecting, preserving, and maintaining the safety and aesthetic character of its rights-of-way and areas surrounding its rights-of-way; and

**WHEREAS**, F.S. § 337.401 requires the County to treat communication services providers in a nondiscriminatory manner when imposing rules or regulations governing the placement and maintenance of small wireless facilities in its rights-of-way; and

**WHEREAS**, the Board finds that exercising its authority, to the fullest extent allowed by federal and State law, to adopt reasonable, nondiscriminatory, and competitively neutral rules and regulations governing the placement and maintenance of small wireless facilities in County rights-of-way serves an important public purpose and promotes the health, safety and welfare of the County and its citizens.

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

**SECTION 1.** Chapter 86, Article IV, Division 3 is hereby created as follows:

**DIVISION 3. – SMALL WIRELESS FACILITIES IN COUNTY RIGHTS-OF-WAY**

**Sec. 86-131. Providing for a title.**

This division shall be known as the “Small Wireless Facilities Ordinance.”

**Sec. 86-132. Legislative findings and intent.**

- (a) The board of county commissioners finds that county rights-of-way are a unique and physically limited resource, critical to travel and transport within the county; that county rights-of-way must be managed and controlled in a manner designed to enhance the health, safety, and welfare of the county and its citizens while accommodating the need and demand for wireless communication services; and that it is in the best interest of county residents to establish, to the fullest extent authorized by law, reasonable, nondiscriminatory, and competitively neutral rules and regulations governing the placement and maintenance of small wireless facilities in county rights-of-way.
- (b) This ordinance is intended to address the mandates in F.S. § 337.401(7) which restrict local governments’ regulatory authority over collocation of small wireless facilities in their rights-of-way and establish requirements for administering requests for small wireless facility collocation in public rights-of-way.

**Sec. 86-133. Authority and implementation; applicability.**

- (a) The county administrator or designee is authorized to adopt, modify, and repeal rules, regulations, forms, and procedures to carry out the intent and purposes of this division.
- (b) This division shall govern placement and maintenance of small wireless facilities in county rights-of-way in all unincorporated areas of Escambia County.

**Sec. 86-134. Definitions.**

The following terms and phrases, when used in this division, shall have the following meanings, unless the context clearly indicates a different meaning:

- (a) *Abandonment* shall mean the cessation of the use of a small wireless facility to provide wireless services for a period of 180 consecutive days, calculated from the date wireless services were last provided.

- (b) *Ancillary Equipment* shall mean the following equipment associated with a small wireless facility: electric meters, concealment elements, telecommunications demarcation boxes, ground-based enclosures, grounding equipment, power transfer switches, cutoff switches, vertical cable runs for the connection of power and other services, and utility poles or other support structures.
- (c) *Antenna* shall mean mounted communications equipment that transmits or receives electromagnetic radio frequency signals used in providing wireless services.
- (d) *Applicable Codes* shall mean:
  - (1) The Escambia County Land Development Code;
  - (2) The Escambia County Code of Ordinances, including without limitation this division adopted to implement the requirements of F.S. § 337.401;
  - (3) Uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization and local amendments to those codes enacted to address threats of destruction of property or injury to persons;
  - (4) Objective design standards adopted in this division; and
  - (5) Policies and procedures utilized by the county in its implementation of other applicable codes.

As used herein, the meaning of the term “applicable codes” shall be construed to be consistent with the definition of “applicable codes” in F.S. § 337.401(7)(b)2., and any conflicts in construction shall be resolved in favor of the definition in F.S. § 337.401(7)(b)2.

- (e) *Applicant* shall mean a wireless provider or an agent of a wireless provider who submits an application for registration or for a permit to place or maintain a small wireless facility or a utility pole to support a small wireless facility in county rights-of-way.
- (f) *Collocate or collocation* shall mean to install, mount, place, maintain, modify, operate, or replace one or more wireless facilities on, under, within, or adjacent to a wireless support structure or utility pole. The term does not include the installation of a new utility pole or wireless support structure in county rights-of-way.

- (g) *County* shall mean Escambia County, including any officer, official, employee, agent, representative, or designee of the county.
- (h) *County Utility Pole* shall mean a utility pole owned by the county in the county right-of-way. The term does not include a utility pole owned by a municipal electric utility, a utility pole used to support municipally owned or operated electric distribution facilities, or a utility pole located in a county right-of-way within:
  - (1) a retirement community that:
    - (a) Is deed restricted as housing for older persons as defined in F.S. § 760.29(4)(b);
    - (b) Has more than 5,000 residents; and
    - (c) Has underground utilities for electric transmission or distribution.
  - (2) A municipality that:
    - (a) Is located on a coastal barrier island as defined in s. 161.053(1)(b) 3.;
    - (b) Has a land area of less than 5 square miles;
    - (c) Has less than 10,000 residents; and
    - (d) Has, before July 1, 2017, received referendum approval to issue debt to finance municipal-wide undergrounding of its utilities for electric transmission or distribution.
- (i) *Emergency* shall mean a condition which poses clear and immediate danger to the life, safety, or health of one or more persons, or poses clear and immediate danger of significant damage to property.
- (j) *FCC* shall mean the Federal Communications Commission.
- (k) *FDOT* shall mean the Florida Department of Transportation.
- (l) *Micro Wireless Facility* shall mean a small wireless facility having dimensions no larger than 24 inches in length, 15 inches in width, and 12 inches in height, and an

exterior antenna, if any, no longer than 11 inches, and suspended on cables strung between existing utility poles in compliance with applicable codes by or for a wireless services provider authorized to occupy the rights-of-way and who is remitting taxes under F.S. ch. 202.

- (m) *Permit Application* shall mean a request submitted by a registrant to the county for a permit authorizing the placement or maintenance of a small wireless facility or a utility pole to support a small wireless facility in county rights-of-way.
- (n) *Permit Application Checklist* shall mean the list of application requirements based on applicable codes and consistent with the provisions of F.S. § 337.401(7), which list may be modified from time to time by the county at the county's sole discretion.
- (o) *Permit Application Date* shall mean the date on which the county receives the permit application from the registrant.
- (p) *Permit Completion Date* shall mean the date on which all permit requirements and conditions are completed and the small wireless facility or utility pole supporting a small wireless facility has passed final inspection.
- (q) *Person* shall mean any natural person or any association, company, firm, partnership, joint venture, corporation, governmental entity, or other legal entity.
- (r) *Place or Maintain* shall mean to erect, construct, install, place, maintain, repair, extend, expand, remove, occupy, retain, locate, or relocate a small wireless facility or utility pole to support a small wireless facility. By example and without limitation, a person owning or in any way having the right to exercise or exercising physical control over a small wireless facility is "placing or maintaining" such facility.
- (s) *Registrant* shall mean a person holding an active registration.
- (t) *Registration Application* shall mean a request submitted by an applicant to the county for registration to place or maintain a small wireless facility or utility pole to support a small wireless facility pursuant to this division.
- (u) *Right-of-way* shall mean the surface and space above and below any real property in which the county has an interest in law or equity, devoted to, associated with, or required for use as a transportation facility, including streets, easements, and sidewalks, but excluding parks. The term does not include private rights-of-way.
- (v) *Small Wireless Facility* shall mean a wireless facility, including ancillary equipment,

that meets the following qualifications:

- (1) Each antenna associated with the facility is located inside an enclosure of no more than 6 cubic feet in volume or, in the case of antennas that have exposed elements, each antenna and all of its exposed elements could fit within an enclosure of no more than 6 cubic feet in volume; and
  - (2) All other wireless equipment associated with the facility is cumulatively no more than 28 cubic feet in volume. Ancillary equipment is not included in the calculation of equipment volume.
- (w) *Utility Pole* shall mean a pole or similar vertical structure that is used in whole or in part to provide communications services or for electric distribution, lighting, traffic control, signage, or a similar function. The term includes the vertical support structure for traffic lights but does not include: a horizontal structure to which signal lights or other traffic control devices are attached, a pole or similar structure 15 feet in height or less unless the county grants a waiver for such pole; and a wireless support structure.
- (x) *Warranty* shall mean a registrant's 2-year obligation to guarantee all materials and labor used by the registrant in performing certain obligations hereunder, including without limitation the materials and labor guarantee associated with a registrant's performance of make-ready work.
- (y) *Wireless Facility* shall mean equipment at a fixed location which enables wireless communications between user equipment and a communications network, including radio transceivers, antennas, wires, coaxial or fiber-optic cable or other cables, regular and backup power supplies, and comparable equipment, regardless of technological configuration, and equipment associated with wireless communications. The term includes small wireless facilities. The term does not include:
- (1) The structure or improvements on, under, within, or adjacent to the pole or support structure on which the equipment is located;
  - (2) Wireline backhaul facilities; and
  - (3) Coaxial or fiber-optic cable that is between wireless support structures or utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.

- (z) *Wireless Infrastructure Provider* shall mean a person who has been certificated to provide telecommunications service in the state and who builds or installs wireless communication transmission equipment, wireless facilities, or wireless support structures but is not a wireless services provider.
- (aa) *Wireless Provider* shall mean a wireless infrastructure provider or a wireless services provider.
- (bb) *Wireless Services* shall mean any services provided using licensed or unlicensed spectrum, whether at a fixed location or mobile, using wireless facilities.
- (cc) *Wireless Services Provider* shall mean a person who provides wireless services.
- (dd) *Wireless Support Structure* shall mean a freestanding structure, such as a monopole, a guyed or self-supporting tower, or another existing or proposed structure designed to support or capable of supporting wireless facilities. The term does not include a utility pole.

All references to applicable codes, statutes, rules, and regulations shall mean the then-current code, statute, rule, or regulation as may have been amended and/or renumbered since adoption of this ordinance.

**Sec. 86-135. Wireless facilities in county rights-of-way.**

- (a) Subject to the requirements of this division, only the following wireless facilities may be placed or maintained in county rights-of-way:
  - (1) Small wireless facilities collocated on county utility poles;
  - (2) Small wireless facilities collocated on utility poles other than county utility poles; and
  - (3) Micro wireless facilities.
- (b) Except as may be authorized by applicable State or federal laws or regulations, no other wireless facilities shall be placed or maintained in county rights-of-way.
- (c) Wireless support structures are not permitted in county rights-of-way.
- (d) All installations in county rights-of-way shall comply with F.S. ch. 333 and federal regulations pertaining to airport airspace protections.

## **Sec. 86-136. Registration.**

- (a) Every person who places or maintains a small wireless facility or a utility pole to support a small wireless facility in county rights-of-way shall first obtain an active registration.
- (b) An active registration is required prior to submitting a permit application.
- (c) Every person registering pursuant to this section shall submit the following information as applicable:
  - (1) The name under which it will transact business in the county and, if different, in the State of Florida;
  - (2) The address and telephone number of the applicant's principal place of business in the State of Florida or, if none, the name, address and telephone number of the applicant's national headquarters; the name under which the applicant is registered to do business in the State of Florida; and the name, address, and telephone number of the applicant's registered agent in Florida;
  - (3) The address and telephone number of any branch office located in the county;
  - (4) The name, address, telephone number, and email address of the applicant's primary contact person and the person to contact in case of an emergency, if different;
  - (5) The email address designated by the registrant to receive notices hereunder.
  - (6) A copy of the applicant's Florida annual resale certificate and certificate of registration issued by the Florida Department of Revenue to engage in the business of providing communications services in the State of Florida;
  - (7) The certificate number identifying the applicant's certificate of authorization, certificate of public convenience and necessity, or other similar certification issued by the Florida Public Service Commission, the FCC, or the Department of State; and

- (8) Certificate(s) of insurance evidencing that the applicant's insurance coverage complies with the county's insurance requirements as set forth in Exhibit "A" to the Permit Application Checklist.
- (d) An active registration shall convey no legal or equitable rights to or title in county rights-of-way, and shall establish no right to place or maintain small wireless facilities or utility poles supporting small wireless facilities in county rights-of-way.
- (e) Within 30 days of any change in the information required to be submitted for a registration, a registrant shall provide to the county in writing all updates or changes to such information. By example and without limitation, such information includes a change in the registrant's primary contact person and a change in the email address designated by the registrant to receive notices hereunder.
- (f) Registrants transferring ownership in any small wireless facility or utility pole supporting a small wireless facility shall provide the county, on or before the date on which the transfer of ownership transaction is closed, the name of the transferee and the date of transfer.
- (g) A registrant may cancel a registration upon written notice to the county stating that the registrant will no longer be placing or maintaining small wireless facilities or utility poles supporting small wireless facilities in county rights-of-way. No registration may be cancelled if the registrant continues to place or maintain any small wireless facilities or utility poles supporting small wireless facilities in county rights-of-way.
- (h) Registrations remain active for two calendar years and shall be renewed biennially.
- (i) Failure to renew a registration on or before the renewal date is a violation of this division and may result in the automatic termination of the registration and the suspension or revocation of all permits issued thereunder.
- (j) A registrant shall at all times comply with all applicable codes and all local, State, and federal laws, rules, and regulations governing the placement, maintenance, use, and operation of small wireless facilities.
- (k) Registrations are expressly subject to any future amendments to or replacements of applicable codes, including without limitation this division.
- (l) By submitting a registration application, a registrant acknowledges that it has reviewed this division and understands its content.

## **Sec. 86-137. General registration conditions.**

All registrants shall comply with the following registration conditions:

- (a) A registrant shall not interfere with, displace, damage, destroy, or prohibit access to any facilities or utilities in county rights-of-way, including without limitation sewers, gas or water mains, storm drains, storm drainage lines, pipes, cables, or conduits, and shall not endanger the life or property of other persons.
- (b) A registrant shall coordinate placement or maintenance activities with any other work, construction, installation, or repairs that may be occurring or are scheduled to occur in the subject right-of-way, and the registrant may be required to reasonably alter its placement or maintenance schedule as necessary to minimize disruptions and disturbance in county rights-of-way.
- (c) *Restoration.*
  - (1) After completing any placement or maintenance of small wireless facilities on county utility poles, a registrant shall, at its own expense, restore the pole and right-of-way to a condition at least as good as the condition prior to commencement of such placement or maintenance.
  - (2) After completing any other placement or maintenance of small wireless facilities or utility poles supporting small wireless facilities, registrant shall, at its own expense, restore the right-of-way to a condition at least as good as the condition prior to commencement of such placement or maintenance.
  - (3) The county may establish generally applicable restoration standards or may establish restoration standards on a case-by-case basis.
  - (4) If a registrant fails to make such restoration within 30 days after completion of any such placement or maintenance, or such longer period as the county determines may be reasonably required under the circumstances, the county may perform restoration and all reasonable restoration costs shall be charged to and paid by the registrant. The county may charge such restoration costs to the registrant's performance bond or corporate guarantee if the registrant fails to make payment within 30 days after the county's demand therefor.

- (5) For one year following the original completion of the work, the registrant shall guarantee its restoration work and shall correct, at its sole expense, any restoration work that does not satisfy the requirements of this division.
- (d) A registrant shall maintain its small wireless facilities in a manner consistent with accepted industry practice and applicable codes.
- (e) A registrant shall at all times maintain its small wireless facilities, including all ancillary equipment and utility poles supporting small wireless facilities, in a neat and clean condition. Specifically, but without limitation, each small wireless facility and utility pole supporting a small wireless facility shall be kept free of graffiti; reasonably free of dirt, grease, rust, and corrosion; and free of chipped, faded, peeling, or cracked paint, finishes, or wraps visible from county rights-of-way or surrounding neighborhoods.
- (f) Registrants shall use caution, care, and skill in performing work in county rights-of-way and shall take all reasonable steps to safeguard work site areas, including without limitation the safeguards set forth in Chapter 33 of the Florida Building Code and all other applicable codes.
- (g) The county makes no warranties or representations regarding the fitness, suitability, or availability of its rights-of-way for the registrant's small wireless facilities. Any work performed, costs incurred, or services rendered by the registrant shall be at the registrant's sole risk. Nothing in this division shall affect the county's authority to add, vacate, or abandon rights-of-way, and the county makes no warranties or representations regarding the availability of any added, vacated, or abandoned rights-of-way for small wireless facilities.
- (h) The county shall have the right to inspect all small wireless facilities and utility poles supporting small wireless facilities in its rights-of-way as it deems necessary.
- (i) The placement and maintenance of all small wireless facilities and utility poles supporting small wireless facilities shall comply with the Americans With Disabilities Act, 42 U.S.C. Sec. 12101, et. seq., as amended, and regulations promulgated thereunder.
- (j) If at any time the county reasonably determines that a small wireless facility or utility pole supporting a small wireless facility is or has caused a condition that is harmful to the health, safety, or welfare of any person, the registrant shall, at its own expense, correct or eliminate such condition after reasonable notice thereof. In an emergency, as determined by the county, if the registrant is not immediately

available and/or is unable to immediately correct or repair the condition that poses a safety threat as described above, the county shall have the right to remove, make repairs, or eliminate same with the total cost being charged to and paid by the registrant upon demand. The county may charge such total cost to registrant's performance bond or corporate guarantee if the registrant fails to remit payment within 30 days after demand therefor.

- (k) If at any time a condition exists that the county reasonably determines is an emergency that is potentially hazardous or life-threatening to any person or is a threat to the health or safety of the public, and to remedy such condition the county reasonably determines that the registrant must temporarily relocate and/or shut off service or transmissions through a specific small wireless facility, the county may, as an appropriate exercise of its police powers, order the registrant at its own expense to immediately perform such temporary relocation and/or shutoff until the condition has been remedied without liability to or recourse against the county. In such an emergency, if the registrant is not immediately available and/or is unable to perform the temporary relocation and/or shutoff, the county may perform or cause to be performed such temporary relocation and/or shutoff until the condition has been remedied with the total cost charged to and paid by the registrant upon demand. The county may charge such total cost to registrant's performance bond or corporate guarantee if the registrant fails to remit payment within 30 days after demand therefor.
- (l) The registrant shall, at its sole expense and to the county's satisfaction, remove any rubbish, excess earth, rock, or other debris arising from or associated with any work performed by or on behalf of registrant in county rights-of-way and any other property affected by such work on a frequent and regular basis.
- (m) Any proprietary confidential business information obtained from a registrant in connection with an application shall be held confidential by the county to the extent required by F.S. § 202.195 provided the registrant notifies the county of such confidential information and identifies same pursuant to Florida law, including without limitation F.S. ch. 119.

**Sec. 86-138. Involuntary termination of registration.**

- (a) The county may terminate a registration if:
  - (1) A federal or State authority suspends, denies, or revokes a registrant's certification or license required to provide telecommunication services;

- (2) The registrant's placement or maintenance of a small wireless facility or utility pole supporting a small wireless facility in county rights-of-way presents an extraordinary danger to the public or other users of such rights-of-way and the registrant fails to remedy the danger promptly after receipt of written notice; or
  - (3) The registrant substantively and materially violates any of the provisions of this division.
- (b) Prior to termination, the county shall notify the registrant in writing setting forth all matters pertinent to the proposed termination, including the reason therefor. If the registrant fails to address or eliminate such matters within 30 days after the date of such notice, the registration shall terminate. Alternatively, the registrant may, within such 30-day period, present a plan to the county to accomplish same. If the plan is rejected by the county, the county shall, within 30 days of receipt of the plan, notify the registrant in writing of such rejection and of the final termination determination. The registrant may appeal the termination according to the appeal procedures in this division.
- (c) In the event of termination and following any appeal period, the former registrant shall:
  - (1) In accordance with the provisions of this division, and as may otherwise be provided under law, notify the county of the assumption or anticipated assumption by another registrant of ownership of the registrant's small wireless facilities or utility poles supporting small wireless facilities; or
  - (2) Provide the county with a plan acceptable to the county for disposition of its small wireless facilities or utility poles supporting small wireless facilities. If a registrant fails to comply with this subsection, registrant's small wireless facilities or utility poles supporting small wireless facilities are deemed abandoned and the county may exercise all legal and equitable rights and remedies as to such small wireless facilities and utility poles. In any event, a terminated registrant shall take all steps necessary to render safe the affected pole, the affected right-of-way, and every portion of each of its small wireless facilities or utility poles remaining in county rights-of-way.
- (d) This section shall remain applicable to registrants after registration termination.

**Sec. 86-139. Permits.**

- (a) No person shall place or maintain a small wireless facility or utility pole to support a small wireless facility in county rights-of-way prior to receiving a permit authorizing same.
- (b) Nothing in this division authorizes the provision of any voice, data, or video communications services or the installation, placement, maintenance, or operation of any communications facilities or structures other than small wireless facilities or utility poles to support small wireless facilities in county rights-of-way.
- (c) Requirements for permit applications shall be as specified in the permit application checklist. The county shall approve a complete application unless it fails to meet the permit application requirements.
- (d) Applications for permits shall be processed in a nondiscriminatory, competitively neutral manner according to the following timeframes as established by F.S. § 337.401(7):
  - (1) Within 14 days after the permit application date:
    - a. The county shall determine whether the application is complete; and
    - b. The county shall notify the applicant in writing that the application is either complete or incomplete. If an application is incomplete, the county shall specifically identify the missing information in the notice to the applicant.

An application is deemed complete if the county fails to provide notification to the applicant within 14 days.

- (2) Within 60 days after the permit application date:
  - a. The county shall approve or deny the application; and
  - b. The county shall notify the applicant in writing on the day the application is either approved or denied. If the application is denied, the county shall, in its notice to the applicant, specifically identify the basis for the denial, including the specific permit requirements and provisions from applicable codes on which the denial was based.
  - c. *Exceptions to the standard 60-day review period.*

1. If the county does not use the 30-day negotiation period for alternative locations pursuant to Sec. 86-139(j), the county and the applicant may agree to extend the 60-day application review period and the county shall grant or deny the application on or before the end of the extended period.
2. If an application is incomplete, the 60-day review period shall begin on the date the application is deemed complete instead of on the permit application date.

A *complete* application is deemed approved if the county fails to approve or deny such complete application within 60 days after the permit application date or within 60 days after receipt of a complete application, as applicable.

- (3) Within 30 days after the county's denial notice, an applicant may cure the identified deficiencies and resubmit the application.
- (4) Within 30 days after receipt of a revised application:
  - a. The county shall review the revised application, which review shall be limited to the deficiencies cited by the county in its denial notice;
  - b. The county shall approve or deny the revised application; and
  - c. The county shall notify the applicant in writing on the day the revised application is either approved or denied. If the revised application is denied, the county shall, in its notice to the applicant, specifically identify the basis for the denial, including the specific permit requirements and provisions from applicable codes on which the denial was based.

A revised application is deemed approved if the county fails to approve or deny the revised application within 30 days after receipt thereof.

- (e) A permit shall remain effective for 1 year unless extended by the county at the county's sole discretion.
- (f) No small wireless facility may be permanently activated or placed in service until the county receives the registrant's notice that the placement or maintenance is

complete, the permit has passed final inspection, and the county has approved such activation.

- (g) A permit application may be denied if the proposed installation project fails to comply with applicable codes, including without limitation the objective design standards and all other standards, conditions, and requirements in this division. A permit application may also be denied if the proposed collocation:
  - (1) Materially interferes with the safe operation of traffic control equipment;
  - (2) Materially interferes with sight lines or clear zone standards and specifications for transportation, pedestrians, or public safety purposes as provided in the Florida Department of Transportation Plans Preparation Manual, Florida Department of Transportation Manual of Uniform Minimum Standards for Design, Construction and Maintenance for Streets and Highways (the Florida Greenbook), and/or the Florida Department of Transportation Design Standards;
  - (3) Materially interferes with compliance with the Americans with Disabilities Act, 42 U.S.C. Sec. 12101, et seq, or similar federal or State standards regarding pedestrian access or movement;
  - (4) Materially fails to comply with the 2010 edition of the Florida Department of Transportation Utility Accommodation Manual; or
  - (5) Fails to comply with applicable local, State, and federal laws, rules, and regulations.
- (h) In the event a permit is issued in error or contains errors, the county may correct such errors notwithstanding the prior issuance of the permit; however, such correction does not alter the timeframes within which permit applications shall be processed.
- (i) The county may include conditions on permits to ensure adherence to applicable codes and protection of the health, safety, and welfare of its citizens.
- (j) *Alternative location; negotiations.* Although the county may not establish minimum separation distances between small wireless facilities, the county may request that a location proposed for a small wireless facility be moved to another location in the right-of-way and placed on an alternative county utility pole or on a new pole.
  - (1) The county's request to the applicant for an alternative location must be made within 14 days after the permit application date.

- (2) The county and the applicant may negotiate the alternative location, including any objective design standards, for 30 days after the date of the county's request.
  - (3) If the alternative location is accepted by the applicant within the 30-day negotiation period, the applicant shall notify the county of its acceptance and such new location shall be deemed accepted for purposes of approving the permit application.
  - (4) If no agreement is reached, the applicant shall notify the county of such nonagreement and the county shall approve or deny the application within 90 days after the permit application date.
  - (5) The county's request for an alternative location, the applicant's acceptance or rejection of an alternative location, and the county's approval or denial of the permit shall be in writing and provided by electronic mail.
- (k) The county may reserve space on county utility poles for future public safety uses but such reservation may not preclude collocation of a small wireless facility. If replacement of the county utility pole is required to accommodate the collocation of the small wireless facility as well as the future public safety use, the pole replacement shall be subject to the make-ready provisions provided herein and the replaced pole shall accommodate the future public safety use.
- (l) Every 5 years from the permit completion date, the registrant shall submit inspection reports to the county. The inspection shall be performed within 6 months prior to the due date, and the reports shall certify that the small wireless facility or utility poles supporting a small wireless facility has had no structural degradation and/or that any structural degradation has been rectified. A registrant's failure to submit an inspection report within 60 days after the due date shall result in the termination of the registrant's registration.
- (m) A consolidated permit application may be submitted for collocation of up to 30 small wireless facilities for which the county shall issue a single permit upon satisfactory completion of all permit requirements. As to each individual collocation request within a consolidated permit application, the county may determine that the permit application as to any such individual collocation request is incomplete and may also deny the permit application as to any such individual collocation request as if such individual collocation request had been submitted in a single permit application.

- (n) Wireless infrastructure providers may apply to install utility poles to support small wireless facilities in county rights-of-way; however, unlike applications from wireless services providers, the following provisions shall apply to applications from wireless infrastructure providers:
- (1) The application shall include an attestation that a small wireless facility shall be collocated on the utility pole and be used by a wireless services provider to provide service within 9 months after the application approval date.
  - (2) The county shall process the application pursuant to the timeframes in Sec. 86-139(d).
  - (3) Unless a wireless service provider has applied or simultaneously applies to collocate a small wireless facility on the utility pole for which the application was submitted, the county may deny the application based on applicable codes or any county code, rule, procedure, or practice governing the placement of utility poles in its rights-of-way unrelated to the mandates in F.S. § 337.401(7), including without limitation zoning, land use, aesthetic, and other county codes, rules, procedures, and practices.

#### **Sec. 86-140. Objective Design Standards**

Small wireless facilities, including ancillary equipment and utility poles on which small wireless facilities are installed, shall be designed to ensure safety for the traveling public, to maximize compatibility with surrounding neighborhoods, and to minimize negative visual impacts. The following objective design standards for location context, color, stealth design, and concealment shall apply.

- (a) *Location context.*
- (1) Small wireless facilities shall not be installed in a location subject to covenants, restrictions, articles of incorporation, or bylaws of a homeowners' association unless specifically authorized by the homeowners' association. This subsection shall not limit the installation, placement, maintenance, or replacement of micro wireless facilities on any existing and duly authorized aerial wireline facility.
  - (2) Small wireless facilities shall comply with the county's nondiscriminatory undergrounding requirements that prohibit above-ground structures in its rights-of-way.

- (3) Unless approved by the county on a case-by-case basis, no tree removal shall be permitted in county rights-of-way to increase signal strength or provide a line-of-sight. The proposed placement or maintenance of a small wireless facility that would result in tree removal shall comply with applicable codes, including any replanting requirements.
  - (4) No small wireless facility or utility poles on which small wireless facilities are installed shall be placed in a location which violates rules and regulations established by the occupational safety and health administration, the national electric safety code, or other agencies charged with ensuring public safety.
- (b) *Color.*
- (1) The color and finish of all pole-mounted equipment and all mounting and banding fixtures shall generally match the color of the pole.
  - (2) The color and finish of all other equipment and components shall generally match, blend with, or be camouflaged by the surroundings.
- (c) *Stealth design.*
- (1) *Wires and cables.* Wires and cables shall be located within utility poles that will accommodate same. For utility poles that will not accommodate interior placement of wires and cables, wires and cables shall be concealed in conduits which shall be of a color that generally matches the pole.
  - (2) *Antennas and other pole-mounted equipment.* Wraps, shrouds, or other concealment devices generally matching the color of the pole shall be used wherever technologically feasible.
  - (3) *Side-mounted equipment.* Side-mounted equipment shall extend no more than thirty 30 inches beyond the exterior of the utility pole measured from the exterior edge of the pole to the outermost surface of the side-mounted equipment, including any equipment enclosure.
  - (4) *Ground-based enclosures.* Ground-based enclosures shall generally match, blend with, or be camouflaged by the surroundings.
  - (5) *Additional stealth standards.* For top-mounted antennas and installations using streetlight fixtures, the following standards shall apply.

- a. *Top-mounted antennas.* Top-mounted antennas shall use a slim design wherein the antenna base does not extend beyond the top of the utility pole by more than is reasonably necessary for structural stability purposes based on the relative diameters of the antenna base and the top of the pole.
  - b. *Streetlight fixtures:* Where streetlight fixtures are used to camouflage small wireless facilities, such fixtures shall be of similar style and of similar lighting technology as nearby lighting fixtures and shall utilize dark-sky friendly lighting.
- (d) *Concealment.*
  - (1) No signage or commercial advertising shall be placed on small wireless facilities or utility poles supporting small wireless facilities except identifying information that may be required by applicable State or federal laws or regulations.
  - (2) No lighted signal, lights, or illuminations shall be placed on small wireless facilities or utility poles supporting small wireless facilities unless required by applicable State or federal laws or regulations.
  - (3) Ground-based enclosures for small wireless facilities shall be located within a 10-foot radius of the supporting utility pole and, if possible, in areas with existing foliage or other aesthetic features to obscure them from view. The ground-based enclosures shall be designed to appear similar to other at-grade facilities in the same right-of-way and shall, if necessary and practicable, be further concealed with additional plantings approved by the county. The permit application shall include a depiction of such camouflaging for approval by the county. Non-camouflaged ground-based enclosures shall be painted or have a non-reflecting and non-contrasting finish selected to minimize visibility.
- (e) *Maximum height restrictions.* A small wireless facility, including any attached antennas, shall not extend more than 10 feet above the utility pole upon which the small wireless facility is installed.
- (f) *New utility poles.*
  - (1) A new utility pole that replaces an existing utility pole shall be of substantially similar design, composition, and color as the pole it replaces;

however, waivers of this requirement may be requested based on technological or aesthetic reasons.

- (2) The height for a new utility pole shall be determined based on the height of poles existing in the same right-of-way as of July 1, 2017. New poles shall not exceed the height of the tallest existing pole, excluding poles for which a height waiver may previously have been granted, measured from grade in place within 500 feet of the proposed location of the new pole.
  - (3) If there is no existing pole within 500 feet, new utility poles shall not exceed 50 feet.
  - (4) Except as to the minimum spacing and height provisions herein, the installation of new utility poles shall be subject to county rules and regulations governing the placement of utility poles in its rights-of-way.
  - (5) Applications for installation of new utility poles shall be subject to the application review timeframes in Sec. 86-139(d).
- (g) *Waiver of Objective Design Standard.* The county may waive an objective design standard as provided in F.S. § 337.401(7)(b)2. For each small wireless facility for which an objective design standard waiver is sought, registrants shall submit a written waiver request setting forth the reason(s) for the requested waiver. The county may grant a waiver, in its sole discretion, upon a showing satisfactory to the county that the particular design standard should be waived. By way of example, a design standard waiver may be granted if it is shown that the standard is not reasonably compatible with the particular location or that the standard will impose an excessive expense. The county shall grant or deny a waiver request within 45 days from the date of the request.

#### **Sec. 86-141. Make-Ready Work.**

- (a) Within 60 days after receipt of a complete permit application for collocation on a county utility pole, the county shall provide a good faith estimate for any make-ready work necessary to enable its utility pole to support the requested collocation, which, in the county's sole discretion, may include pole replacement. Make-ready work, including any pole replacement, must be completed within 60 days after the applicant provides written acceptance of the good faith estimate.

- (b) Alternatively, the county may require the applicant to provide a make-ready estimate at the applicant's expense for the work necessary to support the small wireless facility, including pole replacement, and perform the make-ready work.
- (c) If the county determines in its sole discretion that pole replacement is required, the scope of the make-ready estimate for such replacement is limited to the design, fabrication, and installation of a utility pole substantially similar in design, composition, and color as the county's utility pole on which the permit applicant initially sought to collocate; provided, however, the county's determination that pole replacement is required shall be directly related to the requested collocation and shall not result in an in-kind contribution to the county.
- (d) The county may not condition or restrict the manner in which the applicant obtains, develops, or provides the estimate or conducts make-ready work, subject to the county's construction standards for work in its rights-of-way.
- (e) A replaced or altered county utility pole shall remain and/or become the property of the county.
- (f) No make-ready work shall be required beyond that which is necessary to meet applicable codes and industry standards. Costs for make-ready work shall be paid by the applicant requesting same and may not include costs relating to preexisting damage or prior noncompliance. Costs for make-ready work, including pole replacement, if applicable, may not exceed actual costs or the amount charged to communication services providers other than wireless services providers for similar work and may not include consultant fees or expenses. The county may charge the total amount of costs for make-ready work to registrant's performance bond or corporate guarantee if the registrant fails to remit payment within 30 days after demand therefor.
- (g) All make-ready work performed by a registrant shall be subject to the warranty and indemnification provisions set forth herein.

#### **Sec. 86-142. Appeals.**

- (a) The following final determinations by the county are subject to appeal as provided in this section:
  - (1) Denial of an initial registration or registration renewal;
  - (2) Involuntary termination of a registration;

- (3) Suspension or revocation of a permit;
  - (4) The issuance of a notice of recovery under a performance bond or corporate guarantee;
  - (5) Denial of a permit; and
  - (6) Denial of a request for waiver.
- (b) A registrant may appeal a decision subject to appeal by filing a written petition with the clerk to the county's special magistrate, with a copy to the county attorney, within thirty 30 days of the date of the decision. Petitions shall include: the decision which is the subject of the appeal; the facts pertinent to the challenged decision; and any argument in support thereof. Failure to file a petition within 30 days is jurisdictional and results in waiver of the right to appeal.
- (c) The county may file a response to the petition, which shall be filed within 30 days of the date on which the petition was filed.
- (d) Either party may request a hearing before the special magistrate, which shall be conducted according to the provisions in Chapter 30 of the Escambia County Code of Ordinances.
- (e) An appeal of the special magistrate's final order shall be to the circuit court pursuant to the Florida Rules of Appellate Procedure.

**Sec. 86-143. Insurance.**

- (a) No registration or permit shall be issued without evidence that the applicant's insurance coverages meet the county's insurance requirements as set forth in Exhibit "A" to the Permit Application Checklist.
- (b) All certificates of insurance shall be accompanied by documentation establishing that the insurance agent and/or agency issuing the certificate of insurance has been duly authorized, in writing, to do so by and on behalf of each insurance company underwriting the insurance coverage(s) indicated on each certificate of insurance.
- (c) Prior to the county's activating a registration or issuing a permit, Escambia County Risk Management shall approve all certificate(s) or other evidence of insurance,

accompanying agent/agency documentation, and coverages evidenced thereby.

- (d) New or renewal certificates or other evidence of insurance shall be submitted to the county at least 30 days prior to coverage renewal and/or expiration, or annually for self-insured registrants, and shall be deemed to satisfy this requirement upon approval by Escambia County Risk Management.
- (e) Failure to timely submit new or renewal certificates or other evidence of insurance that satisfy the county's insurance requirements as determined by Escambia County Risk Management may result in automatic registration termination and permit revocation.

**Sec. 86-144. Indemnification.**

- (a) Escambia County assumes no liability for injuries, loss, damages, or other claims arising from or in any way relating to the placement or maintenance of small wireless facilities in county rights-of-way.
- (b) Registrants shall indemnify and hold harmless Escambia County, its officers, directors, employees, and affiliates, from and against any and all loss, liability, damage, claim, cost, fee, or expense whatsoever (including without limitation reasonable attorney's fees at trial and appellate levels) arising out of or in any way relating to registrant's placement or maintenance of small wireless facilities or utility poles supporting small wireless facilities in county rights-of-way, whether any act or omission complained of is authorized, allowed, or prohibited by a registration or permit, except to the extent that such claims are caused solely by the county's negligence, gross negligence, or willful misconduct.
- (c) This section is not, as to third parties, a waiver of any defense or immunity otherwise available to registrants or to the county, and registrants may assert every defense or immunity that the county could assert on its own behalf.
- (d) Registrants' indemnification obligation shall not be limited by or to any insurance coverage, provision exclusion, or omission.
- (e) The county shall notify registrants in writing within 30 days of receipt of notice regarding an issue that it determines may result in a claim requiring indemnification. Registrants shall investigate, handle, respond to, provide defense for, and defend all such claims at the registrant's sole expense and shall bear all other costs and expenses related thereto even if a claim is groundless, false, or fraudulent if the county so requests.

- (f) The county shall not settle or compromise any matter for which a registrant's indemnification obligation is implicated without the prior written consent of the registrant, which consent shall not be unreasonably withheld.
- (g) The county waives no rights against registrants because of the registrants' deposit with the county insurance certificates, renewals, or other evidence of insurance as required by this division.
- (h) Nothing in this section shall be construed as denying to the county or to a registrant any remedy or defense available to such party under the laws of the State of Florida or as a waiver of sovereign immunity beyond the waiver provided in F.S. § 768.28.
- (i) The indemnification requirements in this division shall survive and remain in full force and effect after the cancellation, suspension, revocation, expiration, or other termination of a registrant's registration and all permits.

**Sec. 86-145. Force Majeure.**

- (a) In the event the county's or a registrant's performance of or compliance with any of the provisions of this division is prevented by a cause or event not within the county's or registrant's control, such inability to perform or comply shall be deemed excused and no penalties or sanctions shall be imposed therefor; provided, however, that registrants shall use all practicable means to expeditiously cure or correct any such inability to perform or comply.
- (b) For purposes of this section, causes or events not within the county's or a registrant's control shall include without limitation acts of God, floods, earthquakes, landslides, hurricanes, fires, and other natural disasters, acts of public enemies, riots or civil disturbances, sabotage, strikes, and restraints imposed by order of a governmental agency or court.
- (c) Causes or events within a registrant's control and therefore not applicable to this section include without limitation a registrant's financial inability to perform or comply; economic hardship; and misfeasance, malfeasance, or nonfeasance by registrant or any of registrant's directors, officers, employees, contractors, or agents.
- (d) Notwithstanding the foregoing, upon the declaration of a local, state, or national state of emergency, the county's timeframes for processing permit applications are tolled until the state of emergency is lifted.

**Sec. 86-146. Payment and Performance Bonds; Corporate Guarantee.**

- (a) All permit applications shall be accompanied by:
  - (1) A certified copy of the registrant's payment and performance bond executed and recorded in the Escambia County public records according to the provisions of F.S. § 255.05; or
  - (2) An irrevocable and unconditional corporate guarantee in favor of the county, duly executed, notarized, sealed, and issued by the registrant, in a form satisfactory to Escambia County Risk Management, covering and guaranteeing the full performance of registrant's obligations hereunder.
- (b) The performance bond or corporate guarantee shall serve to guarantee proper performance under this division and the associated permit; the timeliness and quality of the placement and/or maintenance project; the restoration of county utility poles and rights-of-way in the event the registrant damages or fails to properly restore same; the removal of small wireless facilities or utility poles supporting small wireless facilities in the event the registrant fails to do so after abandonment or in the case of an emergency as described herein; and the payment of any amounts the registrant is obligated to pay hereunder upon the registrant's failure to pay after demand therefor.
- (c) The bond shall name the county as obligee and shall be conditioned upon the registrant's full and faithful compliance with all requirements, duties, and obligations imposed by the permit and by this division.
- (d) The bond shall be in a form acceptable to Escambia County Risk Management and must be issued by a surety authorized to do business in the State of Florida and having an A.M. Best A-VII rating or better.
- (e) The county's right to recover under the bond or corporate guarantee shall be in addition to all other rights of the county, whether reserved in this division or otherwise authorized by other law.
- (f) Any proceeds recovered under the bond or corporate guarantee may be used to reimburse the county for such additional expenses as may be incurred by the county as a result of the registrant's failure to comply with permit conditions or with the requirements imposed by this division, including without limitation attorney's fees and costs of any action or proceeding arising from or relating to registrant's noncompliance.

**Sec. 86-147. Abandonment of small wireless facilities.**

- (a) A registrant shall notify the county in writing of its intent to abandon a small wireless facility no later than 180 days prior to abandonment, or upon the registrant's knowledge of the abandonment if the registrant acquires such knowledge after the 180-day period, or no later than 30 days following such abandonment, whichever is sooner.
- (b) The county shall provide registrant written notice if, upon independent evaluation, the county reasonably believes a small wireless facility has been abandoned. Within 30 days from the date of such notice, registrant shall either remove such facility or notify the county that such facility is not abandoned. Registrant's failure to respond within such 30-day period shall be deemed abandonment as of the 30<sup>th</sup> day following the date of the notice.
- (c) Within 30 days of abandonment, registrant shall at its sole expense remove all abandoned small wireless facilities and restore all affected poles and rights-of-way to their pre-installation condition.
- (d) A registrant's utility pole no longer supporting a small wireless facility shall, at the county's option, be removed from the county's right-of-way by the registrant.
- (e) Registrant's failure to timely effect such removal and restoration is a violation of this division. In such event, the county may perform such removal and restoration and all reasonable removal and restoration costs shall be charged to and paid by the registrant upon demand. The county may charge such removal and restoration costs to the registrant's performance bond or corporate guarantee if the registrant fails to make payment within 30 days of demand therefor.

**Sec. 86-148. County Approval for Right-of-Way Work.**

- (a) A registrant shall obtain a county right-of-way permit or similar authorization for all right-of-way work that involves excavation, sidewalk closure, closure of a vehicular lane, or other such work, all of which shall be performed according to applicable codes.
- (b) A county-approved Maintenance of Traffic Plan (MOT) is required prior to performing any work in county rights-of-way. Registrants shall submit for county approval an MOT referencing the proper index from the 600 series of the Manual of Uniform Traffic Control Devices (MUTCD) or a signed and sealed MOT from a registered Civil Engineer. The county may request changes to any submitted MOT prior to approval of same.

(c) No approval shall be required for:

- (1) Routine maintenance of small wireless facilities;
- (2) Replacement of existing small wireless facilities with small wireless facilities that are substantially similar or of the same or smaller size; or
- (3) Installation, placement, maintenance, or replacement of micro wireless facilities.

**Sec. 86-149. Annual Collocation Fees.**

- (a) Each registrant shall pay a non-refundable collocation fee of \$150 per pole per year to collocate small wireless facilities on county utility poles.
- (b) Annual collocation fees shall be due on or before April 1 of each year, with the first annual fee due on the date the permit is issued in an amount prorated from such date through March 31.
- (c) Failure to timely pay the annual collocation fee shall be a violation of this division and shall subject the registrant to the remedies therefor, including without limitation termination of the registrant's registration and suspension or revocation of all associated permits.

**Sec. 86-150. No liability or warranty.**

- (a) Nothing in this division shall be construed to make or hold the county responsible or liable for any claim, injury, loss, or damage to persons or property whatsoever, from any cause whatsoever, arising from or relating to the placement, maintenance, use, operation, or condition of a registrant's small wireless facilities or utility poles supporting small wireless facilities.
- (b) No representation, guarantee, or warranty shall arise out of the county's activation of a registration or issuance of a permit hereunder.

**Sec. 86-151. Notices.**

All notices under this division shall be in writing by electronic mail. Notices to a registrant shall be deemed delivered if emailed to the most recent email address reflected on the

registrant's registration. Notices to the county shall be deemed delivered if emailed to [smallwirelessfacilities@myescambia.com](mailto:smallwirelessfacilities@myescambia.com).

**Sec. 86-152. Enforcement.**

- (a) A registrant's failure to comply with this division or the conditions of a permit shall constitute a violation of the Escambia County Code of Ordinances and may subject the registrant to registration termination, permit suspension or revocation, and, where applicable, civil penalties including without limitation injunctive relief.
- (b) In addition to any other rights or remedies available at law or equity, or as otherwise provided in this division, the special magistrate shall have enforcement jurisdiction pursuant to Chapter 30 of the Escambia County Code of Ordinances, including without limitation the power to conduct hearings and impose fines. Any fines imposed by the special magistrate may be recoverable from the registrant's performance bond or corporate guarantee. An appeal of the special magistrate's final order shall be to the circuit court pursuant to the Florida Rules of Appellate Procedure.
- (c) The county's failure to enforce any requirements of this division or conditions of a permit shall not constitute a waiver of the county's right to enforce such requirements, a waiver of subsequent violations of the same type, or a waiver of the county's right to exercise all available enforcement remedies.
- (d) Upon permit revocation or registration termination, the registrant shall reimburse the county for all reasonable costs incurred by the county relating to such revocation or termination, including without limitation restoration costs, administrative costs, attorney's fees, and the cost of collection. The county may charge such costs to the registrant's performance bond or corporate guarantee if the registrant fails to make payment within 30 days after the county's demand therefor.
- (e) The county may cause an immediate stop work order where a registrant's construction, placement, or maintenance poses a serious threat to the health, safety, or welfare of the public, which stop work order shall remain in effect until such threat has been abated.

**Secs. 86-153 – 86-160. Reserved.**

**SECTION 2. SEVERABILITY AND CONFLICTS.**

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. If this ordinance conflicts with any other ordinance in the Escambia County Code of Ordinances, this ordinance shall apply.

**SECTION 3. INCLUSION IN THE CODE.**

It is the intention of the board of county commissioners that the provisions of this ordinance shall be codified as required by F.S. § 125.68, and that the sections, subsections, and other provisions of this ordinance may be renumbered or re-lettered and the word "ordinance" may be changed to "section," "article," or such other appropriate word or phrase in order to accomplish such intentions.

**SECTION 4. EFFECTIVE DATE.**

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

**DONE AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2018.

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

By: \_\_\_\_\_  
Jeff Bergosh, Chairman

**ATTEST: PAM CHILDERS**  
Clerk of the Circuit Court

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

**(SEAL)**

**ENACTED:**

**FILED WITH DEPARTMENT OF STATE:**

**EFFECTIVE DATE:**

# County Street Lights in ROWs

## LIGHTING INVENTORY ESCAMBIA COUNTY

Pole	Pole	Pole	Pole	Pole	Pole	Pole	Pole	Pole	TOTAL	Description	Jurisdiction
A1	A2	A3	A4	A5	A6	A7	A8	A9	9	Location: University Pkwy. From: Davis Hwy to Hillview Dr. Type: Concrete Poles	COUNTY
B1	B2	B3	B4	B5/2	B6/2	B7/2	B8/2	B9/2	14		
C1	C2	C3	C4	C5	C6	C7	C8	C9	9		
D1	D2	D3	D4	D5	D6	D7	D8	D9	9		
E1	E2	E3	E4	E5	E6	E7	E8	E9	9		
F1	F2	F3	F4	F5	F6	F7	F8	F9	9		
G1	G2	G3/2	G4/2	G5/2	G6	G7	G8	G9	12		
H1	H2	H3	H4	H5	H6	H7	H8	H9	9		
I1	I2	I3	I4	I5	I6	I7/2	I8	I9/2	11		
J1/2	J2	J3	J4	J5	J6	J7	J8	J9	10		
K1	K2	K3	K4	K5/2	K6/2	K7	K8	K9	11		
L1	L2	L3	L4	L5	L6	L7	L8	L9	9		
M1	M2	M3	M4	M5	M6	M7	M8	M9	9		
N1	N2	N3	N4	N5/2	N6	N7/2	N8	N9/2	12		
O1/2	O2/2	O3/2	O4/2	O5	O6	O7	O8	O9	13		
P1	P2	P3/2	P4	P5/2	P6	P7	P8	P9	11		
Q1	Q2	Q3	Q4	Q1	Q2	Q3	Q4	Q1	9		
R1	R2	R3	R4	R5	R6	R7	R8		8		
1	2	3	4	5	6	7	8	9	9	Location: CR 399 Pensacola Beach Blvd. From: Bridge Light Only Type: Aluminum "High" Poles	COUNTY
10	11	12	13	14	15	16	17	18	9		
19	20	21	22	23	24	25	26	27	9		
28	29	30	31	32	33	34	35	36	9		
37	38	39	40						4		
SE	NE	SW	NW						4	Location: Sunset Drive From: At Bayou Grande Bridge Type: Decorative Metal Poles	COUNTY
									0		
									0		
TOTALS									227		

# County Utility Poles in ROWs

TOTALS	CNTY/ID#	MAJOR ROAD		MINOR ROAD		Total Class	Jurisdiction	Code	Total
		Signal Classification	#	Name	#				
1	330	FDS		Innerearity Rd		1	CNTY	2	5
2	254	FDS	CR 453	W St		2	CNTY	2	
3	206	FDS	CR 453	W St		3	CNTY	2	
4	347	FDS	CR 453	W St		4	CNTY	2	
5	384	FDS	CR 453	W St		5	CNTY	2	
6	264	ICB		Alfonso St/USB		1	CNTY	2	6
7	112	ICB	CR 4	Bratt Crossroads		2	CNTY	2	
8	153	ICB	CR 97	CR 97	CR 99	3	CNTY	2	
9	151	ICB	CR 186	Kingsfield Rd	CR 297A	4	CNTY	2	
10	150	ICB	CR 186	Kingsfield Rd	CR 297A	5	CNTY	2	
11	164	ICB		Massachusetts Ave	Hollywood Ave	6	CNTY	2	8
12	415	PFB	CR 399	Pensacola Beach Blvd.	(Address #661) Solar Pedestrian Crossing	1	CNTY	2	
13	341	PFB	CR 399	Via De Luna Dr	Portofino Condos/Pedestrian Adv. Xing E. Bcn	2	CNTY	2	
14	355	PFB	CR 399	Via De Luna Dr	Portofino Condos/Pedestrian Adv. Xing W. Bcn	3	CNTY	2	
15	461	PFB	CR 399	Via De Luna Dr	Portofino Condos/Solar Pedestrian Xing	4	CNTY	2	
16	462	PFB	CR 399	Via De Luna Dr	Portofino Condos/Portofino Solar Street Light S. Side	5	CNTY	2	7
17	463	PFB	CR 399	Via De Luna Dr	Portofino Condos/Portofino Solar Street Light Median	6	CNTY	2	
18	464	PFB	CR 399	Via De Luna Dr	Portofino Condos/Portofino Solar Street Light N. Side	7	CNTY	2	
19	381	PFB	CR 399	Via De Luna Dr	E of 16 Avenida EB Solar Radar Bcn.	8	CNTY	2	
0	425	PFB	CR 399	Via De Luna Dr	PedCrossNearFlounders(S. Bcn)Solar	0	CNTY	2	
0	426	PFB	CR 399	Via De Luna Dr	PedCrossNearFlounders(CenterBcn)	0	CNTY	2	7
0	427	PFB	CR 399	Via De Luna Dr	PedCrossNearFlounders(N. Bcn)Solar	0	CNTY	2	
0	428	PFB	CR 399	Via De Luna Dr	PedCrossNearHilton(N. Bcn)Solar	0	CNTY	2	
0	429	PFB	CR 399	Via De Luna Dr	PedCrossNearHilton(CenterBcn)Solar	0	CNTY	2	
0	430	PFB	CR 399	Via De Luna Dr	PedCrossNearHilton(S. Bcn)Solar	0	CNTY	2	
0	431	PFB	CR 399	Via De Luna Dr	PedCrossNearHoliday(Inn)CenterBcn)Solar	0	CNTY	2	7
0	432	PFB	CR 399	Via De Luna Dr	PedCrossNearHoliday(Inn)CenterBcn)Solar	0	CNTY	2	
0	433	PFB	CR 399	Via De Luna Dr	PedCrossNearHoliday(Inn)CenterBcn)Solar	0	CNTY	2	
0	434	PFB	CR 399	Via De Luna Dr	PedCrossNearBeachClub(N. Bcn)Solar	0	CNTY	2	
0	435	PFB	CR 399	Via De Luna Dr	PedCrossNearBeachClub(CenterBcn)Solar	0	CNTY	2	
0	436	PFB	CR 399	Via De Luna Dr	PedCrossNearBeachClub(S. Bcn)Solar	0	CNTY	2	7
20	395	SAWD		Bauer Rd	SB Radar Speed 35MPH N. Of Address 3825	1	CNTY	2	
21	396	SAWD		Bauer Rd	NB Radar Speed 45MPH By Sports Complex	2	CNTY	2	
22	367	SAWD		Cove Ave	NB/SB Radar Speed Bcn	3	CNTY	2	
23	367A	SAWD		Cove Ave	1 Cabinet (2) Beacons	4	CNTY	2	
24	365	SAWD		Crabtree Church Rd	EB Radar Speed Bcn	5	CNTY	2	
25	378	SAWD		Marcus Pl. Blvd.	EB Radar Speed Bcn at Marquette	6	CNTY	2	7
26	383	SAWD		Santley Pines Rd	Address # 6151 EB Radar Speed Bcn.	7	CNTY	2	

# County Utility Poles in ROWs

27	388	SZ			Holm Elem/Workman Middle - E Ben Solar/Radar	1	CNTY	2
28	389	SZ			Holm Elem/Workman Middle - W Ben Solar/Radar	2	CNTY	2
29	156	SZ		Bauer Rd	Bailey Middle School - N Ben Solar/Radar	3	CNTY	2
30	157	SZ		Bauer Rd	Bailey Middle School - S Ben Solar/Radar	4	CNTY	2
31	161	SZ		Belview Ave	Belview Elementary School - W Ben Solar/Radar	5	CNTY	2
32	423	SZ		Belview Ave	Belview Elementary School - E Ben Solar/Radar	6	CNTY	2
33	303	SZ		Bratt Rd	Northview High School - EB Ben Solar/Radar	7	CNTY	2
34	304	SZ		Bratt Rd	Northview High School - WB Ben Solar/Radar	8	CNTY	2
35	310	SZ		Byrneville Rd (1 Controller)	Byrneville Elementary - S Ben (120 VAC)	9	CNTY	2
36	256	SZ		CR 99	Bratt Elementary - S Ben Solar/Radar	10	CNTY	2
37	443	SZ		CR 99	Bratt Elementary - N Ben Solar/Radar	11	CNTY	2
38	316	SZ		Dog Track Rd	Blue Angels Elementary - SE Solar/Radar Converted 12/06/16	12	CNTY	2
39	317	SZ		Dog Track Rd	Blue Angels Elementary - NW (120 VAC)	13	CNTY	2
	401	SZ		Dog Track Rd	Blue Angels Elem - S Solar Speed Ben		CNTY	2
40	402	SZ		Dog Track Rd	Blue Angels Elem - N Solar Speed Ben	14	CNTY	2
41	244	SZ		Gulf Beach Hwy	Pleasant Grove Elementary - N Ben Solar/Radar	15	CNTY	2
42	245	SZ		Gulf Beach Hwy	Pleasant Grove Elementary - S Ben Solar/Radar	16	CNTY	2
43	300	SZ		Hancock Ln	Brown Barge Middle School - E Ben Solar/Radar	17	CNTY	2
44	279	SZ		Hancock Ln	Brown Barge Middle School - W Ben Solar/Radar	18	CNTY	2
45	314	SZ		Hope Dr	Lincoln Park Elementary - E Ben Solar/Radar	19	CNTY	2
46	441	SZ		Hope Dr	Lincoln Park Elementary - W Ben Solar/Radar	20	CNTY	2
47	307	SZ		Johnson Ave East Beacon	Ensley Elementary - E Ben Solar/Radar	21	CNTY	2
48	412	SZ		Johnson Ave West Beacon	Ensley Elementary - W Ben Solar/Radar	22	CNTY	2
49	305	SZ		Kingsfield Rd	Ransom Middle School - E Ben Solar/Radar	23	CNTY	2
50	339	SZ		Kingsfield Rd	Ransom Middle School - W Ben Solar/Radar	24	CNTY	2
51	306	SZ		Kingsfield Rd	Tate High Entrance - EB Ben Solar/Radar	25	CNTY	2
52	321	SZ		Kingsfield Rd	Tate High Entrance - WB Ben Solar/Radar	26	CNTY	2
53	259	SZ			Holm Elem/Workman Middle - S Ben (Solar Only)	27	CNTY	2
54	387	SZ			Holm Elem/Workman Middle - N Ben (Solar Only)	28	CNTY	2
55	299	SZ		Longleaf Dr	Longleaf Elementary School - E Ben Solar/Radar	29	CNTY	2
56	358	SZ		Longleaf Dr	Longleaf Elementary School - W Ben Solar/Radar	30	CNTY	2
57	350	SZ		Longleaf Dr	PineForestHigh/GeorgeStoneCenter - E Ben Solar/Radar	31	CNTY	2
58	242	SZ		Longleaf Dr	PineForestHigh/GeorgeStoneCenter - W Ben Solar/Radar	32	CNTY	2
59	240	SZ		Massachusetts Ave	Monclair Elementary - E Ben Solar/Radar	33	CNTY	2
60	406	SZ		Massachusetts Ave	Monclair Elementary - W Ben Solar/Radar	34	CNTY	2
61	309	SZ		Merlin Rd	Helen Caro Elementary - S Ben Solar/Radar	35	CNTY	2
62	442	SZ		Merlin Rd	Helen Caro Elementary - N Ben Solar/Radar	36	CNTY	2
63	252	SZ		Old Cory Field Rd	Warrington Middle School - N Ben Solar/Radar	37	CNTY	2
64	413	SZ		Old Cory Field Rd	Warrington Middle School - S Ben Solar/Radar	38	CNTY	2
65	272	SZ		Old Rd	Ferry Pass Middle School - E Ben Solar/Radar	39	CNTY	2
66	236	SZ		Old Rd	Ferry Pass Middle School - W Ben Solar/Radar	40	CNTY	2

# County Utility Poles in ROWs

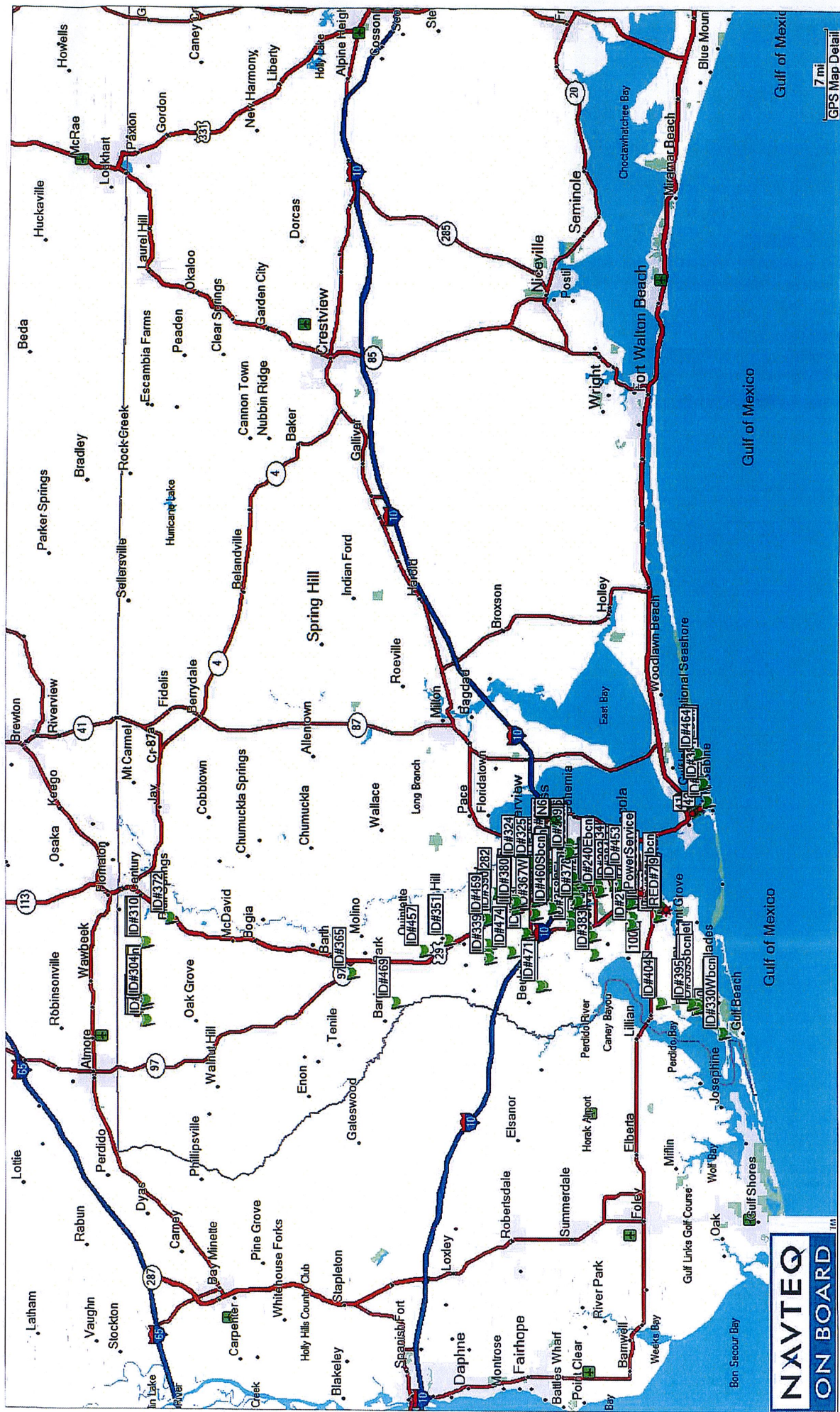
67	237	SZ		Palatof Hwy		Jim Allen Elementary - N Bcn Solar/Radar	41	CNTY	2
68	351	SZ		Palatof Hwy		Jim Allen Elementary - S Bcn Solar/Radar	42	CNTY	2
69	308	SZ		Patton Dr		Navy Point Elementary - N Bcn Solar/Radar	43	CNTY	2
70	340	SZ		Patton Dr		Navy Point Elementary - S Bcn Solar/Radar	44	CNTY	2
71	327	SZ		Scott St		Catholic High School - E (120 VAC)	45	CNTY	2
72	328	SZ		Scott St		Catholic High School - W (120 VAC)	46	CNTY	2
73	105	SZ		Ten Mile Rd		McArthur Elem/Westgate School - E Bcn Solar/Radar	47	CNTY	2
74	380	SZ		Ten Mile Rd		McArthur Elem/Westgate School - W Bcn Solar/Radar	48	CNTY	2
75	315	SZ		Urtreiner Rd		Lincoln Park Elementary - N Bcn Solar/Radar	49	CNTY	2
76	460	SZ		Urtreiner Rd		Lincoln Park Elementary - S Bcn Solar/Radar	50	CNTY	2
77	361	SZ		Via De Luna Dr		Pensacola Beach Elementary - E Bcn Solar/Radar	51	CNTY	2
78	103	SZ		Via De Luna Dr		Pensacola Beach Elementary - W Bcn Solar/Radar	52	CNTY	2
79	404	TS	CR 293	Bauer Rd		S.W. ESC. CO. Sports Complex	1	CNTY	2
80	154	TS	CR 4	Bratt Rd	CR 4A	Byrneville Rd	2	CNTY	2
81	282	TS	CR 749	Chemstrand Rd		Kingsfield Rd	3	CNTY	2
82	229	TS	CR 749	Chemstrand Rd		Ten Mile Rd	4	CNTY	2
83	454	TS	CR 297A	CR 297A		Pine Cone Drive	5	CNTY	2
84	133	TS	CR 443	E St		Jordan St	6	CNTY	2
85	134	TS	CR 443	E St	CR 480	Leonard St	7	CNTY	2
86	158	TS	CR 298A	Jackson St		57th Ave	8	CNTY	2
87	271	TS	CR 298A	Jackson St		65th Ave	9	CNTY	2
88	390	TS	CR 186	Kingsfield Rd		Palatof Hwy	10	CNTY	2
89	286	TS		Langley Ave		Tippec Ave	11	CNTY	2
90	318	TS		Longleaf Dr		Community Dr	12	CNTY	2
91	357	TS		Marcus Pt. Blvd.		Enterprise Dr.	13	CNTY	2
92	181	TS	CR 295A	Old Cony Field Rd	CR 298A	Jackson St	14	CNTY	2
93	391	TS	SR 290/CNTY	Olive Rd		Cody Lane	15	CNTY	2
94	233	TS	SR 290/CNTY	Olive Rd		Whitnife Rd	16	CNTY	2
95	186	TS	CR 95A	Palatof Hwy	SR 290	Olive Rd (County)	17	CNTY	2
96	232	TS	CR 95A	Palatof Hwy		Ensley St	18	CNTY	2
97	281	TS	CR 95A	Palatof Hwy		Hancock Ln	19	CNTY	2
98	326	TS	CR 95A	Palatof Hwy		Hood Drive	20	CNTY	2
99	424	TS	CR 95A	Palatof Hwy		Johnson Ave/Detroit Blvd.	21	CNTY	2
100	354	TS	CR 95A	Palatof Hwy		Ten Mile Rd	22	CNTY	2
101	193	TS	CR 399	Pensacola Beach Blvd	CR 399	Via De Luna/Ft Pickens Rd	23	CNTY	2
102	343	TS	SR 297	Pine Forest Rd	CR 297A	CR 297A	24	CNTY	2
103	270	TS	CR 296	Saulley Field Rd		Muldoon Rd	25	CNTY	2
104	379	TS		Ten Mile Rd.		Ashton Brosnahan Dr.	26	CNTY	2
105	324	TS		University Pkwy		Campus Blvd/UWF	27	CNTY/PRVT	2
106	277	TS		University Pkwy		Hillview Rd	28	CNTY	2
107	260	TS		University Pkwy		Johnson Ave	29	CNTY	2

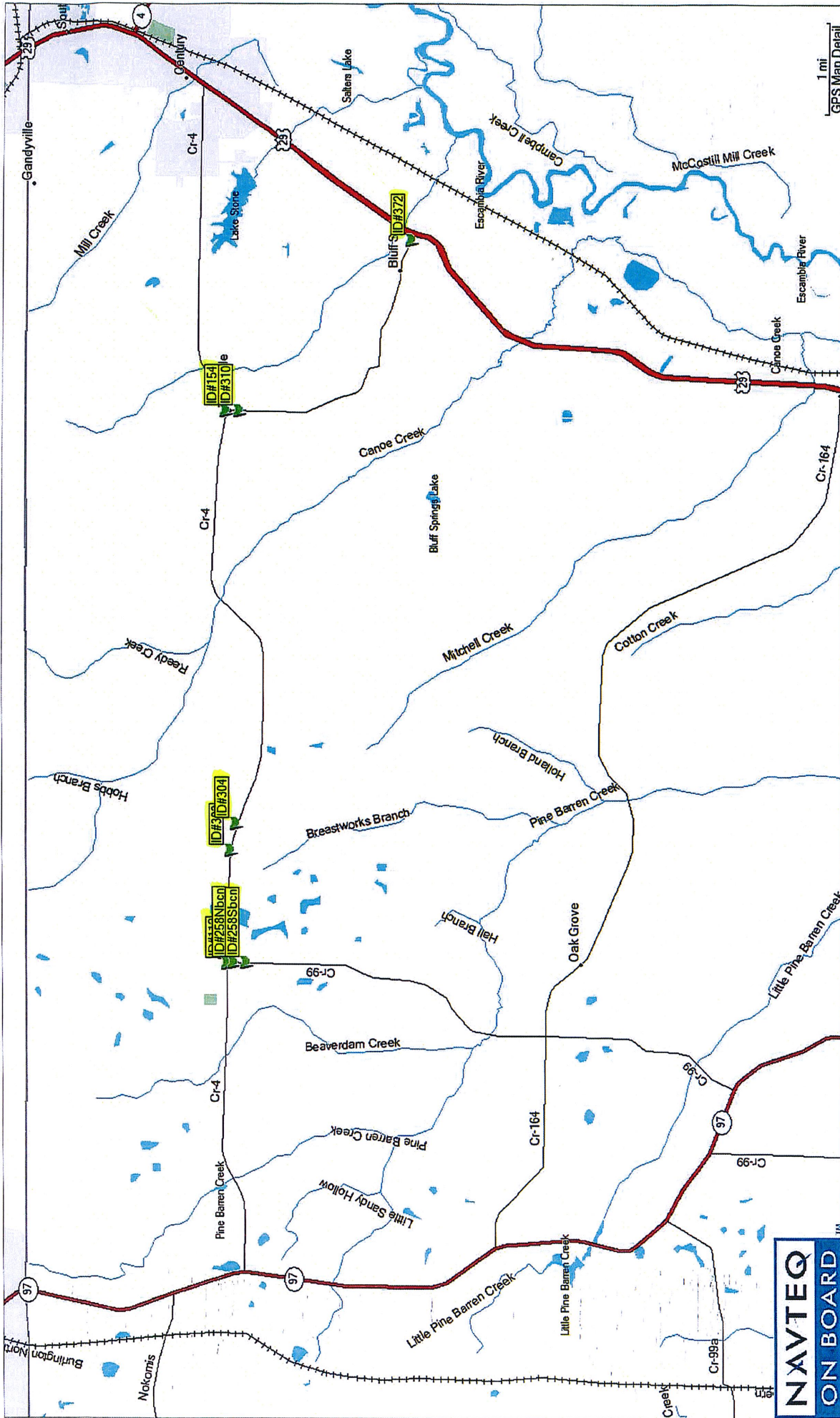
County Utility Poles in ROWs

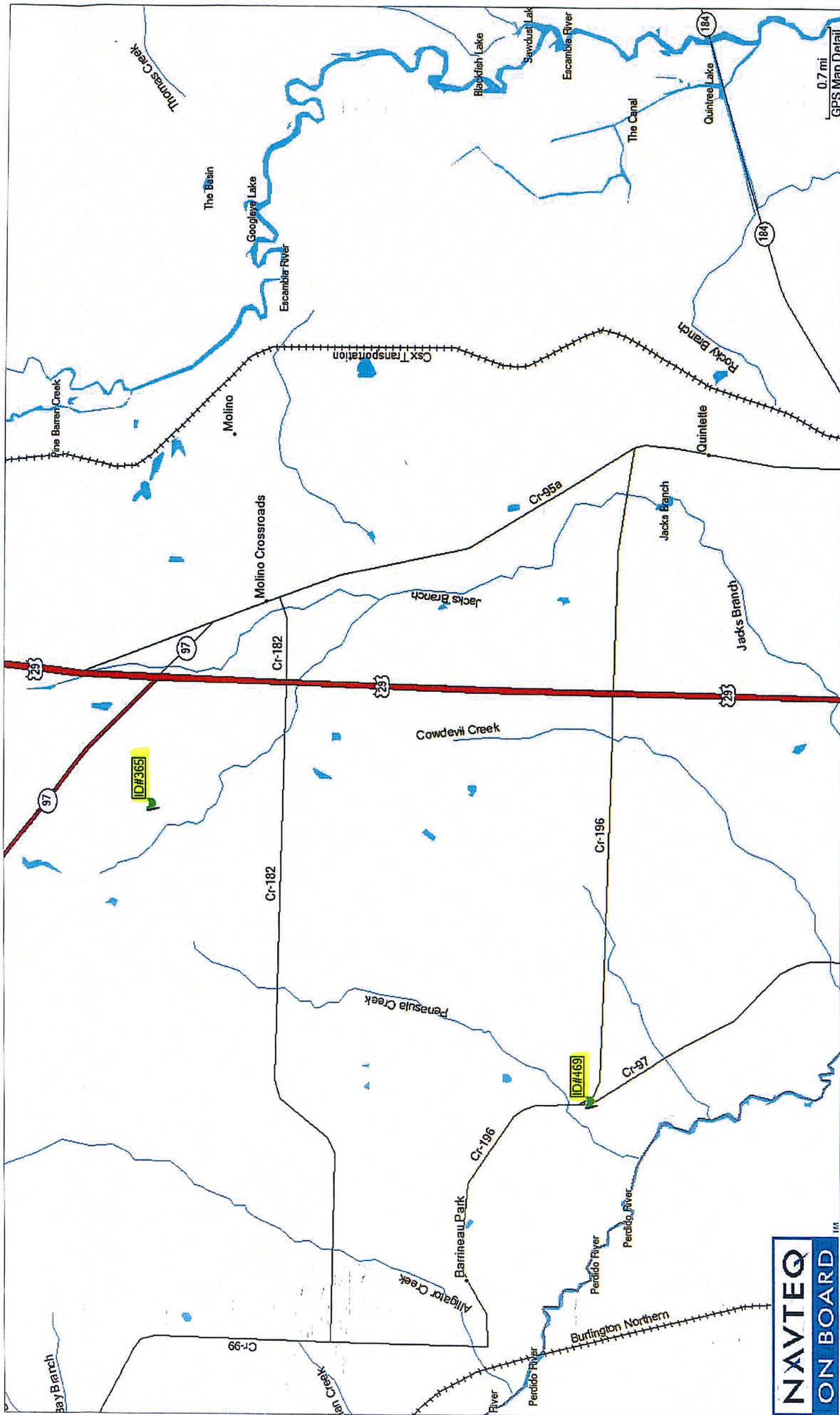
108	325	TS		University Pkwy		Target Shopping Center Driveway	30	CNTY	2	36
109	266	TS	CR 453	W St		Airport Blvd	31	CNTY	2	
110	197	TS	CR 453	W St		Avery St	32	CNTY	2	
111	199	TS	CR 453	W St	CR 2984	Jackson St	33	CNTY	2	
112	274	TS	CR 453	W St		Marcus Pointe Blvd	34	CNTY	2	
113	202	TS	CR 453	W St		Massachusetts Ave	35	CNTY	2	
114	203	TS	CR 453	W St		Scott St	36	CNTY	2	
115	470	TWB		Beulah Rd	SR 10A	NB Stop Ahead Beacon To Mobile Hwy	1	CNTY	2	
116	471	TWB		Beulah Rd	SR 10A	SB Stop Ahead Beacon To Mobile Hwy	2	CNTY	2	
117	372	TWB		Byrnesville Rd		E.B. Stop Ahead 300' Adv. To US 29	3	CNTY	2	
118	474	TWB	CR 97	CR 97 Southbound		Adv. 24HR Solar Curve Warning To Devine Farm Rd	4	CNTY	2	
119	452	TWB	CR 443	E St		Fricker Park NB Adv. Playground Solar Flashing Bcn	5	CNTY	2	
120	453	TWB	CR 443	E St		Fricker Park SB Adv. Playground Solar Flashing Bcn	6	CNTY	2	
121	469	TWB	CR 97	Jacks Branch Rd (NB) Adv STOP	CR 196	CR 196 East	7	CNTY	2	
122	416	TWB	CR 186	Kingsfield Rd	CR 97	WB Adv. STOP Warn. To CR 97	8	CNTY	2	14
123	420	TWB	CR 186	Kingsfield Rd	CR 97	WB Int. STOP Beacon at CR 97	9	CNTY	2	
124	458	TWB	CR 95A	Palatfox Hwy.		N.B. Stop Beacon at Old Chemstrand Rd	10	CNTY	2	
125	459	TWB	CR 95A	Palatfox Hwy.		S.B. Stop Beacon at Old Chemstrand Rd	11	CNTY	2	
126	421	TWB		Pine Forest Rd		NB Int. STOP Beacon at W. Roberts Rd.	12	CNTY	2	
127	419	TWB		Pine Forest Rd		NB Adv STOP Beacon. To W. Roberts Rd.	13	CNTY	2	
128	457	TWB	CR 184	Quintette Rd		EB Limited Sight Distance Bcn. 200' W. Address#505	14	CNTY	2	

SIGNAL CLASSIFICATION	CODE	TOTALS
Traffic Signals	(TS)	36
Traffic Signals Interconnected & Monitored	(IMTS)	0
Uninterruptible Power Supplies	(IMTS)(w/UPS)	0
Intersection Control Beacons	(ICB)	6
Pedestrian Flashing Beacons	(PFB)	8
Emergency Fire Department Signals	(FDS)	5
Speed Activated Warning Displays	(SAWD)	7
Blank Out Signs	(BOS)	0
Traffic Warning Beacons	(TWB)	14
Time Travel Detectors	(TTD)	0
School Zones	(SZ)	52
<b>TOTALS</b>		<b>128</b>

0	ID#s From Removed Signals
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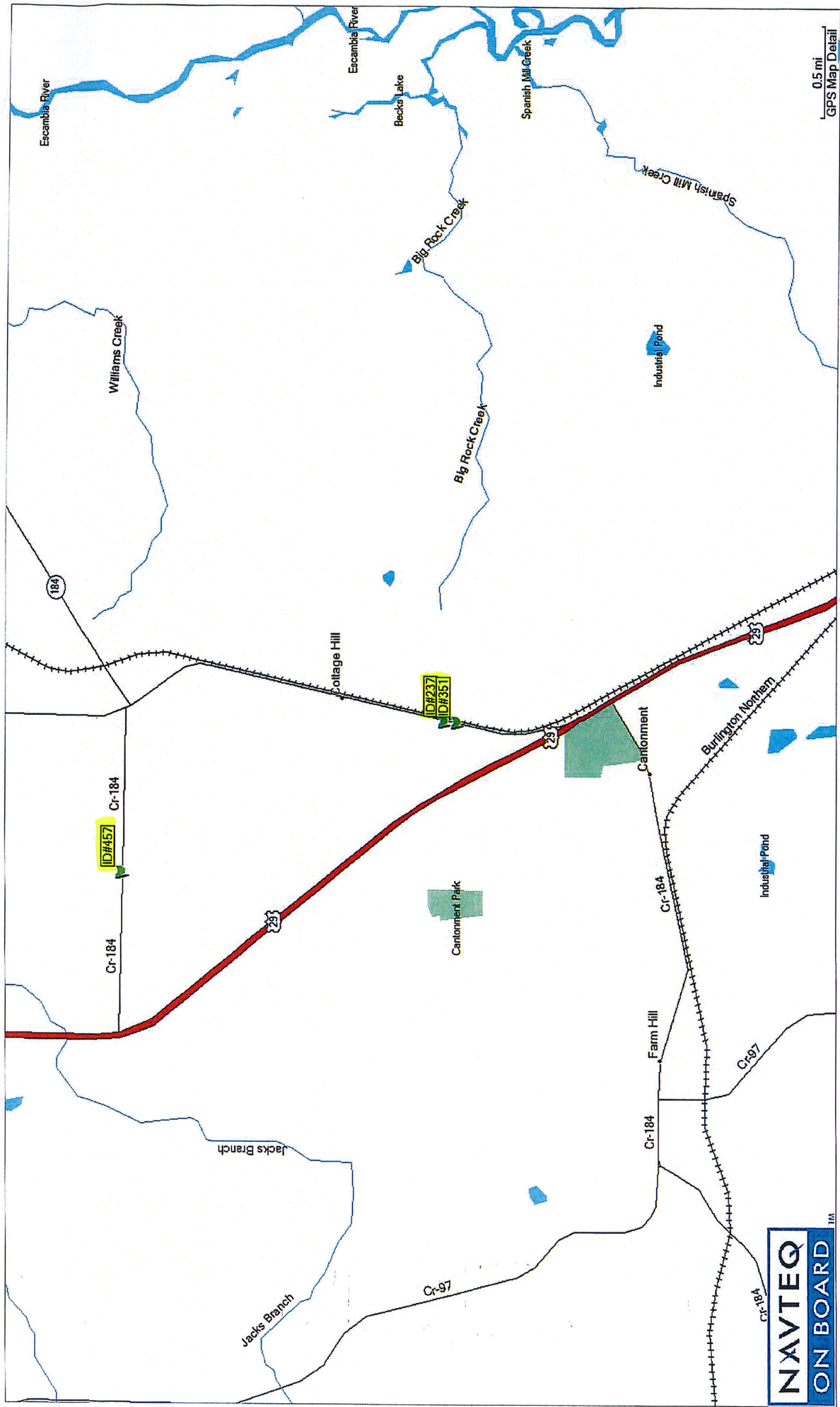


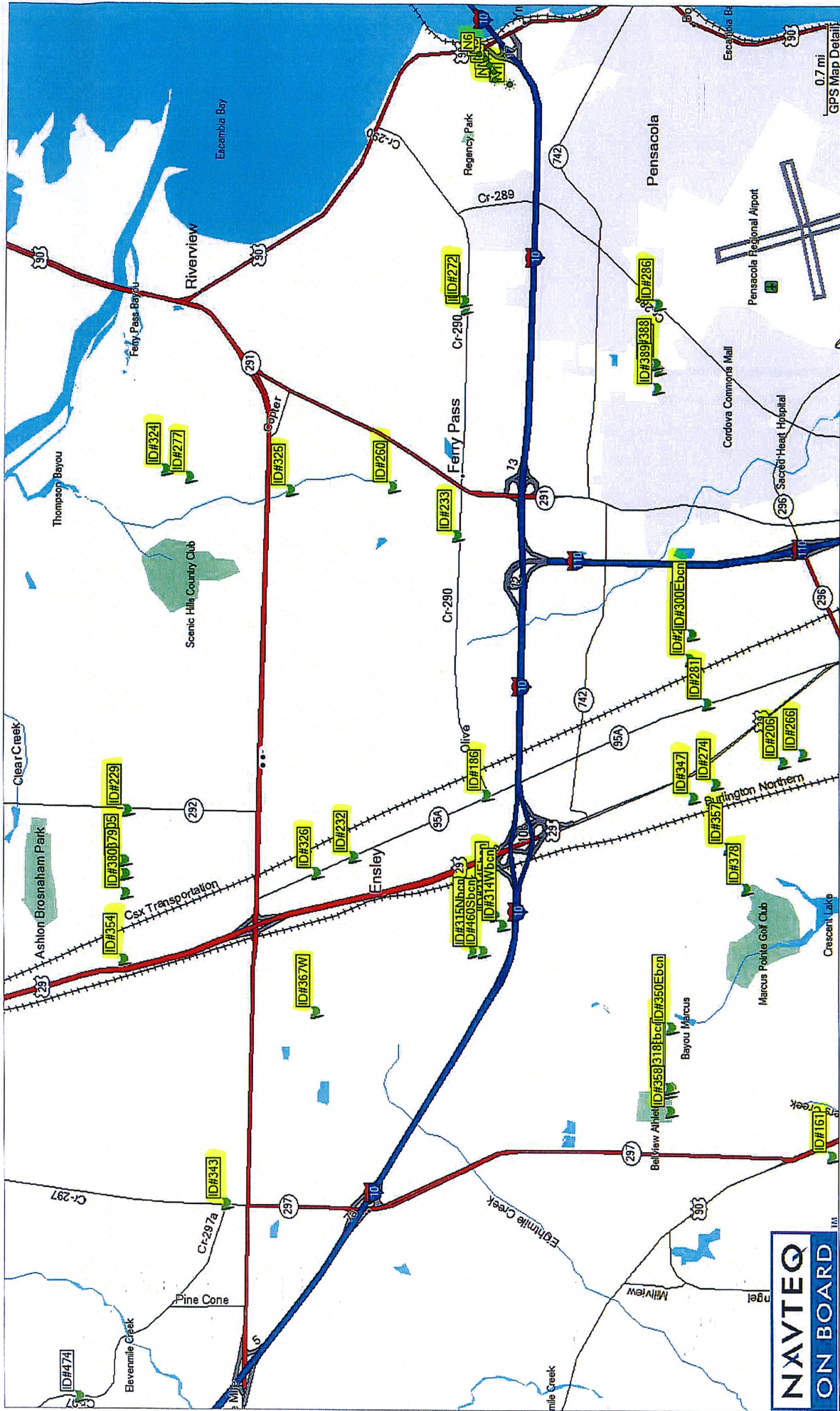


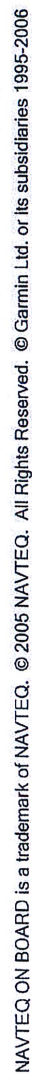


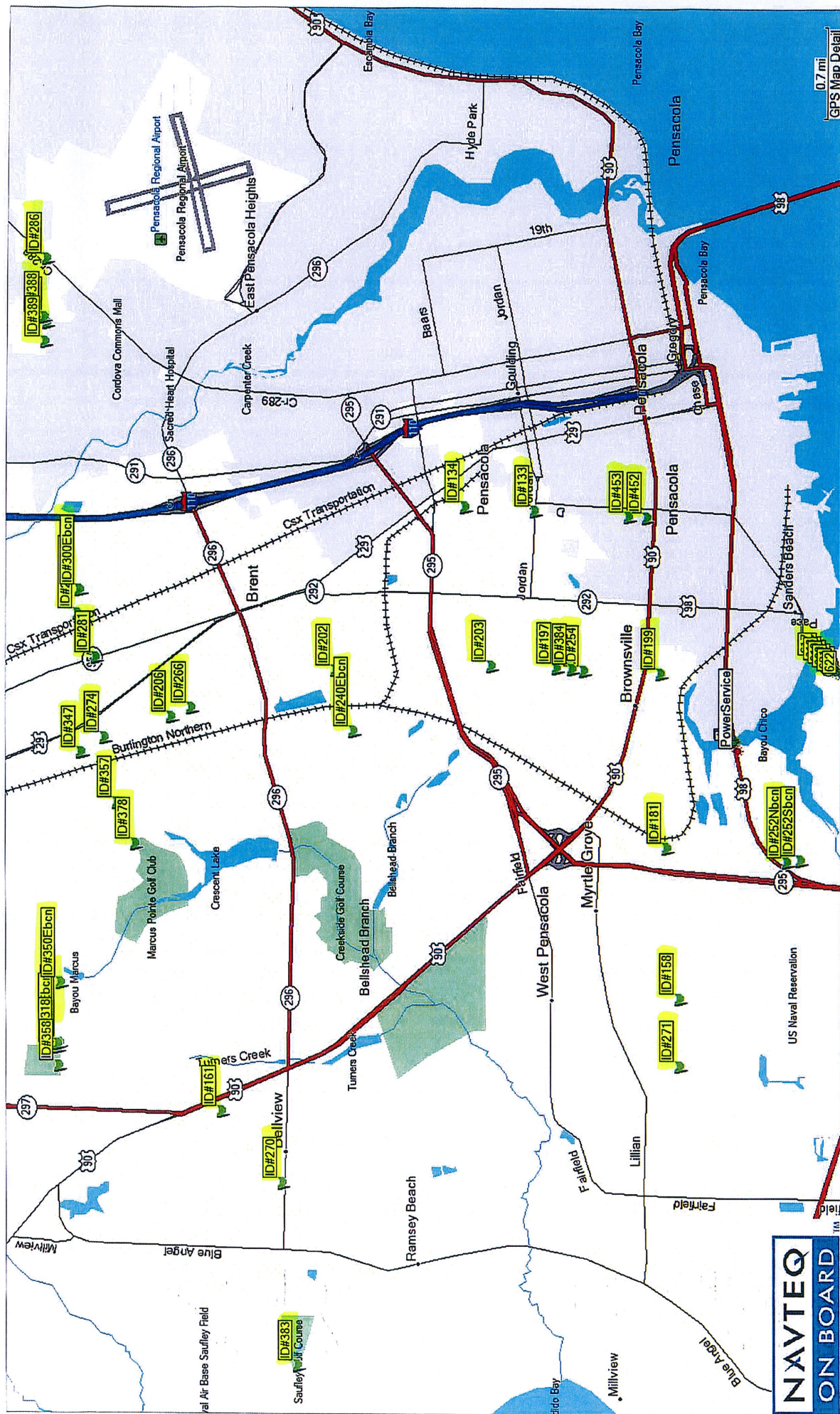


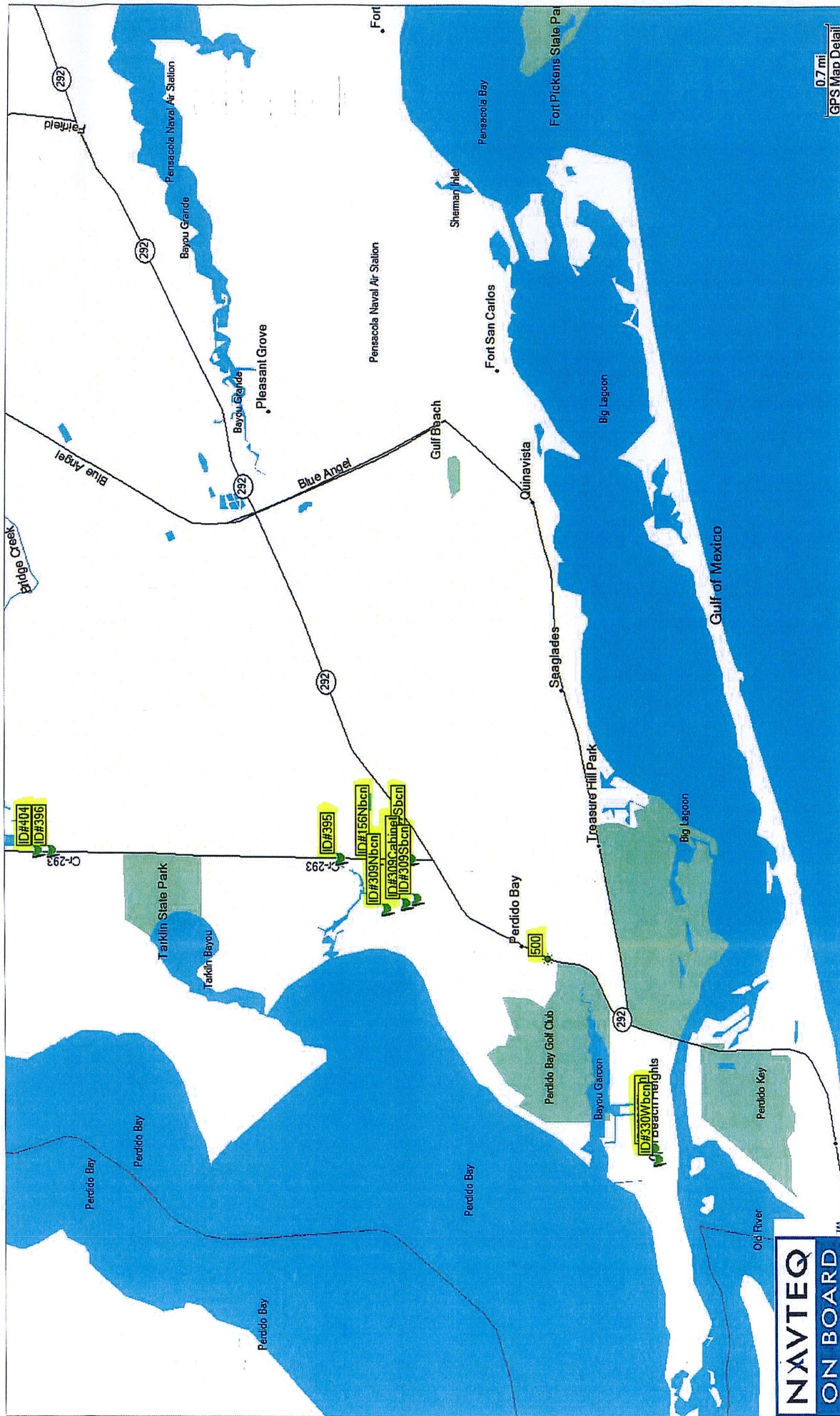


















Street Light Poles on University Parkway  
155 Locations



Date: 2/26/2018

**Committee of the Whole**

**9.**

**Meeting Date:** 03/08/2018

**Issue:** Temporary Permit for Concrete Crushing

**From:** Amy Lovoy, Assistant County Administrator

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**Information**

**Recommendation:**

Temporary Permit for Concrete Crushing

(Amy Lovoy - 20 min)

A. Board Discussion

B. Board Direction

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**Attachments**

Temporary Crushing

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# Temporary Concrete Crushing Permit

# Temporary Permit Requirements

- ▶ In order to crush concrete a permit shall be required in advance of the proposed activity.
- ▶ Sites with an accumulated stockpiled concrete (et al) at the time of adoption shall be eligible for temporary concrete crushing permits; or
- ▶ Materials crushed must originate on the site where the temporary crushing activity will occur.
  - ▶ The County may waive this requirement if there is a written determination by the County finding that it is to the public benefit to transport concrete material to a location off-site for crushing.
  - ▶ Stacked or stored concrete (et al) which originated offsite and have been stockpiled on a parcel prior to the enactment of this Article will be eligible for a temporary crushing permit.
- ▶ Permit would not grant land use approval for storage of recycled material

# Temporary Permit Requirements

- ▶ Permit shall be valid for 5 to 7 days.
  - ▶ No more than 2 temporary concrete crushing permits may be issued for the same parcel within a 12 month period.
- ▶ An active demolition permit on any site will authorize temporary crushing activities as part of the demolition.
  - ▶ All crushed materials must originate on the demolition site and must be removed no later than the date of the demolition permit expiration
- ▶ The County must be notified prior to commencement of crushing activities.
- ▶ The applicant must allow the County reasonable access to the site and the placement of air monitoring equipment on the site during any crushing activity.
- ▶ All crushing activities must cease upon any exceedances of air quality standards, noise standards or other non-compliance.
- ▶ Applicant must have a competent representative on site during all crushing activities that is knowledgeable of all local, state and federal regulations

# Temporary Permit Application Requirements

- ▶ A temporary crushing permit application must include the following:
  - ▶ Anticipated dates and times of all crushing activities
  - ▶ Approval from the County of all dates and times of the crushing activities
  - ▶ Name, address and telephone number of the agent responsible for the crushing activities
  - ▶ Acknowledgement that the agent must be available on a 24 hour basis while the active crushing is occurring.

# Public Notification Requirements

- ▶ A temporary 3' x 4' sign indicating the name, address and telephone number of the party conducting the crushing activity must be placed within 10' of the public right-of-way on all roadways adjacent to the project site.
- ▶ A general notice by mail to all properties within a 500 foot radius of the proposed site no less than 14 days prior to commencement of activity.
  - ▶ The notice must include contact information for the party performing the activity, a brief description of the proposed work, the intended dates and times and that any complaints can be directed to the County.
- ▶ The applicant must provide an affidavit certifying tonnage amount of all processed and recycled materials to the County upon completion of the crushing activity.

ORIGINAL BCC APPROVAL DATE	COMM. DISTRICT	PERMITTEE AND FACILITY TYPE	FACILITY NAME	FACILITY ADDRESS	DEVELOPMENT REVIEW & FILE NUMBER	ORIGINAL DATE OF ISSUE	TOTAL ACREAGE OF FACILITY	TOTAL AREA LICENSED FOR OPERATION	TEMP OR PERMANENT CRUSHING	IF TEMP, NAME OF CRUSHING COMPANY AND FREQUENCY)	Community Meeting	BCC Consent for Renewal	BCC Meeting for Renewal	Current Permit Expiration
4/7/2016	3	Sunbelt Crushing, LLC ("Sunbelt) - Recycling (pre-existing crushing/recycling facility)	Sunbelt Concrete Recycling Longleaf	2390 Longleaf Dr. Pensacola, FL 32526	PSP#15000136	4/26/2016	10 acres	7.3 acres	Portable Crusher	Owned by Sunbelt	5/2/2017	10/5/2017	10/19/17 - BCC approved 30-day extension then approved 11/2/2017	11/2/2018
5/5/2016	3	Delta Contractors, Inc. - Jeff Godwin - Concrete & Asphalt Recycling Facility (ONLY) - (new crushing/recycling facility)	Delta Contractors Concrete & Asphalt Recycling Facility	7470 N. Palafox Pensacola, FL 32503	PSP#160200022	5/9/2016	5.78 acres	5.78 acres	Portable (moveable by truck)	Owned by Delta - Crushing occurs on as-needed basis based on materials/demand - none some weeks, several hours other weeks	1/23/2018	Pending Renewal		
8/4/2016	1	Bellview Site Contractors, Inc. - Clayton Wise - Recycling (new crushing/recycling facility)	Bellview Site Contractors	3300 Godwin Ln. Pensacola, FL 32526	PSP#160400058	8/17/2016	6 acres (+/-)	6 acres (+/-)	Temp	Sunbelt Crushing, LLC ("Sunbelt) 1 - 2X Per Year	Not Required by Comm. Dist.	1/18/2018	2/1/18 - BCC approved renewal of recycling permit for existing asphalt/concrete recycling and processing facility	2/1/2019
2/2/2017	1	McDirt Industries, Inc., Phillip McCoy - Concrete & Asphalt Recycling Facility	McDirt Concrete & Asphalt Recycling Facility	5570 Bellview Avenue Pensacola, FL 32526	PSP#160400052	2/9/2017	26 acres	26 acres	Stationary/Portable Plant	Crushes daily with own equipment	Not Required by Comm. Dist.	Pending Renewal (NOTE: Currently operating under 180-day permit extension)		
10/19/2017	5	Escambia County Landfill	Escambia County Landfill Concrete Recycling	13009 Beulah Rd. Cantonment, FL 32533	PSP#170600092	10/19/2017	426 acres	426 acres	No crusher on site	Contractor performed grinding operations between 1/2/18-1/7/18 (5 days)				

# Incentives for Concrete Crushing @ PLF

- ▶ Mandating deliveries by Ordinance to PLF has not been considered an incentive
- ▶ Current supply of demo concrete delivered to PLF (~2560 tons/year) does not meet the demand (~3700 tons/year) needed to meet operational requirements
- ▶ Purchasing crushed concrete is more expensive than purchasing crushing services
- ▶ Volumes accepted over 3700 tons/year would be rejected or create a surplus of material on site
- ▶ Incentives could negatively impact private sector

**Committee of the Whole**

**10.**

**Meeting Date:** 03/08/2018

**Issue:** Unity in The Family's Changing Anti-Social Habits (CASH) Program Update

**From:** Tammy Jarvis, Department Director

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**Information**

**Recommendation:**

Unity In the Family's Changing Anti-Social Habits (CASH) Program Update

(Dr. Calvin Avant - 5 min)

A. Board Discussion

B. Board Direction

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**Attachments**

*No file(s) attached.*

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**Committee of the Whole**

**11.**

**Meeting Date:** 03/08/2018

**Issue:** Day Reporting

**From:** Matthew Coughlin, Asst County Administrator

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**Information**

**Recommendation:**

Day Reporting

(Matt Coughlin - 30 min)

A. Board Discussion

B. Board Direction

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**Attachments**

Community Corrections Day Reporting Center

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# Community Corrections Day Reporting Center

March 2018

# Background:

- **PSCC September 27, 2017 – Alternatives to Incarceration Presented. Sub-Committee formed to review the various alternatives.**
- **PSCC Sub-Committee October 24, 2017 - met and reviewed various white papers regarding alternatives to incarceration. Day reporting was recommended to be advanced back to the PSCC.**
- **PSCC - December 13, 2017 – Day Reporting was recommended to be advanced to the January COW for discussion.**
- **COW January 11, 2018 – Day Reporting case studies and efficacy data offered for discussion.**

# BLUF: It Works

- **Day Reporting methodologies and practices have proven successful.**
- **Kern County, CA., Franklin County, PA., Alachua County, Broward County**
  - **Recidivism rates**
  - **Empower offenders to be productive citizens**
  - **Reduces Jail Population**

# Implementation Options:

- Contract with vendor: (\$20-28/day)
  - No capital expense
  - No start up costs
  - No location to secure
  - Turn-key W/ Programmatic Support
- Expand Community Corrections Programs: (\$12.61 – 1<sup>st</sup> Yr)
  - Associated start up costs
  - Space requirements
  - Additional Staff
  - Does not cover programmatic costs

# Day Reporting Center Costs Per Client/day



80 Participating Clients

# Projected Cost Analysis for Personnel and Operations:

▪ Senior Criminal Justice Specialist	\$49,579
▪ Criminal Justice Specialist II (2 positions)	\$89,084
▪ Senior Office Support Assistant	\$35,312
▪ Office Support Assistant	\$34,082
▪ Misc. Initial Start Up Cost	<u>\$37,765</u>
	<b>\$245,822</b> (Total Start Up Cost)
▪ Recurring Annual Cost	\$229,618
▪ McDonald Property Renovation	\$500,000-\$600,000 (estimated)
▪ COB Renovation	\$60,000-\$100,000 (estimated)

**Committee of the Whole**

**12.**

**Meeting Date:** 03/08/2018

**Issue:** Utilizing Main Jail Inmates to Perform Road Clean Up

**From:** SELINA BARNES, Jail Commander

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**Information**

**Recommendation:**

Utilizing Main Jail Inmates to Perform Road Clean Up  
(Commander Selina Barnes/Wes Moreno - 15 min)

- A. Board Discussion
  - B. Board Direction
- 

**Attachments**

Detention Road Crew Clean Up

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## **UTILIZATION**

- Potentially 40 male and female inmates available for placement on road crews at Escambia County Jail
- Inmates sentenced cannot refuse to work
- Unsented must volunteer and cannot be forced
- Numbers vary based on population and medical clearances



## **SCHEDULING**

- Two work crew officers each day Monday through Friday 8 hour shifts
- Four inmates assigned per crew
- Two crews will pick up trash in area designated by Wes Moreno
- Crews will coordinate with Wes Moreno to have bags removed from area



## **BENEFITS**

- More programs to allow more gain time
- Shorter jail sentences
- Approximately \$137,280 saved in tax dollars each year
- Overall appearance of Escambia County improved

**Committee of the Whole**

**13.**

**Meeting Date:** 03/08/2018

**Issue:** Hass Center Study Regarding the Alcohol Ordinance

**From:** Jack Brown, County Administrator

---

**Information**

**Recommendation:**

Hass Center Study Regarding the Alcohol Ordinance

(Jack Brown - 15 min)

A. Board Discussion

B. Board Direction

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**Attachments**

Business Survey

Resident Survey

Visitor Survey

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# Business Survey

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## Start of Block: Informed Consent

Q1

### Business Survey on Impact of Pensacola Beach Ordinance

We are interested in understanding the effects of the Pensacola Beach alcohol ordinance that was passed in 2015. You may find the text of the ordinance here for your reference. You will be presented with information relevant to the effect of the ordinance on your business and asked to answer some questions about it. Please be assured that your responses will be kept completely confidential.

The study should take you no more than 5 minutes to complete. Your participation in this research is voluntary. You have the right to withdraw at any point during the study, for any reason, and without any prejudice. If you would like to contact the Principal Investigator in the study to discuss this research, please e-mail Amy Newburn at [awebber@uwf.edu](mailto:awebber@uwf.edu).

By clicking the button below, you acknowledge that your participation in the study is voluntary, you are 18 years of age, and that you are aware that you may choose to terminate your participation in the study at any time and for any reason.

Please note that this survey will be best displayed on a laptop or desktop computer. Some features may be less compatible for use on a mobile device.

- ☐ I consent, begin the study (1)
- ☐ I do not consent, I do not wish to participate (2)

*Skip To: End of Survey If Business Survey on Impact of Pensacola Beach Ordinance We are interested in understanding the... = I do not consent, I do not wish to participate*

## End of Block: Informed Consent

---

## Start of Block: Demographics

Q1

Are you responding for a business located in Escambia County?

☐ Yes (1)☐ No (2)

*Skip To: End of Survey If Are you responding for a business located in Escambia County? = No*

---

Q2 What is your company's primary line of business?

NAICS Industry Code (1)

▼ 11 Crop and Animal Production (1) ... 90 Government ~ ~ (60)

---

Q3 How many total employees work at any business locations in the local area?

☐ 1-5 (1)☐ 6-10 (2)☐ 11-20 (3)☐ 21-50 (4)☐ 51-100 (5)☐ 101-250 (6)☐ 251-500 (7)☐ 501-1,000 (8)☐ 1,001+ (9)

Q4 What is the zip code associated with your business location's physical address?

Zip Code (1)

▼ 32577 (1) ... 32501 (18)

---

End of Block: Demographics

---

Start of Block: Alcohol Sales

*Display This Question:*

*If What is the zip code associated with your business location's physical address? = 32561*

Q5 Does your business establishment sell alcohol?

☐ Yes (1)

☐ No (2)

---

*Display This Question:*

*If Does your business establishment sell alcohol? = Yes*

Q6 Since the ordinance was implemented in November 2015, has your business experienced a change in alcohol sales?

☐ Yes, a decline (1)

☐ Yes, an increase (2)

☐ Unsure (3)

☐ No change (4)

---


*Display This Question:*

*If Since the ordinance was implemented in November 2015, has your business experienced a change in a... = Yes, a decline*

Q7 For this question, please compare the last full year of alcohol sales **before** the ordinance was implemented to your **most recent** full year of alcohol sales under the ordinance.

Approximately how much of a **percentage decrease** in sales have you experienced?

0 10 20 30 40 50 60 70 80 90 100

Indicate % decline from 0 - 100 (1)	
-------------------------------------	--


*Display This Question:*

*If Since the ordinance was implemented in November 2015, has your business experienced a change in a... = Yes, an increase*

Q8 For this question, please compare the last full year of alcohol sales **before** the ordinance was implemented to your **most recent** full year of alcohol sales under the ordinance.

Approximately how much of a **percentage increase** in sales have you experienced?

0 10 20 30 40 50 60 70 80 90 100

Indicate % increase from 0 - 100 (1)	
--------------------------------------	---

*Display This Question:*

*If Since the ordinance was implemented in November 2015, has your business experienced a change in a... = Yes, a decline*

*Or Since the ordinance was implemented in November 2015, has your business experienced a change in a... = Yes, an increase*

Q20 In your opinion, how much of this change would you attribute to the Alcohol Ordinance?

- ☐ A great deal (1)
- ☐ A lot (2)
- ☐ A moderate amount (3)
- ☐ A little (4)
- ☐ None at all (5)

---

**End of Block: Alcohol Sales**

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**Start of Block: Visitors****Q21 *Instructions:***

For the remaining questions, please evaluate the direct impact that the Pensacola Beach Ordinance has had on your business and your customers. The following section will ask questions about your perception of customer retention, visitor retention, customer satisfaction and customers' perception of safety.

---

Q15 Does your business provide goods or services to non-residents?

☐ Yes (1)

☐ No (2)

---

**Display This Question:**

*If Does your business provide goods or services to non-residents? = Yes*

Q16 Since the ordinance was implemented in November 2015, have those customers indicated **a change in their likelihood to return** to Pensacola Beach or Escambia County?

☐ Yes (1)

☐ Maybe (2)

☐ No (3)

---

**Display This Question:**

*If Since the ordinance was implemented in November 2015, have those customers indicated a change in... = Yes*

Q17 Would you say that customers are...?

- ☐ Much more likely to return (1)
- ☐ Somewhat more likely to return (2)
- ☐ Somewhat less likely to return (3)
- ☐ Much less likely to return (4)

End of Block: Visitors

---

Start of Block: Customer Satisfaction, Experience and Retention

Q9 Since the ordinance was implemented in November 2015, have your customers reported a **change in satisfaction** with your services related to the alcohol ordinance on Pensacola Beach?

- ☐ Yes (1)
- ☐ Unsure (2)
- ☐ No (3)

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*Display This Question:*

*If Since the ordinance was implemented in November 2015, have your customers reported a change in sa... = Yes*

Q10 Would you say that customer satisfaction has been...?

- ☐ Much better (1)
  - ☐ Somewhat better (2)
  - ☐ About the same (3)
  - ☐ Somewhat worse (4)
  - ☐ Much worse (5)
-

Q11 Since the ordinance was implemented in November 2015, have your customers reported a **change in their feeling of safety** related to the alcohol ordinance on Pensacola Beach?

- ☐ Yes (1)
- ☐ Unsure (2)
- ☐ No (3)

---

*Display This Question:*

*If Since the ordinance was implemented in November 2015, have your customers reported a change in th... = Yes*

Q12 Would you say that your customers' perception of safety has been...?

- ☐ Much better (1)
- ☐ Somewhat better (2)
- ☐ About the same (3)
- ☐ Somewhat worse (4)
- ☐ Much worse (5)

---

Q13 Since the ordinance was implemented in November 2015, have your customers indicated a **change in their likelihood to return** to your business establishment related to the alcohol ordinance on Pensacola Beach?

- ☐ Yes (1)
- ☐ Unsure (2)
- ☐ No (3)
-

*Display This Question:*

*If Since the ordinance was implemented in November 2015, have your customers indicated a change in t... = Yes*

Q14 Would you say that customer retention has been...?

- ☐ Much better (1)
- ☐ Somewhat better (2)
- ☐ About the same (3)
- ☐ Somewhat worse (4)
- ☐ Much worse (5)

**End of Block: Customer Satisfaction, Experience and Retention**

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# Resident Survey

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## Start of Block: Consent

### Consent

#### Resident Survey on Impact of Pensacola Beach Ordinance

We are interested in understanding the effects of the Pensacola Beach alcohol ordinance that was passed in 2015. You may find the text of the ordinance here for your reference. You will be presented with information relevant to the effect of the ordinance on your quality of life and asked to answer some questions about it. Please be assured that your responses will be kept completely confidential.

The study should take you no more than 5 minutes to complete. Your participation in this research is voluntary. You have the right to withdraw at any point during the study, for any reason, and without any prejudice. If you would like to contact the Principal Investigator in the study to discuss this research, please e-mail Amy Newburn at [awebber@uwf.edu](mailto:awebber@uwf.edu).

By clicking the button below, you acknowledge that your participation in the study is voluntary, you are 18 years of age, and that you are aware that you may choose to terminate your participation in the study at any time and for any reason.

Please note that this survey will be best displayed on a laptop or desktop computer. Some features may be less compatible for use on a mobile device.

- ☐ I consent, begin the study (1)
- ☐ I do not consent, I do not wish to participate (2)

*Skip To: End of Survey If Resident Survey on Impact of Pensacola Beach Ordinance We are interested in understanding the... = I do not consent, I do not wish to participate*

## End of Block: Consent

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## Start of Block: Visitor Demographics

Q1a Are you an Escambia County resident?

- ☐ Yes (1)
- ☐ No (2)

*Skip To: End of Survey If Are you an Escambia County resident? = No*

---

Q1b Were you a resident prior to November 2015?

- ☐ Yes (1)
- ☐ No (2)

Q2 What age group do you belong to?

- ☐ 18-24 (1)
- ☐ 25-34 (2)
- ☐ 35-44 (3)
- ☐ 44-54 (4)
- ☐ 55-64 (5)
- ☐ 65-74 (6)
- ☐ 75-84 (7)
- ☐ 85+ (8)
- ☐ Prefer not to Respond (9)

Q3 In what zip code do you currently reside?

---



Q4 Can you please indicate your marital status?

- ☐ Married (1)
- ☐ Widowed (2)
- ☐ Divorced (3)
- ☐ Separated (4)
- ☐ Single/Never Married (5)
- ☐ Prefer not to Respond (6)

End of Block: Visitor Demographics

---

Start of Block: Evaluating the Ordinance

Q6 Have you visited Pensacola Beach any time in the last 5 years?

- ☐ Yes (1)
- ☐ No (2)

*Skip To: End of Survey If Have you visited Pensacola Beach any time in the last 5 years? = No*

---

Q5 Before this survey, did you know that there is an Alcohol Ordinance which limits open containers in some public spaces on Pensacola Beach?

- ☐ Yes (1)
- ☐ No (2)

---

*Display This Question:*

*If Were you a resident prior to November 2015? = Yes*

Q8 Please evaluate how the alcohol ordinance has impacted the following elements of your quality of life. In your opinion, how have each of the following changed **over the past three years?**

	Much better (1)	Somewhat better (2)	About the same (3)	Somewhat worse (4)	Much worse (5)
Safety of Pensacola Beach (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Beach's family-friendly atmosphere (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Beach's ability to foster a fun and enjoyable atmosphere (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Availability of beer, wine or spirits at the beach or boardwalk (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

End of Block: Evaluating the Ordinance

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Start of Block: Current Trip

Q11 Now, please reflect on your most recent visits to Pensacola Beach. As you evaluate each statement, please agree or disagree based on your experiences as an Escambia County resident.

	Strongly agree (1)	Somewhat agree (2)	Neither agree nor disagree (3)	Somewhat disagree (4)	Strongly disagree (5)	Not Applicable (6)
I feel safe at Pensacola Beach during the daytime. (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I feel safe at Pensacola Beach at night. (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Disorderly conduct is rarely a problem in the public areas of Pensacola Beach. (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Underage drinking is discouraged at Pensacola Beach. (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Signs and information about the ordinance are clearly displayed in key areas. (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Q13 Agree or disagree with the following statements:

	Strongly agree (1)	Somewhat agree (2)	Neither agree nor disagree (3)	Somewhat disagree (4)	Strongly disagree (5)	Not Applicable (6)
I feel like Pensacola Beach has a family-friendly atmosphere. (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I can have a fun and enjoyable experience at the Beach. (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I feel like I can still enjoy beer, wine or spirits at the Beach. (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I am less likely to visit beachside bars and restaurants due to the rules. (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The ordinance has discouraged me from attending events at Pensacola Beach. (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

End of Block: Current Trip

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# Visitor Survey

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## Start of Block: Consent

### Consent

#### Visitor Survey on Impact of Pensacola Beach Ordinance

We are interested in understanding the effects of the Pensacola Beach alcohol ordinance that was passed in 2015. You may find the text of the ordinance here for your reference. You will be presented with information relevant to the effect of the ordinance on your visit and asked to answer some questions about it. Please be assured that your responses will be kept completely confidential.

The study should take you no more than 5 minutes to complete. Your participation in this research is voluntary. You have the right to withdraw at any point during the study, for any reason, and without any prejudice. If you would like to contact the Principal Investigator in the study to discuss this research, please e-mail Amy Newburn at [awebber@uwf.edu](mailto:awebber@uwf.edu).

By clicking the button below, you acknowledge that your participation in the study is voluntary, you are 18 years of age, and that you are aware that you may choose to terminate your participation in the study at any time and for any reason.

Please note that this survey will be best displayed on a laptop or desktop computer. Some features may be less compatible for use on a mobile device.

- ☐ I consent, begin the study (1)
- ☐ I do not consent, I do not wish to participate (2)

*Skip To: End of Survey If Visitor Survey on Impact of Pensacola Beach Ordinance We are interested in understanding the... = I do not consent, I do not wish to participate*

## End of Block: Consent

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## Start of Block: Visitor Demographics

Q1 Are you an Escambia County resident?

- ☐ Yes (1)
- ☐ No (2)

*Skip To: End of Survey If Are you an Escambia County resident? = Yes*

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Q2 What age group do you belong to?

- ☐ 18-24 (1)
- ☐ 25-34 (2)
- ☐ 35-44 (3)
- ☐ 44-54 (4)
- ☐ 55-64 (5)
- ☐ 65-74 (6)
- ☐ 75-84 (7)
- ☐ 85+ (8)
- ☐ Prefer not to Respond (9)

Q3 In what zip code do you currently reside?

---



Q4 Can you please indicate your marital status?

- ☐ Married (1)
- ☐ Widowed (2)
- ☐ Divorced (3)
- ☐ Separated (4)
- ☐ Single/Never Married (5)
- ☐ Prefer not to Respond (6)

End of Block: Visitor Demographics

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Start of Block: Evaluating the Ordinance

Q5 Before your trip to Pensacola Beach, did you know about the Alcohol Ordinance limiting open containers in some public spaces?

- ☐ Yes (1)
  - ☐ No (2)
- 

Q6 Have you ever visited Pensacola Beach before this ordinance was implemented in November 2015?

- ☐ Yes (1)
  - ☐ No (2)
- 

*Display This Question:*

*If Have you ever visited Pensacola Beach before this ordinance was implemented in November 2015? = Yes*

Q7 Is this your first return trip since the ordinance was implemented?

- ☐ Yes (1)
- ☐ Unsure (2)
- ☐ No (3)

*Display This Question:*

*If Have you ever visited Pensacola Beach before this ordinance was implemented in November 2015? = Yes*

Q8 Please evaluate how the alcohol ordinance has impacted the following elements of your visit compared to previous visits. In your opinion, how have each of the following elements changed since the implementation of the ordinance in 2015?

	Much better (1)	Somewhat better (2)	About the same (3)	Somewhat worse (4)	Much worse (5)
Safety of Pensacola Beach (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Beach's family-friendly atmosphere (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
The Beach's ability to foster a fun and enjoyable atmosphere (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Availability of beer, wine or spirits (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

End of Block: Evaluating the Ordinance

Start of Block: Current Trip

Q11 Now, please think about your current trip to Pensacola Beach. Please agree or disagree with each of the following statements.

	Strongly agree (1)	Somewhat agree (2)	Neither agree nor disagree (3)	Somewhat disagree (4)	Strongly disagree (5)
I feel safe at Pensacola Beach during the daytime. (1)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I feel safe at Pensacola Beach at night. (2)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I feel like Pensacola Beach has a family-friendly atmosphere. (3)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
I can have a fun and enjoyable experience at the Beach. (4)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Beer, wine or spirits are easily accessible to me if I'd like to purchase one at the Beach. (5)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

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Q14 How likely are you to return to visit Pensacola Beach in the future?

- ☐ Extremely likely (1)
- ☐ Somewhat likely (2)
- ☐ Neither likely nor unlikely (3)
- ☐ Somewhat unlikely (4)
- ☐ Extremely unlikely (5)

End of Block: Current Trip

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