

**REPORT OF THE COMMITTEE OF THE WHOLE WORKSHOP OF THE ESCAMBIA
COUNTY BOARD OF COUNTY COMMISSIONERS**

FEBRUARY 14, 2019

Present: Commissioner Lumon J. May, Chairman, District 3
Commissioner Steven L. Barry, Vice Chairman, District 5
Commissioner Robert D. Bender, District 4
Commissioner Jeffrey W. Bergosh, District 1
Commissioner Douglas B. Underhill, District 2
Honorable Pam Childers, Clerk of the Circuit Court and Comptroller
Amy Lovoy, Interim County Administrator
Alison Rogers, County Attorney
Lizabeth Carew, Administrative Specialist, Clerk and Comptroller's Office
Shamara Jernigan, Administrative Assistant, County Administrator's Office

Location: Ernie Lee Magaha Government Building, Board Chambers, First Floor, 221 Palafox
Place, Pensacola, Florida

Minutes prepared by: Lizabeth Carew

AGENDA ITEMS

1. Call to Order

Chairman May called the Committee of the Whole Workshop (C/W) to order at 9:02 a.m.

2. Was the Meeting Properly Advertised?

The C/W was advised by Lizabeth Carew, Administrative Specialist, Clerk and Comptroller's Office, that the meeting was advertised in the *Pensacola News Journal* on February 9, 2019, in the Board's Weekly Meeting Schedule.

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AGENDA ITEMS – Continued

3. OLF8/OLFX

A. Board Discussion – The C/W:

- (1) Agreed to not address any zoning and future land use issues until after the Master Plan for the site has been completed;
- (2) Discussed the costs associated with lawn maintenance of the site, and:
 - (a) Was advised by Wes Moreno, Director of the Roads and Bridges Department, that:
 - 1) A contractor who does work for the Florida Department of Transportation has provided an estimate of approximately \$115,000, annually, to mow the field; and
 - 2) The County could purchase a couple of used tractors and mowing decks at approximately \$156,000, and staff the mowing duty internally at approximately \$7-\$8 per acre;
- (3) Heard the request from Commissioner Underhill that the Board be informed of the cost for the Cultural Survey as soon as it's available;
- (4) Upon inquiry from Commissioner May, heard comments from Mr. Moreno concerning issues relating to the use of inmates to mow the site;
- (5) Agreed to have staff bring back further information with regard to the purchase of the tractors; and
- (6) Agreed to direct staff to begin the process of advertising the Request for Proposals for an OLF8 Master Plan; and

B. Board Direction – None.

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AGENDA ITEMS – Continued

4. Midtown Commerce Park/Memorandum of Understanding (MOU)

A. Board Discussion – The C/W:

- (1) Was advised by Dave Robau, CEO and Chief Scientist of National Energy, that the proposal for development of the Midtown Commerce Park site, as discussed at the September 2019 C/W Workshop, is to create a training facility to process waste, and a Memorandum of Understanding with the County would allow National Energy to start engaging with the community, to bring in stakeholders, and have focus groups to discuss the future of the site;
- (2) Heard comments from Commissioner Underhill relating to concerns he has with questions he has that have been answered regarding certain logistics, and with the other entity (Parkside Partners) involved with the proposal;
- (3) Heard comments from Commissioner Bergosh relating to concerns he has with the absence of a representative from Parkside Partners at this meeting and with the idea that the County would be paying another entity to process garbage; and
- (4) Agreed to table this issue until all entities involved are available and able to participate in this discussion; and

B. Board Direction – None.

5. New Escambia County Correctional Facility Progress Report

A. Board Discussion – The C/W was provided with an update relating to the progress of the new Escambia County Correctional Facility from Steve Jernigan, Bay Design; Bob Dye, Facilities Management Department Director; and Colby Brown, Assistant County Engineer, and:

- (1) Was advised by Mr. Jernigan that the foundation and backfilling for "Area D" has been poured, the JJC [Juvenile Justice Center] parking lot was inspected, accepted, and turned over for use in January; the stormwater pond on Leonard Street is being excavated; and inclement weather has placed the project 28 days behind;

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AGENDA ITEMS – Continued

5. Continued...

A. Continued...

- (2) Was advised by Mr. Brown that the Shared Access/Joint Use Acknowledgement Agreement for the Escambia County Jail will come before the Board for approval on February 21, 2019;
- (3) After discussion concerning the surrounding businesses, agreed to direct staff to move forward with a master developer for the sites surrounding the new facility;
- (4) Requested that staff explore the possibility of expanding the boundaries of the Englewood CRA (Community Redevelopment Agency); and
- (5) Heard the request from Commissioner May for the zip codes of the local contractors/hires for the project; and

B. Board Direction – None.

6. Gulf Coast Minority Chamber of Commerce

A. Board Discussion – The C/W:

- (1) Heard a review from Brian Wyer, President/CEO of the Gulf Coast Minority Chamber of Commerce, of statistics he obtained while trying to create a baseline of the current level of the County's involvement with minority business, which was also provided in hard copy;
- (2) Heard comments from Commissioner Barry concerning the State of Florida's definition of minority businesses and the process by which it uses for registry, and requesting that Mr. Wyer, in collaboration with staff, continue to look for ways to refine the registry process;
- (3) Heard comments from Commissioner May requesting an analysis of vendors that are currently registered to do business with the County and that the candid and honest conversations concerning the lack of minority participation in the County's procurement process continue with a goal of obtaining a higher participation level;

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REPORT OF THE COMMITTEE OF THE WHOLE WORKSHOP – February 14, 2019

AGENDA ITEMS – Continued

6. Continued...

A. Continued...

- (4) Heard comments from Commissioner Barry suggesting a requirement that all vendors are to be registered through the County's website by a date certain, and, if a vendor does not meet that requirement, then they will be unable to "get checks"; and
- (5) Was advised by County Attorney Rogers that the requirement Commissioner Barry is suggesting needs to be written into the County's existing Ordinance, and at Commissioner Barry's request, advised that her office will begin to work on an amendment; and

B. Board Direction – None.

7. Escambia County Healthy Start Coalition, Inc.

- A. Board Discussion – The C/W heard an overview from Theresa Chmeil, Chief Executive Officer of Escambia County Healthy Start Coalition, Inc., and Chandra Smiley, Chief Executive Officer of Community Health Northwest Florida, of the services being provided in the northern area of the County; and

B. Board Direction – None.

8. Rolling Hills Update

- A. Board Discussion – The C/W viewed and discussed a PowerPoint Presentation, which was also provided in hard copy, entitled *Rolling Hills Construction and Demolition Debris Facility Update*, presented by Chips Kirschenfeld, Director, and Tim Day, Senior Manager, Natural Resources Department:

(1) Was advised by Mr. Kirschenfeld that:

- (a) There are no current permit authorizations from the Florida Department of Environmental Protection (FDEP) for construction demolition debris or land clearing debris;

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AGENDA ITEMS – Continued

8. Continued...

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- (b) South Palafox Properties is out of compliance and FDEP will be filing a motion for contempt of court;
- (c) FDEP is working with a contractor to close the construction demolition debris portion of the property; and
- (d) Groundwater flows south through the site toward a wetland area, away from the Wedgewood Community, and identified contaminants are listed in the PowerPoint; furthermore, staff has not seen any surface water data further downstream in that tributary that runs into Marcus Creek to determine whether there are or are not any water quality impairments;

(2) Was advised by County Attorney Rogers that:

- (a) The County has a Code Enforcement fine against the property, which continues to accrue daily at \$200 per day; and the County has filed a foreclosure action with regards to a fire suppression lien, which is extremely inferior to a number of existing liens attached to the property; and
- (b) The County is not obligated/involved in the procurement, management, and oversight of the closure; therefore, the obvious and easiest approach would be to adopt a Resolution to urge FDEP to "see this across the finish line"; the County could also do surface or groundwater testing off the site, with the permission of the land owners; and

(3) Was advised by Commissioner Underhill that he is opposed to any action, including foreclosure, that would let the owners of this property off the hook for what they've done to the community; and

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AGENDA ITEMS – Continued

8. Continued...

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(4) Was advised by Mr. Day that:

- (a) Since November 2016, which is around the time FDEP began the formal closure process, the levels have dropped significantly in terms of the frequency that the hydrogen sulfite was detected or was high enough to start to cause a level of potential concern;
- (b) Once FDEP gets their contractor working again, it is expected to take approximately nine weeks to complete the cap and closure process; and
- (c) FDEP has offered to hold an open house next month at the Wedgewood Community Center to provide information and address concerns; and

B. Board Direction – The C/W recommends that the Board direct staff to immediately take all measures necessary to test the surface water and the ground water, as appropriate, in concentric circles around the Rolling Hills property site.

Recommended 5-0

Speaker(s):

Gloria Horning

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AGENDA ITEMS – Continued

9. Interim Medical Examiner

A. Board Discussion – The C/W:

- (1) Heard an update from County Attorney Rogers relating to the situation with the District's Medical Examiner and the process by which a new Medical Examiner will be appointed; and was advised by Ms. Rogers that:
 - (a) Escambia County is the last county of the four counties in the District to address the salaries for the current Medical Examiner and Associate Medical Examiner, which are as follows:
 - Chief Medical Examiner – \$300,00, plus benefits
 - Associate Medical Examiner – \$200,000, plus benefits
 - (b) If the Board is open to moving forward with the salaries, then a written four-county contract, which will govern the remainder of the Medical Examiner's time with the District, will be presented to each county for approval;
- (2) Heard comments from Commissioner Bender in favor of moving forward with a contract for the salaries, as presented;
- (3) Heard comments from Commissioner Bergosh and Commissioner Barry in favor of moving forward with a contract for the salaries, as presented, only if there is a clause that protects the County's interest in getting monies back through a favorable judgement;
- (4) Was advised by Commissioner Underhill that he is open to keeping the current Medical Examiner on staff as long as necessary, and the billing issue should probably be bifurcated from the salary negotiations;

B. Board Direction – None.

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ITEMS ADDED TO THE AGENDA

1. Pensacola Bay Bridge

A. Board Discussion – The C/W discussed Commissioner Bender's proposal concerning establishing a committee to assist with the naming of the newly constructed Pensacola Bay Bridge; and

B. Board Direction – None.

AGENDA ITEMS – Continued

10. Adjourn

Chairman May declared the Committee of the Whole Workshop adjourned at 11:31 a.m.