



City Council – Board of County Commissioners Joint Session
January 30, 2017 – 1:00 P.M.
Hagler-Mason Conference Room
2nd Floor – City Hall



CITY COUNCIL

Brian Spencer – President
Gerald Wingate – Vice President
PC Wu – District 1
Sherri Myers – District 2
Andy Terhaar – District 3
Larry Johnson – District 4
Jewel Cannada-Wynn- District 7

COUNTY COMMISSIONERS

Doug Underhill - Chairman
Jeff Bergosh – Vice Chairman
Lumon May – District 3
Grover Robinson -- District 4
Steven Barry – District 5

AGENDA

1. Call Meeting to Order
2. Determination of Quorum for each body
3. Introductions
4. Topic(s)
 - a. RESTORE Funds & Projects
 - i. Carpenter's Creek
 - ii. Hollice T. Williams Park
 - b. Triumph Funds
 - c. BP Dollars
 - i. Economic Development
 - ii. Tourism & Development
 - d. VT-MAE Update
 - e. Crime in City/County parks & potential use of establishing park rangers to help reduce crime
 - f. Homeless Initiative & Concerns
 - g. Panhandling
 - h. City-County one stop shop for business permits & doing business jointly
 - i. Midtown Commerce Park
 - i. Maggies Ditch area in Brownsville
 - j. Indoor Sports Complex
 - k. Public Library on West Side
 - l. Public/Private Partnership b/t Baptist Hospital, City & County (West Moreno & Englewood Area)
 - m. Support through TPO for moving State Road Improvement Projects forward (i.e. Barrancas Rd, Pace Blvd, Garden St. (b/t A & Pace), Main St. (b/t A & Barrancas), Gov't St)
 - n. Drainages issues (Palafox/Jordan/Maxwell, Navy & W St.)
 - o. UPDATES
 - i. American Creosote Works Site
 - ii. Mosquito Control Land Clean Up
 - iii. Bay Bridge Project – use of local contractors & businesses
 - iv. Gov't Day – September 15, 2017 (For Calendaring)
 - v. Dual Services (Animal & Mosquito Control)

57 – Carpenter Creek and Bayou Texar Economic and Environmental Revitalization Plan

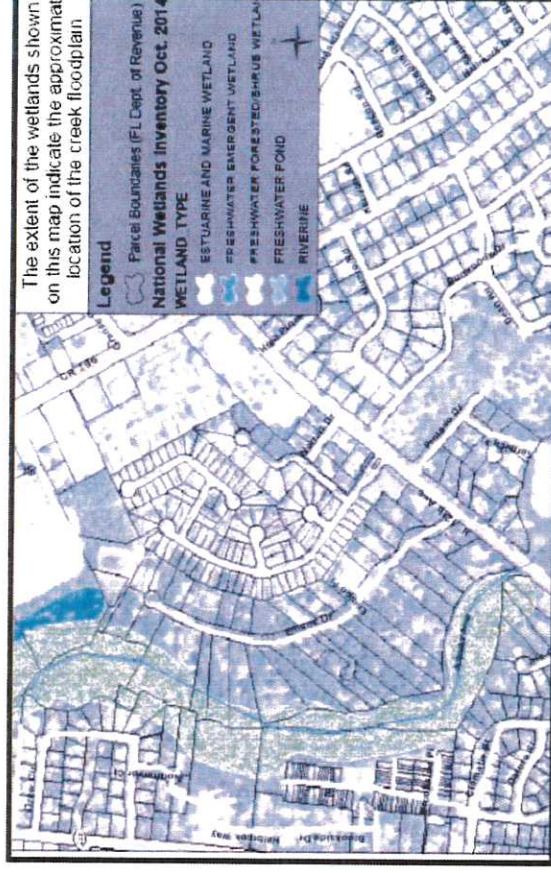
Dewberry Score: 62

RAC Score: TBD

Budget: \$2,444,000

Other Funding Source?:

Pot 2, Pot 3, NFWF, LOST,
EPA319, HMGP, EWP



Description: Carpenter Creek restoration and watershed revitalization to ensure public safety, interests, benefits, and education. This project will apply various proven restoration techniques and best management practices for stream/floodplain restoration and low impact development.

Item-A

Carpenter Creek and Bayou Texar Economic and Environmental Revitalization Plan	Environment	\$2,440,000	\$1,355,000	\$3,795,000	Restore and protect natural resources
<p>Overall description: Carpenter Creek restoration and watershed revitalization to ensure public safety, interests, benefits, and education. This project will apply various proven restoration techniques and best management practices for stream/floodplain restoration and low impact development.</p> <p>Performance metrics will be documented through comprehensive monitoring. A creek management plan will guide routine and storm-event related maintenance.</p>					
Chimney Park Stormwater Improvements	Environment	\$685,000	\$0	\$685,000	Restore and protect natural resources
<p>The Hyer-Knowles Planning Mill Chimney is a registered National Historic Landmark and is located at Chimney Park in the City of Pensacola. It serves as a bayfront passive park where many people enjoy fishing, kayaking, walking their dogs, and visiting the national historic landmark - the old Chimney, built in the mid 1850's. The Chimney represents the first major industrial belt on the Gulf Coast once bustling with wood mills, paper processing plants, and brick factories. Many visitors drive along Scenic Highway today and stop to visit this park. Unfortunately, the property is currently in a serious state of disrepair. The old Chimney needs restoration to stabilize the structure. The roadside parking lot only contains 5 paved parking spaces and the remaining dirt parking area floods frequently and intensely enough that it is unsafe for cars to park there. The parking areas are poorly lit. Most importantly, the entire property clearly has a major flooding and erosion problem as major components of the existing parking lot structure and stormwater inlets are breaking apart and crumbling. Huge sediment amounts build up in the parking lot at low areas after every rain, even small rain events. The property also has a major litter problem, as trash can be found on the ground any given day. This project includes funding to restore the old brick Chimney, provide stormwater management for the entire property, specifically the parking areas, repair areas of the existing parking lot, provide additional flood-free stabilized parking areas, provide a stormwater pollutant separator for the inlet that drains directly to Pensacola Bay, and to develop a program for outreach and volunteer engagement for park maintenance/clean-up.</p>					

RESTORE Local Allocation (Pot 1) Funding Discussion Note
Joint City Council – Board of County Commissioners Meeting January 30, 2017

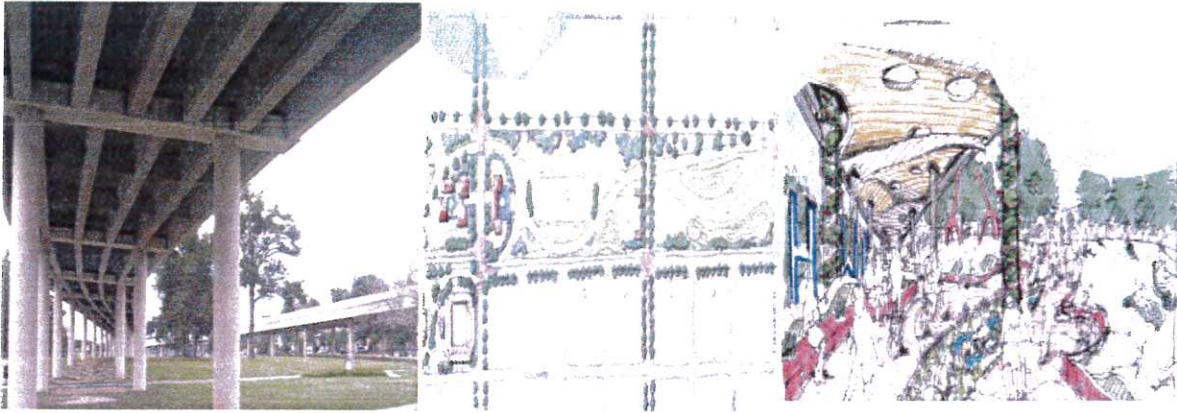
- During the October Committee of the Whole meeting, the County Commissioners discussed their preliminary project nominations for the BP funded, Local Allocation (Pot 1).
- For two years, responses to the City's Satisfaction survey, storm water projects have been the highest priority, least satisfied service area.
- In response to the surveys, on January 21, 2016, the Mayor's Office submitted four projects for consideration, two of which were storm water improvement:
 - Hollice Williams Park Storm Water Management, \$3.76M
 - Port of Pensacola Berth 6 Restoration, \$3.75M
 - Maritime Sports Tourism Development Project, \$2.1M
 - Chappie James Memorial Park, Low Impact Development and Storm Water Treatment, \$645K
- **Hollice Williams \$3,764,000**
 - Storm Water project is an extension and complementary to the County Delano track storm water projects.
 - The proposed project will construct dual use stormwater and recreational use areas within the Hollice T. Williams Park and I-110 Corridor.
 - It will aid in collection of stormwater providing relief to diverse and historical neighborhoods in flood prone areas.
 - Provide for multi-use recreational areas and practice fields
 - Tie in current recreational features such as the Hunter Pool, Tennis Courts, Basketball courts, practice fields and the future skate park and amphitheater with walking trails, benches and cultural interpretation reflecting the neighborhood and community history.
- **Berth 6 \$3,750,000**
 - RESTORE Act specifically cites Port Infrastructure as an eligible activity
 - Port of Pensacola is one of only three ports in the Disproportionately Affected Counties
 - Berth 6 is closed due to needed repairs reducing port capability by 20% and loss of flexibility to accommodate vessel calls
 - Project provides for economic development, infrastructure restoration and storm water quality improvements
 - Increase port jobs
 - This project is partially funded and ready for Implementation
- **Maritime Sports Tourism Development \$2,100,000**
 - Construct a marina providing public access to the waterways adjacent to the Community Maritime Park
 - Day use facility and tournament use only, no fuel or contaminating facilities
 - Bring a public venue and tourism supporting development of water related sporting tournaments and sporting access to Pensacola Bay.

- **Chappie James**

- The project has received other funding and is being implemented.

The Commissioners were requested to nominate two projects each for consideration by the full Board. Commissioner Underhill initially nominated the Port of Pensacola Berth 6 Restoration project but then withdrew his nomination based on the decision by City Council to conduct a Port Study and their seeming lack of commitment to the Port.

Hollice T. Williams – Stormwater Management and Recreational Facilities Project



Budget: \$3,764,000

- The proposed project will construct dual use stormwater and recreational use areas within the Hollice T. Williams Park and I-110 Corridor.
- It will aid in collection of stormwater providing relief to diverse and historical neighborhoods in flood prone areas.
- Provide for multi-use recreational areas and practice fields
- Tie in current recreational features such as the Hunter Pool, Tennis Courts, Basketball courts, practice fields and the future skate park and amphitheater with walking trails, benches and cultural interpretation reflecting the neighborhood and community history.

Benefits:

- Reconnects the Long Hollow and Eastside neighborhoods with needed recreational amenities and recognition of the community's history
- Provides additional practice areas supporting Magee Field
- Provides support for future recreational activities such as an amphitheater and skate park
- Enhances community health by access to recreation facilities and walking trails
- Ties in with County Delano Tract Stormwater Management project
- Provides flood relief for the Long Hollow, IHMC and Aragon neighborhoods
- Leverages \$140,000 annually for match from the City Stormwater Utility Fee
- Leverages County funds expended for upstream stormwater capacity

Project: Port of Pensacola Maritime Infrastructure Berth 6 Restoration



RESTORE Budget Request: \$3,750,000
Leveraged FSTED Funding: \$3,127,000
Future FSTED: \$8,273,000
Port/City funds for other costs: \$ 50,000

Talking points:

- RESTORE Act specifically cites Port Infrastructure as an eligible activity
- Port of Pensacola is one of only three ports in the Disproportionately Affected Counties
- Berth 6 is closed due to needed repairs reducing port capability by 20% and loss of flexibility to accommodate vessel calls
- Project provides for economic development, infrastructure restoration and storm water quality improvements
- Increase port jobs
- This project is partially funded and ready for Implementation
- Very high match/leverage

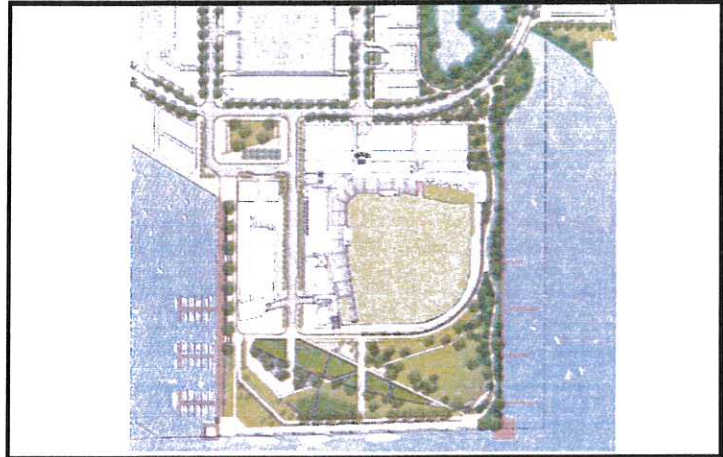
47 – Maritime Sports Tourism Development Project/ Maritime Infrastructure Project

Dewberry Score: 45

RAC Score: TBD

Budget: \$2,100,000

Other Funding Source?:
LOST, Triumph, EDA, TDT



- **Description:** This project proposes to examine and construct a marina providing public access to the waterway adjacent to Maritime Park - home of Wahoos Baseball. This project will bring a public venue and tourism product online, supporting the continued development of water related sporting tournaments and marine tourism events increasing waterway usage in Pensacola Bay.

**Proposal for Assisting in the Redrafting of Pensacola Ordinances
and Evaluation of Related Homeless Services**

by

Marbut Consulting

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March 31, 2014

Lila S. Cox, Ph.D.
Council Executive
Pensacola City Council
The City of Pensacola
222 West Main Street
Pensacola, FL 32502

Dear Dr. Cox,

As you requested, this is proposal for work with a proposed start date of May 1, 2014.

As we talked about on the phone and while I was in Pensacola, continuing to deliver services in the same old way will yield the same old results. Communities that fail to make dramatic and consequential changes in how they deliver services will face an ever increasing number of homeless families and individuals.

As communities struggle to do much more with less, it has become incumbent upon local leaders to proactively address their own challenges with homelessness rather than hopelessly awaiting additional Federal or State support.

It is critical for communities to proactively retool their service structures from macro-level system restructurings to micro-level intra-agency improvements. Duplication and overlap must be eliminated and gaps must be filled. This includes how a municipality addresses the condition of homelessness through its ordinances.

I established Marbut Consulting in 1984, and since 2005, I have been solely focused on helping communities to dramatically reduce homelessness.

First as a volunteer, then as a senior staffer to the President of the United States and as a San Antonio City Councilperson/Mayor-Pro-Tem, and ultimately as the founding President/CEO of *Haven for Hope*, I have worked on homeless issues for more than three decades.

In 2007, frustrated by the lack of real improvement, and as part of the concept development phase for the *Haven for Hope* Campus, I conducted a nationwide best practices study of homeless services. After personally visiting 237 homeless service facilities in 12 states and the District of Columbia, I developed *The Seven Guiding Principles of Homeless Transformation*. These *Seven Guiding Principles of Transformation* are used in all aspects of my work to create holistically transformative environments in order to reduce homelessness.

Nationally renown *Haven for Hope* is the largest and most comprehensive “transformational campus” in the United States. The total campus sits on 37 acres with 15 major buildings and almost half a million square feet under roof. Total construction cost for *Haven for Hope* was about \$125 million. More than 80 faith-based, non-profit and government service partners work together in partnership to holistically and proactively help nearly 2,300 residents daily.

Since 2007, I have visited a total of 642 operations in 21 states, Washington, DC and Mexico , DF, and have helped dozens of communities to positively address their homeless issues.

Over the last couple of years, Marbut Consulting has been under contract with the following communities:

- Sarasota County and all of its contained municipalities including the City of Sarasota
- Daytona Beach, FL
- Fresno, CA
- St. Petersburg, FL (helped 24 other government jurisdictions as part of this contract)
- Clearwater, FL
- Key West, FL
- Panama City, FL
- Pinellas Park, FL
- Fort Smith, AR

A key to our success has been our ability to work with a wide range of parties and interests to develop logical and well-planned initiatives that are doable in the real world.

Marbut Consulting has been able to develop nuanced and sophisticated initiatives that have helped communities to dramatically reduce their homeless street populations while improving street graduation rates. Marbut Consulting has a phenomenal track record of success and has always delivered our work products on time and within budget.

Thank you for considering my proposal !!

Sincerely,

Robert Marbut

Robert G. Marbut Jr., Ph.D.
6726 Wagner Way
San Antonio, TX 78256

www.MarbutConsulting.com
www.RobertMarbut.org
MarbutR@aol.com
210-260-9696

Our Mission

Our mission is to create and implement strategic action plans, customized to each community, which provide system-wide holistic solutions that dramatically reduce homelessness.

Our Approach

We posit that there are much better ways to approach issues of homelessness than are being done in most communities. While traditional shelters may have graduation success rates of 5%-9%, transformative communities around the country have graduation success rates of 51%-84% of residents graduating from their programs. Transformative systems offer homeless individuals the option and ability to succeed by becoming self-sufficient, thereby dramatically reducing the homeless population within any given community. As such, we recognize the importance of customizing these systems to each unique community.

Many communities have had great successes in addressing homeless issues, so it is very possible to find customized solutions that work. Sadly, most communities think homelessness is an unaddressable challenge and therefore give up. Around the USA, communities have successfully been able to create sophisticated and nuanced initiatives that work. Grounded in national best practices, these efforts, although complex, are not complicated (a very important difference).

When analyzing the root causes of homelessness, it is critical to understand that the global homeless community is not homogeneous. In reality, there are very distinct subgroups, each with its own unique set of “homelessness triggers.” It is therefore very important not to create singular homogenous solutions for one aggregated homeless community. Instead, it is critical to understand the unique challenges of the different subgroups, and to be aware of the unique underlying triggers of homelessness within each subgroup.

One-size-fits-all solutions do not work. To be successful, a community must customize solutions for each homeless subgroup within their community. For example, rapid re-housing and housing first programs work great for families with children and recent first time homeless; however, “first-step” programs have shown to be more successful initial programs for chronic and super chronic individuals.

Most communities have at least the following major subgroups of homeless:

- Veterans (triggered by chronic and complex post-traumatic stress disorders)
- Families with Children (domestic violence triggered)
- Families with Children (divorce and financially triggered)
- First Time Recent Homeless (financially triggered)
- Chronic (1-5 years on the street with self-medicating mental health challenges)
- Super Chronic (5 years or more on the street who have not been in holistic programming).

Transformational Communities

The Seven Guiding Principles of Transformation, combined with the *Core Tenets of a Transformative System*, influence all aspects of how we develop plans to establish transformational communities:

- Overall service system design, structure and operations (eg systems approach)
- How the homeless community is engaged
- Selection and training of staff
- How volunteers are activated
- Engagement of the general public
- How buildings are designed
- How existing facilities are re-purposed
- Inter agency interfaces (government, faith-based and non-profit organizations).

The Seven Guiding Principles of Transformation **Moving from Enablement to Engagement**

1. Move to a Culture of Transformation (versus the Old Culture of Warehousing):

Homeless individuals must be engaged and no longer enabled. Everybody within the services delivery system (eg general public, media, elected politicians, appointed officials, boards, staffs/volunteers of service agencies and most importantly the homeless themselves) must embrace a culture of transformation. A transformative culture positively fosters individual transformation and reintegration into society. For moral and fiscal reasons, homelessness must become an unacceptable condition that is not tolerated in the USA.

2. Co-location and Virtual E-integration of as Many Services as Possible:

In order to increase success, all services within a service area must be e-integrated. Virtual e-integration improves coordination of services, enhances performance, reduces gaming of the system, engages individuals on the margin of society, and increases cost efficiencies within and between agencies. Furthermore, whenever financially possible, services should be co-located. Co-location goes beyond virtual e-integration by increasing the number of “service hits” into a shorter period of time through the reduction of wasted time in transit and minimization of mishandled referrals. Co-location also increases the supportive “human touch.”

3. Must Have a Master Case Management System That is Customized:

Because there are so many different service agencies helping homeless individuals (eg government at multi-levels, non-profits and faith-based), it is critical that ONE person coordinates the services an individual receives and to do so in a customized fashion. The

types of service provided are critical, but more important is the sequencing and frequency of customized services.

4. Reward Positive Behavior:

Positive behavior should be rewarded with increased responsibilities and more privileges. Privileges such as higher quality sleeping arrangements, more privacy and elective learning opportunities should be used as rewards. It is important that these rewards be used as tools to approximate the real world in order to increase sustainable reintegration into society.

5. Consequences for Negative Behavior:

Too often there are no consequences for negative behavior. Unfortunately, this sends a message that bad behavior is acceptable. Within the transformational process, it is critical to have swift and proportionate consequences.

6. External Activities Must Be Redirected or Stopped:

External activities such as “street feeding” must be redirected to support the transformation process. In most cases, these activities are well-intended efforts by good folks, however these activities are very enabling and often do little to engage homeless individuals. Street feeding programs without comprehensive services actually increase and promote homelessness. Street feeding groups should be encouraged to co-locate with existing comprehensive service programs.

7. Panhandling Enables the Homeless and Must Be Stopped:

Unearned tax-free cash is very enabling and does not engage homeless individuals in job and skills training which are needed to end homelessness. Additionally, most often cash is not used for food and housing but rather for drugs and alcohol which further perpetuates the homeless cycle. Homeless individuals who are panhandling should be engaged in the transformational process. Furthermore, many panhandlers are not truly homeless individuals but are predators of generous citizens.

Proposed Scope of Work and Project Phases

Based on work with other communities, Marbut Consulting proposes the following project phases. Some of these phases run in sequence, while other phases overlap. These phases can be customized if so desired by the funding agency. Throughout these phases, homelessness will be observed from a variety of vantage points: homeless individuals, homeless families with children, agency staffs, volunteers, upstream funders, government officials, civic community leaders, businesses, the media and the general public.

Phase 1 - Being Homeless in Pensacola:

One of the most important fact-finding techniques is to observe homelessness from the point of view of a homeless person rather than from an agency and/or government perspective. If one only observes homelessness from a service-provider perspective, he or she will only develop agency-centric solutions. Therefore, the Consultant will become homeless at the street level in Pensacola.

Phase 2 - Inventory of Services:

In order to help the City of Pensacola's ordinance review task-force, it is critically important for the Consultant to have a basic understanding of the types and quantities of service being provided throughout the region. Therefore, the Consultant will perform an inventory of homeless services in Pensacola and conduct site visits to homeless services providers.

Phase 3 - Needs Assessment:

The Consultant will conduct a needs assessment of types of services (qualitative) and capacity of services (quantitative) needed in Pensacola in regards to the possible application of existing and proposed ordinances. This will require street level observations and analysis of as much data as the Consultant can gather from Point-in-Time-Counts (PITCs), Homeless Management Information System reports (HMIS), agency reports, etc.

Phase 4 - Gap Analysis:

The Consultant will conduct a gap analysis of services between existing inventory and identified needs in regards to the possible application of existing and proposed ordinances.

Phase 5 - Subject Matter Expert (SME) to the Ordinance Review Task-force:

The Consultant will be a subject matter national best practices expert to the ordinance review task-force. As part of this process, the Consultant will conduct in person meetings with government staff members, elected officials, and leaders from businesses, civic groups, educational institutions, faith-based entities and service agencies. The Consultant will attend 2-4 task-force meetings between May 1, 2014 and August 31, 2014. When possible, the Consultant will participate on conference calls with the task-force and/or City staff.

Notes About Scope of Work:

- System improvements will likely “organically” materialize during the gap analysis and national best practice reviews. During this time frame, Marbut Consulting will go beyond “study/report” and suggest to appropriate agencies/organizations improvement opportunities that naturally arise throughout this “journey.”
- This proposal is for the “study and development of recommendations” phase only, and does not cover any “operational” efforts.

Marbut Consulting

Marbut Consulting was established in 1984 as a *sole proprietorship* by Robert G. Marbut Jr.

Originally, Marbut Consulting focused on public policy and marketing. Since 2005, Marbut Consulting has solely focused on homeless services consulting. Dr. Marbut has visited a total of 636 operations in 21 states, plus Washington, DC and Mexico City.

Marbut has helped dozens of communities to address issues of homelessness, his most comprehensive work was the start-from-scratch to opening of *Haven for Hope* in San Antonio.

Nationally renown *Haven for Hope* is the largest and most comprehensive “transformational campus” in the United States. The total campus sits on 37 acres with 15 major buildings and almost half a million square feet under roof. Total construction cost for *Haven for Hope* was about \$125 million. More than 80 faith-based, non-profit and government service partners work together in partnership to holistically and proactively help nearly 2,300 residents daily.

In the couple of years, Marbut Consulting has been under contract with the following communities:

- County of Sarasota
- City of Sarasota plus the cities of Venice, Long Boat Key and North Port
- Daytona Beach, FL
- Fresno, CA
- St. Petersburg, FL (as part of the contract helped 24 other government jurisdictions)
- Clearwater, FL
- Key West, FL
- Panama City, FL
- Pinellas Park, FL
- Fort Smith, AR

In addition, over the couple of years, Robert Marbut has conducted community forums for:

- Sarasota, FL
- Key West, FL
- Daytona Beach, FL
- Beaumont, TX
- Bay County, FL
- Manatee and Sarasota Counties, FL

Marbut Consulting has a phenomenal track record of successes and has always delivered its work products on time at or below bid price.

Professional/General Liability Insurances

Marbut Consulting carries the following insurance policies (certificates available on request):

Professional Errors and Omissions Liability Coverage - - \$1,000,000.00 annual aggregate with Philadelphia Indemnity Insurance Company (USAA).

Commercial General Liability Coverage - - \$2,000,000.00 Liability and Medical Expenses and \$2,000,000.00 Personal and Advertising Injury with a general aggregate of \$4,000,000.00 with The Harford (USAA).

Short Resume of Robert G. Marbut Jr.

First as a volunteer, then later as a San Antonio City Councilperson/Mayor-Pro-Tem and a homeless service agency President/CEO, Dr. Robert Marbut has worked on homeless issues for more than three decades.

In 2007, frustrated by the lack of real improvement, and as part of the concept development phase for the *Haven for Hope Campus*, Dr. Marbut conducted a nationwide best practices study of homeless services. After personally visiting 237 homeless service facilities in 12 states and the District of Columbia, he developed *The Seven Guiding Principles of Homeless Transformation*. Since then, Dr. Marbut has visited a total of 642 operations in 21 states, plus Washington, DC and Mexico City.

These *Seven Guiding Principles of Transformation* are used in all aspects of his work to create holistically transformative environments in order to reduce homelessness.

Dr. Marbut was a White House Fellow to President George H.W. Bush and a former chief of staff to San Antonio Mayor Henry Cisneros.

He earned a Ph.D. from The University of Texas at Austin, Austin, Texas in International Relations (with an emphasis in international terrorism and Wahhabism), Political Behavior and American Political Institutions/Processes from the Department of Government.

He also has two Master of Arts degrees, one in Government from The University of Texas at Austin and one in Criminal Justice from the Claremont Graduate School. His Bachelor of Arts is a Full Triple Major in Economics, Political Science and Psychology (Honors Graduate) from Claremont McKenna (Men's) College.

Dr. Marbut also has completed three post-graduate fellowships, one as a White House Fellow (USA's most prestigious program for leadership and public service), one as a CORO Fellow of Public and Urban Affairs and one as a TEACH Fellow in the Kingdom of Bahrain and the State of Qatar (1 of 13 USA educators selected).

Contact Information:

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Politics of Homelessness

Unfortunately, for a variety of reasons, attempts to reduce homelessness have become very political.

Agency-centric Politics:

Because of agency egos, and competition for funds and volunteers, inter-agency politics are often the number one reason why holistic system improvements are not made. Sadly, this hurts the very individuals and families these agencies are supposed to be helping.

Far-left v. Far-right:

Both the far-left and far-right have inaccurate understandings of the root causes of homelessness. These unfounded views of homelessness lead to very unproductive proposals that often lead to inaction. True success occurs in the logical middle. Communities that have realized dramatic decreases in homelessness have all pursued solution-oriented plans of action rather than extreme dogmatic approaches.

Dogmatic One-size-fits-all Approaches:

There are many advocates that promote one-size-fits-all programs. Sadly, many of these efforts are overly simplistic and naive, are not grounded in facts and simply do not work for everyone. Some of these advocates are very well intended, while others have deep self-interest tied to their proposals. Successful initiatives are grounded in the knowledge that different homeless sub-groups need different types of help, and different approaches work better for different groups.

Sensational Media Coverage:

There is a tendency within the media to cover the extreme points of view and/or to selectively focus on narrow issues out of context. Sophisticated and holistic solutions that really work are often very nuanced and non-sensational and are thus not covered by the media. Too often media outlets do not take the time to truly “learn” the real issues around homelessness, but instead focus on fringe advocates.

“Criminalization”:

Laws are important for a civil society to operate and help to establish appropriate levels of behavior, but arresting homeless individuals has never ended homelessness. Voluntary compliance and engagement are the preferred approaches and have proven to be more sustainable. Enforcement should be used as a last resort and only after all other engagement activities have been tried.

Outcomes

Marbut Consulting has developed a unique systems-approach that has been able to help communities to streamline their overall service delivery systems by increasing efficiencies and improving effectiveness.

In terms of outcomes, Robert Marbut has been able to help communities reduce street homelessness by 79-93% and to significantly increase the rate of street “graduations” while improving the cost-of-delivery per person ratios.

News Stories About Marbut Consulting Activities

With 17,000 Homeless in Tampa Area, Public-private Partnerships Are Doing Something to Help.

National *CBS Evening News* by Phil Hirschhorn - - August 26, 2012:

http://www.cbsnews.com/8301-18563_162-57500598/tampa-area-has-nations-highest-homelessness-rate/?tag=showDoorFlexGridLeft;flexGridModule

St. Pete Making Progress with Legions of Homeless.

Associated Press/MSNBC by Mitch Stacy - - September 5, 2011:

http://www.msnbc.msn.com/id/44398996/ns/us_news-life/

Undercover Contractor Assessing Homeless: Consultant Has Studied What Works and What Doesn't for Cities Nationwide.

The Tampa Tribune by Andrew Ford - - July 31, 2011:

<http://www2.tbo.com/news/breaking-news/2011/jul/31/menewso13-undercover-contractor-assessing-homeless-ar-247472/>

Fort Smith Homeless Study Reveals Shortfalls, Positives

Times Record [Fort Smith, AR] by Ben Boulden - - January 22, 2012:

http://sw.swtimes.com/week-in-review/news/article_0cf04986-451a-11e1-9f61-0019bb2963f4.html

Homeless Expert to Speak at Forum: Consultant Has Brought Successful Solutions Elsewhere.

The Citizen [Key West, FL] by Gwen Filosa - - September 22, 2011:

<http://keysnews.com/node/34691>

Project Profiles

Haven for Hope: The Largest "Transformational Campus" in the USA:

Nationally renown, *Haven for Hope* is the largest and most comprehensive "transformational campus" in the United States. The total campus sits on 37 acres with 15 major buildings and almost half a million square feet under roof. Total construction cost for *Haven for Hope* was about \$125 million. Over 80 faith-based, non-profit and government service partners work together to holistically and proactively help nearly 2,100 residents daily. Robert Marbut was the founding President and CEO.

St. Petersburg & Pinellas County: Restructuring the Entire Homeless Continuum of Care:

Through strategic level improvements, Marbut Consulting worked closely with the City of St. Petersburg, Florida and a wide range of Pinellas County agencies to restructure and re-brand the entire continuum of care for homeless veterans, males, females and families with children. Improvements range from macro-level governance streamlining to agency-level enhancements to the creation of Pinellas Safe Harbor. St. Petersburg realized dramatic drops in street level homelessness (drops of 85-93%).

Pinellas Safe Harbor: The Second Largest "First-Step" Program in the USA:

Pinellas Safe Harbor, located in mid-Pinellas County (Tampa Bay metro area), was designed as a "First-Step" transformational housing portal for chronic homeless adult men and women. In less than three months, Pinellas Safe Harbor became the largest residential facility in Pinellas County. And in five months, it became the second largest "first-step" facility in the United States. It was featured on *CBS Evening News* during the 2012 GOP Convention and *NFL Productions* taped a segment in August for future airing. Robert Marbut was the chief designer and strategic developer of the facility.

Fort Smith, AR: Assessing the Feasibility of a Transformational Campus:

The Old Fort Homeless Coalition - appointed by the City of Fort Smith, Arkansas - contracted with Marbut Consulting to develop recommendations to address matters concerning homelessness and homeless service agencies. Marbut Consulting, worked with the Coalition to strategically assess the feasibility of a Homeless Transformation Campus with a connected "First-Step" program for chronic homeless men and women.

Clearwater, FL: Identifying/Implementing Strategic Improvements in Homeless Services:

Marbut Consulting was contracted by the City of Clearwater to assess the local homeless environment and propose a detailed list of strategic improvements. Recommendations spanned 11 Functional Areas and amounted to a total of 47 Action Items, all of which were approved by City Council. Street homelessness has dropped over 81%.

Client References

Sarasota, Florida:

Assistant County Administrator - Lee Ann Lowery
941+861-5910 / LLowery@scgov.net

Director of Homeless Services - Wayne Applebee
941+861-2577 / wapplebee@scgov.net

Clearwater, Florida:

City Manager - Bill Horne
727+562-4046 work / william.horne@MyClearwater.com

Director of Homeless Services - Katerina Gerakios
727+562-4047 work / 727+642-5686 cell / Ekaterini.Gerakios@MyClearwater.com

St. Petersburg, Florida:

Former Director of Homeless Services - Rhonda Abbott
(Now Associate Vice President of United Way Suncoast)
813+274-0908 / rabbott@uwsuncoast.org

Former City Council Chair - Leslie Curran
727+433-1128 cell

Fort Smith, Arkansas:

Director Ft. Smith Housing Authority - Ken Pyle
479+782-4991 extension 15 work / 479+651-0292 cell / kpyle@fortsmithha.com

Panama City, Florida:

Homeless Task Force Coordinator - Lynn Cherry
850+215-4651 work / 850+293-0665 cell / lcherry@cdc-s.com

Pinellas County Sheriff:

Pinellas Safe Harbor Director - Lt. Sean McGillen
727+464-6340 work / 727+599-6907 cell / smcgillen@pcsonet.com

Term of Services

The proposed term of services would be from May 1, 2014 to September 31, 2014.

Monthly Consultant Fee

Marbut Consulting would charge a monthly discounted consulting fee of \$5,961 per month for four months and then provide one month of services pro bono. This monthly consulting fee includes on-site visits as well as off-site research, conference-calls, e-mails and writing. The \$5,961 monthly fee would be paid on June 15, 2014, July 15, 2014, August 15, 2014 and September 15, 2014. Assuming a contract is consummated by May 1, 2014, a \$3,000.00 credit will be given toward the first month fee. If new terms are mutually agreed to, this contract can be extended.

Expenses

In addition to the monthly consulting fee, expenses would be reimbursed as follows throughout the term of this agreement:

- Air flights (assuming no major pricing changes, this would be capped at \$800 per flight)
- Rental car (about \$49 per day plus taxes/fees - Marbut would pay for all insurances)
- Gas for rental car
- Hotel (capped at government rate when available plus any applicable taxes)
- GSA per diem rate of \$46 per day for each day traveling (flat rate, not pro rata)
- Parking at airport (about \$20 per day)
- All other expenses would require prior approval

Marbut would travel to Pensacola for four to five trips during the term of this contract.

There would be an overall hard-cap of \$9,156 for expenses and a total project hard-cap of \$30,000 (for May 1, 2014 to September 31, 2014).

Sec. 8-1-25. - Panhandling.

- (1) *Legislative findings:* The City Council of the City of Pensacola, Florida, hereby makes the following findings:
- (a) Aggressive soliciting, begging or panhandling warrants justifiable alarm or immediate concern for the safety of persons or property and can cause apprehension and fear in the intended target of the soliciting, begging or panhandling.
 - (b) Soliciting, begging or panhandling on the public roadways or rights-of-way creates a safety hazard for both pedestrians and those travelling upon the roadways and rights-of-way, and poses a disruption to the free flow of traffic.
 - (c) The City of Pensacola has a significant interest in protecting the health, safety and welfare of those peacefully moving about within the city.
- (2) *Definitions.*
- (a) *Arterial roadway* means a roadway providing service which is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. In addition, every United States numbered highway is an arterial road.
 - (b) *Begging* means, for purposes of this section only, the same as soliciting, below.
 - (c) *Community outreach services* means a public or private services provider that offers residential, rehabilitative, medical or social services assistance, including, but not limited to, mental health treatment, drug or alcohol rehabilitation or homeless assistance services for individuals in need thereof. One example of an entity that can help individuals access such services is First Call For Help.
 - (d) *Community redevelopment areas* means those areas of the city the city council has found to be areas of slum and blight as set forth in F.S. §§ 163.330—163.463. The city's community redevelopment area for the purposes of this act is the Urban Core Community Redevelopment Area described in Ordinance No. 13-84, bounded by the west by "A" Street; on the north by Cervantes Street; on the east by 17th Avenue, the L&N Railroad trestle and the mouth of Bayou Texar; and on the south by Pensacola Bay. The city council may establish additional community redevelopment areas pursuant to F.S. §§ 163.330—163.463.
 - (e) *Panhandling* means, for purposes of this section only, the same as soliciting, below.
 - (f) *Soliciting* means, for purposes of this section only, any request made in person on a street, sidewalk or public place, asking for an immediate donation of money or other thing of value, including the purchase of an item or service for an amount far exceeding its value, under circumstances where a reasonable person would understand that the purchase is a donation. Soliciting shall not include passively standing or sitting with a sign or other indication that one is seeking donations without addressing the request to any specific person.
- (3) *Soliciting prohibited in certain areas or under certain circumstances.* It shall be unlawful for any person to solicit, beg or panhandle in the city limits of the City of Pensacola in the following areas or under the following circumstances:
- (a) On any day after sunset, or before sunrise; or
 - (b) When either the panhandler or the person being solicited is located at any of the following locations:
 - 1. At a bus stop.
 - 2. In any public transportation vehicle.
 - 3. In any public transportation facility.
 - 4. In a vehicle which is parked or stopped on a public street or alley.

5. In a sidewalk cafe.
 6. Within twenty (20) feet from any ATM machine or entrance to a financial institution.
 7. Within twenty (20) feet of a public toilet facility.
 8. From any operator of a motor vehicle that is in traffic on a public street; provided, however, that this prohibition shall not apply to services rendered in connection with emergency repairs requested by the owner or passengers of such vehicle; or
- (c) In an aggressive manner, to include any of the following:
1. Touching the solicited person without the solicited person's consent.
 2. Panhandling a person while such person is standing in line and/or waiting to be admitted to a commercial establishment.
 3. Blocking, either individually or as part of a group of persons, the path of a person being solicited, or the entrance to any building or vehicle.
 4. Following behind, ahead or alongside a person who walks away from the panhandler after being solicited.
 5. Using profane or abusive language, either during the solicitation or following a refusal to make a donation, or making any statement, gesture, or other communication which would cause a reasonable person to be fearful or feel compelled.
 6. Panhandling in a group of two (2) or more persons, or
- (d) Within five hundred (500) feet of the intersection of two (2) arterial roads in the Urban Core Community Redevelopment Area (CRA):

Main Street and Palafox Street

Bayfront Parkway and 9th Avenue

Garden Street and North Palafox Street

Chase and North Palafox Street

Cervantes and North Palafox Street

East Cervantes Street and 9th Avenue

East Gregory Street and 9th Avenue

East Gregory Street and Bayfront Parkway

East Chase Street and 9th Avenue

East Chase Street and Bayfront Parkway

North Alcaniz Street and East Chase Street

North Alcaniz Street and East Cervantes Street

North Davis Highway and East Cervantes Street

- (4) *Penalties.* Violation of this section shall be enforced by application of the penalties set forth in section 1-1-8 of the Code of the City of Pensacola, Florida.

In addition, the officer issuing a citation under this article may elect to contact community outreach services, such as United Way's First Call For Help, in order to determine whether a referral can be made or services offered to assist the individual cited. In the event the officer is unable to contact community outreach

services at the time of the officer's contact with the person accused of violating this section, the officer may supply the person with information sufficient for the person to make such contact at a later time.

(Ord. No. 20-13, § 1, 6-13-13)

ARTICLE VIII. - SOLICITING, BEGGING OR PANHANDLING

Sec. 86-250. - Legislative findings.

The board of county commissioners hereby makes the following legislative findings:

- (1) Aggressive soliciting, begging or panhandling warrants justifiable alarm or immediate concern for the safety of persons or property and can cause apprehension and fear in the intended target of the soliciting, begging or panhandling.
- (2) Soliciting, begging or panhandling on the public roadways or rights-of-way creates a safety hazard for both pedestrians and those travelling upon the roadways and rights-of-way, and poses a disruption to the free flow of traffic.
- (3) Escambia County has a significant interest in protecting the health, safety and welfare of those peacefully moving about within the county.
- (4) Studies have shown that soliciting, begging or panhandling has a negative impact on the attraction of businesses to the area as well as the ability to retain existing businesses.
- (5) Studies have shown that soliciting, begging or panhandling causes a sense of fear and intimidation, particularly at night, on roadways or in confined areas; and
- (6) Studies have shown that soliciting, begging or panhandling contributes to the negative perception of those areas where it occurs, which discourages shoppers and visitors and contributes to the lack of enjoyment of public places within those areas.

(Ord. No. 2007-8, § 1, 3-5-2007; Ord. No. 2011-35, § 2, 11-17-2011; Ord. No. 2015-4, § 1, 2-5-2015)

Sec. 86-251. - Definitions.

- (a) *Arterial roadway* means a roadway providing service which is relatively continuous and of relatively high traffic volume, long trip length, and high operating speed. In addition, every United States numbered highway is an arterial road.
- (b) *Begging* means, for purposes of this section only, the same as soliciting, below.
- (c) *Community outreach services* means a public or private services provider that offers residential, rehabilitative, medical or social services assistance, including, but not limited to, mental health treatment, drug or alcohol rehabilitation or homeless assistance services for individuals in need thereof. One example of an entity that can help individuals access such services is First Call For Help.
- (d) *Community redevelopment areas* means those areas of the county the board of county commissioners has found to be areas of slum and blight as set forth in F.S. §§ 163.330—163.463. Escambia County's community redevelopment areas include the Barrancas Redevelopment Area, Brownsville Redevelopment Area, Cantonment Redevelopment Area, Englewood Redevelopment Area, Palafox Redevelopment Area, Ensley Redevelopment Area, Oakfield Redevelopment Area and Warrington Redevelopment Area and these areas are set forth in the map made a part of Ordinance No. 2011-35. The board of county commissioners may establish additional community redevelopment areas pursuant to F.S. §§ 163.330—163.463.
- (e) *Panhandling* means, for purposes of this section only, the same as soliciting, below.
- (f) *Soliciting* means, for purposes of this section only, any request made in person on a street, sidewalk, or public place, asking for an immediate donation of money or other thing of value, including the purchase of an item or service for an amount far exceeding its value, under circumstances where a

reasonable person would understand that the purchase is a donation. Soliciting shall not include passively standing or sitting with a sign or other indication that one is seeking donations without addressing the request to any specific person.

(Ord. No. 2007-8, § 1, 3-5-2007; Ord. No. 2011-35, § 2, 11-17-2011; Ord. No. 2015-4, § 1, 2-5-2015)

Sec. 86-252. - Soliciting, begging or panhandling prohibited in certain areas or under certain circumstances.

It shall be unlawful for any person to solicit, beg or panhandle in the unincorporated areas of Escambia County in the following areas or under the following circumstances:

- (1) On any day after sunset, or before sunrise; or
- (2) When either the panhandler or the person being solicited is located at any of the following locations:
 - a. At a bus stop.
 - b. In any public transportation vehicle.
 - c. In any public transportation facility.
 - d. In a vehicle which is parked or stopped on a public street or alley.
 - e. In a sidewalk cafe.
 - f. Within 20 feet from any ATM machine or entrance to a bank.
 - g. Within 20 feet of a public toilet facility.
 - h. From any operator of a motor vehicle that is in traffic on a public street; provided, however, that this prohibition shall not apply to services rendered in connection with emergency repairs requested by the owner or passengers of such vehicle; or
 - i. Within one-half mile of any exit or entry ramp to Interstate I-10 or Interstate I-110.
- (3) In an aggressive manner, to include any of the following:
 - a. Touching the solicited person without the solicited person's consent.
 - b. Panhandling a person while such person is standing in line and waiting to be admitted to a commercial establishment.
 - c. Blocking the path of a person being solicited, or the entrance to any building or vehicle.
 - d. Following behind, ahead or alongside a person who walks away from the panhandler after being solicited.
 - e. Using profane or abusive language, either during the solicitation or following a refusal to make a donation, or making any statement, gesture, or other communication which would cause a reasonable person to be fearful or feel compelled.
 - f. Panhandling in a group of two or more persons; or
- (4) Within 500 feet of the intersection of two arterial roads in any community redevelopment area (CRA). The intersections of two arterial roads that fall within a community redevelopment area in the unincorporated areas of Escambia County are:

*Arterial/Arterial Intersections Located in
Community Redevelopment Areas*

Warrington Redevelopment Area :

US 98 (SR 30) and Navy Blvd. (SR 295)
New Warrington Rd. (SR 295) and Navy Blvd. (SR 295)
New Warrington Rd. (SR 295) and Chief's Way (SR 294)
Navy Blvd. (SR 295) and Chief's Way (SR 294)
Gulf Beach Hwy. (SR 292) and Navy Blvd. (SR 295)
Gulf Beach Hwy. (SR 292) and Fairfield Dr. (SR 727)

Palafox Redevelopment Area :

Fairfield Dr. (SR 295) and Pace Blvd. (SR 292)
Palafox St. (SR 95) and Brent Lane (SR 296)
"W" St. (CR 453) and Beverly Pkwy. (SR 296)
Pace Blvd. (SR 292) and Palafox St. (SR 95)
Fairfield Dr. (SR 295) and Palafox St. (SR 95)
Fairfield Dr. (SR 295) and "W" St. (CR 453)

Englewood Redevelopment Area :

Fairfield Dr. (SR 295) and "W" St. (CR 453)
Fairfield Dr. (SR 295) and Pace Blvd. (SR 292)

Barrancas Redevelopment Area :

None.

Brownsville Redevelopment Area :

New Warrington Rd. (SR 295) and Mobile Hwy. (SR 10A)
Mobile Hwy. (SR 10A) and "W" St. (CR 453)
Fairfield Dr. (SR 727) and New Warrington Rd. (SR 295)
New Warrington Rd. (SR 295) and Mobile Hwy. (SR 10A)-Interchange Overpass
Lillian Hwy. (SR 298) and New Warrington Rd. (SR 295)
Lillian Hwy. (SR 298) and New Warrington Rd. (SR 295)-Interchange Overpass

Cantonment Redevelopment Area :

None.

Ensley Redevelopment Area :

Pensacola Blvd (SR 750/US Hwy 29) and East Nine Mile Road (US Hwy 90)

Oakfield Redevelopment Area :

Airport Blvd (SR 750) and Interstate 110 Ramp (SR 8A)
Burgess Road (SR 742) and Pensacola Blvd (SR 720/US Hwy 29)

Note: Some intersections are listed in two CRAs since some of their boundaries are adjacent.

(Ord. No. 2007-8, § 1, 3-5-2007; Ord. No. 2011-35, § 2, 11-17-2011)

Sec. 86-253. - Penalties.

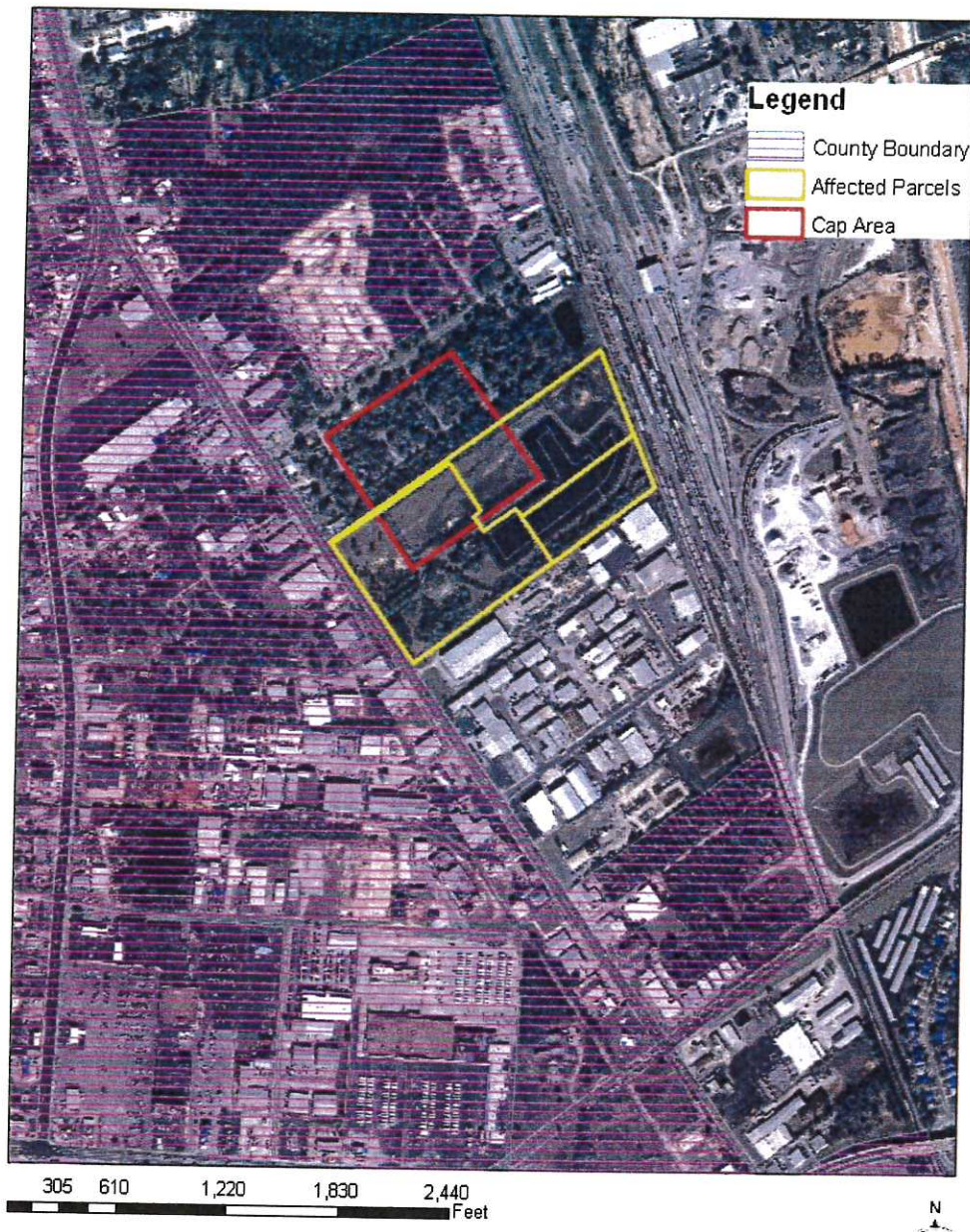
Any person convicted of violating this article shall be prosecuted in the same manner as a misdemeanor in the second degree, and upon conviction shall be punished by a fine not to exceed \$500.00, or imprisonment in the county jail not to exceed 60 days, or by both such fine and imprisonment.

In addition, the officer issuing a citation under this article may elect to contact community outreach services, such as United Way's First Call for Help, in order to determine whether a referral can be made or services offered to assist the individual cited. In the event the officer is unable to contact community outreach services at the time of the officer's contact with the person accused of violating this article, the officer may supply the person with information sufficient for the person to make such contact at a later time.

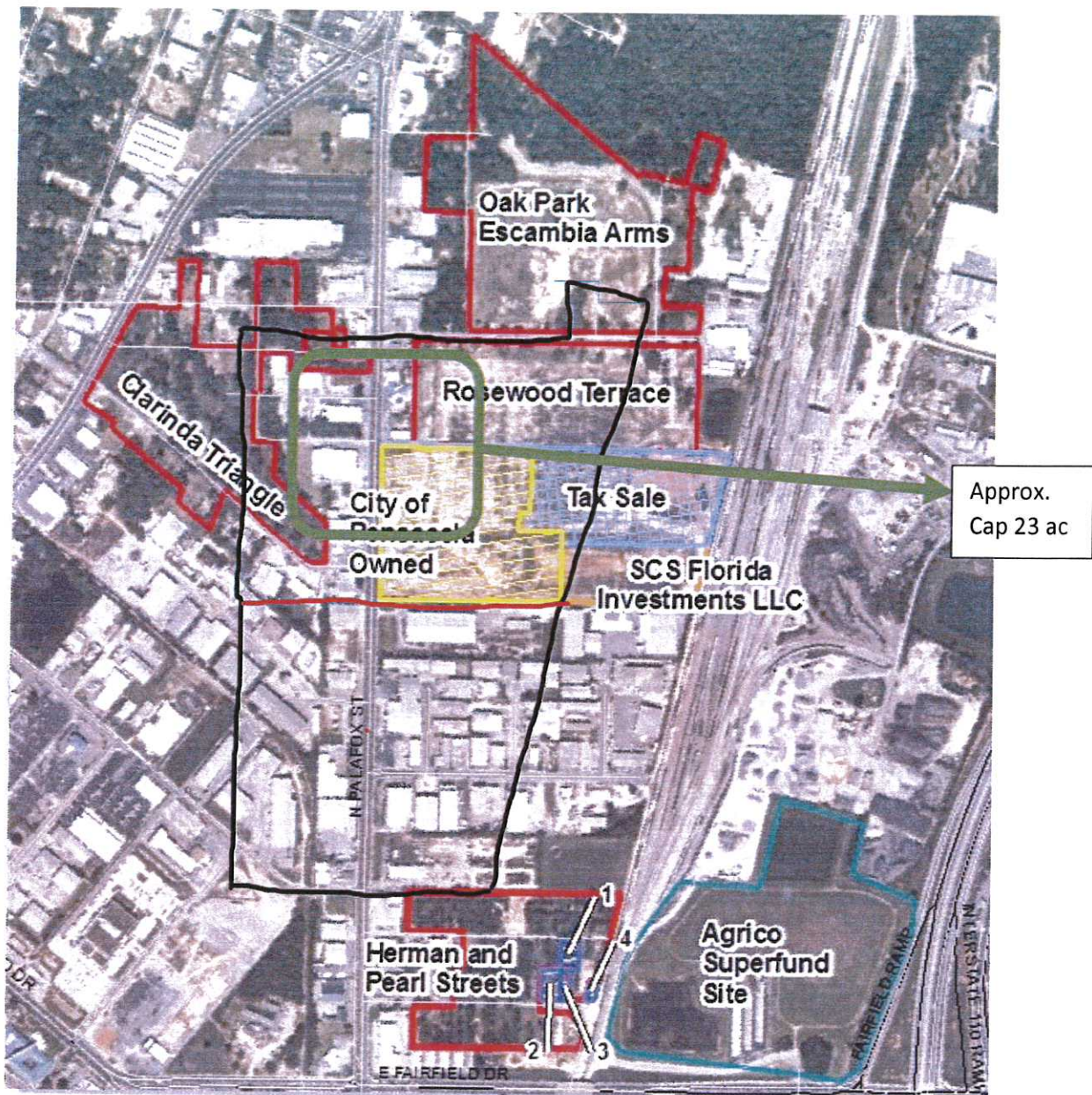
(Ord. No. 2007-8, § 1, 3-5-2007; Ord. No. 2015-4, § 1, 2-5-2015)

Item I

Midtown Commerce Park (aka Escambia Treating Superfund site) Redevelopment and Reuse



Council Notes for January 30, 2017 Joint City Council – Board of County Commissioners
Meeting



ETC Parcel Acreages		City	County
Rosewood Terrace	13.34	13.34	
3 actual ETC parcels	31.32	31.32	
Escambia Arms	26.6		26.6
Herman pearl	13.6		13.6
Clarinda	14.09		14.09
Total	98.95	44.66	54.29 (40.02 w/o Clarinda)

Human Health Risk

- Soil is fully cleaned up and encapsulated within a 23-acre cell
- Groundwater (all offsite) will require several acres and take several decades to remediate
- Soil contamination reduced to below commercial standards
- EPA: "Site is ready for redevelopment and protective of human health under commercial reuse".

Reuse

- Approximately 85 acres east of Palafox
- Small to large scale commercial development
- Zoned Industrial and/or Commercial
- Water, sewer, electric and natural gas utilities available
- Intermodal access: Train, Port, Airport, Interstate

2003 Estimate Economic Impact

- 650,000 sq ft business facilities
- 1,714 mfg, trade and service jobs
- 3,244 Indirect and direct jobs
- \$132M in income
- \$4.4M local tax revenues
- \$418M business to business sales
- \$274M Direct spending

Path Forward

- City Annexation
 - County owned and operated
 - PEDC owned and operated
 - Other EDC owned and operated
- Governance
 - City / County appointed Board
 - PEDC/EDC Board
 - Joint City / County electeds
- Financial Alternatives
 - Shared Revenue and Expense
 - TIF Revenue
 - Lease Fees
 - Ad Valorem
 - Other

Considerations

- City annexation brings both jurisdictions resources to bear
- City Fire Insurance rates help offset City millage
- City Fire and police response times
- City natural gas incentives
- Satellite Port operations leverage

Considerations

- Incorporates existing Palafox Industrial Park and Midtown Commerce Park development into coordinated planning and marketing initiatives lifting all area properties;
- Remember: Jurisdiction and ownership are not the same thing

Recommendations

- City to Annex Property
- Return 15 acre parcel to County at no cost
- Engage Counsel to Advise
- County or PEDC own develop and operate
- Collaborative Financing on Revenues and Costs between:
 - City
 - County
 - PEDC
 - CRA TIF
 - EDO TIF District
 - Appraisal Appreciation
 - Lease Fees
 - Grants



R Street at Maggie's Ditch Stormwater Project

SITE LOCATION
April 2016

Item
I:



1



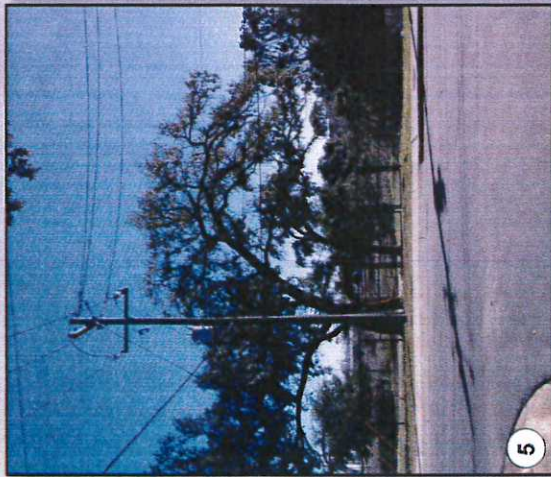
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3



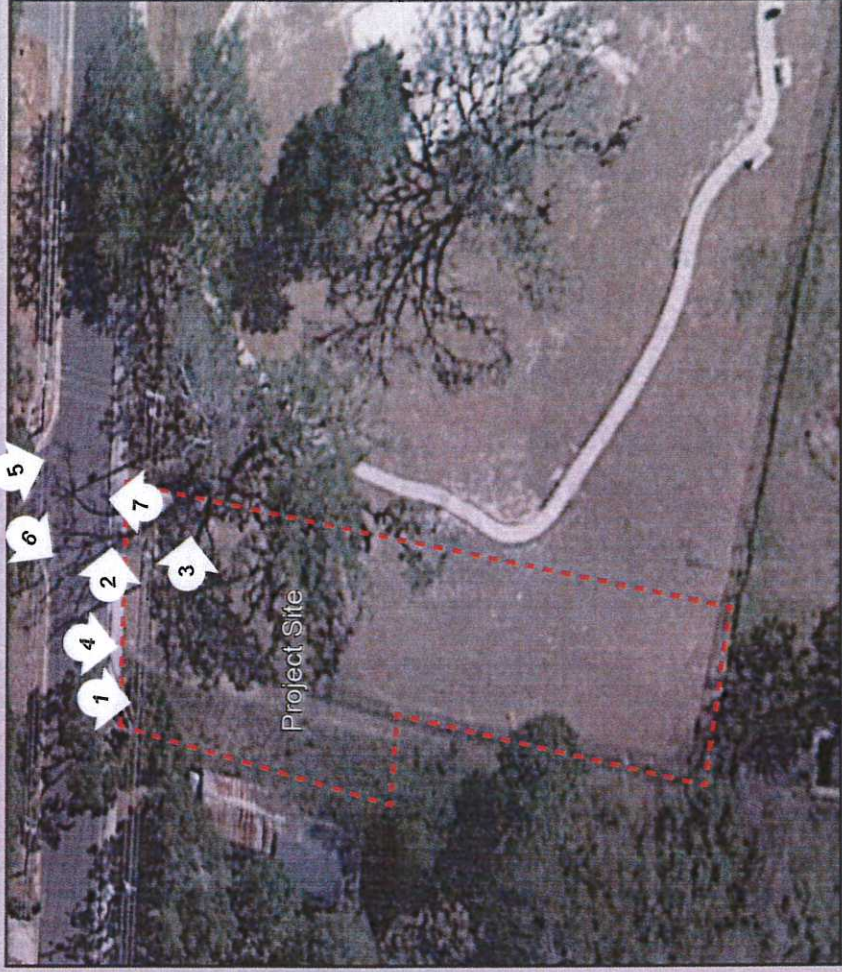
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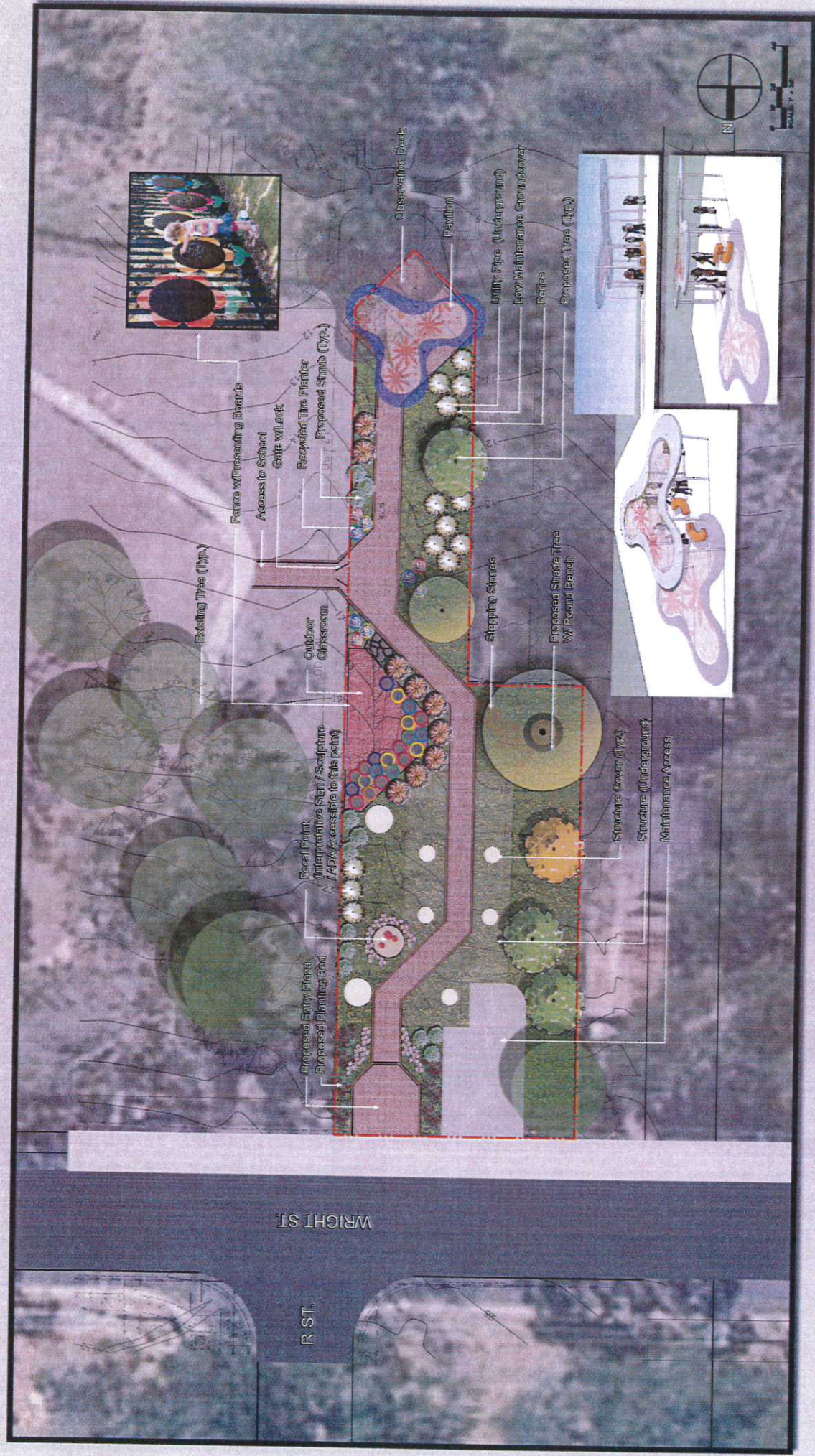
Project Site



7

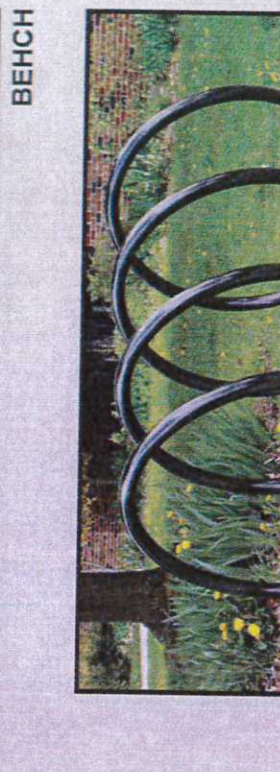
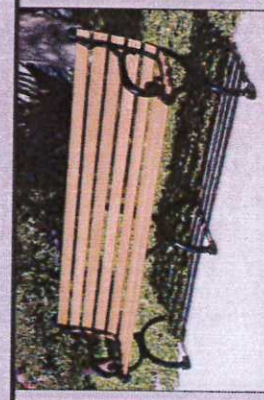
R Street at Maggie's Ditch Stormwater Project

SITE PHOTOS
April 2016

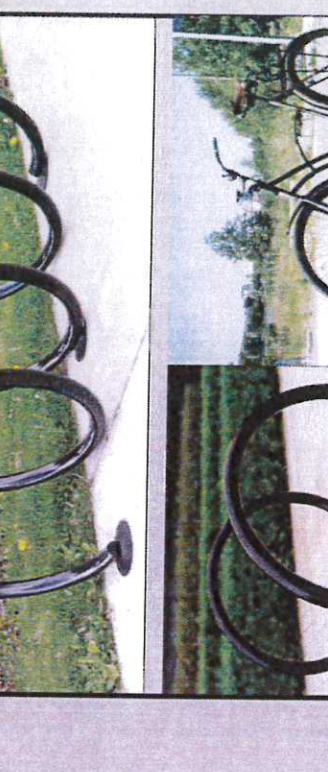
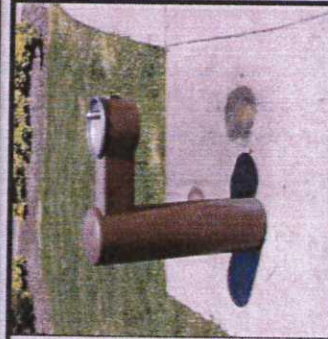
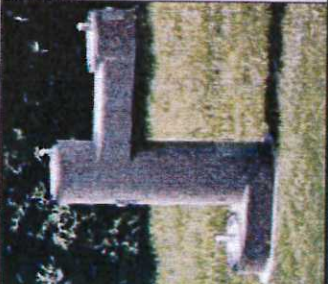


R Street at Maggie's Ditch Stormwater Project

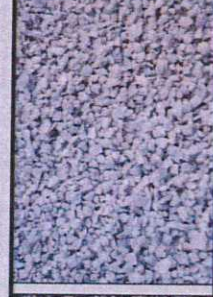
CONCEPT 1
 April 2016



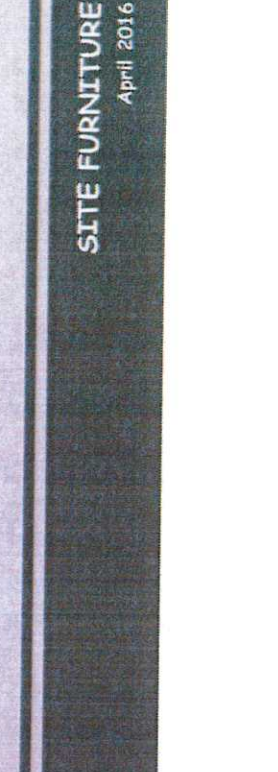
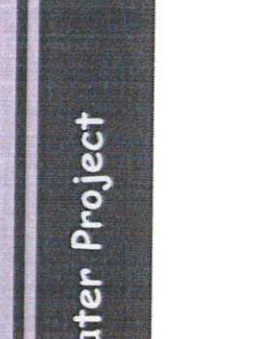
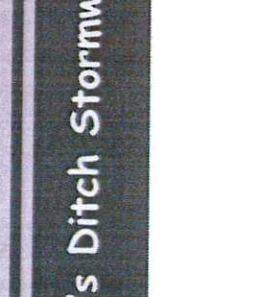
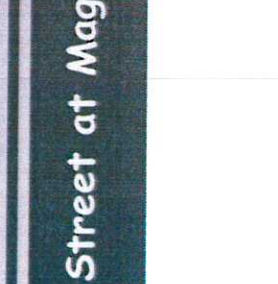
BECH



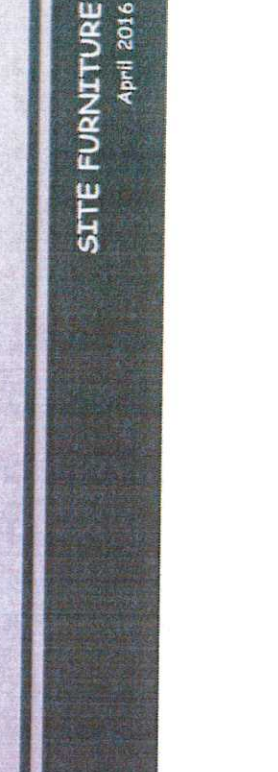
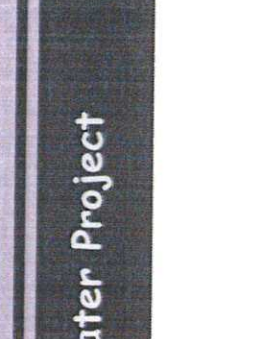
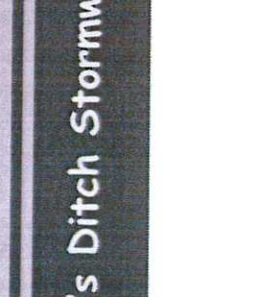
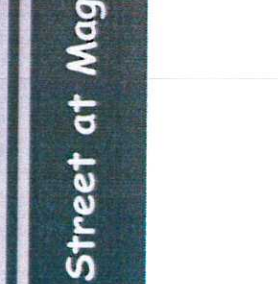
TRASH
RECEPTACLE



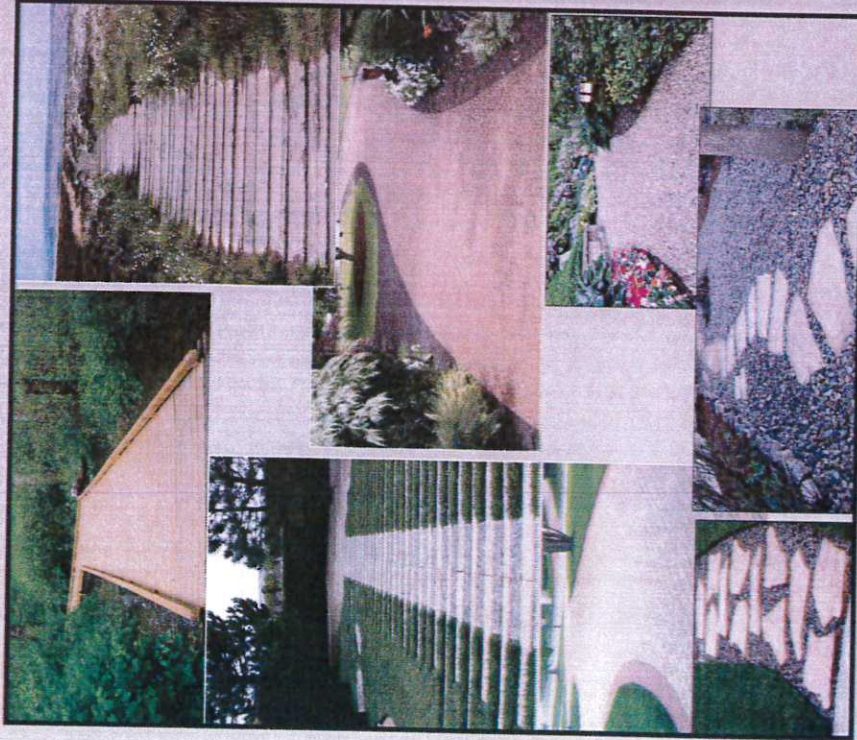
DRINKING
FOUNTAIN



BIKE RACK



COLORED
PEA GRAVEL



PAVING



PAVILION



FENCE

OUTDOOR CLASSROOM



RECYCLED
TIRE PLANTER



HANDRAIL



R Street at Maggie's Ditch Stormwater Project

SITE FEATURES

April 2016



Arabis glabra
Piedmont Plantain



Gaillardia x grandiflora
Blanket Flowers



Asclepias syriaca
Milkweed



Ophiopogon japonicus
Mondo Grass



Muhlenbergia capillaris
Pink Muhly Grass



Raphiolepis indica
Indian Hawthorn



Rosa hybrida 'Drift'
Drift Rose



Ilex vomitoria 'Nana'
Dwarf Yaupon Holly



Taxodium distichum
Cypress



Quercus nigra
Water Oak



Cercis canadensis
Redbud

R Street at Maggie's Ditch Stormwater Project

Item 0,

In 2001, EPA provided a reuse planning grant to the City of Pensacola to develop a plan identifying potential future site uses and strategy for returning the ACW Site to reuse. After an 18-month community-based planning process, the ACW Site Steering Committee adopted a reuse plan for the Site (2003 Reuse Plan).

A change in remedial action levels for dioxin contaminated soils prompted EPA to re-evaluate site constraints that may need to be considered in implementing the 2003 Reuse Plan. Therefore, the 2003 Reuse Plan was updated in 2010 by an EPA contractor, SKEO. The 2010 Reuse Assessment documents community site reuse goals, summarizes previous site and neighborhood reuse planning efforts, analyzes property ownership, remedial considerations and recommends potential modifications to the 2003 Reuse Plan that could allow for the implementation of the plan under a range of potential remedial action alternatives.

The site wide remedial design has begun and the Pensacola Yacht Club ditch was cleaned up in the Summer of 2016. With the commencement of site remedial design, EPA, the City of Pensacola and SKEO are currently conducting an update to the 2010 Reuse Assessment. The Update goal is to confirm the community desires and gain input regarding site reuse alternatives.

Coincidentally, on December 5, 2016 three of the primary parcels that make up the site went to Tax Auction. The property received a bid but the bidder defaulted once it was disclosed the site was an active Superfund Site and the Property Appraiser zoning was incorrectly listed as M-2 Industrial. In August, the property was rezoned to Conservation.

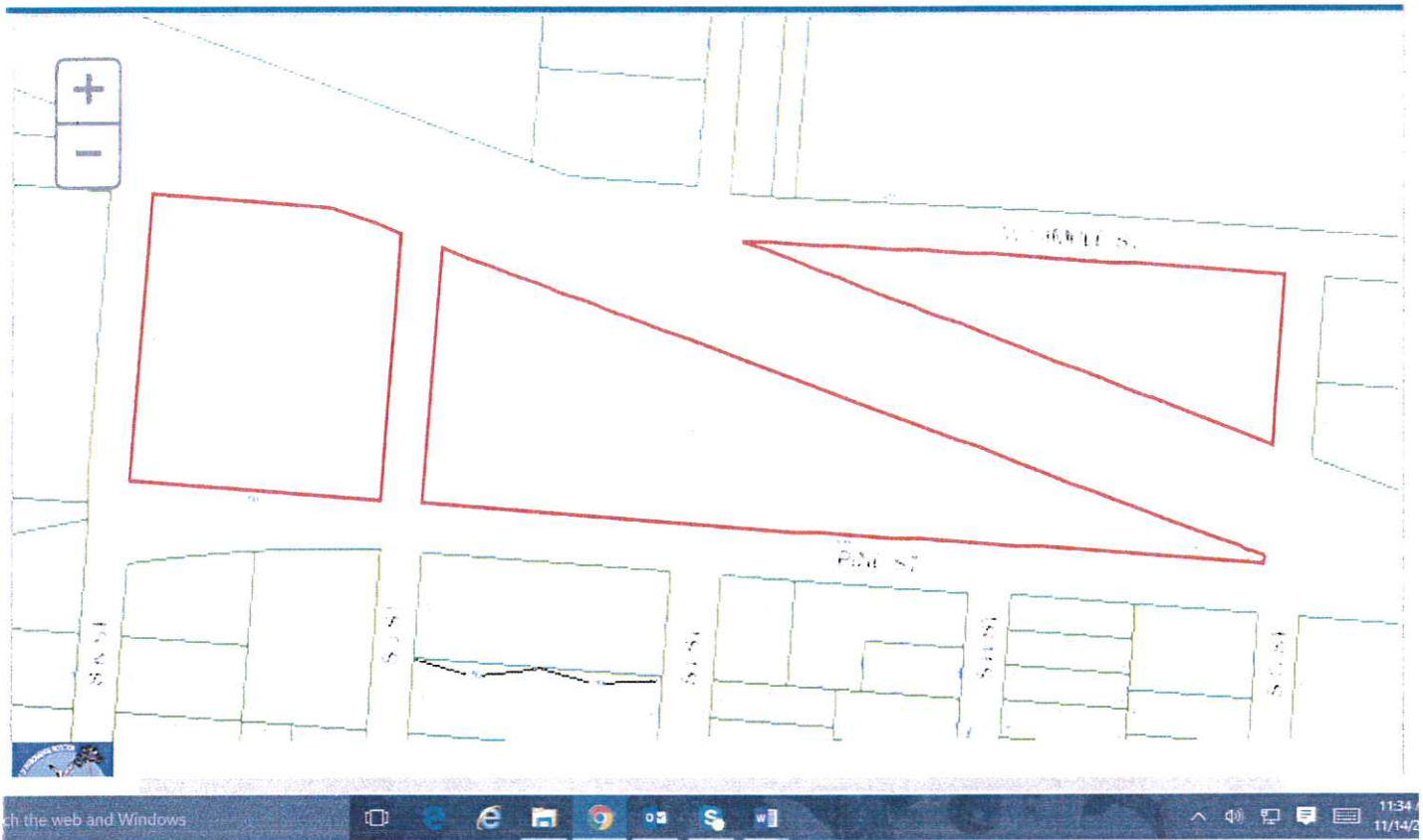
Defaulted Tax Sale properties typically return to the monthly auction until there is either a successful bidder or no bidder. In the case of the latter, the properties then reside on the County surplus lands list for three years. If not purchased by that point, the properties escheat to the County.

To facilitate compliant and revitalizing redevelopment, it is incumbent on the City to acquire title to the property. However, when acquiring title to a Superfund site it is important to employ measures to avoid potential liability by qualifying for "bona fide prospective purchaser" (BFPP) liability protections. To qualify as a BFPP an entity must meet certain threshold criteria and satisfy certain continuing obligations found in Section 101 (40) of the Superfund law (CERCLA). The BFPP provision is designed to be self-implementing. This means that the purchasers are responsible for achieving and maintaining BFPP status. To do so, a purchaser must satisfy each of eight statutory requirements necessary to achieve BFPP status and continue to meet the applicable conditions. Those eight requirements are: 1) Obtain a Phase 1 Environmental Site Assessment, 2) Confirm all hazardous waste disposal occurred before the purchaser acquired the property, 3) Verify the purchaser has no affiliation with a liable or potentially liable party, 4) Comply with land use restrictions and not impede the effectiveness of the institutional controls, 5) Take reasonable steps to prevent the release of hazardous substances, 6) Provide full cooperation and access, 7) Comply with information requests and administrative subpoenas, and 8) Provide legally required notices.

The EPA and the City have held numerous teleconferences, meetings and community workshops on ownership and reuse planning of the American Creosote Works site. The City hosted the most recent community site reuse workshop on December 12, 2016.



Red = ACW Tax Sale Parcels ± 7.5 acres
Blue = Total ACW Superfund Site



Zoning Category: Conservation

Findings:

1. Site maintenance not required until remediation is complete, approximately 2021
2. Red parcels = 7.5 acres
3. Total site = approx. 17 acres
4. Appraised Value = \$27,392
5. Opening auction bid = \$7,635