

THROUGH THESE DOORS WALK ONLY THE FINEST PEOPLE – THE CITIZENS OF ESCAMBIA COUNTY. DECISIONS ARE MADE IN THIS ROOM AFFECTING THE DAILY LIVES OF OUR PEOPLE. DIGNIFIED CONDUCT IS APPRECIATED.

CHAMBER RULES

1. IF YOU WISH TO SPEAK, YOU WILL BE HEARD.
2. YOU MUST SIGN UP TO SPEAK. SIGN-UP SHEETS ARE AVAILABLE AT THE BACK OF THE ROOM.
3. YOU ARE REQUESTED TO KEEP YOUR REMARKS BRIEF AND FACTUAL.
4. BOTH SIDES ON AN ISSUE WILL BE GRANTED UNIFORM/MAXIMUM TIME TO SPEAK.
5. DURING QUASI-JUDICIAL HEARINGS (I.E., REZONINGS), CONDUCT IS VERY FORMAL AND REGULATED BY SUPREME COURT DECISIONS

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PLEASE NOTE THAT ALL BCC MEETINGS ARE RECORDED AND TELEVISED

AGENDA

Board of County Commissioners

Regular Meeting - February 10, 2022 - 9:15 AM

Ernie Lee Magaha Government Building – First Floor

1. Call to Order.
Please turn your cell phone to the vibrate, silence, or off setting. The Board of County Commissioners allows any person to speak regarding an item on the Agenda. The speaker is limited to three (3) minutes, unless otherwise determined by the Chairman, to allow sufficient time for all speakers. Speakers shall refrain from abusive or profane remarks, disruptive outbursts, protests, or other conduct which interferes with the orderly conduct of the meeting. Upon completion of the public comment period, discussion is limited to Board members and questions raised by the Board.
2. Invocation – Commissioner Bender.
3. Pledge of Allegiance to the Flag.
4. Are there any items to be added to the agenda?
Recommendation: That the Board adopt the agenda as prepared (or duly amended).
5. Commissioners' Forum.
6. Presentation - Plaque by Horace Jones, Development Services Department Director, to Patty Hightower, to recognize her dedicated services to the Planning Board, November 2006 - November 2021.
7. Proclamations.
 - I. Adoption/Ratification of Proclamations

That the Board take the following action:

A. Adopt the Proclamation commending and congratulating Donta Mason, a Permit Technician I in the Building Services Department, on his selection as Employee of the Month for February 2022;

B. Adopt the Proclamation commending and congratulating Ms. Terri Church on her retirement, and expressing deep appreciation for her 24 years of faithful and dedicated service to Escambia County;

C. Adopt the Proclamation commending and congratulating Ms. Sandra Heaxt on her retirement, and expressing deep appreciation for her 21 years of faithful and dedicated service to Escambia County;

D. Adopt the Proclamation proclaiming February 11, 2022, as "General Daniel "Chappie" James Day";

E. Ratify the Proclamation, dated January 13, 2022, commending and congratulating Ms. Donna Joy Jones on her retirement, effective February 2, 2022, and expressing deep appreciation for her over 17 and 1/2 years of faithful and dedicated service to the citizens of Escambia County; and

F. Ratify the Proclamation, dated January 13, 2022, commending and congratulating Mrs. Lisa Miller on her retirement, effective February 2, 2022, and expressing deep appreciation for her over 29 and 1/2 years of faithful and dedicated service to the citizens of Escambia County.

8. Written Communication

I. Partial Lien Relief for Property Located at 35 Carver Drive

November 12, 2021, Communication from James O'Toole requesting a Partial Lien Relief for Property located at 35 Carver Drive

Recommendation: That the Board review and consider the Lien relief request made by James O'Toole, owner of the property at 35 Carver Drive.

On August 21, 2014, the Board amended the "Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens" policy, Section III, H2. Staff was instructed to review all requests for forgiveness and allowing the Interim County Administrator to act on the Board's behalf if set criteria are met.

After reviewing the request for forgiveness of liens, staff made the determination that the request does not fall within the criteria that would allow the Interim County Administrator to act on the Board's behalf and grant relief, in accordance with the Board's Policy,

"Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens"
Policy, Section III, H2.

9. Did the Clerk's Office receive the proofs of publication for the Public Hearing(s) on the agenda and the Board's Weekly Meeting Schedule?

Recommendation: That the Board waive the reading of the legal advertisement(s) and accept, for filing with the Board's Minutes, the certified affidavit(s) establishing proof of publication for the Public Hearing(s) on the agenda, and the Board of County Commissioners – Escambia County, Florida, Meeting Schedule.

CLERK & COMPTROLLER'S REPORT

Backup Not Included With The Clerk's Report Is Available For Review In The Office Of The Clerk To
The Board Ernie Lee Magaha Government Building, Suite 110

I. CR Consent Agenda

1. Recommendation Concerning Acceptance of the December 31, 2021, Investment Report.

That the Board accept, for filing with the Board's Minutes, the Investment Portfolio Summary Report for the month ended December 31, 2021, as required by Ordinance Number 95-13. On December 31, 2021, the portfolio market value was \$449,277,724 and portfolio earnings totaled \$20,133 for the month. The short term portfolio achieved a yield of 0.19%. The long-term CORE portfolio achieved a yield of 0.78%.

2. Recommendation Concerning Acceptance of Proof of Publication for Redistricting Minutes

That the Board accept, for filing with the Board's Minutes, the certified affidavit establishing proof of publication of the excerpt pages of the Minutes of the Board of County Commissioners depicting new District Boundaries, in accordance with Section 124.02, Florida Statutes, as advertised in the *Escambia Sun Press* on January 13 and January 20, 2022, and as provided to the Clerk to the Board's office; the excerpt pages were advertised again to reflect the Board's finalized Minutes pages with the draft header removed after BCC approval on January 6, 2022.

3. Recommendation Concerning Acceptance of Documents for Filing with the Board's Minutes

That the Board accept, for filing with the Board's Minutes, the following documents provided to the Clerk to the Board's office:

A. The Santa Rosa Island Authority Financial Statements and Supplementary Information, September 30, 2021; and

B. The Residential Rehab Grant Program Cancellation of Lien between the Escambia County Board of County Commissioners and Katherine K. Langham and Jimmie D. Langham for 6533 White Oak Drive, Pensacola, FL, 32503,

recorded in Official Records Book 8713, Page 1317, as the indebtedness is paid in full.

4. Recommendation Concerning Minutes and Reports Prepared by the Clerk to the Board's Office

That the Board take the following action concerning Minutes and Reports prepared by the Clerk to the Board's office:

A. Accept, for filing with the Board's Minutes, the Report of the Gary Sansing Public Forum held January 18, 2022; and

B. Approve the Minutes of the Regular BCC Meeting held January 18, 2022.

Growth Management Report

I. GMR Public Hearing

1. Recommendation Concerning the Review of the Rezoning Cases Heard by the Planning Board on January 4, 2022

That the Board take the following action concerning the rezoning cases heard by the Planning Board on January 4, 2022:

A. Review and either adopt, modify, or overturn the Planning Board's recommendations for Rezoning Cases Z-2022-02 and Z-2021-09 or remand the cases back to the Planning Board; and

B. Authorize the Chairman to sign the Orders of the Escambia County Board of County Commissioners for the rezoning cases that were reviewed.

1. Case No.:	Z-2022-02
Address:	6030 W Nine Mile Road
Property Reference No.:	06-1S-31-4202-000-005
Property Size:	2.89 (+/-) acres
From:	LDR, Low Density Residential district (four du/acre)
To:	Com, Commercial district (25 du/acre)
FLU Category:	MU-S, Mixed-Use Suburban
Commissioner District:	1
Requested by:	Buddy Page, Agent for Jarvie Property Acquisitions, Inc., Owner
Planning Board Recommendation:	Approval
Speakers:	Buddy Page

2. Case No.: **Z-2021-09**

Address: 113533 Lillian Highway
Property Reference No.: 25-2S-31-2302-000-000
Property Size: 7.71 (+/-) acres
From: LDR, Low Density Residential district (four du/acre)
To: LDMU, Low Density Mixed-use district (seven du/acre)
FLU Category: MU-S, Mixed-Use Suburban
Commissioner District: 1
Requested by: Meredith Crawford, agent for WMS Racing, LLC, Owner
Planning Board Recommendation: Approval
Speakers: Meredith Bush (Crawford), Traci Solt, John Ward

2. 9:15 a.m. - A Public Hearing for Consideration of Adopting the Ordinances Amending the Official Zoning Map

That the Board adopt the Ordinances to amend the Official Zoning Map to include the rezoning cases heard by the Planning Board on January 4, 2022, and approved during the previous agenda item and to provide for severability, inclusion in the code, and an effective date.

3. 9:16 a.m. - A Public Hearing Concerning the Review of an Ordinance Amending Chapter 4, Section 4-7.3

That the Board of County Commissioners (BCC) review and adopt an Ordinance amending the Land Development Code (LDC), Chapter 4, Section 4-7.3 "Accessory Uses and Structures" to identify conditions for home-based businesses as permitted accessory uses to dwellings consistent with House Bill 403 (2021).

II. GMR Action Item

1. Recommendation Concerning Admiral's Quarters Phase Three Final Plat Permit FP# 21093801PSD-FP

That the Board take the following action concerning recording of Admiral's Quarters Phase Three (an 88-lot townhouse subdivision with residential homes) located in the Pine Forest Community, lying south off W. Nine Mile Road (U.S. Alternate Highway 90) and west of Ashland Avenue, owned and developed by D.R. Horton, Incorporated. Prior to recording, the County Surveyor and the Clerk of the Circuit Court must sign the Final Plat as set forth in Section 2-5.7, of the Escambia Land Development Code. Also, prior to recording, the County Surveyor must sign the Final Plat as set forth in Chapter 177.081 (1) Florida Statutes:

A. Approve the final plat for recording;

B. Approve the street names "Iroquois Court" and "Battalion Cove";

C. Accept all public easements, and drainage improvements within public easements as depicted upon the final plat for permanent County maintenance; the cost of maintenance is to be funded through the establishment of a storm water management Municipal Services Benefit Unit (MSBU); and

D. Authorize the Chairman or Vice Chairman to execute a Two-Year Warranty Agreement without Surety for Streets and Drainage improvements.

E. Authorize the Chairman or Vice Chairman to execute an Escrow and Performance Agreement for repairs to the eastbound lane of a portion of West Detroit Boulevard.

2. Recommendation Concerning Sabal Place Final Plat Permit FP# 21104332PSD-FP

That the Board take the following action concerning recording of Sabal Place (a 47-lot single family residential subdivision) located in the Ferry Pass Community, lying west of Sabra Drive and south of E. Olive Road, owned and developed by Holiday Builders, Inc. Prior to recording, the County Surveyor and the Clerk of the Circuit Court must sign the Final Plat as set forth in Section 2-5.7, of the Escambia Land Development Code. Also, prior to recording, the County Surveyor must sign the Final Plat as set forth in Chapter 177.081 (1) Florida Statutes:

A. Approve the final plat for recording;

B. Approve the street names "Maxton Road" and "Heights Lane";

C. Accept all public easements, pond and drainage improvements within public easements as depicted upon the final plat for permanent County maintenance; the cost of maintenance is to be funded through the establishment of a storm water management Municipal Services Benefit Unit (MSBU); and

D. Authorize the Chairman or Vice Chairman to execute a Two-Year Warranty Agreement without Surety for Streets and Drainage improvements.

3. Recommendation Concerning Iron Rock Final Plat Permit FP# 21093802PSD-FP

That the Board take the following action concerning recording of Iron Rock (a private 290-lot residential subdivision) located in the Cantonment Community, lying west off County Road 97 and south of West Kingsfield Road, owned by Iron Rock Conservancy, Incorporated and Devine Farms, LLC. Prior to recording, the County Surveyor and the Clerk of the Circuit Court must sign the Final Plat as set forth in Section 2-5.7, of the Escambia Land Development Code. Also, prior to recording, the County Surveyor must sign the Final Plat as set forth in Chapter 177.081 (1) Florida Statutes:

A. Approve the final plat for recording; and

B. Approve the street names "Trestle Way," "Mountain Laurel Trail," "Longleaf Mill Street," "Old Mill Way," "Ridge Trail Boulevard," "Juniper Berry Circle," "Turpentine Circle," "Drake Elm Circle," "Water Lily Court," and "Buttonbush Circle".

III. GMR Consent Agenda

1. Recommendation Concerning Scheduling of Public Hearings

That the Board authorize the scheduling of the following Public Hearings:

March 3, 2022

A. 5:45 p.m. - Cancellation of a Public Hearing - Large Scale Map Amendment - Gibson Road - LSA-2022-02

Summary: This case was advertised for the February 1, 2022, Planning Board (PB) meeting and the March 3, 2022, BCC Meeting. At the February 1st, PB meeting, the Board voted to bring the case back to PB in April. Therefore, this 5:45 p.m. PH needs to be cancelled.

B. 5:46 p.m. - A Public Hearing - Small Scale Map Amendment - 700 BLK Geise Lane - SSA-2022-01

Summary: This Ordinance is changing the Future Land Use on the above-mentioned parcels from Commercial (C) to Mixed-Use Urban (MU-U).

C. 5:47 p.m. - A Public Hearing - Small Scale Map Amendment - 6905 Pensacola Boulevard - SSA-2022-02

Summary: This Ordinance is changing the Future Land Use on the above-mentioned parcels from Commercial (C) to Mixed-Use Urban (MU-U).

D. 5:48 p.m. - A Public Hearing - Sector Plan Map Designation Change - 2400 BLK Hwy 29 and 2501 Hwy 29 - SP-2021-01 (second of two public hearings)

Summary: This small-scale amendment to the Future Land Use (FLU) map of Escambia County Mid-West Sector Plan DSAP proposes to change a portion of one parcel totaling 17.36 (+/-) acres from Suburban Garden to Traditional Garden and a portion of another parcel totaling 3.46 (+/-) acres from Suburban Garden to Neighborhood Center.

County Administrator's Report

I. CAR Technical/Public Service Consent Agenda

1. Recommendation Concerning the Limited Waiver of the Escambia County Noise Abatement Ordinance for the Flora-Bama Mullet Toss - Tim Tolbert, Building Official/Director

That the Board approve the following "Special Event Permit Application" for a limited waiver of the noise restrictions imposed by the Escambia County Noise Abatement Ordinance regarding Perdido Key, allowing the number of sound decibels to exceed 70 dbA (sound level measured by taking four sound readings over a continuous 15 minute period, with the four readings taken at approximately equal intervals at or within the property boundary of the receiving land use) for the Flora-Bama Mullet Toss, to include amplified music and announcements, on the following dates and times:

- April 22, 2022, from 10:00 a.m., to 6:00 p.m.;
- April 23, 2022, from 10:00 a.m., to 6:00 p.m.; and
- April 24, 2022, from 10:00 a.m., to 6:00 p.m.

2. Recommendation Concerning the Request for Disposition of Property for the Building Services Department - Tim Tolbert, Building Official/Director

That the Board approve the Request for Disposition of Property Form for the Building Services Department for the equipment which is described and listed on the Request Form with the reason for disposition stated. The items are to be auctioned as surplus or disposed of properly.

3. Recommendation Concerning the Request for Disposition of Property for Mass Transit - Rodriques Kimbrough, Interim Mass Transit Department Director

That the Board approve the three Request for Disposition of Property Forms for Mass Transit for the vehicles described and listed on the Request Forms. Each of these completed Request Forms are for vehicles that have exceeded their useful life and are no longer considered operable or serviceable.

4. Recommendation Concerning the Request for Disposition of Property for the Engineering Department - Debbie Bowers, Assistant County Administrator

That the Board approve the two Request for Disposition of Property Forms for the Engineering Department for the equipment which is described and listed on the Request Forms, with the reasons for the disposition stated. The items are to be auctioned as surplus or disposed of properly.

5. Recommendation Concerning the Request for Disposition of Property for the Public Works Department - Jamey Higdon, Public Works Deputy Department Director

That the Board approve the Request for Disposition of Property Form for the Public Works Department for the equipment which is described and listed on the Request Form, with the reason for disposition stated. The item is to be disposed of properly.

6. Recommendation Concerning the Scheduling of a Public Hearing for the Embers Ridge Street Lighting MSBU - Stephan Hall, Finance Department Director, Management and Budget Services

That the Board authorize the scheduling of a Public Hearing on March 3, 2022, at 5:33 p.m., to consider adoption of an Ordinance creating the Embers Ridge Street Lighting Municipal Services Benefit Unit (MSBU).

7. Recommendation Concerning the Scheduling of a Public Hearing to Consider the Vacation of an Unopened Right-of-Way, Pace Parkway, also Known as Scale House Road, Located off of Highway 29 - Robert E. Hogan, Facilities Management Department Director

That the Board take the following action:

A. Authorize the Scheduling of a Public Hearing on March 3, 2022, at 5:31 p.m., to consider the vacation of a 66' right-of-way, Pace Parkway, also known as Scale House Road, located off of Highway 29, on the Board's own motion; and

B. Require notification to all property owners within a 500 foot radius.

The real property mentioned in this Petition to Vacate is located in Commission District 5.

8. Recommendation Concerning the Scheduling of a Public Hearing to Establish an Annual Vessel Registration Fee Ordinance - J. Taylor "Chips" Kirschenfeld, Director, Department of Natural Resources Management

That the Board authorize the scheduling of a Public Hearing on March 3, 2022, at 5:32 p.m., for the purpose of establishing an Annual Vessel Registration Fee Ordinance in Escambia County, Florida.

9. Recommendation Concerning Replacing Outdated County Policies and County Policy Scrivener's Errors - Wesley J. Moreno, Interim County Administrator

That the Board approve the provided County Policies that have been updated and corrected.

10. Recommendation Concerning the Approval of Agreement #071221YS for Verizon's Spyder Cloud at the New Jail Facility - Bart Siders, Information Technology Department Director

That the Board take the following action:

A. Approve the In-Building Agreement Matter #071221YS, for Verizon's Spyder Cloud; and

B. Authorize the Interim County Administrator to sign the Agreement.

II. CAR Budget/Finance Consent Agenda

1. Recommendation Concerning the Approval of a Subaward Agreement with the University of New Orleans, in the Amount of \$14,045, for the Pensacola and Perdido Bays Estuary Program - Matt J. Posner, Estuary Program Director, and J. Taylor "Chips" Kirschenfeld, Director, Department of Natural Resources Management

That the Board take the following action:

A. Approve the Subaward Agreement, SCON-000017, between the University of New Orleans and Escambia County, in the amount of \$14,045, for the Pensacola and Perdido Bays Estuary Program;

B. Authorize the Chairman to sign the Agreement and any subsequent documents related to the Project, including no-cost extensions or amendments that do not alter the finite terms of funding amounts or budget, subject to Legal review and approval, without further action of the Board; and

C. Adopt and authorize the Chairman to sign the Resolution approving Supplement Budget Amendment #22-SBA-35, Fund 118, in the amount of \$14,045, to recognize proceeds from the University of New Orleans and appropriate these funds to the Pensacola and Perdido Bays Estuary Program for the Building Resilience into Seagrass Bed Restoration Project.

Revenues				
Source of Funds	Amount	Account Codes	Contract	Vendor
University of New Orleans (UNO)	\$14,045	Fund 118, Account TBD (new)	UNO Subaward SCON-000017	N/A
Total Revenue	\$14,045	N/A	N/A	N/A
N/A				
Expenditures				

Source of Funds	Amount	Account Codes	Contract	Vendor
University of New Orleans (UNO)	\$14,045	Fund 118, Cost Center 222047	UNO Subaward SCON-000017	N/A
Total Expenditures	\$14,045	N/A	N/A	N/A

2. Recommendation Concerning the Florida Department of Environmental Protection Grant Agreement No. DH004, in the Amount of \$500,000, for the Perdido Bay Boat Ramp - J. Taylor "Chips" Kirschenfeld, Director, Department of Natural Resources Management

That the Board take the following action concerning the Florida Department of Environmental (FDEP) Grant Agreement (No. DH004), to enhance recreational opportunities within Perdido River and Bay through construction of boat ramp facilities at the Heron Bayou parcel located at 10836 Lillian Highway:

A. Approve the Grant Agreement No. DH004, in the amount of \$500,000, with the State of Florida, Florida Department of Environmental Protection, to construct an entrance drive, parking area and primitive shelters in support of the boat ramp facility;

B. Authorize the Chairman to sign the Grant Agreement and any future documents related to no-cost time extensions, subject to Legal review and sign-off, without further action of the Board; and

C. Adopt and authorize the Chairman to sign the Resolution approving Supplemental Budget Amendment #22-SBA-36, Fund 118, in the amount of \$500,000, to recognize proceeds from the Florida Department of Environmental Protection and to appropriate these funds to facilitate the construction of an entrance drive, parking area and primitive shelters to provide recreational opportunities at Heron Bayou.

TABLE 1

Revenues				
Source of Funds	Amount	Account Codes	Contract	Vendor
State of Florida Department of Environmental	\$500,000	Fund 118, Gulf Coast Restoration Fund,	DH004	N/A

Protection (FDEP)		Account TBD (new)		
Total Revenue	\$500,000			
Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
State of Florida Department of Environmental Protection (FDEP)	\$500,000	Fund 118, Gulf Coast Restoration Fund, Cost Center 222014 (new)	DH004	N/A
Total Expenditures	\$500,000			

Table 1 above is related to the Supplemental Budget Amendment, which will increase Fund 118 by \$500,000.

3. Recommendation Concerning the Issuance of a Fiscal Year 2021/2022 Purchase Order, in Excess of \$25,000, to SHI International for the Proofpoint Renewal - Bart Siders, Information Technology Department Director

That the Board take the following action:

A. Approve the issuance of a Purchase Order, in excess of \$25,000, for the renewal of our Proofpoint Software, for the term of March 13, 2022 - March 12, 2023, for Escambia County, in the amount of \$51,670.66; and,

B. Authorize the Interim County Administrator to sign the Purchase Order.

Vendor/Contractor	Funding	Amount	Contract Number
SHI International Corp. Vendor # 193696 ProofPoint Renewal Term: 03/13/2022 - 03/12/2023	Fund: 001 Cost Center: 270102 Object Code: 54601	\$51,670.66	Quote # 21358665 State Contract - Sourcewell

			Technology Catalog Solutions #081419- Effective 10/30/2019 - 10/30/2023
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(Funding Impact: Funding, in the amount of \$51,670.66, is available in Fund 001, Cost Center 270102, Object Code 54601.)

4. Recommendation Concerning the Issuance of a Fiscal Year 2021/2022 Purchase Order, in Excess of \$25,000, to SHI International for the CrowdStrike Renewal for Escambia County - Bart Siders, Information Technology Department Director

That the Board take the following action:

A. Approve the issuance of a Purchase Order, in excess of \$25,000, for the renewal of our CrowdStrike Software for the term of March 13, 2022 - March 12, 2023, for Escambia County and the Constitutionals, in the amount of \$237,844.72; and

B. Authorize the Interim County Administrator to sign the Purchase Order.

Vendor/Contractor	Funding	Amount	Contract Number
SHI International Corp. Vendor # 193696 CrowdStrike renewal Term: 03/17/2022 - 03/16/2023	Fund: 001 Cost Center: 270102 Object Code: 54601	\$237,844.72	Quote # 21416193 State Contract - Sourcewell Technology Catalog Solutions # 081419-SHI Effective - 10/30/2019 - 10/30/2023

(Funding Impact: Funding, in the amount of \$237,844.72, is available in Fund 001, Cost Center 270102, Object Code 54601)

5. Recommendation Concerning the Issuance of a Fiscal Year 2021/2022 Purchase Order, in Excess of \$25,000, to Dell, Inc., for Computers for the Bellview Library - Bart Siders, Information Technology Department Director

That the Board take the following action:

A. Approve the issuance of a Purchase Order, in excess of \$25,000, for the purchase of Computer Hardware for the Bellview Library, in the amount of \$77,199.63; and

B. Authorize the Interim County Administrator to sign the Purchase Order.

Vendor/Contractor	Funding	Amount	Contract Number
Dell Marketing LP Vendor # 040517 Bellview Library Computer Hardware	Fund: 113 Cost Center: 110503 Object Code: 55201	\$58,667.83	Quote # 3000109897671
	Fund: 113 Cost Center: 110501 Object Code: 55201	\$18,531.80	

(Funding, in the amount of \$77,199.63, is available in Fund 113, Cost Centers 110501, 110503, and Object Code 55201.)

6. Recommendation Concerning the Issuance of a Fiscal Year 2021/2022 Purchase Order, in Excess of \$25,000, to SHI International for the Smarsh Renewal - Bart Siders, Information Technology Department Director

That the Board take the following action:

A. Approve the issuance of a Purchase Order, in excess of \$25,000, to SHI International for the renewal of the Smarsh Platform for County Phone Archiving Procedures, for the term of April 18, 2022 - April 17, 2023, for Escambia County, in the amount of \$36,370.35; and

B. Authorize the Interim County Administrator to sign the Purchase Order.

Vendor/Contractor	Funding	Amount	Contract Number
SHI International Vendor # 193696 Smarsh Renewal Term: 04/18/2022 - 04/17/2023	Fund: 001 Cost Center: 270102 Object Code: 54601	\$36,370.35	Quote # 21526734 Contract # Sourcewell Awarded Contract 081419- SHI Effective: 10/30/2019 - 10/30/2023

(Funding Impact: Funding, in the amount of \$36,370.35, is available in Fund 001, Cost Center 270102, Object Code 54601)

7. Recommendation Concerning Public Safety Emergency Communications 9-1-1 Recorder Upgrade Utilizing State of Florida 9-1-1 Board Grant Funds - Eric Gilmore, Public Safety Department Director

That the Board take the following action concerning Public Safety Emergency Communications 9-1-1 recorder upgrade:

- A. Approve the award of the Fall 2021 State Reimbursement Grant, S20-21-12-04, in the amount of \$90,983.47, to assist in the upgrade of the 9-1-1 Recorder System, for the Communications Division;
- B. Adopt the Resolution approving Supplemental Budget Amendment #22-SBA-31, Other Grants and Projects Fund (110), in the amount of \$90,984;
- C. Authorize the Chairman to execute the Additional Terms and Conditions for Rural and State Grant;
- D. Authorize the Chairman to execute the Warranty Terms and Gold Level Service Agreement with Replay Systems for a four-year Annual Service Agreement commencing upon end of first year warranty, with an annual cost of \$26,181.36; and
- E. Authorize the purchase of 9-1-1 Recorders from GSA Contract Holder, Voice Products.

Vendor/Contractor	Funding	Amount	Contract Number
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Voice Products, Inc. Vendor: 428867 Recorder System Upgrade	Fund 110, Grants Cost Center: 330417 (911 Grant) Fund 145, E911 Cost Center: 330404 (E911)	\$90,983.47 (Grant) \$32,945.60 (E911) \$123,929.07 Total	GSA Contract GS-35F- 0126Y
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The County Attorney's Office has requested that the Board be made aware of the following language within the Agreement:

Note: The Additional Terms and Conditions for Rural and State Grant contains provisions that require the County to hold harmless and defend the State of Florida, Department of Management Services, which may require the County to pay for liabilities and costs that are above those it is otherwise legally obligated to pay.

8. Recommendation Concerning a Purchase Order, in Excess of \$25,000, for Garage Door Service - Eric Gilmore, Public Safety Department Director

That the Board approve the Purchase Order, in the amount of \$35,000, for annual services and repairs for all garage and roll-up doors at Escambia County Fire Stations.

Vendor/Contractor	Funding	Amount	Contract Number
Speciality Products, Inc. Vendor Number 194701	Fund: 143 Cost Center: 330206	\$35,000	Vendor Registry

9. Recommendation Concerning Change Order #1 to Purchase Order #211544, to Henry Schein, Inc. - William R. Powell, Director of Corrections

That the Board approve and authorize the Interim County Administrator or designee to execute Change Order #1, in the amount of \$18,833.28, to Henry Schein, Inc., for the new dental chair.

Department:	Corrections
Division:	Jail Medical
Type:	Addition

Amount:	\$18,833.28
Vendor:	Henry Schein, Inc.
Contract:	Blank Purchase Order
Purchase Order:	211544
Change Order:	1
Original Award Amount:	\$13,840.11
New Purchase Order Total:	\$32,673.39
Funding Source:	Fund 111, Detention/Jail Commissary, Cost Center 290406

10. Recommendation Concerning State Law Enforcement Trust Fund - Henrique Dias, Chief Financial Officer, Escambia County Sheriff's Office Finance Division

That the Board approve the following allocations of Law Enforcement Trust (LET) Funds, per the requirements of F.S. 932.7055(5), for Outside Agency partners in Escambia County for Fiscal Year 2021/2022:

- A. Robinson Harris Academy of Music, Inc., in the amount of \$2,000;
- B. Pensacola Area Chamber Foundation, in the amount of \$3,000;
- C. IHMC, in the amount of \$1,000; and
- D. East Pensacola Student Athlete Program, in the amount of \$4,000.

Upon approval of these funding allocations, the Sheriff's Office will process all appropriate paperwork and submit for payment from LET Funds to the Escambia Clerk of the Circuit Court and Comptroller.

(Funding Source: Fund 121, Law Enforcement Trust Fund 121, Cost Center 540103, Aids to Private Organizations 58201)

11. Recommendation Concerning Supplemental Budget Amendment for Fiscal Year 2022 Reimbursements - Henrique Dias, Chief Financial Officer, Escambia County Sheriff's Office Finance Division

That the Board adopt the Resolution approving Supplemental Budget Amendment #22-SBA-38, in the amount of \$91,302, for October 2021 - December 2021, appropriating these funds in the Sheriff's Office General Fund to off-set related operating expenditures.

12. Recommendation Concerning the Contract Award for Roadway Materials Pricing Agreement - Jamey Higdon, Public Works Deputy Department Director

That the Board award an Indefinite Quantity, Indefinite Delivery Contract for PD 21-22.018, Roadway Materials Pricing Agreement, to the following firms based on pricing provided, which shall extend for a period of 12 months, with the option to extend for two additional 12-month periods, up to a maximum 36 months renewed upon mutual agreement of both parties, and approve and authorize the Interim County Administrator to sign the Agreements:

A. Roads, Inc. of NWF; and

B. Panhandle Grading and Paving, Inc.

(Funding: Fund 175, Transportation Trust Fund, Cost Center 260102/211201/211602/211101; Fund 352, Local Option Sales Tax III, Cost Center 210107/350229; Fund 181, Master Drainage Basins, Cost Centers 210719-210736; Fund 353 Local Option Sales Tax IV, Cost Centers 210106/350221/110102; Fund 167 Bob Sikes Toll, Cost Centers 140301/140302; Fund 112 Disaster Recovery Fund, Cost Centers 330901-330909; Fund 401, Solid Waste Management, Cost Center 230309/230314/230315.)

13. Recommendation Concerning the Purchase of One Aebi Mower for the Public Works Department - Jamey Higdon, Public Works Department Deputy Director

That the Board take the following action:

A. Adopt the Resolution approving Supplemental Budget Amendment #22-SBA-34, Transportation Trust Fund 175, in the amount of \$135,100, for the purchase of a replacement Aebi Mower; and

B. Award and authorize the Interim County Administrator to sign a Purchase Order, in the amount of \$135,032.29, to Menzi USA Sales for one Aebi Terratract TT211 Mower for the Public Works Department.

Vendor/Contractor	Funding	Amount	Contract Number
Menzi USA Sales Inc. (Vendor# 132861)	Fund 175, Transportation Trust, Cost Center 260102, Road Maintenance	\$135,032.29	

14. Recommendation Concerning the Issuance of Fiscal Year 2021/2022 Purchase Orders, in Excess of \$25,000, for the Engineering Department - Debbie Bowers,

Assistant County Administrator

That the Board, for Fiscal Year 2021/2022, approve the issuance of blanket and/or individual Purchase Orders, in excess of \$25,000, based upon previously-awarded Contracts, Contractual Agreements, or annual requirements for the Engineering Department, as follows:

Vendor/Contractor	Amount	Contract Number
CSX Transportation Vendor No. 030050 Signal Maintenance of Railroad Crossings Fund 175 (Transportation Trust Fund), Cost Center 211201	\$163,861	Annual Signal Maintenance for Railroad Crossings (\$63,861); Additional work associated with Contract Agreements/upgrade costs (\$100K)
Control Technologies Vendor No. 427191 Fund 175 (Transportation Trust Fund), Cost Center 211201	\$75,000	State Contract ITB-DOT-20-9034 GH Traffic controllers, cabinets, and miscellaneous traffic materials, and equipment
Intelligent Transportation Services, Inc. Fund 175 (Transportation Trust Fund), Cost Center 211201	\$100,000	State Contract ITB-DOT-20-9034 GH Traffic controllers, cabinets, and miscellaneous traffic materials, and equipment

15. Recommendation Concerning the Use of American Rescue Plan Funds for the Construction of the Perdido Bay Boat Ramp Project Located in Commission District 1 - Debbie Bowers, Assistant County Administrator and J. Taylor "Chips" Kirschenfeld, Director, Department of Natural Resources Management

That the Board authorize the use of American Rescue Plan (ARP) Funds, in the amount of \$2,500,000, for the construction of the Perdido Bay Boat Ramp Project located in Commission District 1.

Fund Name	Fund Number	Cost Center	Object Code	Amount
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American Rescue Plan	Fund 119	110192	56301	\$2,500,000
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16. Recommendation Concerning Rescinding Resolution R2021-162 Accepting the Transfer of FTA Interest in 10 Buses from Sarasota County Area Transit and Issuing a Resolution to Accept the Transfer of FTA Interest in 9 Buses from Sarasota County Area Transit - Rodriques Kimbrough, Interim Mass Transit Department Director

That the Board take the following action related to the transfer of nine, 35-foot, heavy duty diesel-powered transit buses from Sarasota County Area Transit (SCAT) to Escambia County Area Transit (ECAT):

A. Rescind Board Resolution R2021-162, authorizing Escambia County Area Transit to accept the transfer of 10 Transit Buses from Sarasota County Area Transit; and

B. Adopt and authorize the Chairman to sign the Resolution authorizing the transfer of nine, 35-foot, heavy duty diesel-powered transit buses from SCAT to ECAT.

(Funding: There is no funding impact for the authorization or consent of the transfer. Transporting these buses to ECAT is anticipated to cost approximately \$9,000. This expense will be funded from the current ECAT Fund 104 budget. No funding will be required from the Escambia County General Fund.)

17. Recommendation Concerning the Request for Removal of Fixed Assets Subject to Audit - Pam Childers, Clerk of the Circuit Court & Comptroller

That the Board approve the request to remove Fixed Asset items subject to audit at a cost of <\$5,000 and have no carrying value presented on the provided report.

18. Recommendation Concerning an Application for Certificate of Need and Non-Exclusive Long Term Franchise Agreement for Ecosouth Services, LLC - Donald L. Seitz, Waste Services Department Director

That the Board take the following action:

A. Approve the Application for Certificate of Need and Solid Waste Permit, permitting Ecosouth Services, LLC, to operate in Escambia County;

B. Authorize the Chairman to sign the Certificate of Need;

C. Approve the Non-Exclusive Long Term Franchise Agreement for the Collection of Commercial Solid Waste Between Escambia County and Ecosouth Services, LLC; and

D. Authorize the Interim County Administrator to execute the Franchise Agreement.

19. Recommendation Concerning the Issuance of a Purchase Order, in Excess of \$25,000, for Escambia County Waste Services Large Machine Mowing at Perdido Landfill - Donald L. Seitz, Waste Services Department Director

That the Board take the following action:

A. Approve the issuance of a Purchase Order, in excess of \$25,000, to Gulf Coast Environmental Contractors, Inc., for Large Machine Mowing Services for Perdido Landfill, per the terms and conditions of PD 21-22.006; and

B. Authorize the Interim County Administrator to sign the Purchase Order.

Vendor/Contractor	Amount	Contract Number
Gulf Coast Environmental Contractors, Inc. Vendor #072500 Large Machine Mowing at Perdido Landfill Fund 401, Solid Waste Fund Cost Center: 230314, SW Operations Object Code: 53401, Other Contractual Services	\$43,554	PD 21-22.006 Large Machine Mowing Invitation to Bid Request via Vendor Registry, on December 8, 2021

An invitation to Bid Request for PD 21-22.006, Large Machine Mowing, was publicly noticed to 241 emails, via Vendor Registry, on December 8, 2021. The Solicitation was viewed by seven firms and downloaded by 10 firms. Three submissions were received. Two submissions were non-responsive. Gulf Coast Environmental Contractors, Inc., was the lowest, most responsive bidder.

20. Recommendation Concerning the Surplus and Sale of County-Owned Real Property, Located at Highway 182, Molino, Florida, 32577 - Robert E. Hogan, Facilities Management Department Director

That the Board take the following action concerning the surplus and sale of County-Owned Real Property, located at Highway 182, Molino, Florida, 32577, shown below:

A. Upon written request by the Interim County Administrator, authorize the County Attorney's Office to take such action necessary to evict occupants of the

County-owned property, if occupied;

B. Declare surplus the Board's real property located at Highway 182, Molino, Florida, 32577, located in District 5, Account #: 120011000, Reference #: 03-2N-31-1005-000-000, Property Appraiser's current assessed value: \$11,044;

C. Make a factual determination, in accordance with Section 46-131 of the Escambia County Florida Code of Ordinances, that (1) the value of the property is \$15,000 or less, as determined by the records of the Escambia County Property Appraiser, and (2) the size, shape, location, and value of the property would make it of use only to one or more adjacent property owners;

D. Authorize this property to be offered by private sale to the adjacent property owners, and authorize the sale of the property to the bidder with the highest offer received at or above \$11,044, without further action of the Board. This property has been reviewed by County departments and it has been determined that the County does not have a need for this property; and

E. Authorize the County Attorney's Office to prepare, and the Chairman to sign, all documents related to the sale of this property, without further action of the Board.

21. Recommendation Concerning a Change Order on Contract PD 20-21.019, to Hewes and Company, LLC, for the Bellview Library Conversion/Addition - Robert E. Hogan, Facilities Management Department Director

That the Board approve and authorize the Interim County Administrator to execute the following Change Order to Hewes and Company, LLC, in the amount of \$127,768.25, on Contract PD 20-21.019, for the Bellview Library Conversion/Addition:

Department:	Facilities Management
Division:	DCAT
Type:	Addition
Amount:	\$127,768.25
Vendor:	Hewes and Company, LLC
Project Name:	Bellview Library Conversion/Addition
Contract:	PD 20-21.019
PO#:	211187
County CO#:	5

Original Contract Amount:	\$3,839,000.00
Cumulative Amount of Change Orders Through this CO:	\$552,350.28
New Contract Amount:	\$4,391,350.28
Funding Source:	Fund 113, Library Operation Fund, Cost Center 110501

22. Recommendation Concerning a Change Order, on Emergency Purchase Order 220956, to Trane US, Inc. - Robert E. Hogan, Facilities Management Department Director

That the Board approve and authorize the Interim County Administrator to execute the following Change Order to Trane US, Inc., for the rental of a 400-Ton Chiller Unit at the M.C. Blanchard Judicial Building:

Department:	Facilities Management
Division:	Maintenance
Type:	Additive
Amount:	\$64,000
Vendor:	Trane US, Inc.
Purchase Order #:	220956
Original PO Amount:	\$23,050
Cumulative Amount of Change Orders including this Change Order	\$64,000
New Purchase Order Amount:	\$87,050
Funding Source:	Fund 501 Internal Service, Cost Center 140836 Bldg/Property Claim

23. Recommendation Concerning the Issuance of a Purchase Order, in Excess of \$25,000, to Engineered Cooling Services, Inc., for Labor and Proprietary Parts for the Chiller Repair at the M.C. Blanchard Judicial Building - Robert E. Hogan, Facilities Management Department Director

That the Board take the following action:

A. Approve the issuance of a Purchase Order, in excess of \$25,000, to Engineered Cooling Services, Inc., for the repair to the chiller at the M.C. Blanchard Judicial Building;

and

B. Authorize the Interim County Administrator to sign the Purchase Order.

Vendor	Funding	Amount
Engineered Cooling Services, Inc.	Fund: 501, Internal Services Cost Center: 140836, Bldg/Property Claim Object Code: 53401	\$44,755

24. Recommendation Concerning New Positions - Stephan Hall, Finance Director, Office of Management and Budget

That the Board approve the following seven new positions in the Fiscal Year 2021-2022 budget:

A. Building Services, Fund 406, Inspections Fund - Permit Technician I;

B. Building Services, Fund 406, Inspections Fund - Inspector I;

C. Office of Management and Budget, Fund 001, General Fund - Director's Aide;

D. Human Resources, Fund 001, General Fund - existing HR Manager split into the two positions of HRIS/Personnel Clerk and Administrative Assistant (net one new FTE);

E. Human Resources Specialist, Fund 001, General Fund;

F. Deputy Director of Human Resources, Fund 001, General Fund; and

G. Labor Relations Manager, Fund 001, General Fund.

III. CAR For Discussion

1. Recommendation Concerning an Appointment by the Mayor of the City of Pensacola to the West Florida Public Library Board of Governance - Todd Humble, Library Services Department Director

That the Board acknowledge, for the Official Record, Mayor Grover Robinson's appointment of Lori NeSmith, to the West Florida Public Library Board of Governance, to serve a two-year term, effective March 1, 2022, through February 28, 2024.

2. Recommendation Concerning Approval of Assessment of Liquidated Damages for Construction of the Escambia County Correctional Facility - Debbie Bowers, Assistant County Administrator and Robert E. Hogan, Facilities Management Department Director

That the Board approve the Assessment of Liquidated Damages, in the amount of \$3,438,000, for the construction of the new Escambia County Correctional Facility (Facility).

3. Recommendation Concerning EDATE Ordinances - Wesley J. Moreno, Interim County Administrator

That the Board discuss the renewal of the Economic Development Ad Valorem Tax Exemption (EDATE) that is set to expire on December 10, 2022.

4. Recommendation Concerning Hurricane Sally Pensacola Bay Fishing Bridge Memorandum of Understanding - Wesley J. Moreno, Interim County Administrator

That the Board review the Hurricane Sally Memorandum of Understanding sent by FEMA for the Pensacola Bay Fishing Bridge and authorize both the primary and secondary signatories to execute Escambia County's Request for Public Assistance.

5. Recommendation Concerning Promoting COVID-19 Testing and Vaccination Advertising - Wesley J. Moreno, Interim County Administrator

That the Board take the following action:

A. Approve the funding for 15 COVID-19 billboards across all districts for four weeks promoting testing and vaccination, in the amount of \$7,500;

OR

B. Approve the funding for 15 COVID-19 billboards across all districts for eight weeks promoting testing and vaccination, in the amount of \$12,750.

County Attorney's Report

I. CAT For Action

1. Recommendation Concerning Release of Reversionary Rights to Property at 132 Mintz Street - Escambia County Council on Aging, Inc.

At the request of Commissioner Barry, that the Board:

A. Release the County's reversionary rights to property owned by the Escambia County Council on Aging, Inc., at 132 Mintz Street; and

B. Authorize the County Attorney to prepare and the Chairman or Vice-Chairman to execute appropriate documents to accomplish the release of the County's reversionary rights in connection with the pending sale by the Council on Aging.

2. Recommendation Concerning the National Opioid Litigation.

That the Board:

A. Authorize the Chairman to execute the Florida Subdivision Participation Form to participate in the Settlement Agreement and Release with Endo Health Solutions Inc. and Endo Pharmaceuticals Inc.; and

B. Accept the abatement plan from CDAC Behavioral Healthcare, Inc., the County's designated Opioid Task Force, outlining the goals and aspirations for addressing the opioid crisis in Escambia County.

3. Recommendation Concerning Approval of Proposed Settlement of Claim with Platte River Insurance Co., Surety for Kenco Signs and Awning, LLC, Relating to the Pensacola Beach Sign Frame Replacement Project (P.D. 17-18.099).

That the Board:

A. Approve and accept payment of \$37,000 from Surety, Platte River Insurance Company, by and through Capitol Indemnity Corporation as settlement of the County's claim (#206737-01) on the Performance and Payment Bond (#41403124); and

B. Approve withholding the remaining retainage of \$14,157.05 following termination for default of the Agreement with Kenco Signs and Awning, LLC ("Kenco") for the Pensacola Beach Sign Frame Replacement (P.D. 17-18.099); and

C. Authorize the Chairman to execute the proposed Release and Assignment Agreement as full and final settlement of the County's claim in exchange for a release of the Surety and the Bond.

4. Recommendation Concerning the Settlement of a Workers' Compensation Claim Involving Michael Mayne.

That the Board approve a washout workers' compensation settlement to former deputy sheriff Michael Mayne in the amount of \$522,883.84, of which the County is responsible for \$65,164.48. This settlement was recommended by the Board's workers' compensation insurance carrier and Risk Management Division. The Medicare Set-Aside has been considered as part of the proposed settlement.

II. CAT For Discussion

1. Recommendation Concerning the County's OLF-8 Property.

At the request of Commissioner Bergosh, that the Board discuss and consider the following items related to the County's OLF-8 property:

- A. Declare as surplus approximately 84.47 acres of the OLF-8 property as identified by the attached cross-hatched diagram reflecting the portion of the property to be surplussed; and
- B. Direct staff to competitively procure a consultant to assist the County in drafting a solicitation for a Master Developer for the surplussed property and move forward in an expedited fashion; and
- C. Pursuant to Section 46-135 of the Escambia Code of Ordinances, identify any specific criteria the Board wishes the submittals for Master Developer to provide and clarify whether the successful candidate will be required to purchase the surplussed property; and
- D. Identify whether the Board will serve as the selection committee for either the consultant or the Master Developer procurements and, if so, how many finalists the Board wishes to vet; and
- E. Clarify whether the blackout policy will be in effect or waived by the Board; and
- F. Acknowledge the potential applicability of Florida's CCNA requirements; and
- G. Discuss any other related issues at the Board's discretion.

2. Recommendation Concerning County Employees Running for Elective Office.
That the Board:

- A. Discuss the proposed language related to County employees running for elective office; and
- B. Give direction to the County Attorney's Office regarding scheduling a Public Hearing.

III. CAT For Information

1. Recommendation Concerning *Michael Kempinski v. Escambia County, et al.*; Case No. 2018 CA 000117.

That the Board accept the following information:

In 2018, Michael Kempinski sued Escambia County and the City of Pensacola. Mr. Kempinski alleged that while visiting the Tryon Branch Library in 2016, he tripped over vegetation that extended onto the surrounding

sidewalk. Mr. Kempinski fell onto a parked car and landed on the cement, which resulted in permanent injuries. Pursuant to a 2013 Interlocal Agreement with the City of Pensacola, the County assumed general maintenance obligations for the library system facilities, but the City was responsible for providing groundskeeping at the Tryon Branch.

All parties, including the City's landscaping contractor, mediated the matter in September 2021. The parties reached a financial settlement, and the City fully indemnified the County. Mr. Kempinski dismissed his suit with prejudice in January 2022.

14. Items added to the agenda.

I. Commissioner Lumon May, District 3.

1. Recommendation Concerning a Funding Allocation to Montclair Elementary School

That the Board approve a Funding allocation in the amount of \$1,000.00 from Commissioner May's discretionary account in support of Montclair Elementary School.

(Funding: Fund 001, General Fund, Commissioner's Discretionary Money, Cost Center 110113, Object Code 58201)

II. Commissioner Steven Barry, District 5.

1. Recommendation Concerning Tate High School Cheerleaders

That the Board approve the request from the Tate High School Cheerleaders, for \$1,500 to be funded from District V discretionary, and approve the Purchase Order for this purpose.

15. Announcements.

16. Adjournment.