MINUTES OF THE REGULAR MEETING OF
THE ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS

JANUARY 18, 2022

Present: Commissioner Jeffrey W. Bergosh, Chairman, District 1
Commissioner Steven L. Barry, District 5
Commissioner Robert D. Bender, District 4
Commissioner Lumon J. May, District 3
Codey Leigh, General Counsel, Clerk and Comptroller's Office
Wesley J. Moreno, Interim County Administrator
Alison Rogers, County Attorney
DeLana Allen-Busbee, Administrative Specialist, Clerk and Comptroller's Office
Anthony Bowens, Administrative Assistant, County Administrator's Office
Heather Mahoney, Official Records Manager, Clerk and Comptroller's Office

Absent: Commissioner Douglas B. Underhill, Vice Chairman, District 2

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

Minutes prepared by: DeLana Allen-Busbee

REGULAR BCC AGENDA

1. Call to Order

   Chairman Bergosh called the Regular Meeting of the Board of County Commissioners to order at 9:01 a.m.

2. Invocation

   Minister Chris Robinson of Deliverance Tabernacle delivered the invocation.

3. Pledge of Allegiance to the Flag

   Commissioner Bender led the Pledge of Allegiance to the Flag.

REGULAR BCC AGENDA – Continued

4. Recommendation: That the Board adopt the agenda as prepared (or duly amended).

Motion: So moved
Made by: Commissioner May **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill absent

5. Commissioners' Forum:

   A. District 5 – Commissioner Barry provided comments;

   B. District 3 – Commissioner May provided comments;

   C. District 1 – Commissioner Bergosh provided comments; and

   D. Interim County Administrator Moreno provided comments.

6. Proclamations.

   I. Recommendation: That the Board adopt the following Proclamations:

      A. The Proclamation commending and congratulating Kenny E. Shelby, Jr., on his retirement, and expressing appreciation for his 35 years of faithful and dedicated service to the citizens of Escambia County; and

      B. The Proclamation recognizing January 23 - 29, 2022, as Escambia County School Choice Week, and calling this observance to the attention of all of our citizens.

Motion: So moved
Made by: Commissioner May **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill absent

REGULAR BCC AGENDA – Continued

7. Written Communication.

I. 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.

Motion: So moved **For Information:** Chairman Bergosh advised that he would entertain a motion to drop the item.
Made by: Commissioner May **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill absent

II. September 15, 2021, Communication from Samuel Rivers requesting Lien relief for all of his properties from a Code Enforcement Lien generated at 2408 W. Lakeview Avenue.

Recommendation: That the Board review and consider the Lien relief request made by Samuel Rivers, owner of 25 parcels located in Escambia County, from a Lien generated at the property located at 2408 W. Lakeview Avenue.

On August 21, 2014, the Board amended the "Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens' policy, Section III, H2. The staff were 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.

(Continued on Page 4)

REGULAR BCC AGENDA – Continued

7. Continued…

   II. Continued…

   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 Lien" Policy, Section III, H2.

Motion: The minimum that I would be comfortable with collecting is 20% of the total outstanding fines plus the hard costs of $2,855, and no more for this violator **For Information:** County Attorney Rogers clarified that this would cancel all liens on remaining properties and Tim Day, Natural Resources Manager, advised that 20% of the outstanding fines is approximately $11,820.
Made by: Commissioner May **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill absent

8. 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, as follows:

   The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule January 17 – January 21, 2022,* as published in the *Escambia Sun Press* on January 13, 2022.

Motion: Move to waive the reading
Made by: Commissioner Bender **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill absent

CLERK & COMPTROLLER'S REPORT – Honorable Pam Childers, Clerk of the Circuit Court and Comptroller

I. CONSENT AGENDA

1. Recommendation: That the Board accept, for filing with the Board's Minutes, the Investment Portfolio Summary Report for the month ended November 30, 2021, as required by Ordinance Number 95-13. On November 30, 2021, the portfolio market value was $389,959,108 and portfolio earnings totaled $71,443 for the month. The short term portfolio achieved a yield of 0.15%. The long-term CORE portfolio achieved a yield of 0.66%.

Motion: Move the Clerk's Report
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers and Commissioner Underhill absent

2. Recommendation: That the Board accept, for filing with the Board's Minutes, the Tourist Development Tax (TDT) Collections Data for the November 2021 returns received in the month of December 2021, as prepared by the Finance Department of the Clerk and Comptroller's Office. This is the Third month of collections for the fiscal year 2022.

- Total collections for November 2021 were $1,016,891; this is a 69% increase over the November 2020 return; however, the November 2021 return was remitted at the five percent rate compared to the four percent rate in November 2020.
- A four percent comparison of November 2021 to November 2020 is a 35% increase.
- Total collections year-to-date are $1,620,162 more than the comparable time frame in Fiscal Year 2020.
- Due to COVID-19, a prior year comparison does not provide the best benchmark; therefore, analyzing the percent change between 2022 and 2020 helps provide a key metric.
- When analyzing November 2021 to November 2019 returns, Escambia County experienced growth of 92% and year-to-date collections are 84% higher than the comparable time frame in Fiscal Year 2020; however, the November 2021 return was remitted at the five percent rate compared to the four percent rate in November 2019.
- A four percent comparison of November 2021 to November 2019 is an 84% increase with year-to-date collections being 47% higher.

Motion: Move the Clerk's Report
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers and Commissioner Underhill absent

CLERK & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

3. Recommendation: 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 December 16 and December 23, 2021, and as provided to the Clerk to the Board's office.

Motion: Move the Clerk's Report
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers and Commissioner Underhill absent

4. Recommendation: That the Board accept, for filing with the Board's Minutes, the Financial Statements and Required Supplementary Information, Escambia County, Florida, Detention/Jail Commissary Fund, September 30, 2021, as provided to the Clerk to the Board's office.

Motion: Move the Clerk's Report
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers and Commissioner Underhill absent

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

   A. Approve the Minutes of the two Attorney Client Sessions held January 6, 2022;

   B. Accept, for filing with the Board's Minutes, the Reports of the Agenda Work Session and the Gary Sansing Public Form, held on January 6, 2022; and

   C. Approve the Minutes of the Regular BCC Meeting held January 6, 2022.

Motion: Move the Clerk's Report
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers and Commissioner Underhill absent

GROWTH MANAGEMENT REPORT – Horace Jones, Director, Development Services Department

I. FOR ACTION

1. Recommendation: That the Board take the following action concerning recording Jennings Place, Phase Two, (a 130-lot residential subdivision), located in the Beulah Community, lying north of Frank Reeder Road, east of Beulah Road and south of Interstate 10, owned and developed by Forestar (USA) Real Estate Group, Inc. Prior to recording, the County Surveyor and the Clerk of the Circuit Court must sign the subdivision 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 subdivision Plat for recording in the Public Records;

   B. Approve the street names “Alder Lane," "Niall Drive," and "Reece Avenue”;

   C. Accept a Special Warranty Deed from B & C Development, LLC, a dissolved Florida Limited Liability Company and the Developer of the adjacent Daniel’s Grove subdivision, for approximately 1.44 acres lying between Daniel’s Grove and Jennings Place, Phase Two, subdivision (including about 1,000 square feet of right-of-way and associated infrastructure over that portion of Alder Avenue connecting the subdivisions);

   D. Accept all public easements, drainage improvements within public easements as depicted upon the subdivision 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);

   E. Accept a Special Warranty Deed from Forestar (USA) Real Estate Group, Incorporated, (A Delaware Corporation) for Private Parcel “A” (Pond Parcel), 6.42 acres as shown on Jennings Place, Phase One, and recorded in Plat Book 20, Pages 10, 10A, and 10B of the Escambia County Public Records;

   F. Accept a Two-Year Warranty Agreement without Surety from Forestar (USA) Real Estate Group, Inc., for Private Parcel “A” (Pond Parcel), 6.42 acres as shown on Jennings Place, Phase One, recorded in Plat Book 20, Pages 10, 10A and 10B of the Escambia County Public Records;

   G. Accept a Two-Year Warranty Agreement without Surety for streets, public easements, and drainage improvements as depicted on the plat for Jennings Place, Phase Two; and

   (Continued on Page 8)

GROWTH MANAGEMENT REPORT – Continued

I. FOR ACTION – Continued

1. Continued…

H. Authorize the Chairman or Vice Chairman to execute the two (2) Two-Year Warranty Agreements without Surety, and two (2) Special Warranty Deeds.

Motion: I'll move it
Made by: Commissioner May **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill absent

2. Recommendation: That the Board take the following action concerning the recording of Iron Rock subdivision (a private 290-lot residential subdivision) located in the Cantonment Community, lying west of County Road 97 and south of West Kingsfield Road, and 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 Lilly Court," and "Buttonbush Circle."

Motion: I move to reschedule this item to February 10th
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

3. Recommendation: That the Board of County Commissioners (BCC) review and approve, modify, or deny the issuance of a 14-day consecutive temporary concrete crushing permit only, as requested by Michael G. Long, P.E., Cornerstone Engineering Services, LLC, on behalf of LDC Pensacola, Inc., for the next 45 days to allow for the crushing and/or pulverizing of its own aggregate material on site.

Motion: Move the item
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ADMINISTRATOR'S REPORT – Wesley J. Moreno, Interim County Administrator

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1. Recommendation: That the Board take the following action concerning Community Center License and Management Agreements for County-owned Community Center Facilities between Escambia County and volunteer, not-for-profit organizations.

   A. Approve each of the Agreements authorizing the license and management of County-Owned property for public purposes with the following volunteer, not-for-profit organizations; and

	Facility	**Organization**
1	Dorrie Miller Community Center	Extra Mile Club STR8 Up, Inc.
2	Ebonwood Community Center	Ebonwood/Oakcrest/Gary Circle HOA, Inc.
3	Englewood Community Center	Boys & Girls Clubs of the Emerald Coast, Inc.
4	Englewood Neighborhood Center	Englewood Neighborhood Improvement Corporation
5	Felix Miga Senior Citizen Center	West Escambia Senior Citizens Organization, Inc.

   B. Authorize the Chairman to sign each Community Center License and Management Agreement for the aforementioned volunteer, not-for-profit organizations, effective upon Board approval.

Motion: Move the Technical/Public Service Consent Agenda [items 1 through 6] with the amendment to CAR I-1. **For Information:** County Administrator's Report item I-1 was amended to change the License and Management Agreements to a term of three years instead of five years.
Made by: Commissioner May **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

2. Recommendation: That the Board approve and authorize the Chairman to sign the Information Sharing Agreement (ISAA) between the Department of Homeland Security/Federal Emergency Management Agency (DHS/FEMA) and Escambia County, allowing Escambia County Building Services Floodplain Management Staff to receive pertinent information for Floodplain Management.

Motion: Move the Technical/Public Service Consent Agenda [items 1 through 6] with the amendment to CAR I-1. **For Information:** County Administrator's Report item I-1 was amended to change the License and Management Agreements to a term of three years instead of five years.
Made by: Commissioner May **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill absent

3. Recommendation: That the Board approve the Request for Disposition of Property Form, for the Human Resources Department, for the property which is described and listed on the Form, with the reason for disposition stated.

   - Dispose of Shredder Tag # 53044.

Motion: Move the Technical/Public Service Consent Agenda [items 1 through 6] with the amendment to CAR I-1. **For Information:** County Administrator's Report item I-1 was amended to change the License and Management Agreements to a term of three years instead of five years.
Made by: Commissioner May **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill absent

4. Recommendation: That the Board ratify the Chairman's signature on the Federally-Funded Subaward and Grant Agreement #H0773, Project #4177-18-A, approved by the Board on November 4, 2021, from the Florida Division of Emergency Management (FDEM), for the acquisition and construction of the Delano/Herman Streets Drainage Improvement Project.

Motion: Move the Technical/Public Service Consent Agenda [items 1 through 6] with the amendment to CAR I-1. **For Information:** County Administrator's Report item I-1 was amended to change the License and Management Agreements to a term of three years instead of five years.
Made by: Commissioner May **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

5. Recommendation: That the Board take the following action concerning Appointments to the Escambia County Extension Council:

A. Appoint the following individuals, effective retroactively December 1, 2021, through November 30, 2023, to serve a two-year term; and

ZONE	NAME
1	Linda Crews, 2001 Fannie Road, Century, FL 32535
9	Mollie Taylor, 1120 North 12th Avenue, Pensacola, FL 32501
11	James Hallman, 3340 Timberlane Drive, Pensacola, FL 32503

B. Request the County Administrator's Office provide Letters of Appreciation for their service to the following individuals rotating off the Extension Council.

ZONE	NAME
1	Anne Peterson, 4177 Crary Road, Century, FL 32535
11	Carol Tanksley, 8012 Eastwood Lane, Pensacola, FL 32514

Motion: Move the Technical/Public Service Consent Agenda [items 1 through 6] with the amendment to CAR I-1. **For Information:** County Administrator’s Report item I-1 was amended to change the License and Management Agreements to a term of three years instead of five years.
Made by: Commissioner May **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

6. Recommendation: That the Board reappoint Richie L. Faunce to the Escambia County Value Adjustment Board (VAB) to serve a one-year term, effective retroactively January 1, 2022, through December 31, 2022.

   A General Alert was posted on the County's website from December 6, 2021, to December 17, 2021, informing the public that the Escambia County Board of County Commissioners was seeking Escambia County residents interested in volunteering to be considered for an appointment to the Escambia County Value Adjustment Board.

   Mr. Richie L. Faunce has expressed his interest in being reappointed to the VAB and is the only resident who responded to the General Alert.

Motion: Move the Technical/Public Service Consent Agenda [items 1 through 6] with the amendment to CAR I-1. **For Information:** County Administrator’s Report item I-1 was amended to change the License and Management Agreements to a term of three years instead of five years.
Made by: Commissioner May **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill absent

II. BUDGET/FINANCE CONSENT AGENDA

1. Recommendation: That the Board take the following action:

   A. Approve the Grant Agreement, FWC Agreement No. 21216, between the Florida Fish and Wildlife Conservation Commission (FWC) and Escambia County, for the Escambia County Ex-Oriskany PCB Artificial Reef Monitoring 2021-24 Project, in the amount not-to-exceed $45,000, from the date of execution through December 31, 2024;

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

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COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1. Continued…

   C. Adopt and authorize the Chairman to sign the Resolution [R2022-14] approving Supplemental Budget Amendment #22-SBA-29, Fund 110, in the amount of $45,000, to recognize proceeds from the Florida Fish and Wildlife Commission and to appropriate these funds for the Ex-Oriskany PCB Artificial Reef Monitoring Project. No matching funds are required; and

   D. Approve the issuance of a Purchase Order, in the amount of $39,000, to Texas A&M University, Office of Sponsored Research Services, for processing of the collected samples.

   The County Attorney's Office has requested that the Board be made aware of the following language within the Agreement:

   * Paragraph 29, SEVERABILITY, CHOICE OF LAW, AND CHOICE OF VENUE, (page 17 and 18 of 21), last sentence, "Any action in connection herewith, in law or equity, shall be brought in Leon County, Florida, to the exclusion of all other lawful venues."
   * Paragraph 31, JURY TRIAL WAIVER, (page 18 of 21), "As part of the consideration of this Agreement, the Parties hereby waive trial by jury in any action or proceeding brought by any Party against any other Party pertaining to any matter whatsoever arising out of or in any way connected with this Agreement or with the products or services provided under this Agreement, including but not limited to any claim by the Grantee of *quantum meruit*."

   (Continued on Page 14)

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1. Continued…

Revenues				
Source of Funds	Amount	Account Codes	Contract	Vendor
Florida Fish and Wildlife Commission (FWC)	$45,000	Fund 110, Other Grants and Projects, Account 334326	FWC Agreement 21216	N/A
Total Revenue	$45,000			
Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
	$45,000	Fund 110, Other Grants and Projects, Cost Center 220338, Oriskany PCB Monitoring	FWC Agreement 21216	N/A
Total Expenditures	$45,000			

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

II. BUDGET/FINANCE CONSENT AGENDA – Continued

2. Recommendation: That the Board approve the issuance of a Purchase Order, in the amount of $78,952.50, to Hanko's Metal Works, Inc., dba Hanko Boats, for the purchase of a 24-foot center console boat, outboard engine, and accessories. This purchase will utilize an existing General Services Administration (GSA) Contract (Contract No.47QSWA18D0025).

Expenditures					
Source of Funds	Fund Number	Cost Center	Project Number	Object Code	Amount
LOST IV NRM Capital Projects	353	220104	21NR1349	56401	$50,000.00
LOST IV NRM Capital Projects	353	220104	22NR1759	56401	$11,952.50
National Pollutant Discharge Restricted Funds	101	221018	N/A	56401	$17,000.00
Total Expenditures					$78,952.50

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

3. Recommendation: That the Board adopt the Resolution [R2022-15] approving Supplemental Budget Amendment (SBA) 22-SBA-32, Fund 001, to recognize and appropriate "Formerly known as CARES Act Funding" for approved Fiscal Year 2021-2022 expenditures to date and to budget estimated remaining funds for future board allocations.

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

4. Recommendation: That the Board approve the street name “Blalock Circle” for a private road located in Commission District 1 and running east off the 5800 block of Sandview Drive, and approximately 300 feet south of Innerarity Point Road.

   (Funding Source: Fund 175, "Transportation Trust Fund", Cost Center 211201, Object Code 55201)

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

5. Recommendation: That the Board review and approve a Purchase Order and payment to the County's General Lines Agent, USI Insurance Services, LLC, in the amount of $411,968, to provide commercial insurance through Preferred Governmental Insurance Trust for the Fire Department's property, vehicles, equipment, and injuries from January 1, 2022, through October 1, 2022.

Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
Fund 143 Cost Center 330206	$411,968	54501 Insurance/Surety Bonds		USI Insurance Services, LLC Vendor: 422228
Total Expenditures	$411,968	N/A	N/A	N/A

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

6. Recommendation: That the Board, for Fiscal Year 2021/2022, approve the issuance of a blanket Purchase Order, in excess of $25,000, for George Stone Technical School for tuition for the enrollment of approximately 25 students for the Corrections Department.

Vendor/Contractor	Funding	Amount	Contract Number
George Stone Vo-Tech Center Project: 20 to 25 students for the Academy	115 Article V, Cost Center 290206, Object Code 55501	$47,000	Blanket Purchase Order

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]	
Made by: Commissioner Barry **Seconded by:** Commissioner Bender	
Disposition: Carried 4-0, with Commissioner Underhill absent	

7. Recommendation: That the Board approve and authorize the Interim County Administrator or designee to execute Change Order #1, in the amount of $100,000, to JayKay, Inc. d/b/a JayKay Medical Staffing for temporary mental health staff for the jail.

Department:	Corrections
Division:	Jail Medical
Type:	Addition
Amount:	$100,000
Vendor:	JayKay, Inc. d/b/a JayKay Medical Staffing
Contract:	Blanket Purchase Order
Purchase Order:	220445
Change Order:	1
Original Award Amount:	$60,000
New Purchase Order Total:	$160,000
Funding Source:	Fund 001, General Fund, Cost Center 290402, Inmate Medical. Funds will be moved from salaries

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COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

7. Continued…

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

8. Recommendation: That the Board take the following action:

A. Approve that Corrections utilize the Florida State Contract #44000000-NASPO-19-ACS for the leasing of two copiers and supplies and maintenance for a period of 60 months, at a monthly amount of $230.17 for the lease of the units, and $.0059 per black and white page and $.04 per color page for monthly cost of supplies and maintenance, resulting in a 60-month lease cost of $13,810.20; and

B. Approve a Purchase Order to Sharp Electronics Corporation c/o Copy Products Company CPC Office Technologies.

Vendor/Contractor	Funding	Amount	Contract Number
Sharp Electronics Corporation c/o Copy Products Company CPC Office Technologies	175/290202 - Care & Custody - 54401 Rentals & Leases	$13,810.20	44000000-NASPO-19-ACS

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

9. Recommendation: 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. General Daniel "Chappie" James Flight Academy, Inc., in the amount of $5,000;

   B. Brownsville Assembly of God Church, in the amount of $3,000;

   C. Independence for the Blind of NWF, Inc., in the amount of $2,000; and

   D. Waterfront Rescue Mission, Inc., in the amount of $6,000.

   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, Cost Center 540103, Aids to Private Organizations 58201)

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

10. Recommendation: That the Board take the following action:

   A. Authorize the use of Contract FSA20-EQUI18.0; and

   B. Award and approve the issuance of a Purchase Order, in excess of $25,000, and authorize the Interim County Administrator to sign the Purchase Order to Ring Power Corporation, for one new 336 GC Hydraulic Caterpillar Excavator for Waste Services.

   (Continued on Page 20)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

10. Continued…

Vendor/Contractor	Funding	Amount	Contract Number
Ring Power Corporation (Ven#182144)	Fund: 401-Solid Waste Fund Cost Center: 230314, Landfill Operations Object Code: 56401, Equipment	$320,815	FSA20-EQUI18.0

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

11. Recommendation: That the Board take the following action:

A. Approve the Annual Agreement to Purchase/Sell Public Works Dump Trucks between Bruckner's Truck & Equipment and Escambia County;

B. Authorize the use of the HGAC HT06-20 Contract; and

C. Authorize the Interim County Administrator to execute the Agreement.

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

12. Recommendation: That the Board take the following action concerning the United States Department of Agriculture (USDA) Natural Resources Conservation Service (NRCS) Emergency Watershed Protection (EWP) Program Grant and Agreement Award:

A. Authorize the Chairman or Vice Chairman to continue to execute any subsequent Agreements and Program-related documents from the Project list, subject to Legal sign-off, including Amendment Number Two, which is a budget increase for the USDA/EWP Program Project Agreement;

B. Adopt and authorize the Chairman to sign the Resolution [R2022-16] approving Supplemental Budget Amendment #22-SBA-30 to set up funds for the increase in funding; and

Revenues				
Source of Funds	Amount	Account Codes	Contract	Vendor
Disaster Recovery Fund	$507,800	Fund 112, Account 331208	N/A	N/A
Total Revenue	$507,800	N/A	N/A	N/A
Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
Disaster Recovery Fund	$507,800	Fund 112, Cost Center 330906, Object Code 56301, PN EWPC002	N/A	N/A
Total Expenditures	$507,800	N/A	N/A	N/A

(Continued on Page 22)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

12. Continued…

C. Authorize an increase in construction funding, in the amount of $507,800, being equal to a federal share of $380,850 and a County share of $126,950.

Project Name and Number	Amendment Number Two (2)	Total Budget Costs
Willowbrook Lake Dam stabilization - DSR SAL-ESC-001	$90,348.00	$391,508.00
Floridian Gully stabilization - DSR SAL-ESC-002	$108,973.00	$636,421.00
Glyn Broc Gully/Gatewood Ditch sediment removal and stabilization - DSR SAL-ESC-003	$147,406.00	$638,758.00
Twin Oaks Ditch stabilization - DSR SAL-ESC-004	$28,531.00	$123,633.00
Myrtle Grove Ditch stabilization - DSR SAL-ESC-005	$66,002.00	$286,008.00
Mill's Swamphouse sediment removal and stabilization - DSR SAL-ESC-006	$66,540.00	$288,338.00
Eligible In-kind technical design services, not to exceed 10%		$185,686.60
Total estimated cost of NRCS Agreement		$2,550,352.60

Funding	Amount
Fund 353, LOST IV, Cost Center 210106, District 9	25% Match
Fund 112, Disaster Recovery, Cost Center 330906, Object Code 56301, PN EWPC002	75% Match

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

13. Recommendation: That the Board take the following action concerning the Contract Award for Fiscal Year 2021-2022 Resurfacing Project:

A. Approve the Administrative Budget Amendment #22-ABA-19 to reallocate funds from the Local Option SalesTax (LOST) IV, in the amount of $5,716,491, to set up the Fiscal Year 2021-2022 Resurfacing Project Budget;

Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
LOST IV	$5,716,491	Fund 353, LOST IV, Cost Center 110280, LOST Admin Reserves, Object Code 56301	N/A	N/A
Total Expenditures	$5,716,491	N/A	N/A	N/A
Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
LOST IV	$5,716,491	Fund 353, LOST IV, Cost Center 210106, Object Code 56301, PN 22EN1749	N/A	N/A
Total Expenditures	$5,716,491	N/A	N/A	N/A

(Continued on Page 24)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

13. Continued…

B. Approve and award the Agreement between Escambia County, Florida, and Roads Inc. of NWF, per the terms and conditions of PD 21-22.013, for Fiscal Year 2021-2022 Resurfacing Project, in the amount of $5,699,392.81;

C. Authorize the Interim County Administrator to sign the Agreement; and

D. Authorize the Interim County Administrator or his designee to execute, subject to Legal review and sign-off, any subsequent Agreements and program-related documents for this Project that do not alter the finite terms of funding amounts or budgets.

Vendor/Contractor	Funding	Amount	Contract Number
Roads Inc. of NWF	Fund: 353 LOST IV Cost Center: 210106 Object Code: 56301 Project #22EN2759	$5,699,392.81	PD 21-22.013

The 2021-2022 Resurfacing Project is located in Commission Districts 1, 2, 3, 4 and 5.

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

II. BUDGET/FINANCE CONSENT AGENDA – Continued

14. Recommendation: That the Board approve Fiscal Year 2021-2022 Administrative Budget Amendment 22-ABA-17, Fund 353, LOST IV, in the amount of $1,082,500, to add funds to the District 3 Sidewalks budget for Sidewalks in the Wedgewood Area (District 3).

Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
LOST IV	$1,082,500	Fund 353, LOST IV, Cost Center 110280, LOST Admin Reserves, Object Code 56301	N/A	N/A
Total Expenditure	$1,082,500	N/A	N/A	N/A
Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
LOST IV	$1,082,500	Fund 353, LOST IV, Cost Center 210106, Object Code 56301, Project Number 22EN1683	N/A	N/A
Total Expenditures	$1,082,500	N/A	N/A	N/A

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

II. BUDGET/FINANCE CONSENT AGENDA – Continued

15. Recommendation: That the Board take the following action:

A. Approve the issuance of a Purchase Order, in the amount of $36,500, to RBK Security Services, Inc., d/b/a Signal 88 Security of Pensacola, to perform site security services at the Perdido Landfill and Palafox Transfer Station; and

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

Vendor/Contractor	Funding	Amount	Contract Number
RBK Security Services, Inc. d/b/a Signal 88 Security of Pensacola	Waste Services Fund 401 Solid Waste Fund Cost Center: 230307 SW Transfer Station - $10,000 Cost Center: 230314 SW Operations - $26,500	$36,500	Request for Quotes via Vendor Registry Site Security Patrol for Perdido Landfill and Palafox Transfer Station September 8, 2021

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

16. Recommendation: That the Board approve and authorize the Interim County Administrator to sign a Purchase Order for Mott MacDonald Consultants, Inc., in the amount of $34,865, utilizing Contract PD 02-03.079, Professional Services, for Lexington Terrace Community Center Engineering Services:

Vendor	Funding	Amount	Contract Number
Mott MacDonald Consultants, Inc.	Fund 151, Community Redevelopment, Cost Center 370116, CRA Barrancas	$34,865	PD 02-03.079

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

17. Recommendation: That the Board approve and authorize the Interim County Administrator to sign a Purchase Order, in excess of $25,000, to Air Engineers, LLC, for the Facilities Management Department.

Vendor/Contractor	Funding	Amount	Contract Number
Air Engineers, LLC	Fund 001 Cost Center 290411	$47,000	Quotes received from 4 Vendors

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

18. Recommendation: That the Board take the following action:

A. Approve and authorize the Interim County Administrator to sign the Agreement between Escambia County, Florida, and Gulf Marine Construction, Inc., per the terms and conditions of PD 20-21.055, for the Lafitte Cove Canal Dredging, in the amount of $65,000;

B. Authorize the Interim County Administrator or his designee to execute, subject to Legal review and sign-off, any subsequent Agreements and program-related documents for this Project that do not alter the finite terms of funding amounts or budgets; and

C. Approve the issuance of a Purchase Order, in the amount of $65,000, to Gulf Marine Construction, Inc., to mechanically dredge up to 1,200 cubic yards of material, but no more than absolutely necessary for vessels to adequately navigate the canal entryway.

This Project is in District 4.

Vendor	Funding	Amount	Contract Number
Gulf Marine Construction, Inc.	Fund 175, Transportation Trust Fund; Cost Center 211602, Engineering/Infrastructure; Object Code 54601, Repair and Maintenance	$65,000	PD 20-21.055

Motion: Move Budget and Finance [Consent Agenda items 1 through 18]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION

1. Recommendation: That the Board approve an allocation from Fund 119 - COVID Escambia Fund, Cost Center 110192 ARPA-AID, for an amount up to $1,124,963.25, to implement multiple individual Projects necessary to make existing County parks and other County public access locations on Pensacola Beach and Perdido Key more accessible to and usable by individuals with disabilities.

Description	District	Initial Cost Estimate	30% Construction Contingency	10% Design Cost	Totals
Pensacola Beach Improvements	4	$3,089,850	$926,955	$401,681	$4,418,486
Perdido Key Improvements	1	$56,900	$17,070	$7,397	$81,367
			Total Adjusted Implementation Cost for All Sites:		$4,499,853
			25% of Total Implementation Cost:		**$1,124,963.25**

Motion: Move the item
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION – Continued

2. Recommendation: That the Board review the "Notice of Funding" for FEMA's Assistance to Firefighter Grant Program (AFG) and approve Escambia County Fire Rescue's (ECFR's) representative to submit Applications in Round 1 and Round 2.

   Round 1 would be for an apparatus, and the cost to the County would be approximately 10% of the overall cost of the vehicle.

   Round 2 would be to increase staffing to an adequate level following NFPA 1710 in areas of high service demand. The SAFER Grant allows for an organization to defer cost in a tiered system for a total of three years. There is a projected cost savings of 75% for years one and two, and 35% for year three.

Motion: Move the item
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

3. Recommendation: That the Board take the following action [concerning the hiring of a search firm to assist in the recruitment of a permanent County Administrator]:

   A. Approve the issuance of a Purchase Order, in the amount of $22,500, to GovHR USA in accordance with the terms and conditions of Contract PD 21-22.014; and

   B. Approve an additional allowance, not-to-exceed $10,000, for consultant travel and additional advertisement requested by the County.

Source of Funds	Amount	Account Codes	Contract	Vendor
General Fund, Non-Departmental	Search Firm $22,500 Consultant Travel, advertisements, any additional related costs $10,000	Fund 001, General Fund,Cost Center 110201	PD 21-22.014	GovHR USA Multiple

Motion: Move the item, A and B
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR DISCUSSION

1. Recommendation: That the Board discuss whether to direct the County Attorney's Office to draft an ordinance or policy to require BCC employees who file to run for elected office to resign from BCC employment.

Motion: Move the item in the context specifically that the County Attorney said where she mentioned Board employees as well as Board contract employees
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

2. Recommendation: At the request of Commissioner Bergosh, that the Board consider the provided Resolution [R2022-17] [supporting an increase in the basic allowance for housing for junior enlisted service members stationed in Northwest Florida].

Motion: I'll move it forward
Made by: Commissioner Bender **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill absent

II. FOR ACTION

1. Recommendation: That the Board authorize the following:

   A. Payment in the total sum of $15,000.00 to Denika Cadandra Simmons in final settlement of the case styled *Denika Cadandra Simmons v. Escambia County,* Case No. 2020 CA 000486*;* and

   B. The County Attorney's Office to accept a General Release and Hold Harmless Agreement executed by Denika Cadandra Simmons; and

   C. The County Attorney's Office to execute a Stipulation for Dismissal with Prejudice upon receipt of the executed General Release and Hold Harmless Agreement.

Motion: Move all 4 [County Attorney's Report Action items]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ATTORNEY'S REPORT – Continued

II. FOR ACTION - Continued

2. Recommendation: That the Board:

   A. Schedule a private meeting with its attorneys to discuss pending litigation, in accordance with Section 286.01(8), Florida Statutes for February 10, 2022, at 8:30 a.m. CST; and

   B. Approve the public notice printed below to be published in the Escambia Sun Press on Thursday, January 27, 2022.

PUBLIC NOTICE

IT IS THE INTENTION of the Board of County Commissioners of Escambia County, Florida to hold a private meeting with its attorneys to discuss pending litigation in the case of Kimberly Downs v. Escambia County, Case No. 2019 CA 000894, in accordance with Section 286.01(8), Florida Statutes. Such attorney/client session will be held at 8:30 a.m. CST on Thursday, February 10, 2022, in the Ernie Lee Magaha Government Building, Board Chambers, 221 Palafox Place, Pensacola, Florida. Commissioners Jeff Bergosh, Douglas B. Underhill, Lumon J. May, Robert Bender and Steven Barry, Interim County Administrator Wesley Moreno, County Attorney Alison P. Rogers, and Joseph L. Hammons of The Hammons Law Firm, attorney representing Escambia County in the foregoing litigation, will attend the session. A certified court reporter will attend and report the attorney/client session.

Motion: Move all 4 [County Attorney's Report Action items]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

3. Recommendation: That the Board take the following action:

   A. Appoint Commissioner Steven Barry to serve as the Board's appointee on the 2022 Canvassing Board for the Primary Election (August 23, 2022), and the General Election (November 8, 2022); and

   B. Authorize the Chairman to sign the attached letter to Chief Judge John L. Miller, respectfully requesting that he appoint to the 2022 Canvassing Board as Commissioner Barry's alternate: The Honorable Grover C. Robinson, IV, Mayor of the City of Pensacola.

Motion: Move all 4 [County Attorney's Report Action items]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

COUNTY ATTORNEY'S REPORT – Continued

II. FOR ACTION - Continued

4. Recommendation: That the Board [take the following action concerning Escambia County's participation in the National Opioid Litigation]:

   A. Approve the proposed Interlocal Agreement between Escambia County and the City of Pensacola and authorize the Chairman to sign; and

   B. Approve the proposed Resolution [R2022-18] designating CDAC Behavioral Healthcare, Inc. to serve as Escambia County's Opioid Task Force and authorize the Chairman to sign.

Motion: Move all 4 [County Attorney's Report Action items]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Underhill absent

ITEMS ADDED TO THE AGENDA – None.

ANNOUNCEMENTS – None.

ADJOURNMENT

There being no further business to come before the Board, Chairman Bergosh declared the Regular Meeting of the Board of County Commissioners adjourned at 9:51 a.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

By: ______________________________
Jeff Bergosh, Chairman

ATTEST:
Pam Childers
Clerk of the Circuit Court & Comptroller

SEAL ______________________________
Deputy Clerk

THE BOARD OF COUNTY COMMISSIONERS ESCAMBIA CO. FL

Approved: February 10, 2022