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

FEBRUARY 10, 2022

Present: Commissioner Jeffrey W. Bergosh, Chairman, District 1
Commissioner Douglas B. Underhill, Vice Chairman, District 2
Commissioner Steven L. Barry, District 5
Commissioner Robert D. Bender, District 4
Commissioner Lumon J. May, District 3
Honorable Pam Childers, Clerk of the Circuit Court and Comptroller
Wesley J. Moreno, Interim County Administrator
Alison Rogers, County Attorney
DeLana Allen-Busbee, Administrative Specialist, Clerk and Comptroller's Office
Shamara Jernigan, Agenda Program Coordinator, County Administrator's Office
Heather Mahoney, Official Records Manager, Clerk and Comptroller's Office

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 9:15 a.m.

2. Invocation

   Pastor Josh Britnell of Charity Chapel delivered the invocation.

3. Pledge of Allegiance to the Flag

   Commissioner Bergosh led the Pledge of Allegiance to the Flag.

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

Motion: Move the agenda, as amended
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

5. Commissioners' Forum:

   A. District 4 – Commissioner Bender provided comments.

   B. District 5 – Commissioner Barry provided comments;

   C. District 3 – Commissioner May provided comments;

   D. District 2 – Commissioner Underhill provided comments;

   E. District 1 – Commissioner Bergosh provided comments; and

   F. Interim County Administrator Moreno also provided comments.

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.

Speaker(s): Patty Hightower

7. Proclamations.

   I. Recommendation: 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;

(Continued on Page 3)

REGULAR BCC AGENDA – Continued

7. Continued…

   I. Continued…

      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.

Motion: Move the Proclamations
Made by: Commissioner Underhill **Seconded by:** Commissioner May
Disposition: Carried unanimously
Speaker(s): Donta Mason, Terri Church, and Ellis Jones

8. 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.

(Continued on Page 4)

REGULAR BCC AGENDA – Continued

8. Continued…

   I. 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 Liens" Policy, Section III, H2.

Motion: Move that we provide the applicant lien relief in the form of releasing the property at 35 Carver Drive from all other liens or cross liens on other properties to which the applicant has no ownership
Made by: Commissioner Underhill **Seconded by:** Commissioner May
Disposition: Carried unanimously
Speaker(s): James O'Toole

9. 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:

   A. The following two Public Hearings on the agenda:

      (1) The 9:15 a.m. Public Hearing, advertised in the *Escambia Sun Press* on January 27, 2022, for consideration of adopting the Ordinances amending the Official Zoning Map; and

      (2) The 9:16 a.m. Public Hearing, advertised in the *Escambia Sun Press* on January 27, 2022, concerning the review of an Ordinance amending Chapter 4, Section 4-7.3; and

   B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule February 7 through February 11, 2022,* as published in the *Escambia Sun Press* on February 3, 2022.

Motion: Move that we waive the reading
Made by: Commissioner Underhill **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

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 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%.

Motion: Move the Clerk's Report in its entirety
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

2. 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 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.

Motion: Move the Clerk's Report in its entirety
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

CLERK & COMPTROLLER’S REPORT – Continued

I. CONSENT AGENDA – Continued

3. Recommendation: 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.

Motion: Move the Clerk’s Report in its entirety
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

4. Recommendation: 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.

Motion: Move the Clerk’s Report in its entirety
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

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

I. PUBLIC HEARINGS

1. Recommendation: 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 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

Motion: Move that we accept the Planning Board's recommendation to approve Case number Z-2022-02
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously
Speaker(s): None

I. PUBLIC HEARINGS – Continued

1. Continued…

B. Continued…

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

Motion: Move that we accept the Planning Board's recommendation and approve Case number Z-2021-09
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously
Speaker(s): Traci Solt and Meredith Bush

2. Recommendation: That the Board, at the 9:15 a.m. Public Hearing, adopt the Ordinances [Number 2022-8 and Number 2022-9] to amend the Official Zoning Map to include the Rezoning Cases [Z-2022-02 and Z-2021-09] 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.

Motion: Move the 9:15 hearing
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously
Speaker(s): None

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

3. Recommendation: That the Board of County Commissioners (BCC), at the 9:16 a.m. Public Hearing, review and adopt an Ordinance [Number 2022-10] 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).

Motion: Move the 9:16 in the affirmative
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously
Speaker(s): None

II. FOR ACTION

1. Recommendation: 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);

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

(Continued on Page 10)

GROWTH MANAGEMENT REPORT – Continued

II. FOR ACTION – Continued

1. Continued…

   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.

Motion: Move [Action] Items 1 and 2; Item 1, A through E; Item 2, A through D; and reschedule Item 3 to February 17th
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

2. Recommendation: 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.

Motion: Move [Action] Items 1 and 2; Item 1, A through E; Item 2, A through D; and reschedule Item 3 to February 17th
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

GROWTH MANAGEMENT REPORT – Continued

II. FOR ACTION – Continued

3. Recommendation: 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”.

Motion: Move [Action] Items 1 and 2; Item 1, A through E; Item 2, A through D; and reschedule Item 3 to February 17th
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

III. CONSENT AGENDA

1. Recommendation: That the Board authorize the scheduling of the following Public Hearings on 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).

(Continued on Page 12)

GROWTH MANAGEMENT REPORT – Continued

III. CONSENT AGENDA – Continued

1. Continued…

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.

Motion: Move the Consent Agenda
Made by: Commissioner Underhill **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1. Recommendation: 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.

Motion: I move the [Technical/Public Service] Consent Agenda, holding [Item] 9
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

2. Recommendation: 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.

Motion: I move the [Technical/Public Service] Consent Agenda, holding [Item] 9
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

3. Recommendation: 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.

Motion: I move the [Technical/Public Service] Consent Agenda, holding [Item] 9
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

4. Recommendation: 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.

Motion: I move the [Technical/Public Service] Consent Agenda, holding [Item] 9
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

5. Recommendation: 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.

Motion: I move the [Technical/Public Service] Consent Agenda, holding [Item] 9
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

6. Recommendation: 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).

Motion: I move the [Technical/Public Service] Consent Agenda, holding [Item] 9
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

7. Recommendation: 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.

Motion: I move the [Technical/Public Service] Consent Agenda, holding [Item] 9
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

8. Recommendation: 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.

Motion: I move the [Technical/Public Service] Consent Agenda, holding [Item] 9
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

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

Motion: Commissioner Bender made the following verbal amendments to the provided County Policies as his motion for this Item: The policy for the Committee of the Whole was amended to reflect only meeting on the 2^{nd} Thursday of each month, rather than the 2^{nd} and 4^{th}. The policy concerning honoring the Centenarian was amended to have the Item at either the first or second BCC meeting of the month. All other policies remained as provided in the recommendation and backup.
Made by: Commissioner Bender **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

10. Recommendation: 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.

Motion: I move the [Technical/Public Service] Consent Agenda, holding [Item] 9
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

II. BUDGET/FINANCE CONSENT AGENDA

1. Recommendation: 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 [R2022-19] 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
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

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

2. Recommendation: 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 [R2022-20] 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 Protection (FDEP)	$500,000	Fund 118, Gulf Coast Restoration Fund, Account TBD (new)	DH004	N/A
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			

(Continued on Page 19)

II. BUDGET/FINANCE CONSENT AGENDA – Continued

2. Continued…

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

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.	
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry	
Disposition: Carried unanimously	

3. Recommendation: 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

(Continued on Page 20)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

3. Continued…

(Funding Impact: Funding, in the amount of $51,670.66, is available in Fund 001, Cost Center 270102, Object Code 54601.)

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

4. Recommendation: 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

(Continued on Page 21)

4. Continued…

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

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

5. Recommendation: 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 Oject Code: 55201	$58,667.83	Quote # 3000109897671
	Fund: 113 Cost Center: 110501 Object Code: 55201	$18,531.80	

(Continued on Page 22)

5. Continued…

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

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

6. Recommendation: 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

(Continued on Page 23)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

6. Continued…

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

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

7. Recommendation: 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 [R2022-21] 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**
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

(Continued on Page 24)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

7. Continued…

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.

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

8. Recommendation: 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

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

9. Recommendation: 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

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

10. 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. 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)

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

11. Recommendation: That the Board adopt the Resolution [R2022-22] 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.

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

12. Recommendation: 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.)

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

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

A. Adopt the Resolution [R2022-23] 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.

(Continued on Page 28)

II. BUDGET/FINANCE CONSENT AGENDA – Continued

13. Continued…

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

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

14. Recommendation: 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

(Continued on Page 29)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

14. Continued…

Vendor/Contractor	Amount	Contract Number
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

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

15. Recommendation: 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
American Rescue Plan	Fund 119	110192	56301	$2,500,000

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

16. Recommendation: 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 [R2022-24] 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.)

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

17. Recommendation: 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.

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

18. Recommendation: 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.

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

II. BUDGET/FINANCE CONSENT AGENDA – Continued

19. Recommendation: 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.

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

20. Recommendation: 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.

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

21. Recommendation: 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

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

22. Recommendation: 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
Orginial 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

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

II. BUDGET/FINANCE CONSENT AGENDA – Continued

23. Recommendation: 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

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

24. Recommendation: 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;

(Continued on Page 37)

II. BUDGET/FINANCE CONSENT AGENDA – Continued

24. Continued…

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

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

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 24, as amended to drop Item 21.
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously

III. FOR DISCUSSION

1. Recommendation: 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.

Motion: So moved
Made by: Commissioner Barry **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

2. Recommendation: 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).

Disposition: No action taken **For Information:** The Board gave direction to schedule an Attorney-Client Session for further discussion of this Item due to active litigation.
Speaker(s): Elysha Luken and Robert Fabbro

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

Disposition: No action taken **For Information:** The Board requested that this Item be brought back on the next meeting agenda with information regarding an analysis of the EDATE process and benefit.

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION – Continued

4. Recommendation: 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.

Motion: Move the Item
Made by: Commissioner Bender **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill temporarily out of Board Chambers

5. Recommendation: 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.

Motion: Move the Item for eight weeks
Made by: Commissioner May **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Underhill temporarily out of Board Chambers

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1. Recommendation: 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.

Motion: Move all four [Action] Items
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

2. Recommendation: That the Board [take the following action concerning National Opioid Litigation]:

   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 Behaviorial Healthcare, Inc., the County's designated Opioid Task Force, outlining the goals and aspirations for addressing the opioid crisis in Escambia County.

Motion: Move all four [Action] Items
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

I. FOR ACTION - Continued

3. Recommendation: 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);

   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.

Motion: Move all four [Action] Items
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

4. Recommendation: 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.

Motion: Move all four [Action] Items
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

COUNTY ATTORNEY'S REPORT – Continued

II. FOR DISCUSSION

1. Recommendation: 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;

   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;

   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;

   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;

   E. Clarify whether the blackout policy will be in effect or waived by the Board;

   F. Acknowledge the potential applicability of Florida's CCNA requirements; and

   G. Discuss any other related issues at the Board's discretion.

Motion: Move item A; move item C to be amended that the Board will give that direction in the near future for C; move item D, the Board would serve as the selection committee; the Board would indicate an interest in the blackout policy being in effect [item E], and item F stands as written **For Information:** The Board discussed having the list of finalists for Master Developer consideration narrowed down to 3-5 and their lack of desire to hire a consultant. The Board further discussed that an unsolicited offer for a larger portion of land would be considered if brought forward, and that a candidate for Master Developer would be required to purchase the surplus property.
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried unanimously

COUNTY ATTORNEY'S REPORT – Continued

II. FOR DISCUSSION - Continued

2. Recommendation: 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.

Motion: Move to direct the County Attorney to bring the policy back, Option 2
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 3-1, with Commissioner Underhill voting "no" and Commissioner May having left the meeting

III. FOR INFORMATION

1. Recommendation: That the Board accept the following information [concerning *Michael Kempinski v. Escambia County, et al.*; Case No. 2018 CA 000117]:

   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.

Disposition: No action taken

ITEMS ADDED TO THE AGENDA

I. COMMISSIONER LUMON MAY, DISTRICT 3

1. Recommendation: 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)

Motion: Approve funding for $1,000 from Commissioner May's discretionary account in support of Montclair Elementary School and I'm going to add $500 from Commissioner Barry's discretionary fund for a total of $1,500
Made by: Commissioner Barry **Seconded by:** Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May having left the meeting

II. COMMISSIONER STEVEN BARRY, DISTRICT 5

1. Recommendation: 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.

Motion: My add-on is for $1,500 from my discretionary account for the Tate High School Cheerleader program for travel to the State tournament **For Information:** Commissioner Bergosh advised that he would like to amend the item to add $1,000 from District 1 discretionary funds for a total of $2,500.
Made by: Commissioner Barry **Seconded by:** Commissioner Bergosh
Disposition: Carried 4-0, with Commissioner May having left the meeting

ANNOUNCEMENTS – None.

MINUTES – FEBRUARY 10, 2022

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 11:53 a.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

By: ______________________________
Jeff Bergosh, Chairman

ATTEST:

Pam Childers
Clerk of the Circuit Court & Comptroller

____
Deputy Clerk

THE BOARD OF COUNTY COMMISSIONERS SEAL ESCAMBIA CO., FL

Approved: February 17, 2022