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

MARCH 24, 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 9:03 a.m.

2. Invocation

   Reverend Rusty Knowles of First Pentecostal Church delivered the invocation.

3. Pledge of Allegiance to the Flag

   Commissioner Bergosh 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: Move the agenda
Made by: Commissioner Bender **Seconded by:** Commissioner Underhill
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. Proclamations.

   I. Recommendation: That the Board ratify the Proclamation, dated March 3, 2022, publicly recognizing HCA Healthcare for their mission and commitment to the care and improvement of human life and for their positive impact in our community.

Motion: So moved
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers
Speaker(s): None

REGULAR BCC AGENDA – Continued

7. Written Communication.

   I. Recommendation: That the Board review and consider the Lien relief request made by Brian Pfister, owner of the property, at 215 Ehrmann Street (Commission District 2).

      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 allow 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: Move that we grant the lien relief, as requested, and waive the remainder of the administrative fines, leaving the $235 in court costs
Made by: Commissioner Underhill **Seconded by:** Commissioner Barry
Disposition: Carried unanimously
Speaker(s): Brian Pfister

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:

   The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule March 21 through March 25, 2022,* as published in the *Escambia Sun Press* on March 17, 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 January 31, 2022, as required by Ordinance Number 95-13. On January 31, 2022, the portfolio market value was $456,235,332. The short term portfolio achieved a yield of 0.20%. The long-term CORE portfolio achieved a yield of 1.18%.

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

2. Recommendation: That the Board accept for filing with the Board's Minutes, the following two Comprehensive Annual Financial Reports. These reports will be available online at: https://www.escambiaclerk.com/Archive.aspx?AMID=36.

   1. The Government Finance Officer's Association Version of the Escambia County Florida, Comprehensive Annual Financial Report, Fiscal Year Ended September 30, 2021.

   2. The Auditor General Version of the Escambia County Florida, Comprehensive Annual Financial Report, Fiscal Year Ended September 30, 2021.

Motion: So moved
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
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 Tourist Development Tax (TDT) Collections Data for the January 2022 returns received in the month of February 2022, as prepared by the Treasury Department of the Clerk and Comptroller's Office.

   - Total collections received in February 2022 were $778,905 compared to $515,868 in February 2021. A four percent comparison of February 2022 to February 2021 is a 21% increase.

   - Year-to-date collections for FY2022 are $5,900,207 compared to $3,645,046 for FY2021.

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

4. Recommendation: That the Board accept, for filing with the Board's Minutes, the Escambia County, Florida, Community Redevelopment Agency Financial Statements, September 30, 2021, as provided by Kristen McAllister, CPA, CGFM, Warren Averett.

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

CLERK & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

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 March 3, 2022;

   B. Accept, for filing with the Board's Minutes, the Reports of the Agenda Work Session and the Gary Sansing Public Forum held March 3, 2022;

   C. Approve the Minutes of the Regular BCC Meeting held March 3, 2022;

   D. Approve the Minutes of the Attorney-Client Session held March 10, 2022; and

   E. Accept, for filing with the Board's Minutes, the Report of the Committee of the Whole Workshop held March 10, 2022.

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

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

I. FOR ACTION

1. Recommendation: That the Board take the following action concerning recording of Birch Run (a private 55-lot single-family residential subdivision) located in the Beulah Community, lying west of Rebel Road and north of West Nine Mile Road, and owned by Coastal Home 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; and

   B. Approve the street names "Burrow Lane," "Betula Road," and "Berenice Circle."

Motion: Move the item, A and B
Made by: Commissioner Barry **Seconded by:** Commissioner May
Disposition: Carried unanimously

GROWTH MANAGEMENT REPORT – Continued

I. FOR ACTION – Continued

2. Recommendation: That the Board review and approve a Hold Harmless Agreement with Holly Willis, for construction of a seawall at 330 Meadson Point Road, Parcel I.D. # 07-3S-32-4002-000-024. The agreement will serve to hold the County, its officers and employees, harmless from any damages to persons or property that may result from authorized construction.

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

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 Amendment #1 to the Community Development Block Grant (CDBG)-CV Agreement with the Council on Aging of West Florida, Inc.:

   A. Approve Amendment #1 to the Senior Assistance COVID-19 Program Agreement to extend the Agreement through March 31, 2023, to update the designated Contract Manager for the County, to update the designated contact for the Council on Aging of West Florida, Inc., and to update the Income Eligibility Guidelines used to qualify individuals for service eligibility; and

   B. Authorize the Chairman or Vice Chairman to execute the Amendment.

Motion: Move the balance **For Information:** The "balance" refers to Technical/Public Service Consent Agenda Items 1 through 8, with the exception of Item 5, which was held for a separate vote.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

2. Recommendation: That the Board take the following action concerning the Interlocal Agreement with the Town of Century for the Century Wastewater Improvement Project:

   A. Acknowledge a Reallocation of Funding in the Interlocal Agreement with the Town of Century for the Century Wastewater Improvement Project; and

(Continued on Page 8)

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

2. Continued…

B. Authorize the Interim County Administrator to sign future no-cost Amendments to the Interlocal Agreement.

Motion: Move the balance **For Information:** The "balance" refers to Technical/Public Service Consent Agenda Items 1 through 8, with the exception of Item 5, which was held for a separate vote.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

3. Recommendation: That the Board authorize the scheduling of a Public Hearing on April 7, 2022, at 5:32 p.m., to consider adoption of an Ordinance creating the Meadows Subdivision Street Lighting Municipal Services Benefit Unit (MSBU).

Motion: Move the balance **For Information:** The "balance" refers to Technical/Public Service Consent Agenda Items 1 through 8, with the exception of Item 5, which was held for a separate vote.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

4. Recommendation: That the Board take the following action concerning an Amendment to the Interlocal Agreement between Escambia County Fire Rescue and the Escambia County School Board:

A. Review and approve the provided Amendment to the Interlocal Agreement between Escambia County Fire Rescue and the Escambia County School Board; and

B. Authorize the Chairman to sign the Amendment to the Interlocal Agreement between Escambia County Fire Rescue and the Escambia County School Board.

Motion: Move the balance **For Information:** The "balance" refers to Technical/Public Service Consent Agenda Items 1 through 8, with the exception of Item 5, which was held for a separate vote.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

5. Recommendation: That the Board take the following action concerning the State of Florida Department of Transportation (FDOT) Off System Project Agreement between FDOT and Escambia County for construction and maintenance of the replacement of Eightmile Creek Bridge (484071) on Interstate Circle:

   A. Approve and authorize the Chairman to sign the FDOT Off System Project Agreement between FDOT and Escambia County for the Eightmile Creek Bridge (484071) on Interstate Circle;

   B. Adopt a Resolution [R2022-30] authorizing the State of Florida Department of Transportation to temporarily close Interstate Circle, in accordance with the PLANS;

   C. Adopt a Resolution [R2022-31] authorizing the State of Florida Department of Transportation to acquire property on behalf and in the name of Escambia County through voluntary acquisition and through the use of eminent domain, for the bridge replacement; and

   D. Authorize the Chairman 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 the funding amounts or budgets.

   This project is located in Commission District 1.

   There is no specific monetary obligation associated with this Agreement. This Agreement grants FDOT access, as well as the right to acquire right of way and permits for the Project.

   (NOTE: The Escambia County Attorney's Office has asked the Board to note that the Agreement requires Escambia County to indemnify and hold harmless FDOT, as well as pay for certain cost overruns.)

Motion: So moved
Made by: Commissioner Barry **Seconded by:** Commissioner May
Disposition: Carried unanimously
Speaker(s): Chris Curb

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

6. Recommendation: That the Board approve the Revised 2022 Board of County Commissioners' Meeting/Committee of the Whole Workshop Schedule, as submitted, to include the First and Second Budget Public Hearings, scheduled on Tuesday, September 6, 2022, at 5:31 p.m., and Tuesday, September 20, 2022, at 5:31 p.m., respectively.

   The Budget Workshops have also been scheduled for Tuesday, July 12, 2022, at 9:00 a.m., and Wednesday, July 13, 2022, at 9:00 a.m.

Motion: Move the balance **For Information:** The "balance" refers to Technical/Public Service Consent Agenda Items 1 through 8, with the exception of Item 5, which was held for a separate vote.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

7. Recommendation: That the Board take the following action concerning Economic Development Incentives for Project PIONEER, an economic development prospect:

   A. Adopt a Resolution [R2022-32] establishing the Board's intent to adopt an Ordinance for an Economic Development Ad Valorem Tax Exemption (EDATE) for Project Pioneer, for up to 10 years; and

   B. Authorize the Chairman to execute the Resolution.

Motion: Move the balance **For Information:** The "balance" refers to Technical/Public Service Consent Agenda Items 1 through 8, with the exception of Item 5, which was held for a separate vote.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

8. Recommendation: That the Board approve and authorize the Chairman to execute the Memorandum of Agreement between the Escambia County Board of County Commissioners (BCC) and the Florida Police Benevolent Association, Inc. (PBA).

Motion: Move the balance **For Information:** The "balance" refers to Technical/Public Service Consent Agenda Items 1 through 8, with the exception of Item 5, which was held for a separate vote.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA

1. Recommendation: That the Board rescind the Board's action of December 2, 2021, CAR II-1, approving the Funding and Lien Agreements between Escambia County Community Redevelopment Agency, and Alice R. Reneau, owner of residential property located at 3401 W. LaRua Street, Pensacola, Florida, 32505, for a roof replacement in the Brownsville CRA.

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

2. Recommendation: That the Board take the following action concerning the CDBG-CV Legal Services Program Agreement between Escambia County and Legal Services of North Florida, Inc.:

A. Approve the CDBG-CV Legal Services Program Agreement between Escambia County and Legal Services of North Florida, Inc. (LSNF), in the amount of $50,000; and

B. Authorize the Chairman or Vice Chairman to execute the Agreement and related documents required to implement the program.

Vendor/Contractor	Funding	Amount	Contract Number
Legal Services of North Florida, Inc.	Fund 129/CDBG-CV, Cost Center 370238	$50,000	N/A

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

3. Recommendation: That the Board approve and authorize the Interim County Administrator to execute the following Change Order #6 to Mott MacDonald Florida, LLC, in the amount of $60,936.34, on Contract PD 15-16.040, for the Jones Swamp Floodplain Restoration and Expansion Project:

Department:	Natural Resources Management
Division:	Water Quality & Land Management
Type:	Additive
Amount:	$60,936.34
Vendor:	Mott MacDonald Florida, LLC
Project Name:	Jones Swamp Floodplain Restoration and Expansion Project
Contract:	PD 15-16.040
PO#:	161575
Change Order #1:	Time Only
Change Orders #2 through #5:	Time Only
Change Order #6:	$60,936.34 and Time
Original Contract Amount:	$181,184.00
Cumulative Amount of Change Orders through this CO:	$60,936.34
New Contract Amount:	$242,120.34
Funding Source:	Fund 118, Gulf Coast Restoration Fund, Cost Center 222002, NFWF Bayou Chico Grant, Object Code 56301, Project Number NFWF10EC

(Continued on Page 13)

II. BUDGET/FINANCE CONSENT AGENDA – Continued

3. Continued…

This Project is located in Commission District 2.

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

4. Recommendation: That the Board approve and authorize the Interim County Administrator to execute the following six Services Agreements in support of the Pensacola and Perdido Bays Estuary Program:

A. Services Agreement with Troy University, in the amount of $29,798, to create a Living Shoreline Suitability Model for Perdido Bay;

B. Services Agreement with the University of West Florida, in the amount of $75,000, to complete water quality monitoring in the upper reaches of the Pensacola and Perdido watersheds;

C. Services Agreement with Florida State University, in the amount of $31,541, to complete an economic impact and valuation of the Pensacola and Perdido watersheds;

D. Services Agreement with the University of Southern Mississippi, in the amount of $49,574, to complete seagrass monitoring in the Pensacola and Perdido watersheds;

E. Services Agreement with Dauphin Island Sea Lab, in the amount of $75,000, to complete seagrass mapping and fish trawling surveys in the Pensacola and Perdido watersheds; and

F. Services Agreement with Mississippi State University, in the amount of $48,750, to complete a documentary of the oyster fishery in the Pensacola Bay System.

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COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

4. Continued…

NOTE: The County Attorney's Office requested the Board be advised that the Agreements with the University of Southern Mississippi, Dauphin Island Sea Lab, and Mississippi State University do not include the following standard "Governing Law" provision: "This Agreement shall be governed by and construed in accordance with the laws of the State of Florida, and the parties stipulate that venue shall be in the County of Escambia."

Vendor/Contractor	Funding	Amount	Contract Number
Troy University	Fund 118, Cost Center 222008, Object Code 53401	$29,798	N/A
University of West Florida	Fund 118, Cost Center 222008, Object Code 53401	$75,000	N/A
Florida State University	Fund 118, Cost Center 222008, Object Code 53401	$31,541	N/A
University of Southern Mississippi	Fund 118, Cost Center 222008, Object Code 53401	$49,574	N/A
Dauphin Island Sea Lab	Fund 118, Cost Center 222008, Object Code 53401	$75,000	N/A
Mississippi State University	Fund 118, Cost Center 222008, Object Code 53401	$48,750	N/A

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

5. Recommendation: That the Board approve and authorize the Interim County Administrator to execute the following Change Order to Blue Arbor, Inc., in the amount of $82,000, on Contract PD 17-18.055, for continued temporary staffing services.

Department	Building Services
Division Information	Building Inspections
Type	Addition
Amount	$82,000
Vendor	Blue Arbor, Inc.
Contract	PD 17-18.055
Purchase Order	220740
Change Order # 1	$82,000
Original Contract Amount	$45,000
New Purchase Order Amount	$127,000
Fund Source	Fund 406, Building Inspections, Cost Center 250109, Building Inspections, Object Code 53401, Other Contractual Services and Fund 406, Building Inspections; Cost Center 250111, Administration; Object Code 59801, Reserves

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

6. Recommendation: That the Board take the following action regarding Fund Balances:

   A. Adopt the Resolution [R2022-33] approving Supplemental Budget Amendment #22-SBA-41, in the amount of $232,206,920, to appropriate available fund balances, reallocate budgeted funds to cover unanticipated needs and deficit rollup balances, and provide sufficient funds for on-going operations through year end; and

   B. Amend its previous action taken on July 28, 2021, and approve an Amendment to the County's Fund Balance Policy.

Motion: So moved
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-1, with Commissioner Underhill voting “no”

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

   A. Approve the issuance of a Purchase Order, in the amount of $43,486.94, to PC Specialists DBA Technology Integration Group, for the renewal of the Aruba Licenses, for the term of April 1, 2022, to March 31, 2023, for Escambia County; and

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

Vendor/Contractor	**Funding**	**Amount**	**Contract Number**
PC Specialists DBA Technology Integration Group Vendor # 150525 Aruba License Renewal Term: 04/01/2022 to 03/31/2023	Fund: 001 Cost Center: 270102 Object Code: 54601	$43,486.94	Quote # 080722 Contract # NCPA 01-97

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

   A. Approve the use of the NPPGOV Contract PS20090;

   B. Approve the purchase of two Artic SCBA Compressors including fill station, storage cylinders, compressor, and installation for $99,415; and

   C. Authorize the Interim County Administrator or his designee to sign the Purchase Order to NAFECO, in the amount of $99,415.

Vendor/Contractor	**Funding**	**Amount**	**Contract Number**
NAFECO Vendor Number: 141740	Cost Center: 110190 Object Code:56401	$99,415	PS20090

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

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. West Florida High School Softball Boosters, Inc., in the amount of $1,500;

   B. Pensacola Alumni Charity Foundation, Inc., in the amount of $10,000; and

   C. Ensley Youth Sports Association Inc., in the amount of $2,000.

   (Continued on Page 18)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

9. Continued…

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 the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

10. Recommendation: That the Board approve and authorize the Interim County Administrator to sign the Agreement for General Lines Insurance Agent Services between Escambia County and USI Insurance Services, LLC, per the terms and conditions of PD 20-21.058, General Lines Insurance Agent, for an annual fee of $130,000 for a term of three years with the option to extend for two additional 12-month periods upon mutual agreement of both parties.

Vendor/Contractor	Funding	Amount	Contract Number
USI Insurance Services, LLC	Fund 501, Internal Service Fund, Cost Center 140835, Object Code 54501	$130,000	PD 20-21.058

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

11. Recommendation: That the Board take the following action concerning the issuance of blanket and/or individual Purchase Orders, in excess of $25,000, for the Public Works Department:

A. Approve the issuance of blanket and/or individual Purchase Orders, in excess of $25,000, for Fiscal Year 2021-2022; based on previously awarded Contracts, Contractual Agreements or Annual Maintenance Requirements for the Public Works Department-Fleet, Fire and EMS;

Ten-8 Fire Equipment, Inc. (Vendor #200935) Fire Truck Parts, Supplies, Repair, & Maintenance Fund 143, Cost Center 330206, Object Code 54608 (Fire Services)	$80,000
Key Ford, LLC (Vendor #233900) DBA World Ford of Pensacola Parts, Supplies, Repair and Maintenance on Ambulances Fund 408, Cost Center 330302, Object Code 54608 (Emergency Medical Services)	$100,000

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II. BUDGET/FINANCE CONSENT AGENDA – Continued

11. Continued…

B. Approve and authorize the Interim County Administrator or designee to execute Change Order #1 to Purchase Order #220186, in the amount of $40,000, to Ten-8 Fire Equipment, Inc., for fire apparatus repairs; and

Department:	Public Works
Division:	Fleet-Fire
Type:	Addition
Amount:	$40,000
Vendor:	Ten-8 Fire Equipment, Inc. (Ven #200935)
Purchase Order:	220186
Change Order:	1
Original Amount:	$20,000
Change Order #2	+$40,000
Total:	$60,000

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COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

11. Continued…

C. Approve and authorize the Interim County Administrator or designee to execute Change Order #1 to Purchase Order 220140, in the amount of $50,000 to Key Ford, LLC, DBA World Ford, for ambulance repairs.

Department:	Public Works
Division:	Fleet-EMS
Type:	Addition
Amount:	$50,000
Vendor:	Key Ford, LLC, DBA World Ford of Pensacola (Vendor #233900)
Purchase Order:	220140
Change Order:	1
Original Amount:	$25,000
Change Order #1	+50,000
Total:	$75,000

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

II. BUDGET/FINANCE CONSENT AGENDA – Continued

12. Recommendation: That the Board take the following action regarding the State of Florida Department of Transportation Public Transportation Grant Agreement (PTGA), Financial Project Numbers 421368-3-84-19 and 423168-3-84-22, providing Fiscal Year 2022, Section 5311 Non-Urbanized Area Formula Program Grant funding to the Mass Transit Department:

A. Approve the PTGA, Financial Project Numbers 421368-3-84-19 and 421368-3-84-22, providing for Florida Department of Transportation (FDOT) participation, in the amount of $312,340, of Fiscal Year 2022 funding to Escambia County Area Transit (ECAT);

B. Adopt the Resolution [R2022-34] authorizing the application and acceptance of those funds; and

C. Authorize the Chairman to execute the Resolution, PTGA, and all other required documents pertaining to this PTGA without further action of the Board.

The County Attorney's Office has requested that the Board be advised that the Public Transportation Grant Agreement includes the following provisions:

18. a. It is specifically agreed between the Parties executing this Agreement…..the Agency shall indemnify, defend, and hold harmless the State of Florida, Department of Transportation, including the Department's officers and employees, from liabilities, damages, losses, and costs, including, but not limited to, reasonable attorney's fees, to the extent caused by negligence, recklessness, or intentional wrongful misconduct of the Agency and persons employed or utilized by the Agency in the performance of this Agreement…..

19. j. Law, Forum, and Venue. This Agreement shall be governed by and construed in accordance with the laws of the State of Florida. In the event of a conflict between any portion of the Contract and Florida law, the laws of Florida shall prevail. The Agency agrees to waive forum and venue and that the Department shall determine the forum and venue in which any dispute under this Agreement is decided.

(Continued on Page 23)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

12. Continued…

(Funding: The required 50% match of $312,340 is included in the Mass Transit Fiscal Year 2021/2022 budget. There will be no additional cost to the County as a result of this action.)

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

13. Recommendation: That the Board approve the request to advance $200,000 available in Local Option Sales Tax (LOST) IV Funds from Fiscal Year 2023, to add to the $800,000 available in Fiscal Year 2022, for audio and video upgrades in the courtrooms at the M.C. Blanchard Judicial Building and Theodore Bruno Juvenile Justice Center. This effort will be in partnership with the Office of the State Courts Administrator (OSCA) which has provided $230,000 in state funding to assist with this necessary upgrade.

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

14. Recommendation: That the Board authorize the issuance of a Purchase Order, in the amount of $54,464, to ESB Group, Inc., to replace existing cameras for digital court reporting in courtrooms at the M.C. Blanchard Judicial Building and Theodore Bruno Juvenile Justice Center. This necessary upgrade is a part of the LOST IV audio and video upgrade Project for both courthouse facilities. Multiple quotes were received with ESB Group, Inc. providing the lowest responsive bid.

Vendor	**Amount**
ESB Group, Inc.	
FUND 353, LOST IV, Cost Center 410147, Object Code 56401	
M.C. Blanchard Judicial Building	$46,787
Theodore Bruno Juvenile Justice Center	$ 7,677
TOTAL	**$54,464**

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

15. Recommendation: That the Board take the following action concerning Contract PD 17-18.091, Elevator Maintenance Services for Escambia County Facilities:

A. Approve exercising the first of two possible one-year renewal periods allowed per Contract with Escambia County and Otis Elevator Company, PD 17-18.091, under the same terms and conditions; and

B. Approve and authorize the Interim County Administrator or designee to sign all related documents.

(Continued on Page 25)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

15. Continued…

Vendor	Funding	Contract
Otis Elevator Company	Fund 001: General Fund Cost Center 310203: Facility Maintenance $46,208	PD 17-18.091
Otis Elevator Company	Fund 113: Library Fund Cost Center 110502: Libraries $1,975	PD 17-18.091
Otis Elevator Company	Fund 353: LOST IV Cost Center 350221: Parks Capital Projects $1,620	PD 17-18.091

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

16. Recommendation: That the Board take the following action on the issuance of Purchase Orders relating to Hurricane Sally for the Engineering Department:

A. Authorize the issuance of the following Purchase Orders for design services related to Hurricane Sally for the Engineering Department; and

Vendor/Contractor	Funding	Amount	District	Description
A. Volkert, Inc. Contract PD 02-03.79 Professional Services	Fund 112, Disaster Recovery, Cost Center 330905 Category G, Object Code 53101, PN 21PW643, FEMA 75%, State 12.5%	$49,998	1	Innerarity Point Park Dock Repairs FEMA Project. Construction plans will include, but not be limited to the design for the in-kind repairs of the existing dock that was damaged during the Hurricane Sally rain event.
B. Sigma Consulting Group, Inc. Contract PD 02-03.79 Professional Services	Fund 112, Disaster Recovery, Cost Center 330903, Category C, Object Code 53101, FEMA 75%, State 12.5	$35,835	5	Jamesville Road at Coffee Creek Bridge #484292 FEMA Repair project. Construction plans will include, but not be limited to the design for the in-kind bridge repairs/upgrade that was damaged during the Hurricane Sally rain event.

(Continued on Page 27)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

16. Continued…

B. Authorize the Chairman, Vice Chairman, or Interim County Administrator or his designee, subject to Legal review and sign-off, to execute program-related documents required for services, and any subsequent documents that do not exceed Board approval thresholds or established Policy.

Motion: Move the balance **For Information:** The "balance" refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

17. Recommendation: That the Board take the following action concerning the issuance of a Purchase Order for the Ransom Middle School Pond Expansion for the Engineering Department:

A. Approve Administrative Budget Amendment #22-ABA-31, to transfer funds from the Local Option Sales Tax (LOST IV), in the amount of $50,000, to set up funds for the design of the Ransom Middle School Pond Expansion Project;

Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
LOST IV	$50,000	Fund 353, LOST IV, Cost Center 110280, LOST Admin Reserves, Object Code 56301	N/A	N/A
Total Expenditures	$50,000	N/A	N/A	N/A
N/A				

(Continued on Page 28)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

17. Continued…

A. Continued…

Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
LOST IV	$50,000	Fund 353, LOST IV, Cost Center 210106, Object Code 56301, PN 22EN1765	N/A	N/A
Total Expenditures	$50,000	N/A	N/A	N/A

B. Authorize the Issuance of the following Purchase Order for design services for the Ransom Middle School Pond Expansion; and

Vendor/Contractor	**Funding**	**Amount**	**Contract Number**
Sigma Consulting Group, Inc.	Fund 353, LOST IV, Cost Center 210106, Object Code 56301, PN 22EN1765	$39,975	PD 02-03.79, Professional Services

C. Authorize the Chairman, Vice Chairman, or Interim County Administrator or his designee, subject to Legal review and sign-off, to execute program-related documents required for services, and any subsequent documents that do not exceed Board approval thresholds or established Policy.

This Project is located in Commission District 5.

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

18. Recommendation: That the Board take the following action concerning the issuance of a Purchase Order for the Green Tree Circle Dirt Road Paving Project:

A. Authorize the issuance of a Purchase Order for design services for the Green Tree Circle Dirt Road Paving Project; and

Vendor/Contractor	Funding	Amount	Contract Number
Geosyntec Consultants, Inc.	Fund 353, LOST IV, Cost Center 210106, Object Code 56301, PN 21EN1605	$49,803.69	PD 02-03.79 Professional Services

B. Authorize the Chairman, Vice Chairman, or Interim County Administrator or his designee, subject to Legal review and sign-off, to execute program-related documents required for services, and any subsequent documents that do not exceed Board approval thresholds or established Policy.

This Project is located in Commission District 5.

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

19. Recommendation: That the Board take the following action concerning the issuance of a Purchase Order for HB53 SB1954 Reporting - 20 Year Needs Analysis for the Engineering Department:

A. Authorize the issuance of the following Purchase Order to HDR Engineering, Inc. (Engineer) for design services for the HB53 SB1954 Reporting - 20 Year Needs Analysis; and

Vendor/Contractor	Funding	Amount per Cost Center	Total Amount	Contract Number
HDR Engineering, Inc.	Fund 181, Master Drainage Basin Funds, Cost Center as indicated below:		$38,573.38	PD 02-03.79 Professional Services
	Master Drainage Basin I, CC 210719, OC 53101	$357.63		
	Master Drainage Basin II, CC 210720, OC 53101	$1,188.65		
	Master Drainage Basin III, CC 210721, OC 53101	$991.10		
	Master Drainage Basin IV, CC 210722, OC 53101	$588.87		
	Master Drainage Basin V, CC 210723, OC 53101	$734.36		
	Master Drainage Basin VI, CC 210724, OC 53101	$7,872.12		

(Continued on Page 31)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

19. Continued…

A. Continued…

Vendor/Contractor	Funding	Amount per Cost Center	Total Amount	Contract Number
	Master Drainage Basin VII, CC 210725, OC 53101	$3,648.90		
	Master Drainage Basin VIII, CC 210726, OC 53101	$1,406.38		
	Master Drainage Basin IX, CC 210727, OC 53101	$1,698.13		
	Master Drainage Basin X, CC 210728, OC 53101	$4,614.37		
	Master Drainage Basin XI, CC 210729, OC 53101	$772.05		
	Master Drainage Basin XII, CC 210730, OC 53101	$1,614.29		
	Master Drainage Basin XIII, CC 210731, OC 53101	$6,069.95		
	Master Drainage Basin XIV, CC 210732, OC 53101	$1,464.45		

(Continued on Page 32)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

19. Continued…

A. Continued…

Vendor/Contractor	Funding	Amount per Cost Center	Total Amount	Contract Number
	Master Drainage Basin XV, CC 210733, OC 53101	$1,907.62		
	Master Drainage Basin XVI, CC 210734, OC 53101	$2,748.79		
	Master Drainage Basin XVII, CC 210735, OC 53101	$536.93		
	Master Drainage Basin XVIII, Cost Center 210736, OC 53101	$358.79		
	Total	$38,573.38	$38,573.38	

B. Authorize the Chairman, Vice Chairman, or Interim County Administrator or his designee, subject to Legal review and sign-off, to execute program-related documents required for services, and any subsequent documents that do not exceed Board approval thresholds or established Policy.

This Project is located in Commission Districts 1-5.

Motion: So moved
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously
Speaker(s): Chris Curb

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

20. Recommendation: That the Board take the following action concerning the issuance of a Purchase Order for the Ensley Street Sidewalk Project for the Engineering Department:

A. Authorize the issuance of the following Purchase Order for design services for the Ensley Street Sidewalk Project; and

Vendor/Contractor	Funding	Amount	Contract Number
Neel-Schaffer, Inc.	Fund 353, LOST IV, Cost Center 210106, Object Code 56301, PN 22EN1683	$41,803.47	PD 02-03.79 Professional Services

B. Authorize the Chairman, Vice Chairman, or Interim County Administrator or his designee, subject to Legal review and sign-off, to execute program-related documents required for services, and any subsequent documents that do not exceed Board approval thresholds or established Policy.

This Project is located in Commission District 3.

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

A. Review and approve the provided State of Homeland Security Grant Agreement providing Federal dollars to the Hazmat Team HM-1C operated by ECFR;

B. Authorize the Chairman to sign the Grant Agreement; and

C. Adopt the Resolution [R2022-35] approving Supplemental Budget Amendment 22-SBA-40, in the amount of $40,915.

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

22. Recommendation: That the Board authorize Out-of-County Travel for Commissioner Robert Bender to attend the Pensacola Chamber's Community Visit to Savannah, Georgia, from April 18-20, 2022, to meet with experts in economic development, tourism, waterfront development and military advancements.

(Funding Source: Fund 001, General Fund, Cost Center 110101, Object Codes 54001, 55501)

Motion: Move the balance **For Information:** The “balance” refers to Budget/Finance Consent Agenda Items 1 through 22, with the exception of Items 6 and 19, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION

1. Recommendation: That the Board take the following action concerning reappointments/appointments to the Escambia County Contractor Competency Board:

A. Waive the Board's Policy, Section I, Part B 1.(D), Appointment Policy and Procedures, and reappoint Michael E. Batchelor, Roofing Contractor, and Jonathan Tarr, Sr., Plumbing Contractor, to serve in the Division II Contractor positions, for three-year terms, effective May 1, 2022, through April 30, 2025; and

B. Appoint two of the following individuals to serve in the Division I Contractor positions, for three-year terms, effective May 1, 2022, through April 30, 2025:

1. Erwin D. Waters - General Contractor, Waters General Contractors, Inc.;

2. Drew C. Dennis - Residential Contractor, Omega Construction and Design, Inc.; and

3. J. Alton Lister - Building Contractor, Lister Builders, LLC.

A Community and Media Relations General Alert, posted February 18, 2022, advising "Appointees Sought for Contractor Competency Board," received only the applicants listed above by the posted deadline of March 4, 2022.

Motion: Move Waters and Lister
Made by: Commissioner Bender **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

2. Recommendation: That the Board appoint one of the following to the Escambia County Disability Awareness Committee (ECADC), to serve as one of the two "At-Large" appointees, for a four-year term, effective March 24, 2022, through March 23, 2026:

A. Jessica Ayers;

B. Wanda S. Sarnacki; or

C. Bettye J. Weaver.

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COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION – Continued

2. Continued…

   Escambia County's Community & Media Relations Office posted a General Alert on the County's website for two weeks, from February 18, 2022, to March 4, 2022, to seek volunteers to fill one of the "At-Large" positions on the ECADC. Resumes were received from Jessica Ayers, Wanda S. Sarnacki, and Bettye J. Weaver.

Motion: Move Jessica Ayers
Made by: Commissioner Barry **Seconded by:** Commissioner May
Disposition: Carried unanimously

3. Recommendation: That the Board discuss concerns at the Escambia County Jail.

Disposition: No action taken **For Information:** Interim County Administrator Moreno provided the Board with an update related to the Escambia County Jail and advised that: • An RLI (Request for Letters of Interest) to hire a security engineer is currently in the Purchasing Department • Staff plans to concentrate on the assets the County owns and the hardening of those assets, and will also ask the security engineer to review whether there are options in the new jail facility for housing additional inmates • The security engineer will also be asked to review all options and alternatives with staff to find the best solutions for the County • Sheriff Chip Simmons has been supportive and understands the County's need for the use of "L" Street property • Two-hundred and fifty-nine inmates have been moved out of the old jail and the Fairfield property will be the next big move The Board also discussed maximizing space in the new jail, if possible and cost-effective, and the length of incarceration of some inmates, including some State hospital inmates
Speaker(s): Ronald Cleveland, Jr.

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1. Recommendation: That the Board authorize the scheduling of a Special Board of County Commissioners Meeting to hold a public hearing on Thursday, April 7, 2022, at 9:00 a.m., to resolve the impasse with ATU Local 1395.

Motion: Move the balance [County Attorney's Report Action Items 2 -8], dropping 1 and holding 9
Made by: Commissioner Barry **Seconded by:** Commissioner May
Disposition: Carried unanimously

2. Recommendation: That the Board consent to and authorize the Chairman to execute the License Agreement between SMG and Mobilitie Investments IV, LLC (Mobilitie).

Motion: Move the balance [County Attorney's Report Action Items 2 -8], dropping 1 and holding 9
Made by: Commissioner Barry **Seconded by:** Commissioner May
Disposition: Carried unanimously

3. Recommendation: That the Board:

   A. Adopt a Resolution [R2022-36] authorizing the conveyance to ECUA property on Innerarity Island to be used as a lift station site;

   B. Authorize the Chairman to sign the attached Deed conveying the property to ECUA; and

   C. Authorize payment of incidental expenses associated with recording the deed in the public records.

Motion: Move the balance [County Attorney's Report Action Items 2 -8], dropping 1 and holding 9
Made by: Commissioner Barry **Seconded by:** Commissioner May
Disposition: Carried unanimously

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

4. Recommendation: That the Board:

A. Authorize the release of the County's Mortgage, Assignment of Leases, Rents, and Profits, Construction Loan Agreement, and the lien component of the Environmental Indemnity Agreement on property of IHMC; and

B. Authorize the Chairman to execute the attached Release of Mortgage.

Motion: Move the balance [County Attorney's Report Action Items 2 -8], dropping 1 and holding 9
Made by: Commissioner Barry **Seconded by:** Commissioner May
Disposition: Carried unanimously

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

A. Approve the Amendment to the Interlocal Agreement and authorize the Chairman to execute; and

B. Approve the issuance of bonds by the Florida Development Finance Corporation for the Florida Institute for Human and Machine Cognition Inc. Project and approve the Resolution [R2022-37] and authorize the Chairman to execute.

Motion: Move the balance [County Attorney's Report Action Items 2 -8], dropping 1 and holding 9
Made by: Commissioner Barry **Seconded by:** Commissioner May
Disposition: Carried unanimously

6. Recommendation: That the Board approve and authorize the Chairman to execute the attached Memorandum of Understanding that provides for a public-private partnership for an additional extension of Quintette Road.

Motion: Move the balance [County Attorney's Report Action Items 2 -8], dropping 1 and holding 9
Made by: Commissioner Barry **Seconded by:** Commissioner May
Disposition: Carried unanimously

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

7. Recommendation: That the Board ratify the attached written settlement offer [in the Longleaf Bert Harris Act Claim] made pursuant to §70.001(4)(c), Fla. Stat.

Motion: Move the balance [County Attorney's Report Action Items 2 -8], dropping 1 and holding 9
Made by: Commissioner Barry **Seconded by:** Commissioner May
Disposition: Carried unanimously

8. Recommendation: That the Board authorize the scheduling and advertising of a public hearing on Thursday, April 21, 2022, at 9:01 a.m. to consider an Ordinance directing the Supervisor of Elections to hold a referendum election relating to the renewal of the authority to grant Economic Development Ad Valorem Tax Exemptions and, if approved by a majority of the electors, renewing the Board's authority to grant Economic Development Ad Valorem Tax Exemptions in accordance with Section 196.1995, Florida Statutes, and Chapter 90, Article IV, Division 2, Sections 90-146 through 90-153 of the Escambia County Code of Ordinances.

Motion: Move the balance [County Attorney's Report Action Items 2 -8], dropping 1 and holding 9
Made by: Commissioner Barry **Seconded by:** Commissioner May
Disposition: Carried unanimously

9. Recommendation: That the Board take the following action [concerning authorizing Rick Figlio with the Ausley & McMullen law firm to substitute for Joseph L. Hammons as counsel for Escambia County in the case of *Douglas Underhill v. Escambia County Board of County Commissioners*, Case No. 2021 CA 000148]:

   A. Authorize Joseph L. Hammons to withdraw from further representation of Escambia County in the pending litigation and enter into a substitution of counsel with Rick Figlio;

   B. Approve the substitution of the law firm of the Ausley & McMullen Law Firm in place of Joseph Hammons during the pendency of this litigation;

   C. Authorize Rick Figlio to file an appeal to the First District Court of Appeal in the subject suit; and

(Continued on Page 40)

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

9. Continued…

D. Authorize the County Attorney to sign the retainer letter and accept and approve the Conflict of Interest Waiver.

Motion: Move the Item, A, B, C, and D
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 3-0, with Commissioner Underhill abstaining and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and other Local Public Officers, and Commissioner May temporarily out of Board Chambers

II. FOR DISCUSSION

1. Recommendation: At the request of Commissioner Bergosh, that the Board discuss whether to authorize the Chairman to send a letter to the Florida Public Service Commission regarding the community's concerns regarding the FPL rates.

Disposition: No action taken **For Information:** Chairman Bergosh, based on comments of support from the Board, advised that he will bring a letter, similar to the templates attached, back to the Board for review and approval.
Speaker(s): Brandy Johnson, Amy Wilson, Larry Downs, Jr., Roy Skinner, Christian Wagley, and Chris Curb

2. Recommendation: That the Board:

A. Confirm the Levin Papantonio Rafferty firm will provide a defense and legal representation for the County in the case of *Pam Childers v. Escambia County, et al.*, Case No. 2022 CA 000409, on a pro bono basis and on the terms authorized by the Board on September 2, 2021;

B. Authorize the County Attorney's Office to retain the Levin Papantonio Rafferty firm on a pro bono basis to represent Commissioner Lumon J. May in the case of *Pam Childers v. Escambia County, et al.*, Case No. 2022 CA 000409, in accordance with the Board's Legal Representation Policy;

(Continued on Page 41)

COUNTY ATTORNEY'S REPORT – Continued

II. FOR DISCUSSION – Continued

2. Continued…

C. Authorize the County Attorney's Office to retain the Levin Papantonio Rafferty firm on a pro bono basis to represent Commissioner Robert Bender in the case of *Pam Childers v. Escambia County, et al.*, Case No. 2022 CA 000409, in accordance with the Board's Legal Representation Policy; and

D. Authorize the County Attorney's Office to retain the Levin Papantonio Rafferty firm on a pro bono basis to represent Commissioner Steven Barry in the case of *Pam Childers v. Escambia County, et al.*, Case No. 2022 CA 000409, in accordance with the Board's Legal Representation Policy.

Motion: Move Item A
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-1, with Commissioner Underhill voting "no"
Speaker(s): Larry Downs, Jr. and Chris Curb

Motion: I move that the Board: • One, find that the claim against Commissioner May regarding acceptance of retirement contributions arises out of and in connection with the performance of his official duties and serves a public purpose; and • Find that Commissioner Lumon May complied with the County Policy regarding legal representation for Commissioners and County Employees; and • Find that the County is legally responsible for providing legal counsel in this matter for Commissioner Lumon May; and • Retain the Levin Papantonio Rafferty Firm to represent Commissioner Lumon May in his individual capacity in this matter, with the firm providing these services on a pro bono basis and on the same terms and conditions as their existing representation on the 401A matter.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 3-1, with Commissioner Underhill voting "no," and Commissioner May abstaining and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and other Local Public Officers
Speaker(s): Larry Downs, Jr.

COUNTY ATTORNEY'S REPORT – Continued

II. FOR DISCUSSION – Continued

2. Continued…

Motion: I move that the Board: • Find that the claim against Commissioner Bender regarding acceptance of retirement contributions arises out of and in connection with the performance of his official duties and serves a public purpose; and • Find that Commissioner Robert Bender complied with the County Policy regarding legal representation for Commissioners and County Employees; and • Find that the County is legally responsible for providing legal counsel in this matter for Commissioner Robert Bender; and • Retain the Levin Papantonio Rafferty Firm to represent Commissioner Robert Bender in his individual capacity in this matter, with the firm providing these services on a pro bono basis and on the same terms and conditions as their existing representation on the 401A matter.
Made by: Commissioner Barry **Seconded by:** Commissioner May
Disposition: Carried 3-1, with Commissioner Underhill voting "no," and Commissioner Bender abstaining and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and other Local Public Officers
Speaker(s): Larry Downs, Jr.

Motion: I move that the Board: • Find that the claim against Commissioner Barry regarding acceptance of retirement contributions arises out of and in connection with the performance of his official duties and serves a public purpose; and • Find that Commissioner Steven Barry complied with the County Policy regarding legal representation for Commissioners and County Employees; and • Find that the County is legally responsible for providing legal counsel in this matter for Commissioner Steven Barry; and • Retain the Levin Papantonio Rafferty Firm to represent Commissioner Steven Barry in his individual capacity in this matter, with the firm providing these services on a pro bono basis and on the same terms and conditions as their existing representation on the 401A matter.
Made by: Commissioner Bender **Seconded by:** Commissioner May
Disposition: Carried 3-1, with Commissioner Underhill voting "no," and Commissioner Barry abstaining and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and other Local Public Officers
Speaker(s): Larry Downs, Jr.

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 11:16 a.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

By: ______________________
Jeff Bergosh, Chairman

ATTEST:
Pam Childers
Clerk of the Circuit Court & Comptroller

By: ______________________
Deputy Clerk

THE BOARD OF COUNTY COMMISSIONERS SEAL ESCAMBIA CO., FL

Approved: April 7, 2022