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

APRIL 20, 2023

Present: Commissioner Lumon J. May, Chairman, District 3
Commissioner Steven L. Barry, Vice Chairman, District 5
Commissioner Robert D. Bender, District 4
Commissioner Michael S. Kohler, District 2
Honorable Pam Childers, Clerk of the Circuit Court and Comptroller
Alison Rogers, County Attorney
Wesley J. Moreno, County Administrator
DeLana Allen-Busbee, Administrative Specialist, Clerk and Comptroller's Office
Jose Gochez, Program Coordinator, County Administrator's Office
Heather Mahoney, Official Records Manager, Clerk and Comptroller's Office

Absent: Commissioner Jeffrey W. Bergosh, District 1

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

Minutes prepared by: DeLana Allen-Busbee

<u>REGULAR BCC AGENDA</u>

1. <u>Call to Order</u>

   Chairman May called the Regular Meeting of the Board of County Commissioners to order at 9:52 a.m.

2. <u>Invocation</u>

   Pastor Gary Morris delivered the invocation.

3. <u>Pledge of Allegiance to the Flag</u>

   Commissioner Barry 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 to adopt the agenda **For Information:** Commissioner May advised that he had one Add-On Item, which was distributed on the dais.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

5. Commissioners' Forum:

   A. District 2 – Commissioner Kohler provided comments;

   B. District 4 – Commissioner Bender provided comments;

   C. District 5 – Commissioner Barry provided comments; and

   D. District 3 – Commissioner May provided comments.

6. Proclamations.

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

      A. Adopt the Proclamation proclaiming the week of April 9 through April 15, 2023, as "National Public Safety Telecommunicators Week" in Escambia County, and honoring the men and women whose diligence and professionalism keep our County safe;

      B. Adopt the Proclamation proclaiming the first week of May 2023 as "Family Values Week" in Escambia County, and honoring and commending the Scottish Rite Masons, Valley of Pensacola, for their leadership, dedication, and service to the community; and

      C. Ratify the Proclamation honoring the life of Ms. Peggy Scott-Adams, and extending heartfelt condolences to her family.

Motion: Move the Proclamations
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent
Speaker(s): Mark Carter and Jim Salisbury

REGULAR BCC AGENDA – Continued

7. 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 10:00 a.m. Public Hearing, advertised in the *Escambia Sun Press* on April 6, 2023, concerning the review of an Ordinance amending Chapter 3, Section 3-3.8 "Warrington Overlay (Warr-OL)"; and

   B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule April 17, 2023, through April 21, 2023,* as published in the *Escambia Sun Press* on April 13, 2023.

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

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

I. CONSENT AGENDA

1. Recommendation: That the Board accept, for filing with the Board's Minutes, the Tourist Development Tax (TDT) Collections Data for the February 2023 returns received in the month of March 2023, as prepared by the Treasury Department of the Clerk and Comptroller's Office.

   - Total collections received in March 2023 were $1,035,776 compared to $943,959 in March 2022. A comparison of March 2023 to March 2022 is a 10% increase.

   - Year-to-date collections for FY2023 are $6,858,373 compared to $6,844,166 for FY2022.

Motion: Move the Clerk's Report
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

2. 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 Agenda Work Session held April 6, 2023;

   B. Approve the Minutes of the Attorney-Client Session held April 6, 2023;

   C. Accept, for filing with the Board's Minutes, the Report of the Gary Sansing Public Forum held April 6, 2023; and

   D. Approve the Minutes of the Regular BCC Meeting held April 6, 2023.

Motion: Move the Clerk's Report
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

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

I. PUBLIC HEARINGS

1. Recommendation: That the Board of County Commissioners (BCC), at the 10:00 a.m. Public Hearing, adopt an Ordinance [Number 2023-10] amending the Land Development Code (LDC) Chapter 3, Section 3-3.8 "Warrington Overlay (Warr-OL)" to amend the application of separation of same uses within the district.

   This hearing serves as the second of two public hearings.

Motion: I make a motion **For Information:** Commissioner Kohler expressed his support of adopting the Warrington Overlay Ordinance prior to making his motion.
Made by: Commissioner Kohler **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Bergosh absent
Speaker(s): Bill Van Horn and Jim Kauffman

II. FOR ACTION

1. Recommendation: That the Board take the following action concerning recording of Pecan Valley (a 103-lot residential subdivision) located in the Quintette, Cottage Hill Community, Commission District 5, and lying west of Old Palafox Highway (County Road North Highway 95A) and lying between Cedar Tree Lane and Stacey Road, owned and developed by Garden Street Communities Southeast, 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;

   B. Approve the street names “Summer Pecan Drive,” "Hazelnut Drive,” "Pecan Cove Road,” "Sunset Maple Road,” and "Praline Lane”;

   C. Accept all public easements, ponds, 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

   (Continued on Page 6)

GROWTH MANAGEMENT REPORT – Continued

II. FOR ACTION – Continued

1. Continued…

   D. Authorize the Chair or Vice Chair to execute a Two-Year Warranty Agreement for street and drainage improvements without surety.

Motion: Move the Item, A through D	
Made by: Commissioner Barry **Seconded by:** Commissioner Bender	
Disposition: Carried 4-0, with Commissioner Bergosh absent	

2. Recommendation: That the Board take the following action concerning recording of Muldoon Pointe (a 33-lot private residential subdivision) located in the Bellview Community, Commission District 1, and lying east off Muldoon Road and south of Saufley Field Road, owned and developed by SNS Muldoon, 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 name "Muldoon Pointe Road."

Motion: Move the Item, A and B, to approve	
Made by: Commissioner Barry **Seconded by:** Commissioner Bender	
Disposition: Carried 4-0, with Commissioner Bergosh absent	

GROWTH MANAGEMENT REPORT – Continued

II. FOR ACTION – Continued

3. Recommendation: That the Board take the following action concerning recording of Bridlewood 2nd Addition (a 69-lot single family residential subdivision) located in the Beulah Community, Commission District 1, and lying north off from Mobile Highway (U.S. Highway 90) and east of Beulah Road (State Road 99), owned and developed by 68V Bridlewood (FL) 2021, 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;

B. Approve the street name "Belmont Stakes Road";

C. Accept all public easements, ponds, 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 Chair or Vice Chair to execute a Two-Year Warranty Agreement for street and drainage improvements without surety.

Motion: Move the Item, A through D
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

GROWTH MANAGEMENT REPORT – Continued

II. FOR ACTION – Continued

4. Recommendation: That the Board take the following action concerning recording of Ransley Station (a 12-lot commercial subdivision) located in the Pine Forest Community, Commission District 1, and lying west off Pine Forest Road and north of Interstate 10, owned and developed by Ransley Station Development, LLC., The Water's at Ransley Station, LLC., and Ransley Station Lot 3, 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 as presented with the following qualification: The owner's Traffic Engineer of record, Ms. Debbie Dantin, P.E., has certified, and the Florida Department of Transportation (FDOT) has approved, the modified conditions of the signal warrant analysis. The warrant analysis indicates the traffic signal must be installed and operational upon 100% occupancy (or 336 units) of the multi-family phase. Therefore, no other building permits will be issued, other than the aforementioned multi-family permits, until the signal is in operation;

   B. Approve the street names "Ransley Station Boulevard" and "Boesch Lane";

   C. Accept all public easements, ponds, 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 Chair or Vice Chair to execute a Two-Year Warranty Agreement for street and drainage improvements without surety.

Motion: Move to approve the Final Plat, B, C, and D, as presented, and A would be the edit that I mentioned **For Information:** This Item was edited to strike the last sentence of Item "A" and replace it with the language "building permits will be issued at the discretion of the County Engineer until the light is installed."
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

GROWTH MANAGEMENT REPORT – Continued

II. FOR ACTION – Continued

5. Recommendation: That the Board review and approve the application of Robert Clark for permitting of a dock on right-of-way located at 300 Calhoun Avenue, Pensacola, FL 32507, District 2, Parcel I.D. # 35-2S-31-1000-018-067, that has been dedicated to the public, but not yet opened, maintained, or otherwise accepted by the County per the Land Development Code (LDC) 3-1(g).

Motion: I'll make a motion to pass GMR Action Item 5
Made by: Commissioner Kohler **Seconded by:** Commissioner Barry
Disposition: Carried 4-0, with Commissioner Bergosh absent

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1. Recommendation: That the Board take the following action concerning a time extension for the U.S. Department of the Treasury RESTORE Act Grant #RDCGR080135-01-02, for planning and design of the Eleven Mile Creek Stream Restoration Project:

A. Ratify the acceptance of the Time Extension Award from the U.S. Department of the Treasury Notice of Award RDCGR080135-01-02 for the Eleven Mile Creek Stream Restoration Project; and

B. Authorize the County Administrator or his designee to sign, subject to legal sign-off, any subsequent documents required for services related to this Project that do not exceed Board approval thresholds or established policy.

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 8]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

2. Recommendation: That the Board authorize the scheduling of a Public Hearing on May 4, 2023, at 5:34 p.m., to consider the adoption of an Ordinance creating the Beulah Oaks Subdivision Street Lighting Municipal Services Benefit Unit (MSBU).

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 8]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

3. Recommendation: That the Board approve the Request for Disposition of Property Form for the Clerk of the Circuit Court and Comptroller's Office for all of the equipment which is described and listed on the Request Forms, with reasons for disposition stated. The items are to be auctioned as surplus or disposed of properly.

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 8]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

4. Recommendation: That the Board approve the Request for Disposition of Property Form for the Building Services Department for the equipment described and listed on the Request Form, which is no longer in working condition. The Request Form has been signed by all applicable authorities.

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 8]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

5. Recommendation: That the Board take the following action concerning an appointment to the West Florida Public Library Board of Governance by the Pensacola City Council:

   A. Acknowledge for the Official Record the appointment of Kenneth "Blaine" Wall to the West Florida Public Library Board of Governance by the Pensacola City Council, to serve a two-year term, effective March 1, 2023, through February 28, 2025; and

   B. Acknowledge and thank Bradley Vinson for her service on the West Florida Public Library Board of Governance from March 1, 2019, through February 28, 2023.

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 8]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

6. Recommendation: That the Board take the following action concerning the State of Florida Department of Transportation (FDOT) Off System Project Maintenance Agreement for the Design, Permitting, and Construction of proposed roadway improvements along County Road (CR) 296 (Saufley Field Road):

   A. Approve and authorize the Chairman to sign the FDOT Off System Project Maintenance Agreement between FDOT and Escambia County, Florida;

   B. Adopt a Resolution [R2023-33] authorizing the Chairman to sign the Off System Project Maintenance Agreement; and

   C. Authorize the Chairman to execute, subject to legal review and sign-off, any subsequent agreements and program related documents for the project that do not alter the finite terms of the funding amounts or budgets.

   This project is located in Districts 1 and 3.

   There is no monetary obligation associated with this Agreement.

   (Continued on Page 12)

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

6. Continued…

The County Attorney's Office has signed off on the Resolution but asked that it be noted that this Agreement contains provisions that require the County to hold harmless, indemnify, and defend the other party, which may require the County to pay for liabilities, costs, and attorneys' fees that are above those it is otherwise legally obligated to pay.

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 8]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

7. Recommendation: That the Board take the following action concerning reappointments to the Escambia County Housing Finance Authority:

A. Waive Board's Policy, Section I, Part B 1 (D), Appointment Policy and Procedures;

B. Reappoint Shirley D. Henderson to the Escambia County Housing Finance Authority for a four-year term effective August 1, 2023, through July 31, 2027; and

C. Reappoint Sandra J. Ward to the Escambia County Housing Finance Authority for a four-year term effective August 1, 2023, through July 31, 2027.

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 8]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

8. Recommendation: That the Board authorize staff to develop a plan and present transactions to the Board for the disposition of County-owned real property located in the Midtown Commerce Park and Surrounding Areas depicted in Exhibit A (District 3) as follows:

   A. For the parcels shown in Exhibit B, negotiate directly with the adjacent landowner and business, Spaires, Inc., pursuant to the Board's home rule economic development power to approach potential buyers which the Board feels would create economic development;

   B. For the parcels shown in Exhibit C, negotiate directly with the adjacent landowner and business, Tisdale Enterprises, LLC, pursuant to the Board's home rule economic development power to approach potential buyers which the Board feels would create economic development;

   C. For the parcels shown in Exhibit D, negotiate directly with the adjacent landowners and businesses, Pensacola Glass and The Mathes Group, respectively, pursuant to the Board's home rule economic development power to approach potential buyers which the Board feels would create economic development;

   D. For the parcels shown in Exhibit E, offer for sale via a Request for Proposal (RFP); and

   E. For the parcels in Exhibit F, confirm that New Hope Missionary Baptist Church, Inc. of Pensacola, Florida, (a Florida not for profit corporation) plans to use the parcels for community services pursuant to the Palafox Commerce Park Master Plan and prepare the donation process.

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 8]
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

II. BUDGET/FINANCE CONSENT AGENDA

1. Recommendation: That the Board adopt the Resolution [R2023-34] approving Supplemental Budget Amendment #SBA-23035, in the amount of $94,565, to recognize revenue from auction of vehicles purchased from Local Option Sales Tax (LOST) and appropriating these funds into the Sheriff's Office LOST IV to support future vehicle and equipment purchases for the Sheriff's Office.

   Revenue will be appropriated to Fund 353, LOST IV, Cost Center 540113, Account Code 56401.

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

2. 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, Florida, for Fiscal Year 2022-2023:

   A. United Way of West Florida, Inc. in the amount of $8,500; and

   B. Pensacola Chapter, Inc. Military Officers Association of America in the amount of $1,000.

   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 County Clerk of the Circuit Court and Comptroller.

   Funding Source: Fund 121, Law Enforcement Trust Fund, Cost Center 540103, Object Code 58201, Aids to Private Organizations.

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

3. Recommendation: That the Board approve the second and last 12-month extension of the Agreement between Escambia County, Florida, and Drug Free Workplaces USA, LLC, PD 18-19.020, Drug, Alcohol, and Nicotine Testing Services.

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

4. Recommendation: That the Board approve funding, not to exceed $5,000, to support efforts in a recruitment campaign to encourage candidates to start a career with the Escambia County Board of County Commissioners (BCC).

   This funding will be utilized in both radio and TV ads.

Fund	Cost Center	Account
Fund 001, General Fund	110190, General Funds Cares Reimbursement	54801, Promotional Activities

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

5. Recommendation: That the Board take the following action concerning the Contract Award for Engine Replacements for Escambia County Area Transit (ECAT) Fixed Route Services Buses, PD 22-23.053:

   A. Approve the Agreement between Escambia County, Florida, and Cummins, Inc. dba Cummins Sales and Service, per the terms and conditions of PD 22-23.053, Replacement Engines for ECAT Buses (Re-Solicit);

   B. Authorize the County Administrator to sign the Agreement; and

   C. Approve and authorize the County Administrator to issue and sign a Purchase Order to Cummins, Inc. dba Cummins Sales and Services, in the amount of $222,992.

Vendor/Contractor	Funding	Amount	Contract Number
Cummins Inc. dba Cummins Sales and Service Vendor #425875	Fund 320, FTA Capital Project Cost Center 211224, 2012 FTA Grant FL90X804 Account 56401, Machinery and Equipment	$222,992	PD 22-23.053

Funding is available in Fund 320, FTA Capital Project Fund for these items. There is no additional cost to the County General Fund.

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

6. Recommendation: That the Board take the following action concerning the Award of Florida Department of Health, Division of Emergency Preparedness and Community Support Emergency Medical Services (EMS) County Grant, ID #C1017, for the EMS Division:

   A. Approve the award of the EMS County Grant, ID #C1017, in the amount of $27,528 for the EMS Division; and

   B. Adopt the Resolution [R2023-35] approving Supplemental Budget Amendment #SBA-23036, Other Grants and Projects Fund (110), in the amount of $27,528.

   Funding Source: Fund 110, Grants, Cost Center 330318, EMS County Awards.

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

7. Recommendation: That the Board take the following action concerning the Agreement for Construction of Pole Barn at Southwest Sports Complex, PD 22-23.056:

   A. Approve the Agreement between Escambia County, Florida, and JRM Construction Group, Inc., per the terms and conditions of PD 22-23.056 Construction of Pole Barn at Southwest Sports Complex, in the amount of $78,511.10;

   B. Authorize the County Administrator to sign the Agreement;

   (Continued on Page 18)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

7. Continued…

C. Approve and authorize the County Administrator to issue and sign a Purchase Order, in the amount of $78,511.10 to JRM Construction Group, Inc.; and

Vendor/Contractor	**Funding**	**Amount**	**Contract Number**
JRM Construction Group, Inc.	Fund 353, LOST IV Cost Center 350221, Parks Capital Projects Object Code 56301, Improvements Other Than Buildings Project # 19PR0369	$78,511.10	PD 22-23.056

D. Approve and authorize the Chairman or County Administrator or his designee to sign, 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 amounts or budgets.

The Southwest Sports Complex is located in Commission District 1.

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

II. BUDGET/FINANCE CONSENT AGENDA – Continued

8. Recommendation: That the Board take the following action concerning the Oakfield Acres - Belle Meade Drainage Improvements Project:

A. Adopt and authorize the Chairman to execute the Resolution [R2023-36] approving Supplemental Budget Amendment SBA-23037, in the amount of $787,500;

Revenues			
Source of Funds	**Amount**	**Account Code**	**Contract**
Fund 353, State of Florida Department of Environmental Protection Resilient Program Grant	$787,500	New	22FRP86
Total Revenue	$787,500		
Expenditures			
Source of Funds	**Amount**	**Account Code**	**Contract**
Fund 353, State of Florida Department of Environmental Protection Resilient Program Grant	$787,500	Cost Center 210142 (New), Object Code 56301, PN21EN1613	22FRP8
Total Expenditures	$787,500		

B. Approve and authorize the Chairman to execute the State of Florida Department of Environmental Protection (FDEP) Grant Agreement Number 22FRP86, in the amount of $787,500, for the Oakfield Acres - Belle Meade Drainage Improvements Project through the Resilient Florida Program; and

C. Approve and authorize the Chairman or County Administrator or his designee to sign, subject to legal review and sign-off, any subsequent agreements and program-related documents for this project that do not alter the finite terms of funding amounts or budgets.

(Continued on Page 20)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

8. Continued…

The Oakfield Acres - Belle Meade Drainage Improvements Project is located in Commission District 3.

Motion: Move Items 8 and 10
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent
Speaker(s): Chris Curb

9. Recommendation: That the Board approve and authorize the County Administrator to issue and sign Change Order #3, to Purchase Order #211467, to American Consulting Professionals, LLC, in the amount of $28,405, for the Monroe Avenue FEMA Project:

Department:	Engineering
Division:	Construction Management
Type:	Addition
Amount:	$28,405
Vendor:	American Consulting Professionals, LLC
Project Name:	Monroe Avenue FEMA Project
Contract:	PD 02-03.79
Purchase Order #:	211467
Change Order #:	3
Change Order #1:	Time Only
Change Order #2:	Time Only
Change Order #3:	$28,405
Original Contract Amount:	$48,886

(Continued on Page 21)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

9. Continued…

Cumulative Amount of Change Orders Through This Change Order:	$28,405
New Contract Amount:	$77,291
Funding Source:	Fund 112, Disaster Recovery Fund, Cost Center 330903 Category C, Object Code 53401, PN 21PW608

This project is located in Commission District 5.

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

10. Recommendation: That the Board take the following action concerning Federally-Funded Subaward and Grant Agreement #H0955, Project #4486-017-R, from the Florida Division of Emergency Management (FDEM), for the Escambia County, Pensacola and Cantonment Acquisitions Project as a result of the Presidential Disaster Declaration for the COVID-19 Pandemic (FEMA-4486-DR-FL):

A. Approve and authorize the Chairman to execute Federally-Funded Subaward and Grant Agreement #H0955, Project #4486-017-R, for the Escambia County, Pensacola and Cantonment Acquisitions Project, as a result of the Presidential Disaster Declaration for the COVID-19 Pandemic (FEMA-4486-DR-FL), federal share in the amount of $1,961,089.20, and County match in the amount of $217,898.80;

B. Adopt and authorize the Chairman to execute the Resolution [R2023-37] approving Supplemental Budget Amendment #SBA-23038; and

C. 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 funding amounts or budgets.

(Continued on Page 22)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

10. Continued…

Revenues				
Source of Funds	Amount	Account Codes	Contract	Vendor
Fund 112, Disaster Recovery Fund	$1,961,089.20 Federal Share $217,898.80 County Share A funding source from existing budgets will be determined for the 10% matching funds from a Non-LOST fund based on funding eligibility, once the project has been completed.	New	COVID 19 FDEM HMGP 4486-017-R	Federal Emergency Management Agency, Division of Emergency Management, Hazard Mitigation Grant Program, COVID-19.
Total Revenue	$2,178,988			

(Continued on Page 23)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

10. Continued…

Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
Fund 112, Disaster Recovery Fund	$1,961,089.20 Federal Share $217,898.80 County Share A funding source from existing budgets will be determined for the 10% matching funds, from a Non-LOST fund based on funding eligibility, once the project has been completed.	Cost Center 210143 (NEW), Object Code 56301, PN COVID-HMGP4486	COVID 19 FDEM HMGP 4486-017-R	Federal Emergency Management Agency, Division of Emergency Management, Hazard Mitigation Grant Program, COVID-19.
Total Expenditures	$2,178,988			

This project has properties located in Districts 2 and 5.

Motion: Move Items 8 and 10
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent
Speaker(s): Chris Curb

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

11. Recommendation: That the Board approve a funding allocation in the amount of $1,500 for Youths Left Behind Corp. from Commissioner Michael Kohler's discretionary funds.

    Funding: Fund 001, General Fund, Board of County Commissioners' Discretionary Money, Cost Center 110112, Object Code 58201.

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

12. Recommendation: That the Board approve a funding allocation in the amount of $1,500 for The Greater Pensacola Junior Golf Association, Inc. dba First Tee Gulf Coast from Commissioner Michael Kohler's discretionary funds.

    Funding: Fund 001, General Fund, Board of County Commissioners' Discretionary Money, Cost Center 110112, Object Code 58201.

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

13. Recommendation: That the Board approve a funding allocation in the amount of $2,000 for Ministry Village at Olive, Inc., "Volunteer Appreciation Luncheon," from Commissioner Jeff Bergosh's discretionary money.

Funding: Fund 001, General Fund, Board of County Commissioners' Discretionary Money, Cost Center 110111, Object Code 58201.

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

14. Recommendation: That the Board approve a funding allocation in the amount of $1,074 for Kiwanis Club of Big Lagoon Foundation from Commissioner Michael Kohler's discretionary money.

Funding: Fund 001, General Fund, Board of County Commissioners' Discretionary Money, Cost Center 110112, Object Code 58201.

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

15. Recommendation: That the Board approve a funding allocation in the amount of $1,000 for the Neighborhood and Human Services Department, for the Rosamond Johnson Memorial Event from Commissioner Lumon May's discretionary funds.

Funding: Fund 001, General Fund, Board of County Commissioners' Discretionary Money, Cost Center 110113, Object Code 58201.

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

16. Recommendation: That the Board approve the request from Hadji Shrine, for $5,000 to be funded from District 5 Discretionary Fund, for the Hadji Shrine Annual Golf Tournament, and approve the payment voucher for this purpose.

Funding: Fund 001, General Fund, Board of County Commissioners' Discretionary Money, Cost Center 110115, Object Code 58201.

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

17. Recommendation: That the Board approve the request from Gonzalez Baptist Church, for $1,000 to be funded from the District 5 Discretionary Fund, for the Cantonment Community Picnic, and approve the payment voucher for this purpose.

Funding: Fund 001, General Fund, Board of County Commissioners' Discretionary Money, Cost Center 110115, Object Code 58201.

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

18. Recommendation: That the Board take the following action concerning the Pensacola Bay Center Facility Condition Assessment PD 22-23.047:

A. Approve the Agreement between Escambia County, Florida, and Populous, Inc., per the terms and conditions of PD 22-23.047, for the Pensacola Bay Center Facility Condition Assessment, for an amount of $208,000;

B. Authorize the County Administrator to sign the Agreement; and

C. Approve and authorize the County Administrator to issue and sign a Purchase Order, in the amount of $208,000, to Populous, Inc. for the Pensacola Bay Center Facility Condition Assessment PD 22-23.047.

Vendor	Funding	Amount	Contract
Populous, Inc.	Fund 409, Bay Center Cost Center 360402 Account Code 104801, Renewal and Replacement	$208,000	PD 22-23.047

(Continued on Page 28)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

18. Continued…

Motion: Move the balance of the Budget/Finance [Consent Agenda] with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

III. FOR DISCUSSION

1. Recommendation: That the Board appoint two of the following applicants to the Merit System Protection Board (MSPB) for two-year terms, effective May 1, 2023, through April 30, 2025:

A. Patrick Johnson

B. Harry Thomas

C. Rick Richards

D. Rafael Lopez

Escambia County's Community and Media Relations Office posted a General Alert on the County's website from January 3, 2023, to January 18, 2023, to announce that the Board of County Commissioners was seeking Escambia County residents interested in volunteering to be considered for an appointment to the MSPB. The attached applications were the ones received. Rafael Lopez is seeking reappointment.

Motion: Move to appoint Pat Johnson and Harry Thomas to the MSPB
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION – Continued

2. Recommendation: That the Board hold the following discussion concerning a joint public meeting with the City Council of the City of Pensacola:

   A. Discuss the participation in a joint public meeting with the City Council of the City of Pensacola on Tuesday, May 9, 2023, at 9:30 a.m., at the Bayview Community Center located at 2000 East Lloyd Street; and

   B. Discuss topics to be added to the agenda of the joint public meeting.

Disposition: No action taken
Speaker(s): Allison Patton

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1. Recommendation: That the Board adopt and authorize the Chairman to sign a Resolution [R2023-38] authorizing participation in a joint public meeting on Tuesday, May 9, 2023, with the City Council of the City of Pensacola.

Motion: Move the County Attorney's Report, 1 and 2
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

2. Recommendation: That the Board [take the following action concerning approval of Proposed Insurance Funded Pre-Suit Settlement in the matter of the Claim of Jonharas Woodard]:

   Approve the proposed settlement reached during negotiations, in the sum of $200,000.00, to be tendered by the insurance carrier in exchange for the execution of a General Release of All Claims.

Motion: Move the County Attorney's Report, 1 and 2
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

ITEMS ADDED TO THE AGENDA

I. COMMISSIONER LUMON J. MAY, DISTRICT 3

1. Recommendation: That the Board approve funding [for Neighborhood and Human Services] in the amount of $5,000 from Commissioner Lumon May's discretionary funds to use for employee morale and community center events.

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

Motion: Move the balance of the Budget/Finance with Commissioner May's Add-On as well **For Information:** The balance refers to Items 1 through 18, with the exception of Items 8 and 10, which were held for separate votes.
Made by: Commissioner Barry **Seconded by:** Commissioner Bender
Disposition: Carried 4-0, with Commissioner Bergosh absent

ANNOUNCEMENTS – None.

ADJOURNMENT

There being no further business to come before the Board, Chairman May declared the Regular Meeting of the Board of County Commissioners adjourned at 10:42 a.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

By: ______________________
Lumon J. May, Chairman

ATTEST:
Pam Childers
Clerk of the Circuit Court & Comptroller

____
Deputy Clerk

THE BOARD OF COUNTY COMMISSIONERS ESCAMBIA CO., FL SEAL

Approved: May 4, 2023