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

APRIL 22, 2024

Present: Commissioner Steven L. Barry, Chairman, District 5
Commissioner Jeffrey W. Bergosh, District 1
Commissioner Michael S. Kohler, District 2
Commissioner Lumon J. May, District 3
Honorable Pam Childers, Clerk of the Circuit Court and Comptroller
Wesley J. Moreno, County Administrator
Kristin Hual, Deputy County Attorney
Ashley Danner, Office Assistant IV, Clerk and Comptroller's Office
Jose Gochez, Program Manager, 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: Ashley Danner

REGULAR BCC AGENDA

1. Call to Order

   Chairman Barry called the Regular Meeting of the Board of County Commissioners to order at 9:13 a.m.

2. Invocation

   Pastor John Lowe of Olive Warrington Baptist Church delivered the invocation.

3. Pledge of Allegiance to the Flag

   Commissioner May led the Pledge of Allegiance to the Flag.

REGULAR BCC AGENDA – Continued

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

Motion: So moved **For information:** Commissioner Kohler verbally added an Item for $1,000 to the Escambia County Sheriff's Foundation for the Blazer Academy.
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

5. Commissioners' Forum:

   A. District 3 – Commissioner May provided comments;

   B. District 1 – Commissioner Bergosh provided comments;

   C. District 2 – Commissioner Kohler provided comments;

   D. District 5 – Commissioner Barry provided comments; and

   E. County Administrator Wes Moreno also provided comments.

6. Proclamations.

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

      A. Adopt the Proclamation declaring the week of April 12 through April 20, 2024, as "National Public Safety Telecommunicators Week" in Escambia County, Florida, in honor of the men and women whose diligence and professionalism keep our County safe; and

      B. Adopt the Proclamation recognizing the firefighters from Escambia County Fire Rescue, NAS Pensacola, the City of Pensacola Fire Department, and the Florida Forrest Services for their hard work in extinguishing the Somerville Court wildfire.

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

Motion: Make the motion [to drop Item B]
Made by: Commissioner May **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

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 following three Public Hearings on the agenda:

      (1) The 9:01 a.m. Public Hearing, advertised in the *Escambia Sun Press* on April 11, 2024, for consideration of the proposed Grant Application for Federal Transit Administration 5339 (b) Funding for Capital;

      (2) The 9:02 a.m. Public Hearing, advertised in the *Escambia Sun Press* on April 11, 2024, for consideration of the proposed Grant Application for Federal Transit Administration 5339 (c) Funding for Capital; and

      (3) The 9:03 a.m. Public Hearing, advertised in the *Escambia Sun Press* on April 11, 2024, for consideration of an Amendment to County Ordinance 2021-20, Which Established the Escambia County Local Provider Participation Fund; and

   B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule April 22, 2024, through April 26, 2024,* as published in the *Escambia Sun Press* on April 18, 2024.

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

8. Public Hearings.

   I. Recommendation: That the Board, at the 9:01 a.m. Public Hearing, take the following action concerning the Federal Transit Administration (FTA) Fiscal Year 2024, Section 5339 Competitive Funding Opportunity 5339 (b) Grants for Buses and Bus Facilities Program for Capital Expenses:

      A. Conduct a Public Hearing for the purpose of receiving comments from the general public on the Grant Application by the Mass Transit Department, for Capital Project totaling $35.1 Million: Federal Assistance of $27.9 million, Florida Department of Transportation Development (toll revenue) Credit funding of $4.5 million, and $2.7 million Department of Environmental Protection (DEP) Grant funding for capital expenses;

(Continued on page 4)

REGULAR BCC AGENDA – Continued

8. Continued…

I. Continued…

B. Approve, or amend and approve, the Grant Application after receiving comments at the Public Hearing;

C. Adopt and authorize the Chairman to execute the Resolution [R2024-36] to apply for and accept a Grant Award from the U.S. Department of Transportation;

D. Authorize the Chairman to execute all appropriate documents for the processing and receipt of Federal Funds from the FTA; and

E. Authorize the Mass Transit Department Director to file the Grant Applications via the Grants.gov system.

Mass Transit staff recommends that the Escambia County Board of County Commissioners apply for this competitive Grant by approving the Grant Application process for the Project items listed below:

Program of Projects		
Budget Category	**Definition/Reasoning**	**Amounts Estimated**
Rolling Stock - 35-foot Buses	Purchase nine 35-foot electric buses	$14.1 Million Estimated
Rolling Stock - Cut Away under 30-foot Buses	Purchase four under 30-foot cut away buses	$2.9 Million Estimated
Bus Facilities - Charging Equipment	One Charging Station (1.44 MW) with installation and 16 Mount Dispensers. The local match for charging structure is 10%.	$2.4 Million Estimated

(Continued on page 5)

8. Continued…

   I. Continued…

Program of Projects		
Budget Category	**Definition/Reasoning**	**Amounts Estimated**
Workforce Development, Training for Electric Bus and Electric Charging Stations	This Grant requires a minimum of 5% of the total capital project costs for Electric Buses to be included for training and 0.5% for other capital project costs. The local match for training is 20%.	$1.2 Million Estimated
Contingency and Tools	Contingency Fees and Bus Diagnostic Tools	$2.4 Million Estimated
Solar Panels	Solar Panels for the facility and to assist with charging electric buses.	$1.7 Million Estimated
Security and Dispatch System and Equipment	Security enhancements for the new transit facility and for all the fleet.	$5.6 Million Estimated
Training Simulators	Training Simulators for Bus Operators, Mechanics, CDL's	$2.2 Million Estimated
Facility Enhancement equipment	Bus Cleaning Vacuum system, suspension and Steering Diagnostic system, outdoor weather coverage for storage of bus fleet, bus lifts, Bus Wash	$2.6 Million Estimated
Total Program of Projects		$35.1 Million Estimated

(Continued on page 6)

8. Continued…

I. Continued…

Funding: This Grant Application is for a total of $35.1 million for capital purchases with the following funding sources: FTA Federal Assistance of $27.9 million, Florida Department of Transportation Development (Toll Revenue) Credits of $4.5 million, and DEP Grant Funding of $2.7 million. These capital assistance opportunities require variable rate local matches of between 10% and 20% depending on the capital item being purchased. The local match of $4.5 million will be covered with soft match of Transportation Development Credits through the Florida Department of Transportation. Up to $2.7 million in DEP Grant funding will serve as a local contribution towards the purchase of electric buses.

Motion: Move the Item A through E
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously
Speaker(s): Larry Downs, Jr. and Glenn Conrad

II. Recommendation: That the Board, at the 9:02 a.m. Public Hearing, take the following action concerning the Federal Transit Administration (FTA) Fiscal Year 2024, Section 5339 Competitive Funding Opportunity 5339 (c) Grants for Low or No Emission Electric Buses Capital Expenses:

A. Conduct a Public Hearing for the purpose of receiving comments from the general public on the Grant Application by the Mass Transit Department, for Capital Project totaling $21.3 Million: Federal Assistance of $15.4 million, Florida Department of Transportation Development (toll revenue) Credit funding of $3.2 million, and $2.7 million Department of Environmental Protection (DEP) Grant funding for capital expenses;

B. Approve, or amend and approve, the Grant Application after receiving comments at the Public Hearing;

C. Adopt and authorize the Chairman to execute the Resolution [R2024-37] to apply for and accept a Grant Award from the U.S. Department of Transportation;

D. Authorize the Chairman to execute all appropriate documents for the processing and receipt of Federal Funds from the FTA; and

(Continued on page 7)

REGULAR BCC AGENDA – Continued

8. Continued…

II. Continued…

E. Authorize the Mass Transit Department Director to file the Grant Applications via the Grants.gov system.

Mass Transit staff recommends that the Escambia County Board of County Commissioners apply for this competitive Grant by approving the Grant Application process for the Project items listed below:

Program of Projects		
Budget Category	**Definition/Reasoning**	**Amounts Estimated**
Rolling Stock - 35-foot Buses	Purchase nine 35-foot electric buses	$14.2 Million Estimated
Rolling Stock - Cut Away under 30-foot Buses	Purchase four under 30-foot cut away buses	$2.9 Million Estimated
Bus Facilities - Charging Equipment	One Charging Station (1.44 MW) with installation and 16 Mount Dispensers. The local match for charging structure is 10%.	$2.4 Million Estimated
Workforce Development, Training for Electric Bus and Electric Charging Stations	This Grant requires a minimum of 5% of the total capital project costs for Electric Buses to be included for training and 0.5% for other capital project costs. The local match for training is 20%.	$1.1 Million Estimated
Contingency and Tools	Contigency Fees and Bus Diagnostic Tools	$700,000 Estimated
Total Program of Projects		$21.3 Million Estimated

(Continued on page 8)

REGULAR BCC AGENDA – Continued

8. Continued…

II. Continued…

Funding: This Grant Application is for a total of $21.3 million for capital purchases with the following funding sources: FTA Federal Assistance of $15.4 million, Florida Department of Transportation Development (Toll Revenue) Credits of $3.2 million, and DEP Grant Funding of $2.7 million. These capital assistance opportunities require variable rate local matches of between 10% and 20% depending on the capital item being purchased. The local match of $3.2 million will be covered with a soft match of Transportation Development Credits through the Florida Department of Transportation. Up to $2.7 million in DEP Grant funding will serve as a local contribution towards the purchase of electric buses.

Motion: So moved [Item II, A through E]
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously
Speaker(s): Larry Downs, Jr. and Glenn Conrad

III. Recommendation: That the Board, at the 9:03 a.m. Public Hearing, adopt and authorize the Chairman to sign the proposed Ordinance [Number 2024-17] amending Ordinance 2021-20 [which established the Escambia County Local Provider Participation Fund].

Motion: So moved
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously
Speaker(s): None

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

I. CONSENT AGENDA

FOR INFORMATION: Honorable Clerk Childers provided clarification regarding the percentage of TDT funds received by the Clerk's Office across a ten-to-twelve-year period as 3% instead of the 5% reported by the Tourist Development Council.

1. Recommendation: That the Board accept, for filing with the Board's Minutes, the Tourist Development Tax (TDT) Collections Data for the February 2024 returns received in the month of March 2024, as prepared by the Treasury Department of the Clerk and Comptroller's Office.

   - Total collections received in March 2024 were $976,368 compared to $1,035,646 in March 2023. A comparison of March 2024 to March 2023 is a 6% decrease.

   - Year-to-date collections for FY2024 are $6,831,078 compared to $6,858,242 for FY2023.

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

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 Review Session held April 4, 2024;

   B. Approve the Minutes of the Attorney-Client Session held April 4, 2024;

   C. Accept, for filing with the Board's Minutes, the Report of the Gary Sansing Public Forum held April 4, 2024; and

   D. Approve the Minutes of the Regular BCC Meeting held April 4, 2024.

Motion: So moved
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
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 Pless Landing (a 60-lot residential townhome subdivision), located in the Navy Point Community, District 2, and lying south of Gulf Beach Highway and west of South Navy Boulevard, owned by Pless Landing, LLC., and developed by A Door Development, 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 “John Phelps Lane,” “Leroy Poulson Lane,” and “Rupert Fairfield Lane”;

   C. Accept all public easements, pond and drainage improvements within public easements as depicted upon the final plat for permanent County maintenance with the condition that the maintenance of the pond is not the responsibility of the County until Northwest Florida Water Management District (NWFWMD) has approved the pond to be converted to Operation and Maintenance. If at any point during home construction, it is found to be in violation with the NWFWMD permit, the County Engineer will advise the Building Official to hold building permits and inspections until it is corrected. 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 11)

GROWTH MANAGEMENT REPORT – Continued

I. FOR ACTION – Continued

1. Continued…

D. Authorize the Chairman or Vice Chairman to execute an Avigation Easement and a Two-Year Warranty Agreement for streets and drainage improvements without surety.

Motion: Bring it back on the 2nd [of May] after a second review of the survey **For information:** The Board held a robust discussion on the following: • The definition of the proposed MSBU, which was clarified by Deputy County Attorney Hual, and County Engineer Joy Blackmon confirmed the MSBU would apply only to the new development. • The concern of encroachment into a Right of Way/Alleyway in the originally recorded Navy Point plat. • The potentiality of liability regarding approving the plat.
Made by: Commissioner Kohler **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously
Speaker(s): Meredith Bush, Melissa Pino, and Glenn Conrad

2. Recommendation: That the Board take the following action concerning recording of Saddle Ridge Phase 2 (a 60-lot residential subdivision) located in the Beulah Community, District 1, and lying east of Beulah Road and north of Mobile Highway, owned and developed by AG EHC II LEN Multistate 1, 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 condition: The roads are to be resurfaced prior to issuance of the 45th home permit (75% buildout of the subdivision) due to problems noted with raveling and segregation found during the inspection of the asphalt on the public roads within the subdivision. The owner/developer has agreed to resurface the roads to meet the County requirements and/or standards. If this condition is not met, the permits and inspections will be placed on hold until the resurfacing is completed. (Letter of agreement attached);

B. Approve the street names “Paso Fino Drive” and “Percheron Drive”;

(Continued on page 12)

GROWTH MANAGEMENT REPORT – Continued

I. FOR ACTION – Continued

2. Continued…

C. Accept all public easements, pond and drainage improvements within public easements as depicted upon the final plat for permanent County maintenance with the condition that the maintenance of the pond is not the responsibility of the County until Northwest Florida Water Management District (NWFWMD) has approved the pond to be converted to Operation and Maintenance. If at any point during home construction, it is found to be in violation with the NWFWMD permit, the County Engineer will advise the Building Official to hold building permits and inspections until it is corrected. The cost of maintenance is to be funded through the establishment of a storm water management Municipal Services Benefit Unit (MSBU); and

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

Motion: Move the Item forward, Items A, B, C and D
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers
Speaker(s): Chris Curb

3. Recommendation: That the Board take the following action concerning recording of McKinnon Townhomes (a 30-lot residential townhome subdivision) located in the Ensley Community, District 5, and lying west of Pensacola Boulevard (U.S. Highway 29), east off Fowler Avenue, and north of West Nine Mile Road (U.S. Alt. 90) owned and developed by Lennar Homes, 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 "Oak Glen Drive";

(Continued on page 13)

GROWTH MANAGEMENT REPORT – Continued

I. FOR ACTION – Continued

3. Continued…

C. Accept all public easements, pond and drainage improvements within public easements as depicted upon the final plat for permanent County maintenance with the condition that the maintenance of the pond is not the responsibility of the County until Northwest Florida Water Management District (NWFWMD) has approved the pond to be converted to Operation and Maintenance. If at any point during home construction, it is found to be in violation with the NWFWMD permit, the County Engineer will advise the Building Official to hold building permits and inspections until it is corrected. The cost of maintenance is to be funded through the establishment of a storm water management Municipal Services Benefit Unit (MSBU); and

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

Motion: Approve the Item A through D
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

4. Recommendation: That the Board take the following action concerning recording of Reserve at Brookhaven, formally known as Brookhaven Phase 3, (a 146-lot residential subdivision) located in the Cantonment Community, District 5, and lying west of South Highway 97 and north of Divine Farm Road, owned and developed by 68V Brookhaven (FL) 2022, 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 "Water Birch Road," "Serviceberry Road," "Silver Maple Drive," "Winterberry Road," and "Watts Drive";

(Continued on page 14)

GROWTH MANAGEMENT REPORT – Continued

I. FOR ACTION – Continued

4. Continued…

C. Accept all public easements, pond and drainage improvements within public easements as depicted upon the final plat for permanent County maintenance with the condition that the maintenance of the pond is not the responsibility of the County until Northwest Florida Water Management District (NWFWMD) has approved the pond to be converted to Operation and Maintenance. If at any point during home construction, it is found to be in violation with the NWFWMD permit, the County Engineer will advise the Building Official to hold building permits and inspections until it is corrected. The cost of maintenance is to be funded through the establishment of a storm water management Municipal Services Benefit Unit (MSBU); and

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

Motion: Move Item 4 A, B, C and D in the affirmative
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1. Recommendation: That the Board approve the appointment of Bridgette Price to the CareerSource Escarosa Board of Directors to replace Shannon Ogletree, who represents economic and community development, effective immediately. This position is required by the CareerSource Escarosa Board of Directors and the term has no expiring limits.

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 7]
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

2. Recommendation: That the Board take the following action concerning Amendment #2 to Agreement #RES09 with the Florida Department of Environmental Protection for planning and design of the Bayou Chico Contaminated Sediment Remediation Project:

   A. Approve and authorize the Chairman to sign Amendment #2 to the Florida Department of Environmental Protection Grant Agreement #RES09 for planning and design of the Bayou Chico Contaminated Sediment Remediation Project due to some changes to the terms and conditions; and

   B. Authorize the Chairman, 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.

   This project is located in District 2.

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 7]
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

3. Recommendation: That the Board adopt and authorize the Chairman to sign the Resolution [R2024-38] amending the Fire Municipal Services Benefit Unit (MSBU) assessment categories allowing for the exclusion of specific real property that receives no special benefit from Fire Protection Services into the "Zero Assessment Category" pursuant to Section 50-152(g), Escambia County Code of Ordinances, deleting and replacing Section 1.G. and Section 2.(D) of Resolution R2003-71 as follows:

   - Properties used exclusively for roads or roadways, properties used exclusively as cemeteries without any other associated residential or commercial use or structure, unique unimproved properties less than 875 square feet, and property with an assessed value of $100 or less fall into a zero assessment category, since there is no special benefit from fire protection services to these parcels; and
   - A zero assessment property shall mean real property classified by the Property Appraiser's Office with a unique Property Reference Number where the exclusive use of the property is for roads or roadways, or cemeteries without any other associated residential or commercial use or structure, or where the property is less than 875 square feet, or where the assessed value of the parcel is $100 or less.

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 7]
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

4. Recommendation: That the Board approve the Request for Disposition of Property Form by the Public Works Department for the equipment which is described and listed on the Disposition Form, with the Reason for Disposition stated. The items are to be disposed of properly.

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 7]
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

5. Recommendation: That the Board approve the Request for Disposition of Property Form for the Development Services Department, for the equipment described and listed on the Request Form, with reason for disposition stated. The Request Form has been signed by all applicable authorities.

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 7]
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

6. Recommendation: That the Board take the following action concerning the Title VI Nondiscrimination Program Policy and Plan:

   A. Approve the minor updates to the Title VI Nondiscrimination Program Policy removing employee names and replacing them with job titles, and updating the limited English proficiency (LEP) data; and

   B. Approve and authorize the County Administrator to sign the Title VI Nondiscrimination Assurance, which states that Escambia County is in compliance with the Title VI Nondiscrimination Program Policy and Plan.

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 7]
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

7. Recommendation: That the Board take the following action concerning the filing of new traffic restrictions - three speed reductions, three parking prohibitions, and a weight restriction - per the requirements of Ordinance #2003-26, which authorizes the County Engineer to place restrictions on the movement of traffic on County roadways and streets:

   A. Adopt the Resolutions establishing the speed reductions on North 52nd Avenue (District 2) [R2024-39], Ferlon Avenue (District 1) [R2024-40], and Otto Avenue (District 3) [R2024-41];

   B. Adopt the Resolutions establishing the parking prohibitions on East Fence Road (District 1) [R2024-42], 2nd Avenue (District 5) [R2024-43], and Van Pelt Lane (District 3) [R2024-44];

   C. Adopt the Resolution [R2024-45] establishing weight restrictions in the Ensley area including Orange Avenue, Pond Avenue, and Rawls Avenue (District 3); and

   D. Authorize the Chairman to sign the Resolutions.

   Funding: Fund 175, Transportation Trust Fund, Cost Center 211201, Object Code 53401, Sign Installations.

   These roads are located in Commission Districts 1, 2, 3, and 5.

Motion: So moved [Technical/Public Service Consent Agenda Items 1 through 7]
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

II. BUDGET/FINANCE CONSENT AGENDA

1. Recommendation: That the Board take the following action concerning the Edward Byrne Memorial Justice Assistance Grant County-Wide (JAGC) Program for the Federal Fiscal Year 2022 Be Smart - Don't Start Youth Mentoring Program:

   A. Approve the acceptance of the JAGC Program Subgrant Award Agreement (JAGC-R7146), in the amount of $15,000 related to the Federal Fiscal Year 2022 Be Smart - Don't Start Youth Mentoring Program;

   B. Authorize the Chairman to sign the Certificate of Acceptance of Federal Funding Assistance; and

   C. Adopt and authorize the Chairman to sign the Resolution [R2024-46] approving Supplemental Budget Amendment #SBA-24038, Other Grants and Projects Fund 110 and the General Fund 001, recognizing and appropriating grant program funds in the amount of $15,000 and the related administrative costs in the amount of $1,500.

   Fund 110, Cost Center 370125 for the award period through September 30, 2024.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

2. Recommendation: That the Board take the following action concerning the State of Florida, Florida Fish and Wildlife Conservation Commission (FWC), Grant Agreement #24009, relating to the Derelict Vessel Removal Grant for Fiscal Year 2024 which provides up to $15,650 for the removal of the unnamed derelict vessel "FL 7805 SN," located in Davenport Bayou and the derelict vessel "Valencia" in Bayou Grande:

   A. Approve and authorize the Chairman to sign FWC Grant Agreement #24009, for the removal of the unnamed White 25-Foot Catalina Sailboat (FL 7805 SN) located in Davenport Bayou, and the white 29-Foot "Valencia" located in Bayou Grande. There is no County match required under this grant;

(Continued on page 20)

II. BUDGET/FINANCE CONSENT AGENDA – Continued

2. Continued…

B. Authorize the Chairman to execute, subject to legal review and sign-off, any subsequent program-related documents such as reporting, no-cost time extensions or services related to this grant agreement that do not alter the finite terms of funding amounts or budgets without further action of the Board; and

C. Adopt and authorize the Chairman to sign the Resolution [R2024-47] approving Supplemental Budget Amendment #SBA-24044, Fund 110, in the amount of $15,650, to recognize the proceeds from the FWC and to appropriate these funds for the removal of the 25-foot vessel "FL 7805 SN" located in Davenport Bayou and the 29-foot vessel "Valencia" in Bayou Grande.

Revenues			
Source of Funds	**Amount**	**Account Codes**	**Contract**
Florida Fish and Wildlife Conservation Commission (FWC)	$15,650	Fund 110, Account 334260, Derelict Vessels Grant	FWC 24009
Total Revenue	$15,650		
Expenditures			
Source of Funds	**Amount**	**Account Codes**	**Contract**
Florida Fish and Wildlife Conservation Commission (FWC)	$14,050	Fund 110, Cost Center 220339, Derelict Vessels Grant, Object Code 53401	FWC 24009
Florida Fish and Wildlife Conservation Commission (FWC)	$1,600	Fund 110, Cost Center 220339, Derelict Vessels Grant, Object Code 54301	FWC 24009
Total Expenditures	$15,650		

(Continued on page 21)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

2. Continued…

The request for Quotes for this vessel “FL 7805 SN” was advertised via OpenGov on January 18, 2024, and was issued to 1,549 registrants. The quote was downloaded 23 times. The quote deadline was January 26, 2024, and seven quotes were received with the low bidder, B-Rex, at a cost of $5,350.

The request for Quotes for this vessel “Valencia” was advertised via OpenGov on February 28, 2024, and was issued to 1,584 registrants. The quote was downloaded 27 times. The quote deadline was March 11, 2024, and five quotes were received with the low bidder, Isla Maritime, at a cost of $8,700.

These vessels are in Commission District 2.

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

Section 29, SEVERABILITY, CHOICE OF LAW, AND CHOICE OF VENUE, (page 25 of 29), last two sentences, “The Parties have selected the Second Judicial Circuit in Leon County, Florida, as the mandatory and exclusive forum for resolving any dispute, in law or equity, that arises out of or relates to the Parties’ transactions. By signing this Agreement, Recipient affirms that Recipient considers the Second Judicial Circuit to be a fair and convenient forum for any legal action or other proceeding of any kind designed to resolve such a dispute. The Recipient will not initiate in any other forum a legal action or other proceeding to which this provision applies."

Section 30, JURY TRIAL WAIVER, (page 25 of 29), "As part of the consideration of this Agreement, the Parties hereby waive trial by jury in any action or proceeding brought by any Party against any other Party pertaining to any matter whatsoever arising out of or in any way connected with this Agreement or with the products or services provided under this Agreement, including but not limited to any claim by the Grantee of *quantum meruit*."

Motion: Move the balance **For information:** “The balance” refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

3. Recommendation: That the Board take the following action concerning the U.S. Department of the Treasury RESTORE Act Grant (#RDCGR080135-01-03) in the amount of $152,579 and time extension, for planning and design of the Eleven Mile Creek Stream Restoration:

A. Accept the Award from the U.S. Department of the Treasury Notice of Award #RDCGR080135-01-03 in the amount of $152,579 and time extension for the Eleven Mile Creek Stream Restoration Project;

B. Adopt the Resolution [R2024-48] approving Supplemental Budget Amendment #SBA-24043, Fund 118, in the amount of $152,579, to recognize proceeds from the U.S. Department of the Treasury and to appropriate these funds for the planning and design of the Eleven Mile Creek Stream Restoration Project; and

Revenues				
Source of Funds	**Amount**	**Account Codes**	**Contract**	**Project**
U.S. Department of the Treasury RESTORE Direct Component	$152,579	Fund 118, Gulf Restoration Fund, Account 331301, RDC Natural Resources	Notice of Award #RDCGR080135-01-03	RDC80135
Total Revenue	$152,579			

(Continued on page 23)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

3. Continued…

B. Continued…

Expenditures				
Source of Funds	**Amount**	**Account Codes**	**Contract**	**Project**
U.S. Department of the Treasury RESTORE Direct Component	$152,579	Fund 118, Gulf Restoration Fund, Cost Center 222046, RES Eleven Mile Creek Restoration Object Code 53101, Professional Services	Notice of Award #RDCGR080135-01-03	RDC80135
Total Expenditures	$152,579			

C. 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.

This project is located in District 5.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

4. Recommendation: That the Board confirm Escambia County's commitment to provide Tourist Development Tax (TDT) funding for the Sail Pensacola, Inc., "Foiling Week" event in the amount of $315,000, to include the Sail Pensacola event funding allocation as part of the County's Fiscal Year 2024-2025 Budget. Sail Pensacola is currently generating sponsorships related to "Foiling Week" and has requested a confirmation of the Board's support for this event.

   On December 12, 2023, the Tourist Development Council (TDC) approved a funding request from the TDC Special Event Reserve for Sail Pensacola, Inc., in the amount of $315,000 for "Foiling Week." "Foiling Week" will be a new international sailing event which will enhance the visibility of Pensacola as an international destination for manufacturing and retail of high-performance sailing and marine technology gear. "Foiling Week" will be a multi-day event anticipated to occur sometime during February 2025 or March 2025 at Pensacola Beach. "Foiling Week" will be an international event, and the planning of the event is currently underway. Therefore, Sail Pensacola has requested confirmation from the Board that the associated funding will be included in the County's Fiscal Year 2024-2025 Budget in the amount of $315,000 which will enable Sail Pensacola, Inc., to stage "Foiling Week" in Fiscal Year 2024-2025, which will bring both locals and tourists to Escambia County and enhance Pensacola as a premiere sailing destination.

Motion: Move the balance **For information:** “The balance” refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

5. Recommendation: That the Board approve and authorize the County Administrator to execute Change Order #1, in the amount of $17,000 to Allied Universal Electronic Monitoring US, Inc., for electronic monitoring services to provide additional funds for services provided through April 30, 2024, under the survival clause of WSCA-NASPO Contract #00212. PD 23-24.012 for Electronic Monitoring Services will be effective May 1, 2024, per Board approval.

Department:	Corrections
Division:	Community Corrections
Type:	Addition
Amount:	$17,000
Vendor:	Allied Universal Monitoring Services US, Inc.
Purchase Order #:	241321
Change Order #:	1
Original Amount:	$45,000
Change Order #1:	$17,000
New Purchase Order Amount:	$62,000
Funding Source:	Fund 001, General Fund, Cost Center 290307, Pre-Trial Release: $15,000. Fund 114, Cost Center 290301, Misdemeanor Probation: $2,000. Funds are available in each Cost Center.

Motion: Move the balance **For information:** “The balance” refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

6. Recommendation: That the Board take the following action concerning solicitation PD 23-24.047, Handheld Narcotics Mobile Trace Units for Corrections:

A. Approve the Agreement between Escambia County, Florida, and Rapiscan Systems, Inc., to purchase two handheld narcotics mobile trace units for the detection of contraband;

B. Approve and 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 $60,535.50, to Rapiscan Systems, Inc.

Vendor/Contractor	**Funding**	**Amount**	**Contract Number**
Rapiscan Systems, Inc.	Fund 122, Cost Center 110193, Object Code 56401, Opioid Abatement Funding	$53,427.40	PD 23-24.047
	Fund 111 Cost Center 290406, Object Code 56401	$7,108.10	PD 23-24.047

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

7. Recommendation: That the Board approve the following allocations of Law Enforcement Trust (LET) Funds per the requirements of Florida Statute 932.7055(5) for Outside Agency partners in Escambia County for Fiscal Year 2023-2024:

   A. Gulf Coast Childrens Advocacy Center, Inc., in the amount of $2,500;

   B. United Way of West Florida, Inc., in the amount of $8,000;

   C. Epilepsy Florida, Inc., in the amount of $1,000;

   D. Pensacola Chapter, Inc., Military Officers Association of America, in the amount of $2,000;

   E. Hope Above Fear, in the amount of $1,500;

   F. Autism Pensacola, Inc., in the amount of $4,000; and

   G. Ensley Youth Sports Association, Inc., in the amount of $1,500.

   Upon approval of these funding allocations, the Sheriff's Office will process all appropriate paperwork and submit it 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 **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

8. Recommendation: That the Board approve and authorize the Chairman to execute the Memorandum of Agreement (MOA) between Escambia County Board of County Commissioners (BCC) and Escambia County Local 1395 of the Amalgamated Transit Union/ AFL-CIO.

   Funding is available in Fund 104, Mass Transit.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

9. Recommendation: That the Board take the following action regarding Commercial Property Insurance for the Escambia County Jail:

   A. Rescind the Board's action on March 21, 2024, CAR II-15, approving and authorizing the County Administrator to issue and sign a Purchase Order for payment to USI Insurance Services, LLC, broker/agent of record, in the amount of $675,085 to place commercial property insurance on the Escambia County Jail through Amwins Brokerage of Alabama, LLC, for the period of April 1, 2024, through April 1, 2025; and

   B. Approve and authorize the County Administrator to issue and sign a Purchase Order for payment to USI Insurance Services, LLC, broker/agent of record, in the amount of $956,927 to place commercial property insurance on the Escambia County Jail through Amwins Brokerage of Alabama, LLC, for the period of April 1, 2024, through April 1, 2025.

Vendor/Contractor	Funding	Amount
USI Insurance Services, LLC	Fund 501, Internal Service Fund, Cost Center 140835, Object Code 54501	$956,927

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

10. Recommendation: That the Board take the following action concerning a Lease Agreement for the former International Paper Golf Course between International Paper Company and Escambia County, Florida:

A. Approve the Agreement authorizing Escambia County, Florida, public recreational use of the former International Paper Golf Course property, which is owned by International Paper Company;

B. Authorize the Chairman to execute the Lease Agreement, effective upon Board approval; and

C. Approve and authorize the County Administrator or designee to issue and sign Purchase Orders in relation to the following term and fee schedule:

Period	**Lease Fee**
Year 1	$5,000
Year 2	$5,250
Year 3	$5,512.50
Year 4	$5,788.13
Year 5	$6,077.53

Lease Fees for this property shall be funded from Fund 151, Community Redevelopment; Cost Center 370118, CRA Cantonment.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

11. Recommendation: That the Board take the following action concerning the Agreement with the Council on Aging (COA), related to coordinating transportation services through the paratransit program for COA sponsored client trips:

A. Approve the Agreement between Escambia County, Florida, and the Council on Aging, relating to providing coordination of paratransit transportation services for COA-sponsored client trips; and

B. Authorize the County Administrator to sign the Agreement.

Funding: Council on Aging will reimburse the County for all sponsored trips, based on the contract terms.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

12. Recommendation: That the Board take the following action concerning the acceptance of Fiscal Year 2022 Section 5310 funding for enhanced mobility of seniors and individuals with disabilities:

A. Adopt and authorize the Chairman to sign the Resolution [R2024-49] approving the Public Transportation Grant Agreement (PTGA) #451153-1-94-22 and 451153-2-94-22;

B. Approve and authorize the Chairman to sign PTGA #451153-1-94-22 and #451153-2-94-22 between Escambia County, Florida, and the Florida Department of Transportation (FDOT) providing for FDOT and Federal Transit Administration (FTA) participation in a project to utilize Section 5310 funding for enhanced mobility of seniors and individuals with disabilities to purchase four Americans with Disabilities Act of 1990 (ADA) Vehicles;

C. Adopt and authorize the Chairman to sign the Resolution [R2024-50] approving Supplemental Budget Amendment #SBA-24041, in the amount of $403,200, to appropriate the funds received from the Grant Award with matching funds totaling $44,800 available in the Mass Transit Fund (104);

(Continued on page 31)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

12. Continued…

D. Authorize the use of State of Florida Contract #TRIPS-22-CA-MB-LF-FTS; and

E. Approve and authorize the County Administrator to issue and sign a Purchase order in the amount of $448,000, to Florida Transportation Systems, Inc.

Vendor/Contractor	Funding	Amount	Contract Number
Florida Transportation Systems, Inc Vendor Number: #062098	Fund 320 - FTA Capital Projects Revenue - New Account Appropriated Cost Center: New Cost Center Account - 56402 - Vehicles Fund 104 - Mass Transit Fund Cost Center & Revenue Account - 320406 - 56402	Fund 320 - $403,200 Fund 104 - $44,800	State of Florida - Transit Research Inspection Procurement System (TRIPS) TRIPS-22-CA- MB-LF-FTS

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

18.a. "Additionally, 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. "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 32)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

12. Continued…

Fiscal Impact: Escambia County is required to provide a 10% match for Section 5310 Capital Awards. The capital project is $448,000. Funding provided by this PTGA is $403,200 (Federal portion = $358,400 + State Portion = $44,800). This PTGA requires a local match of $44,800 that will be funded from Fund 104 for this capital purchase.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

13. Recommendation: That the Board take the following action concerning the acceptance of Fiscal Year 2023 Section 5310 funding for enhanced mobility of seniors and individuals with disabilities:

A. Adopt and authorize the Chairman to sign the Resolution [R2024-51] approving the Public Transportation Grant Agreement (PTGA) #451153-1-94-23 and 451153-2-94-23;

B. Approve and authorize the Chairman to sign PTGA #451153-1-94-23 and #451153-2-94-23 between Escambia County, Florida, and the Florida Department of Transportation (FDOT) providing for FDOT and Federal Transit Administration (FTA) participation in a project to utilize Section 5310 funding for enhanced mobility of seniors and individuals with disabilities to purchase five Americans with Disabilities Act of 1990 (ADA) Vehicles;

C. Adopt and authorize the Chairman to sign the Resolution [R2024-52] approving Supplemental Budget Amendment #SBA-24042, in the amount of $533,256, to appropriate the funds received from the Grant Award with matching funds totaling $59,252 available in the Mass Transit Fund (104);

D. Authorize the use of State of Florida Contract #TRIPS-22-CA-MB-LF-FTS; and

E. Approve and authorize the County Administrator to issue and sign a Purchase order in the amount of $592,508, to Florida Transportation Systems, Inc.

(Continued on page 33)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

13. Continued…

Vendor/Contractor	Funding	Amount	Contract Number
Florida Transportation Systems, Inc. Vendor Number: #062098	Fund 320 - FTA Capital Projects Fund Revenue Account - New Account Appropriate Cost Center: 211252 (New) Account - 56402 - Vehicles Fund 104 - Mass Transit Fund Revenue Account - TBD Appropriated Cost Center 320406 Account - 56402 - Vehciles	Fund 320 - $533,256 Fund 104 - $59,252	State of Florida - Transit Research Inspection Procurement System (TRIPS) TRIPS-22-CA-MB-LF-FTS

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

18.a. "Additionally, 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. "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 34)

II. BUDGET/FINANCE CONSENT AGENDA – Continued

13. Continued…

Fiscal Impact: Escambia County is required to provide a 10% match for Section 5310 Capital Awards. The capital project is $592,508. Funding provided by this PTGA is $533,256 (Federal portion = $474,006; State Portion = $59,250). This PTGA requires a local match of $59,252 that will be funded from Fund 104 for this capital purchase.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

14. Recommendation: That the Board adopt and authorize the Chairman to execute the Resolution [R2024-53] approving Supplemental Budget Amendment #SBA-24040, in the amount of $608,175, to recognize revenues from Federal Transit Administration (FTA) Section 5307 Urbanized Area Formula Operating Grant Funding and Job Access and Reverse Commute (JARC) Grant funding in excess of initial budget submissions, and to recognize Insurance Proceeds received by the Mass Transit Department. These funds will be appropriated into the Mass Transit Department Fund 104 to support future vehicle purchases and to support other operational costs covered by the grants.

Funding impact: Funding will increase revenues and be appropriated to related expenses within Fund 104, Mass Transit. No additional County funding will be required for this action.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

15. Recommendation: That the Board take the following action concerning the Interlocal Agreement with the Santa Rosa Island Authority (SRIA), related to Public Transportation Services on Pensacola Beach for 2024:

A. Approve the Interlocal Agreement between Escambia County, Florida, and SRIA, related to Public Transportation Services on Pensacola Beach, through September 2, 2024, with the SRIA reimbursing the County for all budgeted operating costs; and

B. Authorize the Chairman to sign the Interlocal Agreement.

Revenues			
Source of Funds	**Amount**	**Account Codes**	**Vendor**
Interlocal Agreement	$225,400	Fund 104, Mass Transit Account 337403, SRIA Contribution	Santa Rosa Island Authority
Total Revenue	$225,400		
Expenditures			
Source of Funds	**Amount**	**Account Codes**	**Vendor**
Interlocal Agreement	$225,400	Fund 104, Mass Transit Cost Center 320402, Pensacola Beach Trolley	N/A
Total Expenditures	$225,400		

(Continued on page 36)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

15. Continued…

Funding: SRIA will reimburse the County based on the contract terms. The estimated budgeted amounts included in the Fiscal Year 2024 approved Budgets for these revenues and expenses were $219,290 and $219,608, respectively. No additional funding will be required from the County for this activity.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

16. Recommendation: That the Board take the following action concerning the Contract Award to RD Allen Construction, LLC, per the terms and conditions of PD 23-24.048, Vehicle Maintenance Building Roof Repairs for the Waste Services Department:

A. Approve the Agreement between Escambia County, Florida, and RD Allen Construction, LLC, per the terms and conditions of Vehicle Maintenance Building Roof Repairs PD 23-24.048, in the amount of $78,043;

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 $78,043, to RD Allen Construction, LLC.

(Continued on page 37)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

16. Continued…

Vendor/Contractor	Funding	Amount	Contract Number
RD Allen Construction, LLC	Fund 401, Solid Waste Fund Cost Center 230315, Projects Object Code 56201, Buildings	$78,043	PD 23-24.048

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

17. Recommendation: That the Board accept for the record the Fiscal Year 2024, $25,000 - $50,000 Purchasing Report for the Second Quarter, which ended March 31, 2024.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

18. Recommendation: That the Board approve and authorize the County Administrator to execute the Amendment of the Agreement for Design Services for West Roberts Road Roadway and Drainage Improvements (P.D. 23-24.032) between Escambia County, Florida, and Gulf Civil Engineering, LLC, to correct references to the solicitation number to PD 23-24-032 instead of PD 23-24.031.

Funding: Fund 353, Local Option Sales Tax (LOST) IV, Cost Center 210106, Object Code 56301.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

19. Recommendation: That the Board rescind its action of February 22, 2024, CAR II-30, Item A.31, approving a Contract Award for professional services to WSP USA Environmental and Infrastructure, Inc., pursuant to the Request for Qualifications for Engineering Professional Services Continuing Contract, Specification Number P.D. 23-24.010.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

20. Recommendation: That the Board approve and authorize the Chairman to sign the Memorandum of Understanding (MOU) between the University of Florida and Escambia County, Florida, which states that Escambia County will participate in the employment of the Escambia County Agriculture and Natural Resources Agent in accordance with the provisions of Title XLVIII, Chapter 104, Section 1004.37, Florida Statutes; and pay the County's portion share of the salaries and fringe benefits of the Escambia County Agriculture and Natural Resources Agent, as set out in Article V and Exhibit A.

Funds are available in Fund 001, Cost Center 221201, Account Code 58101.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

21. Recommendation: That the Board take the following action concerning the purchase of a Compaction Roller for the Parks and Recreation Department/Equestrian Center:

A. Authorize the use of Sourcewell Contract #011723-VCE; and

B. Approve and authorize the County Administrator to issue and sign a Purchase Order for $87,090 to Cowin Equipment Company, Inc., for a Compaction Roller for the Parks and Recreation Department/Equestrian Center.

Vendor	Funding	Amount	Contract Number
Cowin Equipment Co. Vendor #034900	Fund 353, LOST IV Cost Center 350222 Object Code 56402 Project #18PR0321	$87,090	Sourcewell Contract #011723-VCE

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

22. Recommendation: That the Board take the following action concerning the purchase of one 2024 Ford Maverick XLT AWD Truck for the Parks and Recreation Department:

A. Authorize the use of the Florida State Motor Vehicle Contract #25100000-23-STC; and

B. Approve the issuance of a Purchase Order, in the amount of $29,654.46, to Step One Automotive, for one 2024 Ford Maverick XLT AWD Truck for the Parks and Recreation Department.

Vendor	Funding	Amount	Contract Number
Step One Automotive Group, LLC Vendor #431004	Fund 353, LOST IV Cost Center 350221 Object Code 56402 Project #19PR0409	$29,654.46	FL State Motor Vehicle Contract #25100000-23-STC

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

23. Recommendation: That the Board take the following action concerning the purchase of six roll-off containers for the Waste Services Department:

A. Authorize the use of Sourcewell Contract #040621-WQI; and

B. Approve and authorize the County Administrator to issue and sign a Purchase Order, in the amount of $51,063, to Wastequip, LLC, for the purchase of six roll-off containers.

Vendor	**Funding**	**Amount**	**Contract Number**
Wastequip, LLC (Vendor #422417)	Fund 401, Solid Waste Fund Cost Center 230315 Object Code 56401	$51,063	Sourcewell Contract #040621-WQI

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

24. Recommendation: That the Board ratify Change Order #1, an Administrative Change Order, for Purchase Order #221417, for the Engineering Department, Traffic Division, to correct the year model of one Altec Bucket Truck from 2022 to 2024. The vendor is holding the price, so no change in cost.

Funding: Fund 175, Cost Center 211201, Object Code 56402.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

25. Recommendation: That the Board ratify Change Order #1, an Administrative Change Order, for Purchase Order #232104, for the Supervisor of Elections to correct the year model of one Ford Transit T-350 High Roof Cargo Van from 2023 to 2024. The vendor is holding the price, so no change in cost.

Funding: LOST IV, Cost Center 110276, Object Code 56402, Project Code #22PF1729.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

26. Recommendation: That the Board take the following action regarding the First Renewal of Lease Agreement between Escambia County, Florida, and Community Action Program Committee, Inc. (CAPC), located at 6450 Highway 95-A:

A. Approve the First Renewal of Lease Agreement between Escambia County, Florida, and CAPC, located at 6450 Highway 95-A, Molino, Florida, for an additional two-year term, commencing on April 29, 2024; and

B. Authorize the Chairman to sign the Renewal of the Lease Agreement.

CAPC shall pay to the County, as rent, the sum of one dollar per year.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

27. Recommendation: That the Board take the following action regarding the First Renewal of Lease Agreement between Escambia County, Florida, and Pregnancy Resource Center, Inc., dba Life Options Clinic:

A. Approve the First Renewal of Lease Agreement between Escambia County, Florida, and Life Options Clinic, located at 511 Church Street, Century, Florida, for an additional two-year term, commencing on June 1, 2024; and

B. Authorize the Chairman to sign the Renewal of the Lease Agreement.

Life Options Clinic shall pay to the County, as rent, the sum of one dollar per year.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

28. Recommendation: That the Board take the following action concerning the Lease Agreement between Escambia County, Florida, and the Escambia Community Clinics, Inc. (ECC):

A. Adopt and authorize the Chairman to sign a Resolution [R2024-54] authorizing the Lease Agreement of real property to ECC; and

B. Approve and authorize the Chairman to sign a Lease Agreement between Escambia County, Florida, and the ECC, for real property located at 501 Church Street.

Rent is to be paid to the County in the amount of $1 per year.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

29. Recommendation: That the Board approve Administrative Budget Amendment #ABA-24097, in the amount of $15,305, transferring funds from Local Option Sales Tax (LOST) IV, District 2 Discretionary Funds, for the Old Gulf Beach Highway Intersection Improvements Project as indicated below:

Revenue		
Source of Funds	**Amount**	**Account Codes**
Fund 353, LOST IV	$15,305	Fund 353, LOST IV Admin Reserves, Cost Center 110280, Object Code 56301
Total	**$15,305**	
Expenditures		
Source of Funds	**Amount**	**Account Codes**
Fund 353, LOST IV	$15,305	Fund 353, LOST IV Cost Center 110102 Object Code 56301 Project #24DS2482
Total Expenditures	**$15,305**	

The Old Gulf Beach Highway Intersection Improvements Project is located in Commission District 2.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

II. BUDGET/FINANCE CONSENT AGENDA – Continued

30. Recommendation: That the Board approve and authorize the County Administrator to issue and sign the following Change Order to Moffatt and Nichol, in the amount of $112,948.24, on Contract PD 20-21.052, Engineering Design Services for Olive Road (West) Street Improvement Project:

Department:	Engineering
Division:	Construction Management
Type:	Addition
Amount:	$112,948.24
Vendor:	Moffatt and Nichol
Project Name:	Olive Road (West) Street Improvements
Contract:	PD 20-21.052
Purchase Order #:	211637
Change Order #:	2
Change Order #1:	Time Only
Change Order #2:	$112,948.24
Original Contract Amount:	$787,538.72
Cumulative Amount of Change Orders Through this Change Order:	$112,948.24
New Contract Amount:	$900,486.96
Funding Source:	Fund 353, LOST IV, Cost Center 210106, Object Code 56301, Project #21EN1609

This project is located in Commission Districts 3 and 4.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

31. Recommendation: That the Board take the following action concerning the Contract Award for Construction, Engineering, and Inspections (CEI) Services for the Ferry Pass Community Center Site Improvement Project, PD 23-24.028:

A. Approve the Agreement between Escambia County, Florida, and CDG, Inc., dba CDG Engineers and Associates, Inc., per the terms and conditions of CEI Services for the Ferry Pass Community Center Site Improvement Project, PD 23-24.028, in the amount of $89,869;

B. Approve and authorize the County Administrator to sign the Agreement;

C. Approve and authorize the County Administrator to issue and sign a Purchase Order, in the amount of $89,869, to CDG, Inc., dba CDG Engineers and Associates, Inc. (Consultant); and

Vendor	**Funding**	**Amount**	**Contract Number**
CDG, Inc., dba CDG Engineers and Associates, Inc.	Fund 353, Local Option Sales Tax (LOST) IV, Cost Center 210106, Object Code 56301, Project #23EN2134	$89,869	PD 23-24.028

D. Approve and authorize the Chairman or 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.

The Ferry Pass Community Center is located in Commission District 4.

Motion: Move the balance **For information:** “The balance” refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

32. Recommendation: That the Board take the following action concerning the Contract Award for County Road (CR) 164 Widening Project in Select Locations, PD 23-24.041, to Panhandle Grading and Paving, Inc.:

A. Approve the Agreement between Escambia County, Florida, and Panhandle Grading and Paving, Inc., per the terms and conditions of CR 164 Widening Project in Select Locations, PD 23-24.041, in the amount of $1,254,955.88;

B. Approve and authorize the County Administrator to sign the Agreement;

C. Approve and authorize the County Administrator to issue and sign a Purchase Order, in the amount of $1,254,955.88, to Panhandle Grading and Paving, Inc.; and

Vendor	**Funding**	**Amount**	**Contract Number**
Panhandle Grading and Paving, Inc.	Fund 353, Local Option Sales Tax (LOST) IV, Cost Center 110102, Object Code 56301, Project #23DS2225	$1,254,955.88	PD 23-24.041

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 funding amounts or budgets.

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 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

II. BUDGET/FINANCE CONSENT AGENDA – Continued

33. Recommendation: That the Board take the following action concerning the Contract Award for Devine Farms Roadway Design Project, PD 23-24.033, to Kisinger Campo and Associates, Corp.:

A. Approve the Agreement between Escambia County, Florida, and Kisinger Campo and Associates, Corp., per the terms and conditions for Devine Farms Roadway Design Project, PD 23-24.033, in the amount of $406,693.24;

B. Approve and authorize the County Administrator to sign the Agreement;

C. Approve and authorize the County Administrator to issue and sign a Purchase Order, in the amount of $406,693.24, to Kisinger Campo and Associates, Corp.; and

Vendor	Funding	Amount	Contract Number
Kisinger Campo and Associates, Corp.	Fund 353, Local Option Sales Tax (LOST) IV, Cost Center 210106, Object Code 56301, Project #19EN0749	$406,693.24	PD 23-24.033

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 funding amounts or budgets.

The Devine Farms Roadway Design Project is located in Commission District 5.

Motion: Move the balance **For information:** “The balance” refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

34. Recommendation: That the Board take the following action concerning the Contract Award for Frinchez Heights Drainage Improvements Project, PD 23-24.042, to Site and Utility, LLC:

A. Approve the Agreement between Escambia County, Florida, and Site and Utility, LLC, per the terms and conditions for Frinchez Heights Drainage Improvements Project, PD 23-24.042, in the amount of $650,015;

B. Approve and authorize the County Administrator to sign the Agreement;

C. Approve and authorize the County Administrator to issue and sign a Purchase Order, in the amount of $650,015, to Site and Utility, LLC; and

Vendor	**Funding**	**Amount**	**Contract Number**
Site and Utility, LLC	Fund 353, Cost Center 210106, Object Code 56301, Project #22EN1914 - $325,007.50 Fund 353, Cost Center 210141, Object Code 56301, Project #22EN1914 - $325,007.50 (FDEP Resilience Grant)	$650,015	PD 23-24.042

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 funding amounts or budgets.

The Frinchez Heights Drainage Improvements Project is located in Commission District 3.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

35. Recommendation: That the Board take the following action concerning the Contract Award for Meadowbrook Bridge Repair Federal Emergency Management Agency (FEMA) Project, PD 23-24.040, to Gulf Marine Construction, Inc.:

A. Approve the Agreement between Escambia County, Florida, and Gulf Marine Construction, Inc., per the terms and conditions for Meadowbrook Bridge Repair FEMA Project, PD 23-24.040, in the amount of $309,927;

B. Approve and authorize the County Administrator to sign the Agreement;

C. Approve and authorize the County Administrator to issue and sign a Purchase Order, in the amount of $309,927, to Gulf Marine Construction, Inc.; and

Vendor	Funding	Amount	Contract Number
Gulf Marine Construction, Inc.	Fund 112, Disaster Recovery Fund, Cost Center 330903, FEMA Category C, Object Code 54601, Project #21PW267	$309,927	PD 23-24.040

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 funding amounts or budgets.

The Meadowbrook Bridge Repair FEMA Project is located in Commission District 5.

Motion: Move the balance **For information:** “The balance” refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

II. BUDGET/FINANCE CONSENT AGENDA – Continued

36. Recommendation: That the Board take the following action concerning the Contract Award for Professional Services, PD 23-24.010:

A. Award a contract to Municipal Engineering Services, Inc.;

B. Approve and authorize the County Administrator to sign the Agreement; and

C. Approve and authorize the department(s), in conjunction with the Office of Purchasing, to negotiate Task Orders according to Florida Statutes 287.055, "Consultants Competitive Negotiation Act" (A&E Services), on a project by project basis.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

37. Recommendation: That the Board take the following action concerning the issuance of a Purchase Order to Volkert, Inc., on Contract PD 23-24.010, "Professional Services," for the Engineering Department:

A. Approve and authorize the County Administrator to issue and sign a Purchase Order to Volkert, Inc., in the amount of $212,727.10, for 2024 Escambia County Bridge Inspections for the Escambia County Bridge Program; and

Vendor/Contractor	Funding	Amount	Contract Number
Volkert, Inc.	Fund 353, LOST IV, Cost Center 210106, Object Code 56301, Project #19EN0629	$212,727.10	PD 23-24.010 "Professional Services"
Total Cost		**$212,727.10**	

(Continued on page 52)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

37. Continued…

B. Approve and authorize the Chairman or 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 approved thresholds or established policy.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

38. Recommendation: That the Board take the following action concerning the State of Florida Department of Transportation (FDOT) Local Agency Program (LAP) Agreement between FDOT and Escambia County for the replacement of O.C. Phillips Road Over Brushy Creek, Bridge #484029:

A. Approve the FDOT LAP Agreement between FDOT and Escambia County for construction of the bridge and Construction, Engineering, and Inspection (CEI) Services of the bridge replacement on O.C. Phillips over Brushy Creek, Bridge #484029;

B. Adopt a Resolution [R2024-55] authorizing the Chairman to sign the LAP Agreement;

(Continued on page 53)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

38. Continued…

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; and

D. Approve and authorize the Chairman to sign the Resolution [R2024-56] approving Supplemental Budget Amendment #SBA-24039, Fund 353, Local Option Sales Tax, in the amount of $2,466,653, to recognize proceeds from the State of Florida Department of Transportation Local Agency Program Agreement.

Revenues				
Source of Funds	**Amount**	**Account Codes**	**Contract**	**Vendor**
LOST IV, Fund 353	$2,466,653	New, LAP - O. C. Phillips FDOT	430468-1-58-01 430468-1-68-01	FDOT, Federal Share
Total Revenue	$2,466,653			

(Continued on page 54)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

38. Continued…

Expenditures				
Source of Funds	**Amount**	**Account Codes**	**Contract**	**Vendor**
LOST IV, Fund 353	$345,468	Fund 353, LOST IV, Cost Center 210106, Object Code 56301, Project #19EN0749	430468-1-58-01 430468-1-68-01	FDOT, Local Share
RESTORE	$2,000,000	Fund 118, New, RESTORE Direct Component	430468-1-58-01 430468-1-68-01	FDOT, Local Share
LOST IV, Fund 353	$2,466,653	Cost Center 210154 (New), Object Code 56301, Project #24EN2495, LAP - O. C. Phillips FDOT	430468-1-58-01 430468-1-68-01	FDOT, Federal Share
Total Expenditures	$4,812,121			

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 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

39. Recommendation: That the Board approve and authorize the Chairman to sign the Federally Funded Community Development Block Grant Disaster Recovery (CDBG-DR) Rebuild Florida Infrastructure Repair Program Subrecipient Agreement including Attachment F - Civil Rights Compliance and Attachment M - Subrogation Agreement between Escambia County, Florida, and the State of Florida, Department of Commerce.

This Agreement is for Escambia County's award of $26,550,000 for CDBG-DR funding to build a new state of the art, energy-efficient, and resilient facility for transit operations, to include fixed-route services, ADA and Transportation Disadvantaged paratransit services, and Emergency Operations Distribution Center and/or Emergency Shelter, when necessary.

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

40. Recommendation: That the Board take the following action concerning the Fiscal Year 2023-2024 Miscellaneous Appropriations Agreement for William Banks Enterprise, Inc.:

A. Approve the Miscellaneous Appropriations Agreement for William Banks Enterprise, Inc., in the amount of $150,000, to be paid from Tourist Development Tax Fund (108), Cost Center 360105, Account Code 58201;

B. Approve and authorize the Chairman to sign the Agreement and all other necessary documents; and

C. Approve and authorize the Office of Management and Budget to facilitate the reimbursement request and the issuance of a purchase order between William Banks Enterprise, Inc., and Escambia County, Florida.

Vendor	Funding	Amount	Description
William Banks Enterprise, Inc. Vendor #425491	Fund 108 Cost Center 360105 Account 58201	$150,000	Funds will be used to promote and produce the 2024 Gulf Coast Jazz Festival.

Motion: Move the balance **For information:** “The balance” refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

41. Recommendation: That the Board approve a funding allocation, in the amount of $500, for the Rosa Verde Foundation from Commissioner Lumon J. May's discretionary fund. The Rosa Verde Foundation will have six months from today's date to submit the necessary paperwork to process a payment request. After six months, this Board action is invalid.

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

Motion: Move the balance **For information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 41, with Item 42 held for a separate vote.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers

42. Recommendation: That the Board take the following action concerning a Resolution for Economic Development and the Fiscal Year 2023-2024 Pensacola State College's Kids' College Miscellaneous Appropriations Agreement:

A. Adopt the Economic Development Resolution [R2024-57] allowing Pensacola State College's Kids' College @ Century Center to be added to the list of organizations authorized to receive Local Option Sales Tax IV Funds for Economic Development;

B. Approve the Fiscal Year 2023-2024 Miscellaneous Appropriations Agreement between Escambia County and Pensacola State College, to be paid from Local Options Sales Tax IV in the amount of $15,000;

C. Authorize the Chairman to sign the Resolution and the Agreement and all other necessary documents; and

D. Approve and authorize the Office of Management and Budget to facilitate the reimbursement request and purchase order between Pensacola State Kids' College @ Century Center and the Clerk of the Court.

Funding: Local Options Sales Tax IV Fund (353), Cost Center 110277.

Motion: Move Item 42 A, B, C, and D in the affirmative
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers
Speaker(s): Grover Robinson

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION

1. Recommendation: That the Board confirm the promotion of Ms. Lyndsey Stevens from the position of Interim Purchasing Director to Purchasing Director, with an annual salary of $120,541.53 and a monthly car allowance of $400, effective April 22, 2024.

   This position is currently budgeted for the Fiscal Year 2023-2024.

Motion: Move the Item in the affirmative
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

2. Recommendation: That the Board discuss the Letter of Intent submitted by Moorhead Law Group on behalf of Cliff Mowe and Ryan Chavers.

For information: The Board held a lengthy discussion regarding the importance of a town center being included in the Mowe and Chavers proposal and continued conversation about changes to the DPZ Master Plan, the continued focus of job creation through the development of the OLF-8 property, and the value of the property and acceptable bottom lines.
Speaker(s): Fred Hemmer, Theresa Blackwell, Melissa Pino, and Matthew Couch

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1. Recommendation: That the Board authorize the scheduling of a private meeting with its attorneys to discuss pending litigation, in accordance with Section 286.011(8), Fla. Stat., in the case of *Escambia County v. Jonathan Owens, et al.*, Case No. 2023 CC 006519, for Thursday, May 2, 2024, at 3:00 p.m., and approve a public notice advertising the session to be published in the *Escambia Sun Press* on Thursday, April 18, 2024, as follows:

   PUBLIC NOTICE

   IT IS THE INTENTION of the Board of County Commissioners of Escambia County, Florida to hold a private meeting with its attorneys to discuss pending litigation in the case of *Escambia County v. Jonathan Owens, et al.* Case No.: 2023 CC 006519, in accordance with Section 286.011(8), Florida Statutes. Such attorney/client session will be held at **3:00 p.m. on Thursday, May 2, 2024**, in the Ernie Lee Magaha Government Building, Board Chambers, 221 Palafox Place, Pensacola, Florida. Commissioners Steven Barry, Jeff Bergosh, Mike Kohler, and Lumon J. May, County Administrator Wes Moreno, Deputy County Attorney Kristin D. Hual, and Senior Assistant County Attorney Stephen G. West, will attend. A certified court reporter will attend and report the attorney/client session.

Motion: So moved [the Action Items]
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

2. Recommendation: That the Board authorize the scheduling of a private meeting with its attorneys to discuss pending litigation, in accordance with Section 286.011(8), Fla. Stat., in the case of *United States of America ex rel. Rayme M. Edler, M.D. v. Escambia County*, Case No.: 3:20-cv-05503-RV-HTC, for Thursday, May 2, 2024, at 3:30 p.m., and approve a public notice advertising the session to be published in the Escambia Sun Press on Thursday, April 18, 2024, as follows:

   (Continued on page 60)

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

2. Continued…

PUBLIC NOTICE

IT IS THE INTENTION of the Board of County Commissioners of Escambia County, Florida to hold a private meeting with its attorneys to discuss pending litigation in the case of *United States of America ex rel. Rayme M. Edler, M.D. v. Escambia County*, Case No.: 3:20-cv-05503-RV-HTC, in accordance with Section 286.011(8), Florida Statutes. Such attorney/client session will be held at 3:30 p.m. on Thursday, May 2, 2024, in the Ernie Lee Magaha Government Building, 221 Palafox Place, Pensacola, Florida. Commissioners Steven Barry, Jeff Bergosh, Mike Kohler, and Lumon J. May, County Administrator Wes Moreno, Deputy County Attorney Kristin Hual, Senior Assistant County Attorney Will Nelson, and Stephanie Pidermann, Margaret Mevers, Eric McAliley and Francisco Varona with the Lydecker Law Firm, attorneys representing Escambia County in the foregoing litigation, will attend. A certified court reporter will attend and report the attorney/client session.

Motion: So moved [the Action Items]
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

3. Recommendation: That the Board accept for information that CCIS, the expert firm working with our contracted outside counsel, Cole, Scott & Kissane for the Whitesell-Green/Caddell JV, LLC, v. Escambia County, Florida, v. DLR Group case, is providing expert evaluation of defects related to the construction of the Escambia County Jail and has engaged in extensive efforts utilizing advanced testing equipment to analyze defects to create an interactive forensic database model identifying and outlining defective conditions and systems for the Escambia County Jail. The analysis includes the use of proprietary software to catalog each defect location on electronic building plans for later use in the arbitration process and by the County for later operational reference. The expenses anticipated to be incurred for this analysis and modeling are approximately $600,000- $650,000 with a cap of $700,000 based on information provided by Cole, Scott & Kissane.

Motion: So moved [the Action Items]
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

II. FOR DISCUSSION

1. Recommendation: That the Board discuss Katherine Kenney's request for payment of attorney's fees in the amount of $5,000 incurred during the course of a disciplinary proceeding initiated by the Florida Department of Health (Case No.: 2019-17844) relating to events occurring while Kenney was employed as a paramedic with Escambia County.

Motion: That we support the payment of $5,000 **For information:** The Board held a lengthy discussion on the request, and Deputy County Attorney Hual addressed questions and concerns from the Board and Honorable Clerk Childers. Deputy County Attorney Hual also provided clarification regarding the Board policy and Statutory and Common Law remedies.
Made by: Commissioner Bergosh **Seconded by:** Commissioner May
Disposition: Carried 3-1, with Commissioner Kohler voting "no"
Speaker(s): Keith Bowe and Melissa Pino

2. Recommendation: That the Board discuss and take one of the following actions:

   A. Amend its action of August 16, 2023, directing the County Attorney's Office to obtain an Attorney General's Opinion concerning whether Tourist Development Tax (TDT) funds may be utilized for the General Daniel "Chappie" James Jr. Memorial Plaza "after staff ascertains ownership," to direct the County Attorney's Office to obtain an Attorney General's Opinion regarding whether the construction of the Memorial Plaza would be an authorized expenditure of TDT funds pursuant to Section 125.0104(5)(a)3., Florida Statutes, which authorizes expenditures for an *"activity, service, venue, or event" that has "as one of its main purposes the attraction of tourists…"*; or

   B. Direct the County Attorney's Office to withdraw the previous request to obtain an Attorney General's Opinion concerning whether Tourist Development Tax (TDT) funds may be utilized for the General Daniel "Chappie" James Jr. Memorial Plaza until such time as the City and the Foundation have determined which entity will maintain ownership of the Memorial Plaza and related elements installed on the City's property.

Disposition: No action taken **For information:** The Board discussed the clarity of ownership of the improvements between the City of Pensacola and Escambia County on the property for the plaza, and Deputy County Attorney Hual clarified that the determination of ownership has not been determined. Chairman Barry requested communication between the City and County regarding this issue, and for the Item to be brought back for the May 2nd meeting.

ITEMS ADDED TO THE AGENDA – None.

1. Verbal Add On Item for the Escambia County Sheriff's Foundation Blazer Academy

Disposition: No action taken

ANNOUNCEMENTS – None.

ADJOURNMENT

There being no further business to come before the Board, Chairman Barry declared the Regular Meeting of the Board of County Commissioners adjourned at 11:24 a.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

By: ______________________
Steven Barry, Chairman

ATTEST:
Pam Childers
Clerk of the Circuit Court & Comptroller

____
Deputy Clerk

THE BOARD OF COUNTY COMMISSIONERS ESCAMBIA CO. SEAL

Approved: May 20, 2024