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

JULY 9, 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
Alison Rogers, County Attorney
DeLana Allen-Busbee, Operations Supervisor, Clerk and Comptroller's Office
Ashley Danner, Office Assistant IV, Clerk and Comptroller's Office
Elizabeth Kissel, Governmental Liaison, County Administrator'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 10:07 a.m.

2. Invocation

   Dr. Bill Spain delivered the invocation.

3. Pledge of Allegiance to the Flag

   Commissioner Barry led the Pledge of Allegiance to the Flag.

REGULAR BCC AGENDA – Continued

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

Motion: So moved **For Information:** The Agenda was amended to add a discretionary funding allocation for District 5 as CAR II-20, and a discretionary funding allocation for District 3 as CAR II-21.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
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. Recommendation: That the Board waive the reading of the legal advertisement(s) and accept, for filing with the Board's Minutes, the certified affidavit(s) establishing proof of publication for the Public Hearing(s) on the agenda, and the Board of County Commissioners – Escambia County, Florida, Meeting Schedule:

   The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule July 8, 2024, through July 12, 2024,* as published in the *Escambia Sun Press* on July 4, 2024.

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

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

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1. Recommendation: That the Board authorize the scheduling of a Public Hearing on August 1, 2024, at 5:31 p.m., to consider the adoption of an Ordinance creating the Perdido Estates Infrastructure Improvements Municipal Services Benefit Unit (MSBU).

Motion: Move it forward
Made by: Commissioner Kohler **Seconded by:** Commissioner May
Disposition: Carried unanimously
Speaker(s): John Warrick

2. Recommendation: That the Board authorize the scheduling of a Public Hearing for August 1, 2024, at 5:32 p.m., for the purpose of receiving comments from the public concerning the Fiscal Year 2023 proposed Grant Application by the Mass Transit Department for Mass Transit Projects for Federal Transit Administration (FTA) Section 5307 Funds for Capital and Operating Expenses.

   Funding: The Grant Application is for a total of $4,763,488. Operating assistance of $3,000,000 requires a 50% match. Operating costs will be reimbursed at 50% up to the allowed maximum of $3,000,000. The local match is included in the Fiscal Year 2024-2025 Budget. All other items included in this Application require a 20% local match totaling $440,872. The 20% local match will be covered by Florida Toll Revenue Credits.

Motion: Move the balance **For Information:** “The balance” refers to Technical/Public Service Consent Agenda Items 2 through 4. Items 1 and 5 were held for separate votes.
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA - Continued

3. Recommendation: That the Board authorize the scheduling of a Public Hearing for August 1, 2024, at 5:33 p.m., for the purpose of receiving comments from the public concerning the Section 5339 proposed Grant Application by the Mass Transit Department, for Federal Transit Administration (FTA) Section 5339 Funds for Capital Projects.

   Funding: The Grant Application includes $1,178,652 FTA Funding (Fiscal Year 2021: $400,357; Fiscal Year 2022: $383,717; Fiscal Year 2023: $394,578) and a local match of $294,663. The local match of $294,663 will be covered by Toll Revenue Credits through the Florida Department of Transportation (FDOT).

Motion: Move the balance **For Information:** "The balance" refers to Technical/Public Service Consent Agenda Items 2 through 4. Items 1 and 5 were held for separate votes.
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

4. Recommendation: That the Board reappoint Reid Rushing to the Escambia County Planning Board for a two-year term effective July 9, 2024, through July 8, 2026.

   Escambia County's Community and Media Relations Office posted a General Alert on the County's website on May 10, 2024, to announce that the Board of County Commissioners was seeking Escambia County residents interested in volunteering to be considered for an appointment to the Escambia County Planning Board. Only a reappointment request for Reid Rushing was received.

Motion: Move the balance **For Information:** "The balance" refers to Technical/Public Service Consent Agenda Items 2 through 4. Items 1 and 5 were held for separate votes.
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

5. Recommendation: That the Board take the following action concerning the Land Exchange Agreement between Escambia County and the Department of the United States Navy:

   A. Approve the Land Exchange Agreement between Escambia County, Florida, and the Department of the United States Navy;

   B. Direct staff to bring to the Board the documents for the exchange of properties for approval; and

   C. Authorize the Chairman to execute this Agreement.

   This agreement will take place in Commission District 1.

Motion: Move the Item
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner May temporarily out of Board Chambers
Speaker(s): Jerry Blankenship

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA

1. Recommendation: That the Board take the following action concerning the certification of millage rates and the scheduling of Public Hearings for the Fiscal Year 2024-2025 Budget:

   A. Certify the millage rates for Fiscal Year 2024-2025 as follows:

      County-wide Operating - 6.6165
      Law Enforcement/Sheriff's Municipal Services Taxing Unit (MSTU) - 0.685
      Library MSTU - 0.359

      Once the millage rates listed above have been certified, the millage rate cannot be increased without first class noticing the public. The millage rates must be certified by August 4, 2024.

      The millage rates for the County-wide Operating, Sheriff's MSTU, and the Library MSTU are unchanged from the previous Fiscal Year;

   B. Certify the proposed millage rates at 6.23% above the aggregate rolled back rate;

   C. Affirm the Board's intent to maintain the current revenue allocation rate at the 75% increment within the Community Redevelopment Agency Tax Increment Financing (CRA TIF) Districts for Fiscal Year 2024-2025;

   D. Schedule a Public Hearing on the Fiscal Year 2024-2025 Budget at 5:01 p.m., on September 10, 2024, to be held in the Chambers of the Board of County Commissioners of Escambia County, Florida, located on the first floor of the Ernie Lee Magaha Government Building, 221 Palafox Place, Pensacola, Florida;

   E. Schedule a Public hearing to adopt the Fiscal Year 2024-2025 Non-Ad Valorem Special Assessment roll at 5:02 p.m., on September 10, 2024, to be held in the Chambers of the Board of County Commissioners of Escambia County, Florida, located on the first floor of the Ernie Lee Magaha Government Building, 221 Palafox Place, Pensacola, Florida; and

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COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1. Continued…

   F. Schedule a Public Hearing to adopt the Fiscal Year 2024-2025 County-wide Budget at 5:01 p.m., on September 23, 2024, to be held in the Chambers of the Board of County Commissioners of Escambia County, Florida, located on the first floor of the Ernie Lee Magaha Government Building, 221 Palafox Place, Pensacola, Florida.

Motion: Move the balance **For Information:** “The balance” refers to Budget/Finance Consent Agenda Items 1 through 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

2. Recommendation: That the Board take the following action regarding the legal settlement and approval of Supplemental Budget Amendment (SBA) #24057, authorizing an interest-free Interfund Loan between the Internal Service Fund and General Fund/Emergency Medical Service (EMS) Fund:

   A. Authorize settlement pursuant to Board direction on May 2, 2024, to resolve the remaining claims in the matter of *United States of America ex rel., Rayme M. Edler, M.D. v. Escambia County,* Case No. #3:20cv5503-MCR-HTC, in the amount of $5 million, $3.5 million to be tendered to the US Attorney’s Office for the Northern District of Florida in a single transaction, and $1.5 million to be tendered to Realtor’s counsel, Nichols Kaster, in a single transaction;

   B. Authorize the Chairman to execute the attached Settlement Agreement, which has been signed by Rayme M. Edler, M.D., the Relator, and by the U.S. Attorney’s Office;

   C. Authorize an interest-free Interfund Loan from the Internal Service Fund (501) to the General Fund (001) and the EMS Fund (408), in an amount not to exceed $5 million with the Internal Service Fund being reimbursed on an annual basis over a five-year period beginning in Fiscal Year 2023-2024. The repayment of the interest-free Interfund Loan will come from the General Fund in the amount of $3.5 million and the EMS Fund in the amount of $1.5 million; and

(Continued on page 8)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

2. Continued…

   D. Adopt and authorize the Chairman to execute the Resolution [R2024-76] approving Supplemental Budget Amendment #24057 General Fund (001) and EMS Fund (408), in the amount of $5 million, to recognize the proceeds of an Interfund Loan and to appropriate these funds for the purpose of litigation settlement expenses totaling $5 million.

Motion: Move the balance **For Information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

3. Recommendation: That the Board approve the 2025 Benefit Plans as recommended and take the following action:

   A. Remain with Florida Blue for medical insurance for the 2025 benefit plan year with no plan design changes and no premium increases;

   B. Remain with Metlife for all dental benefits;

   C. Remain with Humana for vision benefits;

   D. Remain with Lincoln Financial Group for Life, AD&D, long-term disability and short-term disability plans;

   E. Remain with United Health Care for Medicare Advantage Plans;

   F. Remain with Chard-Snyder for the administration of the Firefighter Cancer Policy (FFCP) and Health Reimbursement Arrangement (HRA);

   G. Remain with Ameriflex for FSA/LSFA/DCA administration and COBRA-related services;

(Continued on page 9)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

3. Continued…

H. Remain with Behavioral Health Services (BHS) for the Employee Assistance Program (EAP); and

I. Approve and authorize the County Administrator to sign, subject to legal review and sign-off, any subsequent agreements or documents related to the 2025 employee benefits.

Funding Source: Funding Source within Internal Service Fund - 501.

Motion: Move the balance **For Information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

4. Recommendation: That the Board take the following action regarding the renewal of PD 19-20.035, between Escambia County, Florida, and Marathon Health, LLC:

A. Approve the second of two, 12-month renewals of the Agreement between Escambia County, Florida, and Marathon Health, LLC, PD 19-20.035, for servicing of the Escambia County Employee Health Clinic; and

B. Authorize and approve the County Administrator to execute the Letter of Intent to renew services with Marathon Health, LLC.

Funding Source: Fund 501, Cost Center 150112, Object Code 53101.

Motion: Move the balance **For Information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

5. Recommendation: That the Board ratify the County Administrator's signature on the Memorandum of Agreement (MOA) between Escambia County, Florida, and the University of West Florida (UWF), for Escambia County Area Transit (ECAT) to provide public transportation services at the UWF Campus and surrounding area.

   Funding: UWF will reimburse the County for all operating, maintenance, and administrative costs. Costs will be tracked in Fund 104, Cost Center 320403.

Motion: Move the balance **For Information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

6. Recommendation: That the Board take the following action concerning the multi-function copier lease with Ricoh, USA, Inc., for the Escambia County Extension Services Department:

   A. Authorize the use of a State Contract with Ricoh USA, Inc., #140602 PA 44000000-NASPO-19-ACS, Florida Addendum; and

   B. Approve and authorize the County Administrator to issue and sign a Purchase Order, in the amount of $4,800, to RJ Young, Inc., for a 60-month lease of two Ricoh Model IM C4510 multi-function printers and copy overage fees of $0.00660 for black and white copies and $0.050900 for color copies, for the Escambia County Extension Services Department.

   (Continued on page 11)

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

6. Continued…

Yearly Lease	$3,454.20	CC 221201 / OC 54401
Yearly Copy Fees (est.)	$1,345.80	CC 221201 / OC 55201
TOTAL:	$4,800	

Funding: Fund 001, Cost Center 221201, Object Code 54401, Rentals and Leases; and Object Code 55201, Operating Supplies.

Motion: Move the balance **For Information:** “The balance” refers to Budget/Finance Consent Agenda Items 1 through 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

7. Recommendation: That the Board take the following action regarding the replacement of the ROK Technologies, LLC, Contract for Geographic Information Systems (GIS) public web map template and ongoing support services:

A. Authorize the County Administrator to execute the Avineon Authorization to Proceed; and

B. Approve and authorize the County Administrator to issue and sign a Purchase Order, in the amount of $7,000, to Avineon, Inc., for GIS service hosting and mapping services, with an optional annual Avineon Web Template Subscription renewal for the second year, at an annual cost of $4,500.

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II. BUDGET/FINANCE CONSENT AGENDA – Continued

7. Continued…

Vendor	Funding	Amount
Avineon, Inc.	Fund 001, Cost Center 240401, Object Code 53401	**$4,500** - First Year Subscription for Avineon Web Template (to be paid October 1, 2024)
Avineon, Inc.	Fund 001, Cost Center 240401, Object Code 53401	**$2,500** - Installation/Configuration for Avineon Web Template (to be paid upon issuance of Purchase Order)
TOTAL		**$7,000**

Motion: Move the balance **For Information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

8. Recommendation: That the Board take the following action regarding the due diligence process for any property that could be a potential acquisition for a community center within District 3:

   A. Authorize staff to start the due diligence process, which includes title search, appraisal(s), inspections, collecting information, and environmental assessment(s) for the proposed purchase; and

   B. Authorize staff to draft a Contract for Sale and Purchase for the proposed acquisition of real property, and bring the executed Contract to the Board for final approval.

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COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

8. Continued…

All potential properties will be located in District 3.

Funding: Fund 353, Cost Center 370107, Project #21NH1453.

Motion: Move the balance **For Information:** “The balance” refers to Budget/Finance Consent Agenda Items 1 through 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

9. Recommendation: That the Board take the following action concerning the Lease and Park Management Agreement Between Escambia County, Florida, and the Muscogee Nation of Northwest Florida, Inc., a Florida non-profit corporation (Perdido Bay Tribe) for County-owned property located at 3300 Beloved Path:

A. Adopt and authorize the Chairman to sign a Resolution [R2024-77] authorizing the Lease Agreement of real property to the Perdido Bay Tribe; and

B. Approve and authorize the Chairman to sign a Lease and Park Management Agreement, between Escambia County, Florida, and the Perdido Bay Tribe, for real property located at 3300 Beloved Path.

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 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

II. BUDGET/FINANCE CONSENT AGENDA – Continued

10. Recommendation: That the Board approve and authorize the County Administrator to issue and sign Change Order #2 to Purchase Order #232122, in the amount of $110,511.22, to Chavers Construction, Inc., Contract PD 22-23.012, Moreno Street Stormwater Pond and Sidewalk Improvements Project:

Department:	Engineering
Division:	Construction Management
Type:	Addition
Amount:	$110,511.22
Vendor:	Chavers Construction, Inc.
Project Name:	Moreno Street Stormwater Pond and Sidewalk Improvements Project
Contract:	PD 22-23.012
Purchase Order #:	232122
Change Order #:	2
Change Order #1:	Time Only
Change Order #2:	$110,511.22
Original Contract Amount:	$712,801.45
Cumulative Amount of Change Orders Through This Change Order:	$110,511.22
New Contract Amount:	$823,312.67
Funding Source:	Fund 353, LOST IV, Cost Center 210106, Object Code 56301, Project #19EN0473

The Moreno Street Stormwater Pond and Sidewalk Improvements Project is located in Commission District 3.

Motion: Move Item 10 in the affirmative
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried 3-0, with Commissioner Barry abstaining and filing Form 8B, Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

11. Recommendation: That the Board approve and authorize the County Administrator to issue and sign Change Order #4, to Purchase Order #221734 to Panhandle Grading and Paving, Inc., in the amount of $120,914.26, for the Longleaf West Phase Construction with Bridge and Drainage Project, PD 21-22.057.

Department:	Engineering
Division:	Construction Management
Type:	Addition
Amount:	$120,914.26
Vendor:	Panhandle Grading and Paving, Inc.
Project Name:	Longleaf West Phase Construction with Bridge and Drainage Project
Contract:	PD 21-22.057
Purchase Order #:	221734
Change Order #:	4
Change Order #1:	($454,693.10)
Change Order #2:	$91,059.18
Change Order #3:	$2,194,135.18
Change Order #4:	$120,914.26
Original Contract Amount:	$6,831,645.08
Cumulative Amount of Change Orders Through This Change Order:	$1,951,415.52
New Contract Amount:	$8,783,060.60
Funding Source:	Fund 181, Cost Center 210731, Master Drainage Basin 13, Object Code 56301

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COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

11. Continued…

The Longleaf West Phase Construction with Bridge and Drainage Project is located in Commission District 1.

Motion: Move the balance **For Information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

12. Recommendation: That the Board take the following action concerning the Opioid Abatement Funding Advisory Board Recommendation made on July 1, 2024:

A. Approve and authorize a payment from Fund 122 - Opioid Abatement Funding, Cost Center 110193, in the amount of $494.34 to advertise the Opioid Abatement Notice of Funding in the Escambia Sun Press for seven weeks; and

B. Approve and authorize a payment from Fund 122 - Opioid Abatement Funding, Cost Center 110193, in the following amounts to allow the Coordinated Opioid Recovery (CORE) team to continue to operate as is through Fiscal Year 2025-2026 due to program budget cuts:

1. Fiscal Year 2023-2024 - $20,513.50

2. Fiscal Year 2024-2025 - $271,147.66

3. Fiscal Year 2025-2026 - $421,139.09

Motion: Move the balance **For Information:** "The balance" refers to Budget/Finance Consent Agenda Items 1 through 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

13. Recommendation: That the Board approve a funding allocation, in the amount of $1,700, for the Kiwanis Club of Big Lagoon, Pensacola, from Commissioner Michael Kohler's discretionary fund to purchase 100 wreaths for Wreaths Across America. Kiwanis Club of Big Lagoon 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 110112, Object Code 58201

Motion: Move the balance **For Information:** “The balance” refers to Budget/Finance Consent Agenda Items 1 through 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

14. Recommendation: That the Board approve a funding allocation of $500 for HYPE (Helping Youth in Pensacola Endure) Pensacola from Commissioner May's discretionary fund. Upon Board approval, HYPE Pensacola will have six months from this date to submit the necessary paperwork for a payment request. In six months, this Board action is invalid.

    Funding: Fund 001, General Fund, 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 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

15. Recommendation: That the Board approve a funding allocation of $500 to Survivors of Substance Abuse (SOSA) from Commissioner May's discretionary fund. Upon Board approval, SOSA will have six months from this date to submit the necessary paperwork for a payment request. In six months, this Board action is invalid.

Funding: Fund 001, General Fund, 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 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

16. Recommendation: That the Board approve a funding allocation of $500 from Commissioner May's discretionary funds for Jubilee Church's Back-to-School Event. Upon Board approval, Jubilee Church will have six months from this date to submit the necessary paperwork for a payment request. In six months, this Board action is invalid.

Funding: Fund 001, General Fund, 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 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

17. Recommendation: That the Board approve a funding allocation of $500 from Commissioner May's discretionary fund for Pensacola Redd Diamondz, Inc. Upon Board approval, Pensacola Redd Diamondz, Inc., will have six months from this date to submit the necessary paperwork for a payment request. In six months, this Board action is invalid.

Funding: Fund 001, General Fund, 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 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

18. Recommendation: That the Board approve a funding allocation, in the amount of $6,500, for the Neighborhood and Human Services Department, for youth sports and community center outreach at the Brownsville Community Center from Commissioner Lumon J. May's discretionary fund. The Neighborhood and Human Services Department 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 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

19. Recommendation: That the Board approve a funding allocation, in the amount of $1,000, to Youths Left Behind, to sponsor a free gun violence awareness event from Commissioner Lumon J. May's discretionary fund. Youths Left Behind 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 21, with the exception of Item 10, which was held for separate vote, and amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

20. Recommendation: That the Board approve the request from Marcus Pointe Baptist Church, for $1,000.00 to be funded from District V Discretionary Fund and approve the Purchase Order for this purpose. Upon Board approval, Marcus Pointe will have six months to submit documents for payment processing. After six months, this approval will be invalid.

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

Motion: Move the balance **For Information:** “The balance” refers to Budget/Finance Consent Agenda Items 1 through 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

21. Recommendation: That the Board approve a Funding allocation in the amount of $500.00 from Commissioner May's discretionary account in support of the Jr. Kappa League 2nd Annual Back to School Event.

Funding: Fund 001, General Fund, Commissioner's 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 21, with the exception of Item 10, which was held for a separate vote, as amended to drop Item 6.
Made by: Commissioner Bergosh **Seconded by:** Commissioner Kohler
Disposition: Carried unanimously

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1. Recommendation: That the Board accept the following information [attached to the Agenda as backup] in the matter of *U.S. Bank Trust Nat'l Assoc., as Trustee of the LB-Igloo Series IV Trust v. David Alan Lancieri, et al.*; Case No.: 2022 CA 001472.

Motion: So moved with the Amendment **For Information:** After Board discussion related to scheduling conflicts, the County Attorney's Report was amended as follows: • The 8:30 a.m. Attorney-Client Session related to Eager Beaver (CAT I-4) was moved to 3:30 p.m. on August 1, 2024. • The 3:30 p.m. Attorney-Client Session related to Jonathan Owens (CAT I-5) was moved to 8:30 a.m. on August 1, 2024.
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

2. Recommendation: That the Board ratify the Voluntary Dismissal with Prejudice in the matter of *Escambia County v. Escambia County Clerk of Court,* Case No. 2023 CA 000380.

Motion: So moved with the Amendment **For Information:** After Board discussion related to scheduling conflicts, the County Attorney's Report was amended as follows: • The 8:30 a.m. Attorney-Client Session related to Eager Beaver (CAT I-4) was moved to 3:30 p.m. on August 1, 2024. • The 3:30 p.m. Attorney-Client Session related to Jonathan Owens (CAT I-5) was moved to 8:30 a.m. on August 1, 2024.
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

3. Recommendation: That the Board ratify the County Attorney's signature on the GrayRobinson, P.A. engagement letter to provide legal counsel to the Escambia County Supervisor of Elections Office and authorize payment to the GrayRobinson firm for services on issues related to challenges of candidate qualifying determinations.

Motion: So moved with the Amendment **For Information:** After Board discussion related to scheduling conflicts, the County Attorney's Report was amended as follows: • The 8:30 a.m. Attorney-Client Session related to Eager Beaver (CAT I-4) was moved to 3:30 p.m. on August 1, 2024. • The 3:30 p.m. Attorney-Client Session related to Jonathan Owens (CAT I-5) was moved to 8:30 a.m. on August 1, 2024.
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

4. 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 *Eager Beaver Professional Tree Care, LLC v. Escambia County BOCC;* Case No. 2020 CA 000328 for Thursday, August 1, 2024, at 8:30 a.m., and approve a public notice advertising the session to be published in the Escambia Sun Press on Thursday, July 18, 2024, as follows:

(Continued on page 24)

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

4. 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 *Eager Beaver Professional Tree Care, LLC v. Escambia County BOCC;* Case No.: 2020 CA 000328, in accordance with Section 286.011(8), Florida Statutes. At the conclusion of the private session, the Board will reconvene to announce the termination of the session and may take formal action. Such attorney/client session will be held at 8:30 a.m. on Thursday, August 1, 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, County Attorney Alison Rogers, and Senior Assistant County Attorney Will Nelson will attend. A certified court reporter will attend and report the attorney/client session.

Motion: So moved with the Amendment **For Information:** After Board discussion related to scheduling conflicts, the County Attorney's Report was amended as follows: • The 8:30 a.m. Attorney-Client Session related to Eager Beaver (CAT I-4) was moved to 3:30 p.m. on August 1, 2024. • The 3:30 p.m. Attorney-Client Session related to Jonathan Owens (CAT I-5) was moved to 8:30 a.m. on August 1, 2024.
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

5. 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 Lee Owens, et al.;* Case No. 2023 CC 006519 for Thursday, August 1, 2024, at 3:30 p.m., and approve a public notice advertising the session to be published in the *Escambia Sun Press* on Thursday, July 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 Lee Owens, et al.;* Case No.: 2023 CC 006519, in accordance with Section 286.011(8), Florida Statutes. At the conclusion of the private session, the Board will reconvene to announce the termination of the session and may take formal action. Such attorney/client session will be held at 3:30 p.m. on Thursday, August 1, 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, County Attorney Alison Rogers, 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 with the Amendment **For Information:** After Board discussion related to scheduling conflicts, the County Attorney's Report was amended as follows: • The 8:30 a.m. Attorney-Client Session related to Eager Beaver (CAT I-4) was moved to 3:30 p.m. on August 1, 2024. • The 3:30 p.m. Attorney-Client Session related to Jonathan Owens (CAT I-5) was moved to 8:30 a.m. on August 1, 2024.
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

6. 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 *Jeremy Lloyd v. Escambia County;* Case No. 2022 CA 001049 for Thursday, August 1, 2024, at 4:00 p.m., and approve a public notice advertising the session to be published in the *Escambia Sun Press* on Thursday, July 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 *Jeremy Lloyd v. Escambia County;* Case No.: 2022 CA 001049, in accordance with Section 286.011(8), Florida Statutes. At the conclusion of the private session, the Board will reconvene to announce the termination of the session and may take formal action. Such attorney/client session will be held at 4:00 p.m. on Thursday, August 1, 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, County Attorney Alison Rogers and Senior Assistant County Attorney Will Nelson will attend. A certified court reporter will attend and report the attorney/client session.

Motion: So moved with the Amendment **For Information:** After Board discussion related to scheduling conflicts, the County Attorney's Report was amended as follows: • The 8:30 a.m. Attorney-Client Session related to Eager Beaver (CAT I-4) was moved to 3:30 p.m. on August 1, 2024. • The 3:30 p.m. Attorney-Client Session related to Jonathan Owens (CAT I-5) was moved to 8:30 a.m. on August 1, 2024.
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

7. 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 *Felicity Hanna v. Escambia County BOCC;* Case No. 3:23-cv-12416-TKW-ZCB for Thursday, August 1, 2024, at 4:15 p.m., and approve a public notice advertising the session to be published in the Escambia Sun Press on Thursday, July 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 *Felicity Hanna v. Escambia County BOCC;* Case No.: 3:23-cv-12416-TKW-ZCB, in accordance with Section 286.011(8), Florida Statutes. At the conclusion of the private session, the Board will reconvene to announce the termination of the session and may take formal action. Such attorney/client session will be held at 4:15 p.m. on Thursday, August 1, 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, County Attorney Alison Rogers, Senior Assistant County Attorney Will Nelson, and Eric Krebs with the Warner Law Firm, attorney representing Escambia County in the foregoing litigation, will attend. A certified court reporter will attend and report the attorney/client session.

Motion: So moved with the Amendment **For Information:** After Board discussion related to scheduling conflicts, the County Attorney's Report was amended as follows: • The 8:30 a.m. Attorney-Client Session related to Eager Beaver (CAT I-4) was moved to 3:30 p.m. on August 1, 2024. • The 3:30 p.m. Attorney-Client Session related to Jonathan Owens (CAT I-5) was moved to 8:30 a.m. on August 1, 2024.
Made by: Commissioner May **Seconded by:** Commissioner Bergosh
Disposition: Carried unanimously

ITEMS ADDED TO THE AGENDA – None.

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 10:46 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
SEAL
ESCAMBIA CO. FL

Approved: August 1, 2024