

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

FEBRUARY 20, 2020

Present: Commissioner Steven L. Barry, Chairman, District 5
Commissioner Robert D. Bender, Vice Chairman, District 4
Commissioner Jeffrey W. Bergosh, District 1
Commissioner Lumon J. May, District 3
Janice Gilley, County Administrator
Codey Leigh, General Counsel, Clerk and Comptroller's Office
Alison Rogers, County Attorney
Krykyt Fisher, Office Assistant III, Clerk and Comptroller's Office
Shamara Jernigan, Agenda Program Coordinator, County Administrator's Office

Absent: Commissioner Douglas B. Underhill, District 2

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

Minutes prepared by: Krykyt Fisher

REGULAR BCC AGENDA

1. Call to Order

Chairman Barry called the Regular Meeting of the Board of County Commissioners to order at 9:03 a.m.

2. Invocation

Nathan Brown of Ray's Chapel delivered the invocation.

3. Pledge of Allegiance to the Flag

Commissioner Barry led the Pledge of Allegiance to the Flag.

MINUTES – FEBRUARY 20, 2020

REGULAR BCC AGENDA – Continued

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

Motion: So moved
Made by: Commissioner May
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

5. Commissioners' Forum:

- A. District 3 – Commissioner May provided comments;
- B. District 1 – Commissioner Bergosh provided comments;
- C. District 4 – Commissioner Bender provided comments; and
- D. District 5 – Commissioner Barry 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 *Board of County Commissioners – Escambia County, Florida, Meeting Schedule February 17 – February 21, 2020*, as published in the *Pensacola News Journal* on February 18, 2020.

Motion: So moved
Made by: Commissioner May
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

7. Written Communication – January 15, 2020, communication from Rudnick Development regarding the consideration of rescheduling the public hearing for the Pine Forest Amendment.

Motion: So moved
For information: The Board discussed working with the applicant to schedule a Public Hearing for the first available meeting after the March 5 th meeting.
Made by: Commissioner May
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent
Speaker(s): William J. Dunaway

MINUTES – FEBRUARY 20, 2020

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

I. CONSENT AGENDA

1. **Recommendation:** That the Board accept, for filing with the Board's Minutes, the following documents as provided to the Clerk to the Board's Office:
 - A. The Escambia County, Florida, Detention/Jail Commissary Fund Financial Statements and Required Supplementary Information, September 30, 2019;
 - B. The Visit Pensacola, Inc., Financial Statements, September 30, 2019, and 2018, as provided by Kimberly Sparks, Director, Finance and Administration, Visit Pensacola; and
 - C. The Pensacola-Escambia County Promotion and Development Commission Pensacola, Florida, Financial Statements September 30, 2019, as provided by Philip de Boer, Senior Manager, Audit Services, Saltmarsh, Cleaveland & Gund.

Motion: So moved
For information: Chairman Barry advised that he would entertain a motion for the Clerk’s Report.
Made by: Commissioner May
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

2. **Recommendation:** That the Board take the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:
 - A. Accept, for filing with the Board's Minutes, the Reports of the Agenda Work Session and the Gary Sansing Public Forum held February 6, 2020; and
 - B. Approve the Minutes of the Regular BCC Meeting held February 6, 2020.

Motion: So moved
For information: Chairman Barry advised that he would entertain a motion for the Clerk’s Report.
Made by: Commissioner May
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

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

I. CONSENT AGENDA

1. Recommendation: That the Board authorize the scheduling of the following Public Hearing:

March 5, 2020

5:50 p.m. - A Public Hearing - Large Scale Map Amendment - LSA-2020-01 (first of two public hearings)

Summary: The applicant is requesting to change the Future Land Use designation for a 26.7 (+/-) acre parcel in the 2700 BLK of Blue Angel Parkway from Commercial (C) to Mixed-Use Urban (MU-U).

Motion: So moved
Made by: Commissioner May
Seconded by: Commissioner Bergosh
Disposition: Carried 3-0 with Commissioner Underhill absent and Commissioner Barry abstaining and filing Form 8B Memorandum of Voting Conflict for County, Municipal, and Other Local Public Officers.

COUNTY ADMINISTRATOR'S REPORT – Janice Gilley, County Administrator

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1. Recommendation: That the Board approve and authorize the Chairman to sign Modification #2 to the Subgrant Agreement between the Division of Emergency Management and Escambia County, regarding Escambia County Fire Rescue's request to extend the Agreement for six months, ending June 30, 2020.

Motion: Move Item 1 in the affirmative
Made by: Commissioner Bender
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

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COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

2. Recommendation: That the Board take the following action concerning the Interlocal Agreement between the Escambia County Sheriff's Office and Escambia County Public Safety First Responders:

A. Approve the Interlocal Agreement with the Escambia County Sheriff's Office for one year commencing the effective date upon filing with the Clerk of the Circuit Court of Escambia County, Florida, and automatically renewing for successive 12-month terms beginning on January 1st of each calendar year until terminated by either party; and

B. Authorize the Chairman to sign the Agreement.

Motion: Move item 2 in the affirmative A and B
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

3. Recommendation: That the Board take the following action regarding the Agreement for SUNPASS and TOLL-BY-PLATE Electronic Toll Collection at the Bob Sikes Bridge Toll Plaza:

A. Approve the Agreement for SUNPASS and TOLL-BY-PLATE Electronic Toll Collection at the Bob Sikes Bridge Toll Plaza between Escambia County and the Florida Department of Transportation; and

B. Authorize the Chairman to sign the Agreement.

The Bob Sikes Toll Plaza is located in Commission District 4.

[Funding: There is no additional funding anticipated for this Agreement; however, costs for the signage and pavement marking upgrades required at the Bob Sikes Toll Plaza for the All Electronic Tolling conversion are anticipated to be approximately \$30-40K, which will be funded out of the Bob Sikes Toll Fund.]

Motion: Move A and B in the affirmative
Made by: Commissioner Bender
Seconded by: Commissioner Bergosh
Disposition: Carried 3-1 with Commissioner May voting "no" and Commissioner Underhill absent
Speaker(s): Tim Smith, Larry Downs, Jr., Dianne Krumel

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COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

4. Recommendation: That the Board schedule a Public Hearing for April 2, 2020, at 5:31 p.m., to consider the Petition to Vacate a Utility and Drainage Easement located at 2318 Copter Road (0.13 acres, more or less) as petitioned by Henry Floyd Pruett, Jr., Trustee for the Henry Floyd, Jr., Revocable Living Trust:

A. Authorize the scheduling of a Public Hearing for April 2, 2020, at 5:31 p.m., to consider the Petition to Vacate a Utility and Drainage Easement located at 2318 Copter Road (0.13 acres, more or less) as petitioned by Henry Floyd Pruett, Jr., Trustee for the Henry Floyd, Jr., Revocable Living Trust; and

B. Require the Petitioner to notify all property owners within a 500-foot radius.

The real property mentioned in this Petition to Vacate is located in Commission District 4.

Motion: Move it
Made by: Commissioner May
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

5. Recommendation: That the Board That the Board authorize the buy-back of an additional 16 hours of Annual Leave, in accordance with the included article of the Collective Bargaining Agreement between the Escambia County Board of County Commissioners and the International Association of Firefighters, Local 4131.

Motion: Move the item in the affirmative
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

6. Recommendation: That the Board rescind its action of January 23, 2020 (CAR II-6), authorizing the issuance of a Purchase Order to Hondo Enterprises, Inc., of DeFuniak Springs, Florida, in the amount of \$49,000, for the removal of the 39-foot shrimp boat "Bay Tiger" that sank in Pensacola Bay on December 9, 2019.

Motion: Motion to drop
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

7. Recommendation: That the Board take the following action concerning Workforce Escarosa, Inc. dba CareerSource Escarosa's Four Year Local Plan:
- A. Approve the CareerSource Escarosa Local Workforce Development Board comprehensive Four Year Local Plan as submitted; and
 - B. Authorize the Chairman to sign the CareerSource Escarosa Local Workforce Development Board Four Year Local Plan. As required by the Workforce Innovation and Opportunity Act (WIOA), all area Workforce Boards are required to submit a Local Workforce Development Area (LWDA) Plan to the state.

Motion: Move the item A and B
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

8. Recommendation: That the Board authorize the scheduling of a Public Hearing for March 5, 2020, at 5:35 p.m., for the purpose of receiving comments from the public concerning the Fiscal Year 2020 proposed Grant Application by the Mass Transit Department, for Mass Transit Projects for Federal Transit Administration (FTA) Section 5307 Funds for Operating and Capital Expenses.

Motion: Move 8
Made by: Commissioner Bender
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

9. Recommendation: That the Board approve the Request for Disposition of Property Form for the Information Technology Department, for property which is described and listed on the Form, with reason for disposition stated. The listed items have been found to be of no further usefulness to the County; thus, it is requested that they be auctioned as surplus or disposed of properly.

Motion: Move the item
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

10. Recommendation: That the Board take the following action concerning final approval of Amendment #1 to the RESTORE Act Direct Component (Pot 1) Multi-Year Implementation Plan:

A. Approve Amendment #1 to the RESTORE Act Direct Component Multi-Year Implementation Plan; and

B. Authorize staff to submit Amendment #1 to the Multi-Year Implementation Plan to the U.S. Department of Treasury for approval.

Motion: Accept these, A and B, in the affirmative.
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent
Speaker(s): Charles Krupnick and Tony McCray

11. Recommendation: That the Board confirm Commissioner Lumon J. May's appointment of Walker Wilson to the Escambia County Planning Board, to replace William D. Clay, effective February 20, 2020, to run concurrently with Commissioner May's term of office (November 2020) or at his discretion.

Motion: Move this motion recommending appointing Walker Wilson to the Planning Board
Made by: Commissioner May
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA

1. Recommendation: That the Board take the following action concerning the authorization for Tax Deed bidding for 133 Diego Circle:
 - A. Authorize the Neighborhood & Human Services Department Director, or designee, to be an authorized bidder for the March 2, 2020, Tax Deed sale for the purpose of acquiring 133 Diego Circle, with an open bid amount of \$1,976.28; and
 - B. Approve a maximum bid, in the amount of \$10,000.

[Funding source: Fund 129, 2017 CDBG, Cost Center 370231]

Motion: Move the item
Made by: Commissioner May
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

2. Recommendation: That the Board take the following action concerning sidewalk projects located in the Palafox Redevelopment Area:
 - A. Approve the Landes Drive Sidewalk Project, in the amount of \$102,628.65, including, but not limited to, approximately 1750 linear feet of sidewalk, driveway entrances replacement, utility relocation, excavation, and sod replacement within the rights-of-way; and
 - B. Approve and authorize the County Administrator to sign the Purchase Order to Chavers Construction, Inc., in excess of \$50,000, and any other related documents necessary to implement the Landes Drive Sidewalk Project.

[Funding Source: Fund 352, LOST III, CRA Capital Projects, CRA Palafox Redevelopment, Cost Center 220102]

Motion: Move the item
Made by: Commissioner May
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

3. Recommendation: That the Board take the following action concerning the 2019 Voluntary Cleanup Tax Credit Application to the Florida Department of Environmental Protection:
- A. Rescind the previous action of January 23, 2020, approving and authorizing the Chairman or Vice Chairman to sign the 2019 Florida Department of Environmental Protection (FDEP) Voluntary Cleanup Tax Credit (VCTC) Application and Affidavit, for County-owned property at 603 West Romana Street; and
 - B. Approve the revised 2019 FDEP Voluntary Cleanup Tax Credit (VCTC) Application and Affidavit, for County-owned property at 603 West Romana Street and ratify the Chairman's signature.

Motion: Move the item
Made by: Commissioner May
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

4. Recommendation: That the Board take the following action concerning the Contract Award for Community Development Block Grant (CDBG) Housing Rehabilitation Services for 734 Alfonso Drive:
- A. Authorize the County Administrator to sign the CDBG Housing Rehabilitation Services Program Agreement between Escambia County, Florida; David H. Griffin Enterprises, LLC, Contractor; and Jennie M. Williams, Owner; per the terms and conditions of NED C-R-2020-4, NED CDBG Housing Repair for 734 Alfonso Street, for a base bid of \$44,365; and
 - B. Authorize the issuance of a Purchase Order.

[Funding: Fund 129/2016, CDBG Housing Rehab, Cost Center 370227]

Motion: Move that item
Made by: Commissioner May
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

5. Recommendation: That the Board amend its action of October 17, 2019, and December 5, 2019, to increase the annual allocation from \$2,000,000 to \$4,000,000 on Contract PD 16-17-081, "General Paving and Drainage Pricing Agreement."

[Fund 175, Transportation Trust Fund; Cost Centers 211201 - Traffic Operations, 211602 - Engineering/Infrastructure, & 211101 - Engineering Admin; Fund 182, Master Drainage Basin Fund; Cost Centers 210719-210736 - Master Drainage Basins I-XVIII; Fund 352, LOST III; Cost Centers 210107 - Transportation & Drainage, & 350229 - Parks Capital Projects; Fund 353, LOST IV; Cost Centers 210106 - Transportation & Drainage, & 350221 - Parks Capital Projects; Fund 167, Bob Sikes Toll Fund; Cost Centers 140301 - Bob Sikes Toll Admin, & 140302 - Bob Sikes Toll Operation & Maintenance]

Motion: Move the item
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

6. Recommendation: That the Board take the following action concerning Issuance of a Purchase Order to Lux Solar on State Contract DOT-ITB-20-9034-GH, for Perdido Key Drive Pedestrian Crosswalks:

- A. Authorize the issuance of a Purchase Order, in the amount of \$179,350, to Lux Solar on State Contract DOT-ITB-20-9034-GH, for Perdido Key Drive Pedestrian Crosswalks; and
- B. Authorize the County Administrator to sign the Purchase Order.

This project is located in Commission District 2.

[Funding Source: Fund 353, Local Option Sales Tax (LOST IV), Cost Center 110102, District 2 Discretionary Funds, Object Code 56301]

Motion: Move the item A and B
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

7. Recommendation: That the Board approve the funding of \$5,000 to the Pensacola Chamber Foundation "USS Tripoli Commissioning," from Commissioner Jeff Bergosh's discretionary money.

[Funding: Fund 001, General Fund, Board of County Commissioners' Discretionary Money, Cost Center 110101, Object Code 58201]

Motion: Move this forward, \$5,000 from my discretionary
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

8. Recommendation: That the Board adopt, and authorize the Chairman to sign, a Resolution [R2020-17] for the conveyance of Dental Equipment as shown on Exhibit A from Escambia County to CAN Community Health, Inc.

Motion: Move the item
Made by: Commissioner May
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

9. Recommendation: That the Board take the following action concerning Amendment #01 to the Professional Services Agreement between the First Judicial Circuit Court Administration, and the Escambia County Board of County Commissioners:

- A. Approve Amendment #01 to the Agreement between the First Judicial Circuit Court Administration, and the Escambia County Board of County Commissioners. This Amendment is to increase the funding provided under the Agreement from \$10,000 to \$20,000 for transitional housing to the Escambia adult-post adjudicatory drug court program in Escambia County, Florida; and
- B. Authorize the Chairman to sign Amendment #01 to the Professional Services Agreement between the First Judicial Circuit Court Administration, and the Escambia County Board of County Commissioners.

[Funding: This Agreement is a Revenue Agreement related to Fund 114, Misdemeanor Probation, Revenue Account 349003.]

Motion: Move the item
Made by: Commissioner May
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

10. Recommendation: That the Board approve the payment to USI Insurance Services, LLC, broker/agent of record, in the amount of \$1,633,716, to place commercial property insurance through AmWins Brokerage of Alabama, LLC, for the period of March 1, 2020, through March 1, 2021.

[Funding: Fund 501, Internal Service, Cost Center 140835, Object Code 54501]

Motion: Move to pass it
Made by: Commissioner Bender
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

11. Recommendation: That the Board authorize the County Administrator to sign a Purchase Order to Environmental Specialties International, Inc., for Waste Services High Density Polyethylene (HDPE) Line Repair and Maintenance, in the amount of \$55,000, per the terms and conditions of the Waste Services HDPE Line Repair and Maintenance Request for Quotations.

This request for quotations was emailed to 34 registrants in Vendor Registry, on January 6, 2020, representing 20 firms. 13 firms opened and viewed the request for quotations. At closing on January 16, 2020, 3:00 p.m., 3 quotations had been received.

[Funding: Fund 401, Solid Waste Fund; Cost Center 230314, SW Operations; Object Code: 54601, Repairs and Maintenance Services]

Motion: Move the item in the affirmative
Made by: Commissioner Bergosh
Seconded by: Commissioner May
Disposition: Carried 4-0 with Commissioner Underhill absent

12. Recommendation: That the Board adopt the Resolution [R2020-18] approving Supplemental Budget Amendment #051, Gulf Coast Restoration Fund (118), in the amount of \$605,000, to recognize Grant proceeds from the Florida Department of Environmental Protection (FDEP) Agreement #OGC114, and to appropriate these funds to be used for operating and maintenance costs of Innerarity Point Park once the park has been donated to Escambia County.

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MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

12. Continued...

Trust for Public Lands will be donating the property located at 5806 Bob O Link Road (Innerarity Point Park) to Escambia County to provide passive use recreational opportunities for the benefit of the public. This property is adjacent to the Galvez boat ramp to the west. On July 7, 2016, the BCC approved the FDEP Grant Agreement #OGC114 for operating and maintenance costs of Innerarity Point Park. This Agreement provides funding over a 10-year period to assist with expenses. Once the funding runs out, the County will be responsible for on-going park maintenance.

Motion: Move the item
Made by: Commissioner May
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

13. Recommendation: That the Board accept the U.S. Department of Interior, National Park Service Award/Contract, for Order Number 140P5220P0032, to reimburse Escambia County up to \$114,000, for the period of May 16, 2020 to September 7, 2020.

The National Park Services (NPS) and the Water Safety Division manage approximately 30 consecutive miles of public beaches within Escambia County, Florida. Water Safety manages the beaches and associated lifeguard services within the Pensacola Beach area, and the NPS manages the beaches and associated lifeguard services within the adjoining Fort Pickens, Santa Rosa Areas, and the Perdido Key Area. The NPS and Water Safety continuously respond to and provide assistance to each other on a daily basis for water-related emergencies. The NPS and Water Safety both hire, train, and supervise lifeguard staff, competing for the same applicant pool, conducting separate training sessions that meet similar certification standards, and providing program management and staff supervision, and often driving past each other in fulfilling these responsibilities.

The Contract will assure consistency of lifeguard services and enable efficiencies realized through resource sharing and economies of scale. The Contract will enhance the safety of beach users in Escambia County, Florida, and within the Florida District of Gulf Islands National Seashore.

[Funding: Fund 001, General Fund, Cost Center 330801, Water Safety]

Motion: Move this item
Made by: Commissioner Bender
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

14. Recommendation: That the Board approve the utilization of the first of two possible one-year renewal periods provided for under Section 2 of the Indefinite Quantity, Indefinite Delivery Agreement for Roadway Materials Pricing, retroactive to October 31, 2019, with the following vendors:

- A. Roads, Inc. of NWF;
- B. Panhandle Grading and Paving, Inc.; and
- C. Midsouth Paving, Inc.

Funding Source	Amount	Contract Number
Fund 352, Local Option Sales Tax III, Cost Center 210107, Object Code 56301, Various Projects;	\$850,000	Contract PD 17-18.096.
Fund 181, Master Drainage Basins, Cost Centers 210719-210736, Object Code 56301;	\$50,000	
Fund 175, Transportation Trust Fund, Cost Center 210402, Object Code 55301;	\$300,000	
Fund 401, Solid Waste Management, Cost Center 230309 [Closed Landfills], Object Code 55301	\$50,000	
Fund 401, Solid Waste Management, Cost Center 230314 [Operations], Object Code 55301	\$200,000	
Fund 401, Solid Waste Management, Cost Center 230315 [Projects], Object Code 56301	\$500,000	

Motion: Move the item in the affirmative
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

- A. Approve the Agreement between Escambia County, Florida, and Copy Products Company d/b/a CPC Office Technologies, for copiers, supplies and maintenance for a period of 60 months and includes a Termination for Convenience clause, at a monthly amount of \$1,870.72 for the lease of the units, and estimated \$1,686.50 monthly for the cost of supplies and maintenance, for a total estimated monthly cost of \$3,557.22, and 60-month estimated cost of \$213,433.20; and
- B. Authorize the County Administrator to sign the Lease Agreement and any Purchase Orders in excess of \$50,000.00.

[Funding: Fund 001, General Fund; Cost Center 290401, Detention; Object Code 54401, Rentals & Leases - \$1,870.72
Fund 001, General Fund; Cost Center 290401, Detention; Object Code 55201, Operating Supplies - \$1,686.50 estimated
Estimated Monthly Total - \$3,557.22
Estimated 60-month total: \$213,433.20]

Specification PD 18-19.101, Corrections Copiers was posted on Vendor Registry beginning on August 23, 2019, and was issued to 50 Registrants representing 29 Firms. The solicitation was viewed by 31 firms and downloaded by 23. Bid responses were received from six firms, two of which were deemed non-responsive; one for not providing an original signature on their submission, and one for not providing the required Bid Bond with their response. Of the four responsive firms, Copy Products Company d/b/a CPC Office Technologies was determined to be the lowest responsive bidder.

Motion: Move the item
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

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

- A. Approve and authorize the County Administrator to sign a Revenue Agreement between Escambia County, Florida, and Keefe Commissary Network, LLC, for the Escambia County Jail, Work Release, and Work Annex, per the terms and conditions of PD 18-19.102, Inmate Commissary and Banking Services, for total on gross revenue of 51% as negotiated, with an effective date of April 1, 2020;

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COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

16. Continued...

B. Authorize the County Administrator to sign the Agreement for Secure Release between Escambia County, Florida, and Keefe Commissary Network, LLC, authorizing the County to issue available inmate trust fund balances to the inmate at time of release; and

C. Authorize the County Administrator to sign the Payment Services Agreement between Escambia County, Florida, and Keefe Commissary Network, LLC, authorizing the firm to handle certain cash and payment processing services on behalf of the County as it relates to the Inmate Commissary and Banking services.

[Funding: Fund 111, Detention/Jail Commissary Fund; Revenue Account 342301; and Fund 175, Transportation Trust Fund; Revenue Account 342302]

Solicitation PD 18-19.102, Inmate Commissary and Banking Services, was published via Vendor Registry on August 28, 2019, and was issued to 30 registrants representing 21 firms. The solicitation was viewed by 38 firms and downloaded by 26 firms. On October 15, 2019, four firms submitted bid responses.

Motion: Move that we bring this to the first meeting in March
Made by: Commissioner Bergosh
Seconded by: Commissioner May
Disposition: Carried 4-0 with Commissioner Underhill absent

17. Recommendation: That the Board approve and authorize the County Administrator to sign the Agreements, per the terms and conditions of solicitation PD 19-20.016, Escambia County Parks and Recreation Grounds Mowing and Trimming for Athletic Parks for Escambia County Parks and Recreation, for a period of one year, with options for up to two additional one-year renewals at the estimated amounts noted for each:

A. Agreement for Zone 1 to Total Landscape Service Inc., in the weekly amount of \$861.25; annual estimate of \$34,450;

B. Agreement for Zone 2 to Emerald Coast Grass Company, LLC, in the weekly amount of \$930; annual estimate of \$37,200;

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MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

17. Continued...

- C. Agreement for Zone 3 to Rhatt James Landscaping, Inc., in the weekly amount of \$1,325; annual estimate of \$53,000;
- D. Agreement for Zone 4 to Safe Lawn, Inc., in the weekly amount of \$800; annual estimate of \$32,000;
- E. Agreement for Zone 5 to Coastal Landscaping & Maintenance, Inc., in the weekly amount of \$900; annual estimate of \$36,000;
- F. Agreement for Zone 6 to Gulf Coast Environmental Contractors, Inc., in the weekly amount of \$804; annual estimate of \$32,160;
- G. Agreement for Zone 7 to South Baldwin Sports Turf, LLC, in the weekly amount of \$1,440; annual estimate of \$57,600;
- H. Agreement for Zone 8 to Greenview Turf Maintenance, Inc., in the weekly amount of \$1,305; annual estimate of \$52,200; and
- I. Agreement for Zone 9 to Gulf Coast Environmental Contractors, Inc., in the weekly amount of \$3,137.50; annual estimate of \$125,500.

The annual estimate is for 40 weekly mowing services, making the total for this project not to exceed \$460,110.

This solicitation was issued to 154 registrants in Vendor Registry representing 125 firms, 40 firms viewed the solicitation and 33 firms downloaded the solicitation. 15 bid responses were received.

[Funding:

Fund 353, LOST IV; Cost Center 350221, Parks Capital Projects; Object Code 53401, Other Contractual Services, Project #: 19PR0409 and 19PR819; and Fund 108, Tourist Promotion; Cost Center 360101, Tourist Promotion; Object Code 53401, Other Contractual Services]

Motion: Approve Item 17 A through H for a term of one year with no option years, Item I just as written, contract year and then two additional option years
Made by: Commissioner Bergosh
Seconded by: Commissioner May
Disposition: Carried 4-0 with Commissioner Underhill absent.

MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

18. Recommendation: That the Board take the following action concerning annual Software Maintenance Renewal, in excess of \$25,000, for Kronos Timekeeping:

A. Approve usage of U.S. Communities (Omnia Partners) Cooperative Agreement 18220 with Kronos, Inc., effective March 18, 2019; and

B. Authorize the County Administrator to sign a Purchase Order, in the amount of \$35,067.22, to Kronos, Inc.

[Funding: Fund 001, General Fund, Cost Center 270102, Information Technology \$35,067.22]

Motion: Move the item in the affirmative A and B
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

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

A. Approve the Order Form and authorize the County Administrator to execute the form providing a three-month extension of the Agreement for Citizen Relationship Management Software Services with Accela, in the amount of \$9,259.45, for a term expiring on March 31, 2020;

B. Authorize the Department, in conjunction with the Office of Purchasing, to issue a Purchase Order as required; and

C. Authorize the Department to send Accela a notice of termination of the Agreement for Citizen Relationship Management Software Services, effective April 1, 2020.

[Funding: Fund 001, General Fund, Cost Center 270102, Object Code 54601]

Motion: So moved
Made by: Commissioner May
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

- A. Approve the renewal of the Agreement for Support and Maintenance Services with PC Specialists, Inc. D/B/A Technology Integration Group, for Cisco SMARTnet, Specification No.: P.D. 15-16.009, in the amount of \$100,978, for the final 12-month renewal term; and
- B. Authorize the Department, in conjunction with the Office of Purchasing, to issue a Purchase Order as required.

[Funding: Fund 001, General Fund, Cost Center 270102, Object Code 54601]

Motion: Move the item in the affirmative
Made by: Commissioner Bergosh
Seconded by: Commissioner May
Disposition: Carried 4-0 with Commissioner Underhill absent

21. Recommendation: That the Board take the following action concerning the Master Plan Solicitation for Midtown Commerce Park, Iron Triangle, and McDonalds Shopping Center properties:

- A. Approve the Scope of Work for the Master Plan Solicitation for the Midtown Commerce Park, Iron Triangle, and McDonald Shopping Center properties; and
- B. Authorize staff to proceed with the solicitation for Request for Qualifications (RFQ).

[Funding is available in Fund 352, Cost Center 220102, NESD Capital Project 15NE3403, Palafox Commerce Park; Fund 102, Cost Center 360704, Economic Development Operating; and Fund 001, Cost Center 141002, McDonald Property Leases]

Motion: So moved for A and B
Made by: Commissioner May
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

22. Recommendation: That the Board take the following action concerning a Strategic Organizational Assessment of County Procurement Processes:

- A. Acknowledge the need for a Strategic Organizational Assessment of County Procurement Processes; and
- B. Authorize the County Administrator to proceed with selecting and contracting with a consultant to perform a Strategic Organizational Assessment of County Procurement Processes.

[Funding: The County Administrator will work with the budget office to determine the appropriate funding source for this assessment.]

Motion: Move the item
Made by: Commissioner May
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

III. FOR DISCUSSION

1. Recommendation: That the Board approve the following allocations of Law Enforcement Trust (LET) Funds, per the requirements of F.S. 932.7055(5) for Outside Agency partners in Escambia County for Fiscal Year 2019/2020:

- A. The King Richard Foundation, Inc., in the amount of \$1,000; and
- B. Christian Surfers, in the amount of \$2,000.

Upon approval of these funding allocations, the Sheriff's Office will process all appropriate paperwork and submit for payment from LET Funds to the Escambia Clerk of the Circuit Court and Comptroller.

[Funding Source: Fund 121, Law Enforcement Trust Fund, Cost Center 540103, Aids to Private Organizations 58201]

Motion: Approve the two items on the agenda today and the Board will not agenda any further LETF requests until a strategy for use of LETF funds has been discussed with the Sheriff
Made by: Commissioner May
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent
Speaker(s): Melissa Pino

MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION – Continued

2. Recommendation: That the Board take the following action regarding the acquisition of real property located in the 7600 Block of Winodee Drive, owned by Gulf Timberlands, Inc.:
 - A. Authorize the purchase of real property located in the 7600 block of Winodee Drive (approximately 5.23 acres), for \$108,208.70, which is the Board's approved purchase price for the Carpenter's Creek Riparian Preservation project;
 - B. Approve by super-majority vote, or deny the Contract for Sale and Purchase for the acquisition of real property located in the 7600 block of Winodee Drive (approximately 5.23 acres) from Gulf Timberlands, Inc., for \$108,208.70, for the Carpenter Creek Riparian Preservation project;
 - C. Accept, for information, the Public Disclosure of Interest Form provided by Gulf Timberlands, Inc.;
 - D. Authorize the County Administrator to execute an IRS Form 8283, subject to Legal sign-off; and
 - E. Authorize the County Attorney's Office to prepare, and the Chairman or Vice Chairman to execute any documents, subject to Legal review and sign-off, necessary to complete the acquisition of these properties, without further action of the Board.

The real property is located in Commission District 4.

[Funding Source: Fund 352, LOST III, Cost Center 220102, NESD Capital Projects, Project 08NE0028, Environmentally Sensitive Lands]

Motion: Approve A through E
Made by: Commissioner Bender
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION – Continued

3. Recommendation: That the Board take the following action concerning funding for Perdido Key beach access #4 located at 16477 Perdido Key Drive:
 - A. Authorize staff to proceed with procurement of a contractor to initiate site preparation work to include removal of existing asphalt and debris, red clay, and replacement with beach-quality sand;
 - B. Identify a funding source, in the amount of \$228,208, in support of this project phase; and
 - C. Authorize the execution of a Budget Amendment in support of this project with the approved funding source.

Motion: Allocate \$228,208 from TDT [Tourist Development Tax] toward completion of the project
For information: The Board agreed that if the \$228,208 did not complete the entire project then they would come back for additional funding.
Made by: Commissioner Bergosh
Seconded by: Commissioner May
Disposition: Carried 4-0 with Commissioner Underhill absent
Speaker(s): Michael Bearden, Tim Smith, Anita Feliciano, Larry Downs, Jr., William J. Dunaway, Randy Cudd, Kevin Wade, Melissa Pino, Glenn Conrad, Dianne Krumel, and Antonio Caprario

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1. Recommendation: That the Board authorize the scheduling of a public hearing on Thursday, March 5, 2020, at 5:36 p.m. to consider an Ordinance amending Chapter 100, Article I, Sections 100-1 through 100-6 establishing the Escambia-Pensacola Human Relations Commission.

Motion: Move the item
Made by: Commissioner May
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

COUNTY ATTORNEY’S REPORT – Continued

I. FOR ACTION – Continued

- 2. Recommendation: That the Board authorize the rescheduling of a public hearing from Thursday, March 5, 2020 at 5:31 p.m., to Thursday, June 4, 2020, at 5:31 p.m. to consider an Ordinance creating Volume 1, Chapter 94, Article 1, Section 94-9 relating to Micromobility Devices and Motorized Scooters on Pensacola Beach.

Motion: Move I-2
Made by: Commissioner Bender
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

- 3. Recommendation: That the Board take the following action:
 - A. Approve the settlement reached during mediation for the sum of \$50,000.00 to be paid to Edward Shelby as Personal Representative of the Estate of Martin Detzel in exchange for the execution of a general release and stipulation of dismissal with prejudice; and
 - B. Authorize the County Attorney's Office to execute a stipulation for dismissal with prejudice once the general release is executed and delivered to the County Attorney's Office and settlement payment is made.

Motion: Move A and B
Made by: Commissioner Bender
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

- 4. Recommendation: That the Board authorize the scheduling of a public hearing on Thursday, March 5, 2020, at 5:37 p.m. to consider an Ordinance amending Chapter 58, Article IV, Sections 58-95 and 58-97 relating to Fair Housing to accurately reflect the current name of the Commission that is vested with the authority to act as the Fair Housing Board.

Motion: Move the item in the affirmative
Made by: Commissioner Bergosh
Seconded by: Commissioner May
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

COUNTY ATTORNEY’S REPORT – Continued

I. FOR ACTION – Continued

5. Recommendation: That the Board approve and authorize the Chairman to sign the Taxing Authority Memorandum of Understanding (MOU), allowing for an arrangement among the Property Appraiser, the Tax Collector and Escambia County that addresses the retention of a vendor to assist with identification of homestead fraud and for the vendor to be compensated from recouped tax proceeds.

Motion: Move the Item number 5 of the County Attorney’s Report.
Made by: Commissioner May
Seconded by: Commissioner Bender
Disposition: Carried 3-0 with Commissioner Underhill absent and Commissioner Bergosh temporarily out of Board Chambers

6. Recommendation: That the Board take the following action:
- A. Approve a settlement reached during mediation for the sum of \$85,000.00 to be paid to Escambia County in exchange for the mutual execution of general releases by and between Escambia County and Spirit Solutions, Inc. and Spirit, Inc.; and
- B. That the Board authorize the County Attorney’s Office to execute a settlement and release agreement which provides for payments to be made by Spirit Solutions, Inc. and Spirit, Inc. to Escambia County on a monthly basis until the full settlement payment is made and that the litigation remain stayed so as to allow enforcement of the payment schedule.

Motion: Move Item 6, A and B
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

7. Recommendation: That the Board take the following action:
- A. Rescind the previous Board action of December 5, 2019, to approve and authorize the County Administrator to execute the Amendment of Agreement for PD 16-17.068, Re-Solicit Operator for Paratransit Services, between Escambia County, Florida and Innovative Transport and Logistics Solutions, LLC in the amount of \$200,000 for year three of the original Agreement in order to offset the increase in vehicle insurance costs to be paid in monthly reimbursements retroactive to October 1, 2019; and

(Continued on Page 26)

MINUTES – FEBRUARY 20, 2020

COUNTY ATTORNEY’S REPORT – Continued

I. FOR ACTION – Continued

7. Continued...

B. Approve and authorize the Chairman to execute the Amendment to Agreement for Paratransit Transportation Services (PD 16-17.068) between Escambia County, Florida and Innovative Transport and Logistics Solutions, LLC to increase the contract amount by \$200,000 for year three of the original Agreement in order to offset the increase in vehicle insurance costs to be paid in monthly reimbursements effective October 1, 2019.

[Funding: Fund 104, Mass Transit, Cost Center 320401, Object Code 53401/56404]

Motion: Move the item
Made by: Commissioner May
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

8. Recommendation: That the Board approve and authorize the Chairman to execute the Agreement allowing for the use of certain buildings on Baptist Hospital property for Escambia County Fire Rescue training purposes.

Motion: I'll make the motion
Made by: Commissioner Bender
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent

MINUTES – FEBRUARY 20, 2020

COUNTY ATTORNEY’S REPORT – Continued

II. FOR DISCUSSION

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

A. Interpret its Daily Convo, LLC, EDATE ordinance to require the expiration of the exemption upon the conveyance of the property and authorize the County Attorney to send a letter to the new owner alerting them of the ordinance terms and schedule a public hearing for April 2, 2020 at 5:34 p.m., to consider an ordinance repealing the exemption;

OR

B. Interpret its Daily Convo, LLC, EDATE ordinance to allow the exemption to remain in effect regardless of the transfer of ownership and authorize the County Attorney to send letters to the Property Appraiser and the new owner indicating the exemption shall remain in place.

Motion: Move B
Made by: Commissioner May
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

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

A. Accept the settlement proposal made by the Teramore Petitioners as outlined in the amended June 25, 2019 letter and hard copy of emails, consider the Teramore Administrative Appeal to the BOA as granted, and allow the construction of a Dollar General store so long as the development review process is satisfied;

OR

B. Reject the settlement proposal made by the Teramore Petitioners and allow the order of Judge Burns granting enforcement to stand and take no further action.

Motion: Move to drop it
For information: The Board discussed dropping this item and bringing it back when Commissioner Underhill is available to weigh in on the item.
Made by: Commissioner Bergosh
Seconded by: Commissioner May
Disposition: Carried 4-0 with Commissioner Underhill absent
Speaker(s): Larry Downs, Jr. and Michael Bearden.

MINUTES – FEBRUARY 20, 2020

COUNTY ATTORNEY’S REPORT – Continued

II. FOR DISCUSSION – Continued

3. Recommendation: That the Board approve and authorize the Chairman to sign, subject to legal sign-off, the Letter of Agreement (LOA) between Escambia County and the Sun Belt Conference (SBC), to provide for a five-year arrangement for hosting of the SBC basketball championship tournaments, with a possibility of a two-year extension.

Motion: Move it
For information: County Attorney Rogers advised the Board of two verbal edits to the Letter of Agreement. In Paragraph 2, the Sunbelt Conference is requesting that the decision regarding the two year extension be made following the 2022 tournament, not the 2023 tournament. The other item is a request from Visit Pensacola that the Sunbelt Conference has agreed to, which is including a Paragraph 6-K to indicate that promotion and marketing related to Visit Pensacola for the Conference tournaments would be included within that \$250,000 from Escambia County and its community partners. The Board gave direction to County Attorney Rogers to negotiate with the Conference certain points of the contract but if changes are unable to be made, they would proceed with the contract as is.
Made by: Commissioner May
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0 with Commissioner Underhill absent
Speaker(s): Ray Palmer

III. FOR INFORMATION

1. Recommendation: That the Board accept the following information:

On January 29, 2020, Arbitrator Daniel R. Saling issued a Final and Binding Arbitration Award upholding the termination of the grievant, and dismissing the grievance initiated by the Florida Police Benevolent Association (FPBA).

Disposition: No action taken

ITEMS ADDED TO THE AGENDA – COMMISSIONER JEFFREY W. BERGOSH

1. Recommendation: That the Board adopt the Proclamation expressing its appreciation and gratitude to Retired Lieutenant General Charles H. Pitman for outstanding service to United States of America and for bringing honor and dignity to the Community, and Escambia County, Florida.

Motion: Move this forward
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent
Speaker(s): Pete Southerland

2. Recommendation: That the Board approve funding \$2,500 to Pink Ribbon Pensacola, Inc., for the Pink Ribbon Tennis Tournament on May 1 & 2, 2020, from Commissioner Jeff Bergosh’s discretionary money, and approve a Purchase Order for this purpose.

[Funding: Fund 001, General Fund, Board of County Commissioners’ Discretionary Money, Cost Center 110101, Object Code 58201]

Motion: “It is for the Funding for the Pink Ribbon Pensacola Breast Cancer Tennis Tournament, \$2,500 from my discretionary. That’s my motion.”
Made by: Commissioner Bergosh
Seconded by: Commissioner Bender
Disposition: Carried 4-0 with Commissioner Underhill absent

ANNOUNCEMENTS – None.

MINUTES – FEBRUARY 20, 2020

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 12:56 p.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

By: _____
Steven Barry, Chairman

ATTEST:

Pam Childers
Clerk of the Circuit Court & Comptroller

Deputy Clerk

Approved: March 5, 2020