

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

MAY 20, 2021

Present: Commissioner Robert D. Bender, Chairman, District 4
Commissioner Jeffrey W. Bergosh, Vice Chairman, District 1
Commissioner Steven L. Barry, District 5
Commissioner Lumon J. May, District 3
Commissioner Douglas B. Underhill, District 2
Janice Gilley, County Administrator
Sharon Harrell, Finance Director, Clerk and Comptroller's Office
Alison Rogers, County Attorney
DeLana Allen-Busbee, Administrative Specialist, Clerk and Comptroller's Office
Krykyt Fisher, Office Assistant IV, Clerk and Comptroller's Office

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

Minutes prepared by: DeLana Allen-Busbee

REGULAR BCC AGENDA

1. Call to Order

Chairman Bender called the Regular Meeting of the Board of County Commissioners to order at 9:00 a.m.

2. Invocation

Minister Clinton Powell delivered the invocation.

3. Pledge of Allegiance to the Flag

Commissioner Bergosh led the Pledge of Allegiance to the Flag.

MINUTES – MAY 20, 2021

REGULAR BCC AGENDA – Continued

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

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| Motion: Move to approve the agenda |
| Made by: Commissioner Barry |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

5. Commissioners' Forum:

- A. District 5 – Commissioner Barry provided comments;
- B. District 3 – Commissioner May provided comments;
- C. District 2 – Commissioner Underhill provided comments;
- D. District 1 – Commissioner Bergosh provided comments;
- E. District 4 – Commissioner Bender provided comments; and
- F. County Administrator Gilley also provided comments.

Speaker(s):

Cyndee Pennington

6. Proclamations.

- I. Recommendation: That the Board ratify the Proclamation dated May 20, 2021, proclaiming the week of May 15 - 21, 2021, as "Champions Week" in Escambia County; commending and congratulating the owner, coaches, players, and staff of the Pensacola Ice Flyers on their remarkable season; and asking the citizens of Escambia County to show their appreciation to the Pensacola Ice Flyers organization for winning their fourth Southern Professional Hockey League championship.

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| Motion: Move the Proclamations |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner Bergosh |
| Disposition: Carried unanimously |

MINUTES – MAY 20, 2021

REGULAR BCC AGENDA – Continued

7. Written Communication.

- I. April 16, 2021 - Communication from John F. Stack, owner of 3011 Frank Ard Road, requesting Escambia County provide relief of Code Enforcement Lien attached to his property located at 3011 Frank Ard Road.

Recommendation: That the Board review and consider lien relief request made by John Stack against property located at 3011 Frank Ard Road.

On June 2, 2015, the Board amended the "Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens" Policy, Section III, H2. Staff was instructed to review all requests for forgiveness and allowing the County Administrator to act on the Board's behalf if set criteria are met.

After reviewing the request for forgiveness of Liens, staff made the determination that the request does not fall within the criteria that would allow the County Administrator to act on the Board's behalf and grant relief, in accordance with the Board's Policy, "Guidelines for Relief from Environmental (Code) Enforcement Special Magistrate Liens" Policy, Section III, H2.

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| Motion: I would ask that we grant the relief requested |
| Made by: Commissioner Barry |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

- II. May 6, 2021 - Communication from Shawanda (Newton) Poindexter requesting the County return real property, located at 511 Hecker Road, Century, Florida 32535 (Parcel Ref#: 05-5N-30-4347-000-003; Account#: 11-1435-000), that was conveyed to the County via Escheatment Tax Deed on January 7, 2021 (recorded in Official Record Book 8439 at page 1471 on January 8, 2021), which was the Homestead Property of Shawanda (Newton) Poindexter at that time.

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| Motion: I would ask that the Board support the statutory allowances that are in place and grant the request for time to be able to square it up |
| For Information: The Board agreed to address the progress of the payoff as it goes. |
| Made by: Commissioner Barry |
| Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |
| Speaker(s): Shawanda Poindexter |

MINUTES – MAY 20, 2021

REGULAR BCC AGENDA – Continued

8. Recommendation: That the Board waive the reading of the legal advertisement(s) and accept, for filing with the Board’s Minutes, the certified affidavit(s) establishing proof of publication for the Public Hearing(s) on the agenda, and the Board of County Commissioners – Escambia County, Florida, Meeting Schedule:

A. The following five Public Hearings on the agenda:

- (1) The 9:01 a.m. Public Hearing, advertised in the *Pensacola News Journal* on May 8, 2021, for consideration of an Ordinance amending Volume I, Chapter 46, Article II, Sections 46-64, 46-86, and 46-93 of the Escambia County Code of Ordinances;
- (2) The 9:15 a.m. Public Hearing, advertised in the *Pensacola News Journal* on April 16, 2021, for consideration of an Ordinance amending Chapter 4, Location and Use Regulations;
- (3) The 9:16 a.m. Public Hearing, advertised in the *Pensacola News Journal* on May 12, 2021, for consideration of an Ordinance amending Chapter 4 of the LDC, Article 4, and Chapter 6 of the LDC, Section 6-0.3;
- (4) The 9:17 a.m. Public Hearing, advertised in the *Pensacola News Journal* on May 8, 2021, for consideration of an Ordinance amending OBJ FLU 1.3, FLU Map Designations and OBJ FLU 3.1 Rural Development; and
- (5) The 9:18 a.m. Public Hearing, advertised in the *Pensacola News Journal* on May 5, 2021, for consideration of an Ordinance amending Chapter 3, Sections 3-1.3, 3-2.2, and 3-2.3; and

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule May 17 through May 21, 2021*, as published in the *Pensacola News Journal* on May 15, 2021.

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| Motion: Move that we waive the reading |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner Bergosh |
| Disposition: Carried unanimously |

MINUTES – MAY 20, 2021

REGULAR BCC AGENDA – Continued

9. Recommendation: That the Board, at the 9:01 a.m. Public Hearing, adopt an Ordinance [Number 2021-22] amending Chapter 46, Article II, Sections 46-64, 46-86, and 46-93 relating to the County Purchasing Ordinance to revise the threshold approval authority for purchases and awards, change orders, and emergency purchases.

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| Motion: Move the item in the affirmative |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner May |
| Disposition: Carried 4-1, with Commissioner Underhill voting “no” |
| Speaker(s): None |

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

I. CONSENT AGENDA

1. Recommendation: That the Board accept, for filing with the Board’s Minutes, the Investment Portfolio Summary Report for the month ended March 31, 2021, as required by Ordinance Number 95-13. On March 31, 2021, the portfolio market value was \$330,038,682 and portfolio earnings totaled \$79,965 for the month. The short term portfolio achieved a yield of 0.19%. The long-term CORE portfolio achieved a yield of 0.28%.

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| Motion: Move the Clerk’s Report |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

MINUTES – MAY 20, 2021

CLERK & COMPTROLLER'S REPORT – Continued

I. CONSENT AGENDA – Continued

2. Recommendation: That the Board accept, for filing with the Board's Minutes, the Tourist Development Tax (TDT) Collections Data for the March 2021 returns received in the month of April 2021, as prepared by the Finance Department of the Clerk and Comptroller's Office; this is the seventh month of collections for the Fiscal Year 2021; total collections for March 2021 were \$1,122,038.55; this is a 112.49% increase over the March 2020 returns; total collections year-to-date are 21.50% greater than the comparable timeframe in Fiscal Year 2020.

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| Motion: Move the Clerk's Report |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

3. 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 May 6, 2021; and
- B. Approve the Minutes of the Regular BCC Meeting held May 6, 2021.

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| Motion: Move the Clerk's Report |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

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

I. PUBLIC HEARINGS

1. Recommendation: That the Board of County Commissioners (BCC), at the 9:15 a.m. Public Hearing, review an Ordinance amending the Land Development Code (LDC) Chapter 4, Location and Use Regulations, Article 7, Supplemental Use Regulations, creating Section 4-7.17 "Tiny House Development" as a permitted use in specified zoning districts and establishing use criteria; creating additional conditional use criteria in specific zoning districts.

This hearing serves as the first of two public hearings.

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| Motion: Move that we drop this item |
| For Information: The Board discussed the draft Ordinance and various changes the Board would like to see, especially concerning inclusivity throughout the County, before the item is brought back. |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |
| Speaker(s): Meredith Crawford |

2. Recommendation: Motion was made at the May 6, 2021, BCC Meeting to drop this item [9:16 a.m. Public Hearing concerning the review of an Ordinance amending Chapter 4 of the LDC, Article 4, and Chapter 6 of the LDC, Section 6-0.3] from being consented, therefore the Public Hearing is cancelled.

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| Motion: Move item 2 to affirm [the dropping of the item based on BCC action on May 6 th] |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner Barry |
| Disposition: Carried unanimously |
| Speaker(s): None |

MINUTES – MAY 20, 2021

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

3. Recommendation: That the Board of County Commissioners (BCC), at the 9:17 a.m. Public Hearing, review and adopt an Ordinance [Number 2021-23] amending the Comprehensive Plan 2030: amending OBJ FLU 1.3 Future Land Use Map designations; and amending OBJ FLU 3.1 Rural Development.

This hearing serves as the second of two public hearings.

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| Motion: Move the 9:17 in the affirmative |
| Made by: Commissioner Barry |
| Seconded by: Commissioner Bergosh |
| Disposition: Carried 4-1, with Commissioner Underhill voting “no” |
| Speaker(s): None |

4. Recommendation: That the Board of County Commissioners (BCC), at the 9:18 a.m. Public Hearing, review and adopt an Ordinance [Number 2021-24] amending the Land Development Code (LDC) Chapter 3, Section 3-1.3 “Zoning and Future Land Use” (FLU), Subsection (G) “Future Land Use Designations,” and Subsection (I) “Zoning Implementation of FLU,” to add the FLU Category of Agriculture Residential (AR); amending Sections 3-2.2 “Agricultural District (AGR),” and 3-2.3 “Rural Residential District (RR)” to provide for AGR and RR zoning districts in the AR FLU category.

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| Motion: Move the 9:18 |
| Made by: Commissioner Barry |
| Seconded by: Commissioner Bergosh |
| Disposition: Carried 4-1, with Commissioner Underhill voting “no” |
| Speaker(s): None |

II. CONSENT AGENDA

1. Recommendation: That the Board authorize the scheduling of the following Public Hearings for June 3, 2021:
 - A. 5:45 p.m. - Tiny House Ordinance (second of two public hearings)

Summary: The Florida Building Commission has proposed new regulations on the construction of tiny houses that are 400 square feet or smaller in size. The Board of County Commissioners finds that adoption of the ordinance creating regulations for tiny house developments serves the health, safety, and welfare of the residents and visitors to Escambia County.

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MINUTES – MAY 20, 2021

GROWTH MANAGEMENT REPORT – Continued

II. CONSENT AGENDA – Continued

1. Continued...

- B. 5:46 p.m. - Large Scale Map Amendment 2021-01 - LSA-2021-01 - Outlying Landing Field 8 (OLF-8) (first of two public hearings)

Summary: Escambia County requests a Future Land Use (FLU) map amendment to change the FLU category of a 539.1 (+/-) acres parcel from Public (P) FLU to Mixed-Use Urban (MU-U) FLU on 456.42 acres and Commercial (C) FLU on 82.68 acres. The zoning designation for the referenced parcel is Public (Pub) and an area with no zoning spelled out as None. The applicant is aware that the current zoning and proposed FLU are not compatible. However, Escambia County is proposing a new Master Plan with a new zoning district called “Outlying Landing Field 8 (OLF-8) Master Plan District” in Chapter 3 creating Article 6, Section 3-6.1 for this 539.1 (+/-) site. The new master plan will provide multiple new zoning categories and new enhanced designed standards. The applicant has submitted the OLF-8 Master Plan in conjunction with the request of the FLU change. The applicant understands that the OLF-8 Master Plan District approval will be necessary to make the FLU compatible.

- C. 5:47 p.m. - Outlying Landing Field 8 (OLF-8) Comprehensive Plan Text Amendment - CPA-2021-01 (first of two public hearings)

Summary: The purpose of this ordinance is to allow for the increase maximum of 60 dwelling units per acre and a maximum intensity 4.0 Floor Area Ratio (FAR) in the Commercial (C) FLU and Mixed-Use Urban (MU-U) FLU but only for the 539.1 (+/-) acres located at the OLF-8 Master Plan District Site.

- D. 5:48 p.m. - Outlying Landing Field 8 (OLF-8) Masterplan Ordinance (first of two public hearings)

Summary: The purpose of this ordinance is to adopt the “Outlying Landing Field 8 (OLF-8) Master Plan,” which is comprised of the OLF-8 Master Plan District Map, by creating the provisions Chapter 3, Article 6 of the Land Development Code pertaining to the OLF-8 Master Plan District zoning districts and OLF-8 Master Plan Design. The proposed activity will be a new master plan that includes a mixed-use development. The plan includes retail, multi-family (over retail), multi-family (standalone), commerce area, offices, and townhomes.

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| Motion: Move to drop A, B, C, and D |
| Made by: Commissioner May |
| Seconded by: Commissioner Bergosh |
| Disposition: Carried unanimously |

COUNTY ADMINISTRATOR'S REPORT – Janice Gilley, County Administrator

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1. Recommendation: That the Board approve the Request for Disposition of Property Form for the Escambia County Tax Collector's Office, for property that is described and listed on the Disposition Form. The listed items have been found to be of no further usefulness to the County/Tax Collector; thus, it is requested that they be auctioned as surplus or disposed of properly.

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| Motion: Move CAR I, Technical/Public Service Consent Agenda, with the exception of Item 7 and with the amendment made to 4.D. of Item 8. |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

2. Recommendation: That the Board approve the two Request for Disposition of Property Forms for the Public Works Department for the equipment, which is described and listed on the Request Forms with reason for disposition stated. The items are to be auctioned as surplus or disposed of properly.

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| Motion: Move CAR I, Technical/Public Service Consent Agenda, with the exception of Item 7 and with the amendment made to 4.D. of Item 8. |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

3. Recommendation: That the Board approve and authorize the Chairman to sign the Conservation Easement over real property located at 817 Sailfish Court, granted by Robert H. Kennedy and Sharon S. Kennedy, husband and wife, individually, and as trustees of the Kennedy revocable Trust to Escambia County.

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| Motion: Move CAR I, Technical/Public Service Consent Agenda, with the exception of Item 7 and with the amendment made to 4.D. of Item 8. |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

4. Recommendation: That the Board approve and authorize the Chairman to sign the Conservation Easement over real property located at 1225 Parasol Place, granted by Peter Andronaco and Mary A. Santana, a married couple, to Escambia County.

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| Motion: Move CAR I, Technical/Public Service Consent Agenda, with the exception of Item 7 and with the amendment made to 4.D. of Item 8. |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

5. Recommendation: That the Board take the following action regarding the Memorandum of Agreement between the Florida Division of Emergency Management and Escambia County:

- A. Approve the Memorandum of Agreement between the Florida Division of Emergency Management and Escambia County, for the access and use of the WeatherSTEM Station that is effective on the date of execution by the last signing party and shall remain in effect for 10 years from the date of installation of the Weather Station; and
- B. Authorize the Chairman or Vice Chairman to execute the Memorandum of Agreement and any subsequent documentation related to the implementation of this Memorandum of Agreement.

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| Motion: Move CAR I, Technical/Public Service Consent Agenda, with the exception of Item 7 and with the amendment made to 4.D. of Item 8. |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

6. Recommendation: That the Board take the following action concerning the Memorandum of Understanding (MOU) between Escambia County, Florida, and SPCA Tampa Bay:

A. Approve the Memorandum of Understanding between Escambia County, Florida, and SPCA of Tampa Bay, allowing Escambia County to transfer animals to SPCA Tampa Bay for adoption from their organization; and

B. Authorize the Chairman to sign the Memorandum of Understanding.

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| Motion: Move CAR I, Technical/Public Service Consent Agenda, with the exception of Item 7 and with the amendment made to 4.D. of Item 8. |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

7. Recommendation: That the Board take the following action regarding changes to the 2008 BCC Code of Ethics and Human Resources policies:

A. Review and Approve changes to the BCC 2008 Code of Ethics Policy; and

B. Acknowledge updates to the Human Resources Policies and Procedures Manual.

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| Motion: I move that those two items be included as they were amended here at the table [the Recruitment Incentive Pay and the Certification of Outside Employment or Activity form] |
| For Information: The Board discussed and clarified that any and all outside employment or compensated activity would be required to be reported by County employees. The Board further discussed looking into other forms/policies that may need to be affirmed or signed on a yearly basis, such as the employment policies and code of ethics and agreed that all changes to the employee manual must come before the Board for discussion and approval. This item was addressed during the Discussion section of the agenda. |
| Made by: Commissioner Barry |
| Seconded by: Commissioner Underhill |
| Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers |

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

8. Recommendation: That the Board take the following action concerning the conveyance of real property located at 707 East Scott Street (Account Number: 13-3610-000; Reference Number: 00-0S-00-9020-050-090; District 3) to the Escambia County Housing Finance Authority (Authority), a local government body, corporate and politic, that operates an Urban Infill Housing Program in Escambia County, using Escambia County's Surplus Property Disposition for Affordable Housing Development Program:

A. Rescind the Board's action of November 6, 2014, (items 1-4 below) concerning the surplus and sale of real property, located at 707 E Scott Street;

1. Authorizing the County Attorney to take such necessary actions to evict the occupants of the County-owned property located at 707 East Scott Street, if they are still occupying premises;
2. Declaring surplus the Board's real property, as listed below in the Property Appraiser's (PA) Value and District (Dist) noted:

| Account | Reference | Address | 2014 PA Value | Dist |
|-----------|------------------|-----------------------|---------------|------|
| 133610000 | 000S009020050090 | 707 East Scott Street | \$7,883 | 3 |

3. Authorizing the sale of property to the bidder with the highest offer received at or above the minimum bid, which will be set at the current value assessed by the Property Appraiser, in accordance with Section 46.134 of the Escambia County Code of Ordinances; and
4. Authorizing the Chairman to sign all documents related to the sale.

B. Declare surplus the Board's real property located at 707 East Scott Street (Account Number: 13-3610-000; Reference Number: 00-0S-00-9020-050-090; District 3);

C. Adopt and authorize the Chairman to sign, the Resolution [R2021-96] authorizing the conveyance of real property located at 707 East Scott Street to the Escambia County Housing Finance Authority;

D. Approve the sale price of \$8,500 for the parcel located at 707 East Scott Street;

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MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

8. Continued...

E. Acknowledge that the Escambia County Housing Finance Authority intends to develop a single family residence on the property located at 707 East Scott Street, and that said residence will be sold to a low to moderate income person or family; and

F. Authorize the Chairman to execute all documents related to the sale.

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| Motion: Move CAR I, Technical/Public Service Consent Agenda, with the exception of Item 7 and with the amendment made to 4.D. of Item 8. |
| For Information: CAR I-8, D, was amended to add the language “and deposit into fund 124 for Escambia Affordable Housing.” |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

9. Recommendation: That the Board confirm Commissioner Steven Barry's appointment of Shelisa Abraham to the Escambia County Mass Transit Advisory Committee, effective May 20, 2021, to run concurrently with Commissioner Barry's term of office (November 2024) or at his discretion.

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| Motion: Move CAR I, Technical/Public Service Consent Agenda, with the exception of Item 7 and with the amendment made to 4.D. of Item 8. |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

10. Recommendation: That the Board approve the Revised 2021 Board of County Commissioners' Meeting/Committee of the Whole Workshop Schedule, as submitted, to include the First and Second Budget Public Hearings, scheduled on Tuesday, September 7, 2021, at 5:31 p.m., and Tuesday, September 21, 2021, at 5:31 p.m., respectively.

The Budget Workshops have also been scheduled for Tuesday, July 20, 2021, at 9:00 a.m., and Wednesday, July 21, 2021, at 9:00 a.m.

(Continued on Page 15)

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

10. Continued...

The previously scheduled Thursday, November 18, 2021, 9:00 a.m., BCC Meeting has been rescheduled for Tuesday, November 16, 2021, 9:00 a.m., due the FAC Legislative Conference.

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| Motion: Move CAR I, Technical/Public Service Consent Agenda, with the exception of Item 7 and with the amendment made to 4.D. of Item 8. |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

11. Recommendation: That the Board approve and authorize the Chairman to sign Modification #3 to the Sub-grant Agreement between the Florida Division of Emergency Management and Escambia County (Agreement), regarding an administrative extension needed to cover payments outside of the date range from the original Grant Agreement and Modification #2. The extension will extend the Agreement an additional 30 days, ending on July 30, 2020.

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| Motion: Move CAR I, Technical/Public Service Consent Agenda, with the exception of Item 7 and with the amendment made to 4.D. of Item 8. |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA

1. **Recommendation:** That the Board take the following action concerning an Amendment to HUD Annual Action Plan and Contract for Street and General Area Lighting Service for Mayfair/ Oakcrest:
 - A. Approve an Amendment to the 2013 and 2015 HUD Annual Action Plans, to reallocate \$20,299.57 in funds;
 - B. Adopt the Resolution [R2021-97] approving Supplemental Budget Amendment #117, to recognize unexpended 2013 Grant funds, and to move funds between Account Codes to support the proposed project;
 - C. Approve the Gulf Power Company Contract for Street and General Area Lighting Service Rate Schedule, subject to Legal review and sign-off, for the Mayfair/Oakcrest neighborhood, in the amount of \$198,126.56; and
 - D. Authorize the County Administrator to sign the HUD Amendment and the Chairman to sign the Contract.

| Expenditures | | | | |
|---------------------------|--------------|---------------|----------|------------|
| Source of Funds | Amount | Account Codes | Contract | Vendor |
| 2013 CDBG | \$15,689.00 | 370218/54301 | N/A | Gulf Power |
| 2015 CDBG | \$4,610.57 | 370224/54301 | N/A | Gulf Power |
| 2019 CDBG | \$177,826.99 | 370234/54301 | N/A | Gulf Power |
| Total Expenditures | \$198,126.56 | | | |

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| Motion: Commissioner Underhill expressed his support for the item and the Board accepted that as his motion. |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |
| Speaker(s): Richard Grimes |

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

2. Recommendation: That the Board approve and authorize the County Administrator to sign the Agreement between the Escambia County Board of County Commissioners and Dennis Keith Cole, for the Management of the Lake Stone Campground Facility.

| Expenditures | | | | |
|---------------------------|----------|--------------------|---|-------------------|
| Source of Funds | Amount | Account Codes | Contract | Vendor |
| Fund 001 - General Fund | \$11,400 | Cost Center 350204 | Lake Stone Campground Facility Management Agreement | Dennis Keith Cole |
| Total Expenditures | \$11,400 | | | |

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| Motion: Move the balance For Information: The “balance” refers to Budget/Finance Consent Agenda Items 2 through 20, with the exception of Items 3, 4, 7, 8, 10, and 15, which were held for separate votes. |
| Made by: Commissioner Bergosh Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

3. Recommendation: That the Board take the following action:
- A. Approve the usage of the pricing obtained through competitively bid National Association of State Procurement Officials - FL NASPO Data Comm MA # AR3228/PA # 43220000-NASPO-19-ACS;
 - B. Approve the issuance of a Purchase Order, in excess of \$25,000, to PC Specialists, Inc. d/b/a Technology Integration Group, for the replacement of the ELM Buildings Cisco Core and POE Switches with Aruba equipment; and
 - C. Authorize the County Administrator to sign the Purchase Order.

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MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

3. Continued...

| Vendor/Contractor | Funding | Amount | Contract Number |
|---|--|---------------|---|
| PC Specialists, Inc. d/b/a Technology Integration Group Vendor # 150525 | Fund: 001 Cost Center: 270103 Object Code: 56401 | \$27,560.03 | Contract: FL - NASPO Data Comm MA# AR3228 PA# 43220000- NASPO-19-ACS Quote: 067999 |
| PC Specialists, Inc. d/b/a Technology Integration Group Vendor # 150525 | Fund: 001 Cost Center: 270103 Object Code: 56401 | \$26,022.15 | Contract: FL - NASPO Data Comm MA# AR3228 PA# 43220000- NASPO-19-ACS Quote: 068623 |

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| Motion: Move the item in the affirmative |
| Made by: Commissioner Barry |
| Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

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

- A. Approve and authorize the Chairman to sign the State of Florida, Florida Fish and Wildlife Conservation Commission (FWC) Agreement No. 20326, relating to the Derelict Vessel Removal Grant for Fiscal Year 2021, which provides up to \$14,000 in Grant funding from FWC to remove and dispose of the 46-foot motor vessel "All In." There is no County match required under this Grant Agreement; and
- B. Adopt and authorize the Chairman to sign the Resolution [R2021-98] approving Supplemental Budget Amendment #114, Fund 110, in the amount of \$14,000, to recognize the proceeds from Florida Fish and Wildlife Conservation Commission (FWC) and to appropriate these funds for the removal of the derelict vessel.

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MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

4. Continued...

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

- Paragraph 29, SEVERABILITY, CHOICE OF LAW, AND CHOICE OF VENUE, (pages 17 of 20), last sentence, "Any action in connection herewith, in law or equity, shall be brought in Leon County, Florida, to the exclusion of all other lawful venues."
- Paragraph 31, JURY TRIAL WAIVER, (page 18 of 20), "As part of the consideration of this Agreement, the Parties hereby waive trial by jury in any action or proceeding brought by any party against any other party pertaining to any matter whatsoever arising out of or in any way connected with this Agreement, or with the products or services provided under this Agreement, including but not limited to any claim by the Grantee of *quantum meruit*."

| Revenues | | | | |
|---|----------|--|-----------|--------|
| Source of Funds | Amount | Account Codes | Contract | Vendor |
| Florida Fish and Wildlife Conservation Commission (FWC) Grant | \$14,000 | Fund 110, Other Grants and Projects Account 334260, Derelict Vessels Grant | FWC 20326 | n/a |
| Total Revenue | \$14,000 | | | |

(Continued on Page 20)

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

4. Continued...

| Expenditures | | | | |
|---|----------|---|-----------|--------|
| Source of Funds | Amount | Account Codes | Contract | Vendor |
| Florida Fish and Wildlife Conservation Commission (FWC) Grant | \$14,000 | Fund 110, Other Grants and Projects Cost Center 220339 Derelict Vessels Grant | FWC 20326 | n/a |
| Total Expenditures | \$14,000 | | | |

| |
|---|
| Motion: Move the item in the affirmative |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner May |
| Disposition: Carried unanimously |
| Speaker(s): Melissa Pino |

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

- A. Acknowledge the Board's previous approval of the Florida Fish and Wildlife Conservation Commission (FWC) Grant Agreement Number 20315 at its meeting on April 22, 2021 (CAR II-2);
- B. Acknowledge the reduced scope of work for the revised Grant Agreement Number 20315, and the reduced amount of the Grant Agreement from \$12,500 to \$6,300 for the removal of one, not two, vessels;
- C. Approve and authorize the Chairman to sign the State of Florida, Florida Fish and Wildlife Conservation Commission Revised Agreement No 20315, relating to the Derelict Vessel Removal Grant for Fiscal Year 2021, which provides up to \$6,300 in Grant funding from FWC to remove and dispose of the motor vessel, "Ricochet." There is no County match required under this Grant Agreement; and

(Continued on Page 21)

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

5. Continued...

D. Adopt and authorize the Chairman to sign the Resolution [R2021-99] approving Supplemental Budget Amendment #116, Fund 110, in the amount of (\$6,200), to recognize the reduced scope of work and accompanying reduced Grant funding from FWC for the removal of one derelict vessel.

| Revenues | | | | |
|---|-----------|--|-----------|--------|
| Source of Funds | Amount | Account Codes | Contract | Vendor |
| Florida Fish and Wildlife Conservation Commission Grant | (\$6,200) | Fund 110, Other Grants and Projects Account 334260, Derelict Vessels Grant | FWC 20315 | n/a |
| Total Revenue | (\$6,200) | | | |

| Expenditures | | | | |
|---|-----------|--|-----------|--------|
| Source of Funds | Amount | Account Codes | Contract | Vendor |
| Florida Fish and Wildlife Conservation Commission Grant | (\$6,200) | Fund 110, Other Grants and Projects Cost Center 220339, Derelict Vessels Grant | FWC 20315 | n/a |
| Total Expenditures | (\$6,200) | | | |

(Continued on Page 22)

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

5. Continued...

| |
|---|
| Motion: Move the balance |
| For Information: The “balance” refers to Budget/Finance Consent Agenda Items 2 through 20, with the exception of Items 3, 4, 7, 8, 10, and 15, which were held for separate votes. |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

6. Recommendation: That the Board approve the Change Order, in the amount of \$12,500, to Dee's Paper Company, Inc., for janitorial supplies for the remainder of Fiscal Year 2021.

| | |
|------------------|---------------------------|
| Department: | Public Safety |
| Division: | Fire Services |
| Type: | Addition |
| Amount: | \$12,500 |
| Vendor: | Dee's Paper Company, Inc. |
| Project Name: | N/A |
| Contract: | N/A |
| Purchase Order: | 210138 |
| Change Order: | 1 |
| Original Amount: | \$20,000 |
| Change Order 1: | \$12,500 |
| Total | \$32,500 |

(Continued on Page 23)

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

6. Continued...

| |
|---|
| Motion: Move the balance |
| For Information: The “balance” refers to Budget/Finance Consent Agenda Items 2 through 20, with the exception of Items 3, 4, 7, 8, 10, and 15, which were held for separate votes. |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

7. Recommendation: That the Board take the following action concerning solicitation PD 20-21.010:

- A. Approve and authorize the County Administrator to sign the Agreement and the Data Exchange Authorization;
- B. Authorize the Human Resource Department Director to sign the Business Associate Agreement as the County HIPPA Compliance Officer; and
- C. Authorize the issuance of a Purchase Order, in excess of \$25,000, for PD 20-21.010, Electronic Patient Care Record (ePCR) and Emergency Medical Services (EMS) Billing Software, between Escambia County, Florida, and ImageTrend, Inc., for a term of 60 months at a first year price of \$120,000 for user licenses, and an increase of 2% each year for years 2-5, as well as a one-time training and implementation cost of \$18,000, for a first year total of \$138,000.

| Vendor/Contractor | Funding | Amount | Contract Number |
|-------------------|--|---|------------------|
| ImageTrend, Inc. | Fund 408, EMS; Cost Center 330302, EMS Operations; Object Code 53401, Other Contractual Services | Licenses: \$120,000 Training: \$18,000 Total Cost this Fiscal Year: \$138,000 | PD 20- 21.010 |

(Continued on Page 24)

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

7. Continued...

A Request for Proposals for PD 20-21.010, Emergency Medical Services Electronic Patient Care Report, was issued on November 10, 2020, to 252 registrants representing 194 firms. The solicitation was viewed by 46 firms and downloaded by 34. On January 25, 2021, three firms submitted responsive proposals.

| |
|---|
| Motion: Move the item in the affirmative |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner Bergosh |
| Disposition: Carried unanimously |
| Speaker(s): Melissa Pino |

8. Recommendation: That the Board adopt, and authorize the Chairman to sign the Resolution [R2021-100] authorizing certain fee changes by the Department of Public Safety for the services provided by the Emergency Medical Services (EMS). EMS periodically revises its schedule of fees for services, and the new fees will go into effect July 1, 2021.

| Class | Current Fee | Proposed Fee |
|--|-------------|--------------|
| Advanced Life Safety (ALS) - Non-Emergency 550 Base Rate +50 IV+ 50 Oxygen + 60 Cardiac Monitoring + 60 Immobilization + 65 Airway Management | \$835 | \$1,045 |
| ALS - Emergency 625 Base Rate +50 IV+ 50 Oxygen + 60 Cardiac Monitoring + 60 Immobilization + 65 Airway Management | \$910 | \$1,140 |

(Continued on Page 25)

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

8. Continued...

| Class | Current Fee | Proposed Fee |
|--|-------------|--------------|
| Basic Life Safety (BLS) - Non-Emergency 475 Base Rate + 50 Oxygen + 60 Immobilization + 65 Airway Management | \$650 | \$825 |
| BLS - Emergency 525 Base Rate + 50 Oxygen + 60 Immobilization + 65 Airway Management | \$700 | \$900 |
| ALS 2 - Emergency 700 Base Rate +50 IV+ 50 Oxygen + 60 Cardiac Monitoring + 60 Immobilization + 65 Airway Management | \$985 | \$1,650 |
| Specialty Care Transport (SCT) - Emergency 800 Base Rate +50 IV+ 50 Oxygen + 60 Cardiac Monitoring + 65 Airway Management | \$1,025 | \$1,950 |
| Treatment without Transport | \$150 | \$200 |
| Mileage | \$12 | \$15 |
| Shift Supervisor (2 hours minimum charge) | \$69/hour | \$100/hour |
| Paramedic (2 hours minimum charge) | \$50/hour | \$75/hour |

(Continued on Page 26)

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

8. Continued...

| Class | Current Fee | Proposed Fee |
|--|-------------|--------------|
| Emergency Medical Technician (EMT) (2 hours minimum charge) | \$35/hour | \$60/hour |
| Event or Formal Request (2 hours minimum charge) | \$100/hour | \$200/hour |
| Heartsaver CPR/AED/First Aid | \$30 | \$70 |
| High School Events (up to 4 hours) | \$175 event | \$250 event |
| Each additional hour over 4 hours | \$30 | \$50 |
| Convenience Fee (Electronic Funds Transfer (EFT) Transactions) | \$3 | \$3 |

| |
|---|
| Motion: Move the item in the affirmative |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner Barry |
| Disposition: Carried unanimously |

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

9. Recommendation: That the Board award and authorize the County Administrator to sign a Purchase Order, in the amount of \$62,900, to Gulf City Body & Trailer Works, Inc., for one 2022 Ford Pitts 51 Ton, 53-foot lowboy trailer for the Public Works Department. Bids were submitted through Vendor Registry, bids provided in attachment.

| Vendor/Contractor | Funding | Amount | Contract Number |
|--|---|----------|--|
| Gulf City Body & Trailer Works, Inc. (Vendor #072460) | Fund: Public Works LOST Cost Center: 260351 Object Code: 56401 | \$62,900 | No Contract. Bids through Vendor Registry. |

| |
|--|
| Motion: Move the balance For Information: The “balance” refers to Budget/Finance Consent Agenda Items 2 through 20, with the exception of Items 3, 4, 7, 8, 10, and 15, which were held for separate votes. |
| Made by: Commissioner Bergosh Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

10. Recommendation: That the Board approve and authorize the County Administrator to execute the following Change Order #1 to Purchase Order No. 210938, RBK Security Services, Inc., d/b/a Signal 88 Security of Pensacola, in the amount of \$12,500, for the performance of security services for the months of May through September, 2021, for the Escambia County Waste Services Perdido Landfill and Palafox Transfer Station.

(Continued on Page 28)

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

10. Continued...

| | |
|---|---|
| Department: | Waste Services Fund 401, Solid Waste Fund Cost Center: 230307, SW Transfer Station - \$10,000 Cost Center: 230314, SW Operations - \$2,500 |
| Division: | Waste Services |
| Type: | Addition |
| Amount: | \$12,500 |
| Vendor: | RBK Security Services, Inc., d/b/a Signal 88 Security of Pensacola Vendor #: 422352 |
| Project Name: | Site Security for Perdido Landfill & Palafox Transfer Station |
| Contract: | Perdido Landfill/Palafox Transfer Station Quote: 04/01/21 Vendor Registry Request for Quotes |
| Purchase Order #: | 210938 |
| Change Order #: | 1 |
| Original Contract Amount: | \$15,000 |
| Cumulative Amount of Change Orders thru this Change Order | \$12,500 |
| New Contract Amount: | \$27,500 |

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| <p>Motion: Move the item For Information: Commissioner Barry advised that his motion also included the clear understanding that at the conclusion, this project would be folded into the larger County contract and there would be no additional stand-alone security services for Solid Waste; Commissioner May advised that he would like to see an analysis of what the County is paying the large provider per hour versus what this small provider is being paid per hour.</p> <p>Made by: Commissioner Barry Seconded by: Commissioner Bergosh Disposition: Carried unanimously</p> |
|--|

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

11. Recommendation: That the Board take the following action concerning the Third Amendment to the Prospective Purchaser Agreement between Escambia County and the State of Florida Department of Environmental Protection (FDEP), modifying the Agreement to require the County to continue semiannual sampling (10 sampling events) of monitoring wells MW-1, MW-4, and MW-6 for those parameters listed in paragraph 62-701.730(8)(a), F.A.C., as well as quarterly gas monitoring at SP-1W, SP-2W, SP-3W and SP18NR until such time the concentrations are below the lower explosive limit (LEL):

A. Approve the Third Amendment to Prospective Purchaser Agreement between Escambia County and the State of Florida Department of Environmental Protection; and

B. Authorize the Chairman to sign the Amendment.

(Funding: Fund 401, Solid Waste Fund; Cost Center 230316; Object Code 54601)

| |
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| Motion: Move the balance |
| For Information: The “balance” refers to Budget/Finance Consent Agenda Items 2 through 20, with the exception of Items 3, 4, 7, 8, 10, and 15, which were held for separate votes. |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

12. Recommendation: That the Board take the following action concerning the Application for the Ballistic Vest Project:

A. Approve the Application for Funding Assistance regarding the Florida Department of Law Enforcement Justice Assistance Grant (JAG) County-wide Program for the Ballistic Vest Project and the Subaward Standard Conditions, in the amount of \$35,230;

B. Authorize the Chairman to sign the Lobbying, Debarment and Drug Free Workplace Certification and to sign the Subaward Management Questionnaire;

C. Authorize the Department to sign the Body Armor Mandatory Wear Policy Certification form; and

(Continued on Page 30)

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

12. Continued...

D. Authorize the Department to electronically submit the Application for Funding Assistance on behalf of the Board through the Florida Department of Law Enforcement, Subgrant Information Management Online System (SIMON) Portal.

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| Motion: Move the balance For Information: The “balance” refers to Budget/Finance Consent Agenda Items 2 through 20, with the exception of Items 3, 4, 7, 8, 10, and 15, which were held for separate votes. |
| Made by: Commissioner Bergosh Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

13. Recommendation: That the Board approve the first of two possible one-year renewals, between Escambia County and Global Tel*Link Corporation, per the terms and conditions of PD17-18.022, for video visitation services for Escambia County Corrections, at no cost to the County.

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| Motion: Move the balance For Information: The “balance” refers to Budget/Finance Consent Agenda Items 2 through 20, with the exception of Items 3, 4, 7, 8, 10, and 15, which were held for separate votes. |
| Made by: Commissioner Bergosh Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

14. Recommendation: That the Board adopt the Resolution [R2021-101] approving Supplemental Budget Amendment #109, in the amount of \$40,000, appropriating these funds in the Sheriff’s Office LET Fund to off-set operating Neighborhood engagement and events expenditures.

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| Motion: Move the balance For Information: The “balance” refers to Budget/Finance Consent Agenda Items 2 through 20, with the exception of Items 3, 4, 7, 8, 10, and 15, which were held for separate votes. |
| Made by: Commissioner Bergosh Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

15. Recommendation: That the Board acknowledge the Local Option Sales Tax IV (LOST IV) report and the strategy by which the LOST plan will be managed.

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| Motion: Move to drop this item |
| For Information: Commissioner Barry asked that this item be dropped until at least June 3 rd to allow staff to work on some of the changes that need to be made to the minutiae of the backup. The Board also requested that any items that are more informational and/or do not require action be placed in the Discussion section of the agenda. |
| Made by: Commissioner Barry |
| Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |
| Speaker(s): Sonya Daniel |

16. Recommendation: That the Board take the following action concerning the purchase of two 30-foot, low floor diesel buses, for Escambia County Area Transit (ECAT), to replace two 1998 buses that are past their useful life and no longer serviceable:

- A. Approve the issuance of a Purchase Order to Gillig, LLC, to accomplish the purchase of two Gillig 30-foot, low floor diesel buses, to replace two 1998 buses that are past their useful life and are no longer serviceable. This purchase will be made utilizing the State of Florida JTA RFP P-18-005 Contract; and
- B. Authorize the County Administrator to sign the Purchase Order.

| Vendor/Contractor | Funding | Amount | Contract Number |
|-------------------|------------------------------|-----------|--------------------------------------|
| Gillig, LLC | Fund 320, Cost Center 331477 | \$868,532 | JTA Heavy Duty Bus Contract P-18-005 |

(Continued on Page 32)

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

16. Continued...

(Fiscal Impact: Revenue funding, is available under FTA Grant FL-90-X877, Fund 320, Account 331477, and Expense Fund 320, 211233. This requested capital purchase of \$868,532 is reimbursed at 100% from federal funding through FTA Grant FL-90-X877.)

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|--|
| Motion: Move the balance For Information: The “balance” refers to Budget/Finance Consent Agenda Items 2 through 20, with the exception of Items 3, 4, 7, 8, 10, and 15, which were held for separate votes. |
| Made by: Commissioner Bergosh Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

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

A. Approve the issuance of a Purchase Order, in excess of \$25,000, to Galls, LLC, to provide for purchase of uniforms through GSA Schedule Contract GS-07F-0157M; and

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

| Vendor/Contractor | Funding | Amount | Contract Number |
|-------------------|---|----------|------------------------------------|
| Galls, LLC | Fund 104, Cost Center 320401, Account 55201 | \$50,000 | GSA Schedule Contract GS-07F-0157M |

(Fiscal Impact: Funding is available in the budget under Fund 104, Cost Center 320401.)

| |
|--|
| Motion: Move the balance For Information: The “balance” refers to Budget/Finance Consent Agenda Items 2 through 20, with the exception of Items 3, 4, 7, 8, 10, and 15, which were held for separate votes. |
| Made by: Commissioner Bergosh Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

18. Recommendation: That the Board approve and authorize the County Administrator to execute the following Change Order to Mott MacDonald Consultants, Inc., in the amount of \$149,748, on Contract PD 17-18.037, for Quietwater Beach Ferry Landing Phase II and Phase III Project:

| | |
|---|--|
| Department: | Engineering |
| Division: | Construction Management |
| Type: | Addition |
| Amount: | \$149,748 |
| Vendor: | Mott MacDonald Consultants, Inc. |
| Project Name: | Quietwater Beach Ferry Landing Phase II and Phase III |
| Contract: | PD 17-18.037 |
| PO#: | 191256 |
| CO#: | 5 |
| Change Order #1: | Time Only |
| Change Order #2: | \$11,536 - Hurricane Sally (Preliminary Engineering Assessment - PEA) |
| Change Order #3: | \$2,750 - Hurricane Sally (2 Man Dive Team to assess damage) |
| Change Order #4: | Time Only |
| Change Order #5: | \$149,748 (Design for Permanent Repair) FEMA Category G (100% reimbursed from Insurance monies) |
| Original Contract Amount: | \$218,817 |
| Cumulative Amount of Change Orders Through this Change Order: | \$164,034 |
| New Contract Amount: | \$382,851 |
| Funding Source: | Fund 112, Disaster Recovery Fund, Cost Center 330905, FEMA Category G, Fund 53101. These costs will be reimbursed 100% with insurance monies |

(Continued on Page 34)

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

18. Continued...

This project is located in Commission District 4.

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| Motion: Move the balance |
| For Information: The “balance” refers to Budget/Finance Consent Agenda Items 2 through 20, with the exception of Items 3, 4, 7, 8, 10, and 15, which were held for separate votes. |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

19. Recommendation: That the Board take the following action concerning the Agreement with the City of Pensacola d/b/a Pensacola Energy and Escambia County for Interruptible Natural Gas Service:

- A. Approve the Agreement with the City of Pensacola d/b/a Pensacola Energy and Escambia County for Interruptible Natural Gas Service for: 2935 North "L" Street, 1700 West Leonard Street, 357 South Baylen Street, and 201 South Palafox Street, establishing service, subject to the current City Rate Schedule GAF (Almost Firm Service, Ordinance No. 21-19); and
- B. Authorize the Chairman or Vice Chairman to execute all documents relating to the Agreement, as required.

| |
|---|
| Motion: Move the balance |
| For Information: The “balance” refers to Budget/Finance Consent Agenda Items 2 through 20, with the exception of Items 3, 4, 7, 8, 10, and 15, which were held for separate votes. |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

MINUTES – MAY 20, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

20. Recommendation: That the Board approve the Application for Tax Deed for property located at 407 North "B" Street (Account Number: 15-0224-000; Reference Number: 00-0S-00-9060-190-019; District 3), having County-held Tax Certificate set to expire on June 1, 2021. The Tax Deed Application fee is \$742 per parcel. The County must deposit fees with the Tax Collector, in the amount of \$275 per parcel, and with the Clerk of the Circuit Court, in the amount of \$467 per parcel. The total cost for this Tax Deed Application is \$742.

Tax Certificates are sold annually, through an online Tax Certificate sale, for delinquent real estate taxes. If taxes remain unpaid, the Certificate holder may file a Tax Deed Application with the Tax Collector's Office two years after the date of delinquency. If not redeemed, the property may be sold at a public auction conducted by the Clerk of the Circuit Court. Florida Statute 197.502(3) provides that the County in which the property described in the Certificate is located shall apply for a tax deed on all County-held Certificates on property valued at \$5,000 or more on the Property Appraiser's most recent assessment roll, and may apply for tax deeds on Certificates of property valued at less than \$5,000 on the Property Appraiser's most recent assessment roll. This Recommendation is for one property valued at \$5,000, or above. The County has held a Tax Certificate on this parcel for almost seven years, and the Certificate is set to expire on June 1, 2021. This is the County's last chance to attempt to collect on these delinquent taxes.

(Funding Source: Fund 001, General Fund, Cost Center 310105, Property)

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| Motion: Move the balance |
| For Information: The "balance" refers to Budget/Finance Consent Agenda Items 2 through 20, with the exception of Items 3, 4, 7, 8, 10, and 15, which were held for separate votes. |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION

1. Recommendation: That the Board appoint one of the following to the FloridaWest Economic Development Alliance Board of Directors, effective May 20, 2021, to serve a term as long as the appointing authority wants them to serve:

- A. Craig S. Hrabar;
- B. Tim Lynch;
- C. Olevia McNally;
- D. Chase Anderson "Andy" Romagnano;
- E. Byron C. Scott;
- F. Stacy Taylor;
- G. Brenda Walter; or
- H. Samuel R. Young.

| |
|--|
| Motion: Move that we appoint Olevia McNally |
| For Information: Commissioner Bender advised that Stacy Taylor was removed from the ballot due to a conflict. |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner Underhill |
| Disposition: Carried unanimously |

2. Recommendation: At the request of Commissioner Bergosh, that the Board discuss school and transportation concurrency.

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| Disposition: No action taken |
| For Information: The Board discussed concurrency and asked staff to update/refresh documents in the backup and asked County Administrator Gilley to bring the item back to the July Committee of the Whole. |

COUNTY ATTORNEY’S REPORT – Alison Rogers, County Attorney

I. FOR INFORMATION

1. Recommendation: That the Board accept for information the attached Order, which was issued by the First District Court of Appeal on April 23, 2021, denying the County's appeal of the Order of the Circuit Court in Case No. 2014 CA 001565.

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|--|
| Motion: Move item 1 in the affirmative |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner Bergosh |
| Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers |

2. Recommendation: That the Board be made aware that the County Attorney’s Office has successfully defended a challenge to the County’s decision to allow four parcels to withdraw from the County’s Mid-West Optional Sector Plan [Jacqueline Rogers, et al. vs. Escambia County, and Frank E. Westmark and Elizabeth J. Westmark, DOAH Case No. 20-3015GM].

| |
|--|
| Motion: Move the item |
| Made by: Commissioner Barry |
| Seconded by: Commissioner Underhill |
| Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers |
| Speaker(s): Melissa Pino, Frank Westmark, and Elizabeth Westmark |

MINUTES – MAY 20, 2021

COUNTY ATTORNEY’S REPORT – Continued

II. FOR ACTION

1. Recommendation: That the Board take the following action:
 - A. Schedule a private meeting with its attorneys to discuss pending litigation, in accordance with Section 286.01(8), Fla. Stat. for June 3, 2021, at 4:00 p.m. CDT; and
 - B. Approve the public notice printed below to be published in the *Pensacola News Journal* on Saturday, May 22, 2021.

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 Mathew Selover v. Escambia County, Case No.: 3:20-cv-4698-TKW/HTC, U.S. District Court, in accordance with Section 286.01(8), Florida Statutes. Such attorney/client session will be held at 4:00, p.m. on Thursday, June 3, 2021, in the Ernie Lee Magaha Government Building, Board Chambers, 221 Palafox Place, Pensacola, Florida. Commissioners Robert Bender, Jeff Bergosh, Douglas B. Underhill, Lumon J. May and Steven Barry, County Administrator Janice P. Gilley, County Attorney Alison P. Rogers, and Stephanie Pidermann, Partner with the Lydecker, Diaz law firm, attorneys representing Escambia County in the foregoing litigation. A certified court reporter will attend and report the attorney/client session.

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| Motion: So moved |
| Made by: Commissioner Bergosh |
| Seconded by: Commissioner Barry |
| Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers |

COUNTY ATTORNEY’S REPORT – Continued

III. FOR DISCUSSION

1. Recommendation: That the Board discuss and consider taking the following action:
 - A. Authorize the County Attorney to offer legal counsel to the District One Medical Examiner Services (DOMES);
 - B. Find that any legal counsel provided by the County Attorney or her staff to DOMES and its board members does not pose an ethical conflict of interest and, in any event, where such a waivable conflict of interest may exist, the Board of County Commissioners waives the conflict of interest; and
 - C. Discuss provision of legal services to the Office of the Medical Examiner or Dr. Deanna Oleske, M.E.

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| Motion: Move Items A and B in the affirmative and leave C with no action from this Board other than the discussion that’s already been made |
| For Information: The Board asked County Attorney Rogers to use her best judgment in regards to Item C with a clear delineation between Escambia County’s responsibilities and what are outside of those responsibilities. |
| Made by: Commissioner Underhill |
| Seconded by: Commissioner Bergosh |
| Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers |

2. Recommendation: At the request of Commissioner Jeff Bergosh, that the Board discuss the letter from Mr. David Bear.

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| Motion: Move to have the Board forward the letter [from the TDC to the Auditor General] and ask for their review or an answer |
| Made by: Commissioner Barry |
| Seconded by: Commissioner Bergosh |
| Disposition: Carried 4-0, with Commissioner Underhill having left the meeting |
| Speaker(s): David Bear |

MINUTES – MAY 20, 2021

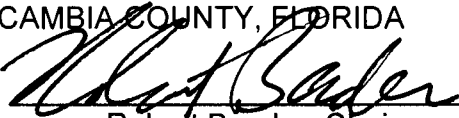
ITEMS ADDED TO THE AGENDA – None.

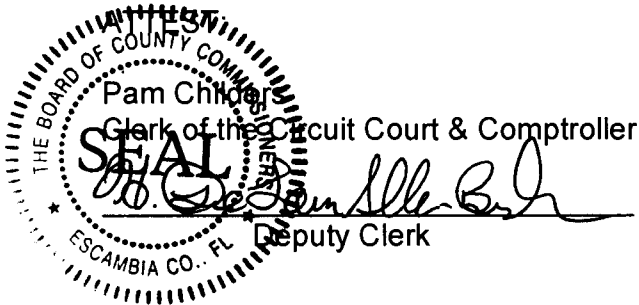
ANNOUNCEMENTS – None.

ADJOURNMENT

There being no further business to come before the Board, Chairman Bender declared the Regular Meeting of the Board of County Commissioners adjourned at 11:53 a.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

By: 
Robert Bender, Chairman



Approved: June 3, 2021