

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

JUNE 3, 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
Debbie Bowers, Assistant County Administrator
Honorable Pam Childers, Clerk of the Circuit Court and Comptroller
Alison Rogers, County Attorney
DeLana Allen-Busbee, Administrative Specialist, Clerk and Comptroller's Office
Shamara Jernigan, Agenda Program Coordinator, County Administrator'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 5:44 p.m.

2. Invocation

Josh Burdick, Care Pastor, Pensacola Christian College, delivered the invocation.

3. Pledge of Allegiance to the Flag

Commissioner Barry led the Pledge of Allegiance to the Flag.

MINUTES – JUNE 3, 2021

REGULAR BCC AGENDA – Continued

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

Motion: Move that we accept the agenda, as amended
For Information: The agenda was amended to add a discussion item from Commissioner Barry and to drop County Attorney's Report Action Item 2.
Made by: Commissioner Underhill
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

5. Commissioners' Forum:

- A. District 5 – Commissioner Barry provided comments;
- B. District 2 – Commissioner Underhill provided comments;
- C. District 1 – Commissioner Bergosh provided comments; and
- D. District 4 – Commissioner Bender provided comments.

6. Proclamations.

- I. Recommendation: That the Board adopt the following Proclamations:
 - A. The Proclamation commending and congratulating Rachel Whitmire, an Administrative Assistant in the Development Services Department, on her selection as "Employee of the Month" for June 2021; and
 - B. The Proclamation commending and congratulating the Northwest District 1 Advisory Committee members on a job well done.

Motion: Move that we accept Proclamations A and B
Made by: Commissioner Underhill
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers
Speaker(s): Rachel Whitmire and Dr. Laura Bryant

MINUTES – JUNE 3, 2021

REGULAR BCC AGENDA – Continued

7. Written Communication.

- I. April 21, 2021 – Communication from Vera Ann Pilgrim, owner of 1717 David Street, requesting lien relief.

Recommendation: That the Board review and consider the Lien relief request made by Vera Ann Pilgrim, owner of the property, against property located at 1717 David Street.

On August 21, 2014, 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 III, H2.

The County Attorney's Office reviewed the request and directed the request be submitted to the Board for review.

Motion: Move to grant the requested relief
Made by: Commissioner Barry
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 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 three Public Hearings on the agenda:

- (1) The 5:46 p.m. Public Hearing, advertised in the *Pensacola News Journal* on May 20, 2021, concerning the review of an Ordinance amending Chapter 7 of the Comprehensive Plan 2030, Policy FLU 1.1.1, changing the Future Land Use of a parcel - LSA-2021-01;
- (2) The 5:47 p.m. Public Hearing, advertised in the *Pensacola News Journal* on May 20, 2021, concerning the review of an Ordinance amending Chapter 7 of the Comprehensive Plan 2030, adding language to Policy FLU 1.3.1 "Future Land Use Categories"; and
- (3) The 5:48 p.m. Public Hearing, advertised in the *Pensacola News Journal* on May 20, 2021, concerning the review of an Ordinance amending Chapter 3 of the LDC, creating Article 6, Section 3-6.1 "Outlying Landing Field 8 - OLF-8 Master Plan District"; and

B. The *Board of County Commissioners – Escambia County, Florida, Meeting Schedule May 31 through June 4, 2021*, as published in the *Pensacola News Journal* on May 28, 2021.

Motion: Move that we waive the reading
Made by: Commissioner Bergosh
Seconded by: Commissioner Barry
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

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 April 30, 2021, as required by Ordinance Number 95-13. On April 30, 2021, the portfolio market value was \$317,316,827 and portfolio earnings totaled \$214,675 for the month. The short term portfolio achieved a yield of 0.18%. The long-term CORE portfolio achieved a yield of 0.26%.

Motion: Move the Clerk’s Report items 1 and 2
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 take the following action concerning Minutes and Reports prepared by the Clerk to the Board's office:
 - A. Accept, for filing with the Board's Minutes, the Report of the Gary Sansing Public Forum held May 20, 2021; and
 - B. Approve the Minutes of the Regular BCC Meeting held May 20, 2021.

Motion: Move the Clerk’s Report items 1 and 2
Made by: Commissioner Underhill
Seconded by: Commissioner Bergosh
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

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

I. PUBLIC HEARINGS

1. **Recommendation:** That the Board of County Commissioners (BCC) cancel the 5:46 p.m., Public Hearing scheduled to review an Ordinance amending the Comprehensive Plan 2030, Chapter 7, "The Future Land Use Element," Policy FLU 1.1.1, to provide for an amendment to the 2030 Future Land Use map, changing the Future Land Use category of a parcel, which is located within Section 05, Township 1S, Range 31W, and which is identified as Parcel ID Number 05-1S-31-1101-000-000 totaling 539.1(+/-) acres, located on Frank Reeder Road and Nine Mile Road/US Hwy 90A/State Road 10 (known as OLF 8); from Public (P) to Mixed-Use Urban (MU-U) totaling 456.42 acres and Commercial (C) totaling 82.68 acres.

Motion: So moved [to cancel Growth Management Public Hearing items 1, 2, and 3]
Made by: Commissioner Bergosh
Seconded by: Commissioner Barry
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

2. **Recommendation:** That the Board of County Commissioners (BCC) cancel the 5:47 p.m., Public Hearing scheduled to review an Ordinance amending the Comprehensive Plan 2030, Chapter 7, "Future Land Use Element," Policy FLU 1.3.1, "Future Land Use Categories" adding language to Future Land Use (FLU) Mixed-Use Urban (MU-U) and FLU Commercial (C) for increased maximum density and increased maximum intensity Flood Area Ratio (FAR) for properties located in Outlying Landing Field 8 - OLF-8 Master Plan District which is located within Section 05, Township 1S, Range 31W, and which is identified as Parcel ID Number 05-1S-31-1101-000-000 totaling 539.1(+/-) acres, located on Frank Reeder Road and Nine Mile Road/US Hwy 90A/State Road 10.

Motion: So moved [to cancel Growth Management Public Hearing items 1, 2, and 3]
Made by: Commissioner Bergosh
Seconded by: Commissioner Barry
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

GROWTH MANAGEMENT REPORT – Continued

I. PUBLIC HEARINGS – Continued

3. Recommendation: That the Board of County Commissioners (BCC) cancel the 5:47 p.m., Public Hearing scheduled to review an Ordinance amending the Land Development Code (LDC), Chapter 3, "Zoning Regulations," to create Article 6, Section 3-6.1, "Outlying Landing Field 8 - OLF-8 Master Plan District," which is located within Section 05, Township 1S, Range 31W, and which is identified as Parcel ID Number 05-1S-31-1101-000-000 totaling 539.1(+/-) acres, located on Frank Reeder Road and Nine Mile Road/US Hwy 90A/State Road 10; establishing permitted and conditional land uses and site and building requirements for development within the OLF-8 Master Plan District; adopting the OLF-8 Master Plan District Map of 539.1 (+/-) acres; adopting the OLF-8 Master Plan Design Document.

Motion: So moved [to cancel Growth Management Public Hearing items 1, 2, and 3]
Made by: Commissioner Bergosh
Seconded by: Commissioner Barry
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

II. FOR ACTION

1. Recommendation: That the Board of County Commissioners (BCC) approve the 2019/2020 Comprehensive Plan Implementation Annual Report.

Motion: Move that we approve item 1
Made by: Commissioner Bergosh
Seconded by: Commissioner Barry
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

GROWTH MANAGEMENT REPORT – Continued

III. CONSENT AGENDA

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

July 8, 2021

- A. 5:45 p.m. - A Public Hearing to amend the official zoning map to include the following Rezoning Cases heard by the Planning Board on June 1, 2021.

1. **Case No.:** **Z-2021-03**
Address: 5900 BLK Nine Mile Road
Property Reference No.: 07-1S-31-1101-000-000
From: LDR, Low Density Residential district (four du/acre)
To: Com, Commercial district (25 du/acre)
FLU Category: MU-S, Mixed-Use Suburban
Commissioner District: 1
Requested by: Buddy Page, Agent for B&E Holdings, LLC, Owner

2. **Case No.:** **Z-2021-04**
Address: 310 Navy Boulevard
Property Reference No.: 50-2S-30-5060-007-005; 50-2S-30-5060-008-005; 50-2S-30-5060-009-005
From: MDR, Medium Density Residential district (10 du/acre)
To: Com, Commercial district (25 du/acre)
FLU Category: MU-U, Mixed-Use Urban
Commissioner District: 2
Requested by: Buddy Page, Agent for Russell Collins, Owner

- B. 5:47 p.m. - A Public Hearing Opting Out of the Mid-West Sector Plan and Assigning a Future Land Use Category - 810 Neal Road - OSP-2021-01 (first of two public hearings)

Summary: The applicant is requesting to remove a parcel from the adopted Escambia County Mid-West Sector Plan, Jacks Branch Detailed Specific Area Plan; the applicant is also requesting that a Future Land Use category of Mixed-Use Suburban (MU-S) be assigned to the parcel.

(Continued on Page 9)

MINUTES – JUNE 3, 2021

GROWTH MANAGEMENT REPORT – Continued

III. CONSENT AGENDA – Continued

1. Continued...

C. 5:48 p.m. - A Public Hearing - Perdido Landfill North Borrow Pit Permit Renewal

Summary: Review and approve, modify, or deny the request of a permit renewal for a borrow pit located at 13009 Beulah Road.

D. 5:49 p.m. - A Public Hearing - Perdido Landfill East Borrow Pit Permit Renewal

Summary: Review and approve, modify, or deny the request of a permit renewal for a borrow pit located at 13009 Beulah Road.

E. 5:50 p.m. - A Public Hearing - North End Camp Borrow Pit Permit Renewal

Summary: Review and approve, modify, or deny the request of a permit renewal for a borrow pit located at 4901 Camp Road.

Motion: Move the Consent Agenda

Made by: Commissioner Underhill

Seconded by: Commissioner Bergosh

Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Janice Gilley, County Administrator

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1. Recommendation: That the Board accept for filing with the Board's Minutes, the May 6, 2021, Community Redevelopment Agency's (CRA) Meeting Minutes, prepared by Tammy M. Baker, CRA Administrative Assistant.

Motion: Move CAR I [County Administrator's Report, Technical/Public Service Consent Agenda] in its entirety

Made by: Commissioner Bergosh

Seconded by: Commissioner Underhill

Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

2. Recommendation: That the Board ratify the County Administrator's signature on the Certification of Local Government for ESG applying Nonprofit Organizations to allow local nonprofits providing Emergency Shelter to receive Emergency Solutions Grant-Coronavirus (ESG-CV) funding through the Florida Department of Children and Families.

Motion: Move CAR I [County Administrator's Report, Technical/Public Service Consent Agenda] in its entirety
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

3. Recommendation: That the Board approve and authorize the Chairman to sign the three-year Agreement between CareerSource Escarosa and Florida Department of Economic Opportunity. This Agreement shall become effective immediately upon execution and expires May 15, 2024, unless otherwise terminated as set forth herein.

Motion: Move CAR I [County Administrator's Report, Technical/Public Service Consent Agenda] in its entirety
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

4. Recommendation: That the Board approve and ratify the Chairman's signature on the Fourth Amendment to the Memorandum of Understanding (MOU) between CareerSource Escarosa (formerly Workforce Escarosa, Inc.) and the Escambia County School District. The Amendment enables the School District to pay the allocated infrastructure costs to CareerSource Escarosa, per the new Workforce Innovation and Opportunity Act (WIOA) legislation. This Amendment updates the infrastructure costs for the Fiscal Year 2021, school year.

Motion: Move CAR I [County Administrator's Report, Technical/Public Service Consent Agenda] in its entirety
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

5. Recommendation: That the Board authorize the County Administrator or Neighborhood Enterprise Division Manager to provide a Confirmation Letter to Morris Court III that they consent to the provision of a \$50,000 unsecured loan from the Area Housing Commission to assist the apartment complex.

Motion: Move CAR I [County Administrator's Report, Technical/Public Service Consent Agenda] in its entirety
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

6. Recommendation: That the Board approve the three 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.

Motion: Move CAR I [County Administrator's Report, Technical/Public Service Consent Agenda] in its entirety
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

7. Recommendation: That the Board approve the Request for Disposition of Property Form for the Public Safety Department, for the equipment described and listed on the Request Form, for the items less than \$5,000 fully depreciated, that are available for removal from inventory. The Request Form has been signed by all applicable authorities.

Motion: Move CAR I [County Administrator's Report, Technical/Public Service Consent Agenda] in its entirety
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

8. Recommendation: That the Board take the following action concerning the Revised Form of Agreement for Reimbursement of Paramedic Training Program Expenses between Escambia County and paramedic students who agree to the terms outlined for the Paramedic Training Program:

A. Approve the use of the content and the use of the Form of Agreement for Reimbursement of Paramedic Training Program Expenses; and

B. Authorize the County Administrator to sign all future Agreements between the County and paramedic students agreeing to the terms outlined for the Paramedic Training Reimbursement Program.

Motion: Move CAR I [County Administrator's Report, Technical/Public Service Consent Agenda] in its entirety
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

9. Recommendation: That the Board authorize the scheduling of a public hearing on June 17, 2021, at 9:01 a.m., to consider adoption of an Ordinance creating the Belmont Downs Street Lighting Municipal Services Benefit Unit (MSBU).

Motion: Move CAR I [County Administrator's Report, Technical/Public Service Consent Agenda] in its entirety
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

10. Recommendation: That the Board sunset the Northwest District 1 Advisory Committee and repeal Resolution R2018-63.

Motion: Move CAR I [County Administrator's Report, Technical/Public Service Consent Agenda] in its entirety
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

11. Recommendation: That the Board confirm the appointment of Melody Meier as Commissioner Bender's designee to the Early Learning Coalition of Escambia County, effective June 3, 2021, to run concurrently with Commissioner Bender's term of office (November 2022) or at his discretion.

Ms. Meier's Resume is provided for review.

Motion: Move CAR I [County Administrator's Report, Technical/Public Service Consent Agenda] in its entirety
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

II. BUDGET/FINANCE CONSENT AGENDA

1. Recommendation: That the Board ratify the following June 3, 2021, action of the Board of County Commissioners of Escambia County, acting in its capacity as the Escambia County Community Redevelopment Agency (CRA), concerning the Residential Rehab Grant Program Funding and Lien Agreements:

(Continued on Page 14)

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

1. Continued...

A. Approving the following two Residential Rehab Grant Program Funding and Lien Agreements between Escambia County CRA and Property Owner; and

Property Owner	Address	Fund	Cost Center	Improvement	Amount	Homestead
Fern G. Hopkins	6408 White Oak Drive	151	370121 - Oakfield	Roof Replacement	\$5,166	Yes
Malcolm and Hattie Polk	801 West Cross Street	151	370117 - Englewood	Roof Replacement	\$4,479	Yes

B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement the Grant Awards.

Motion: Move the balance
For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

2. Recommendation: That the Board ratify the following June 3, 2021, action of the Board of County Commissioners of Escambia County, acting in its capacity as the Escambia County Community Redevelopment Agency (CRA), concerning the cancellation of the Residential Rehab Grant Program Liens:

A. Approving the following three cancellations of Residential Rehab Grant Program Liens, as the Grant recipients have met their one-year of compliance with the Residential Rehab Grant Program; and

Property Owners	Address	Fund	Cost Center	Improvement	Amount	Homestead
Gilbert J. and Julie K. Sharp	10 Rosea Drive	151	370116 - Barrancas	Windows Replacement	\$6,000	Yes
James Jernigan, Jr., and Lillie D. Jernigan	710 Vendee Lane	151	370115 - Palafox	Electrical Rewiring	\$3,772	Yes
Inez Robinson, Gwendolyn Robinson, Francisca Marshall, and Tonya Mitchell	2403 North Baylen Street	151	370104 - Palafox	Electrical Rewiring	\$3,939	Yes

B. Authorizing the Chairman to execute the Cancellation of Lien Documents.

Motion: Move the balance
For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

3. Recommendation: That the Board ratify the following June 3, 2021, action of the Board of County Commissioners of Escambia County, acting in its capacity as the Escambia County Community Redevelopment Agency (CRA), concerning the Residential Roof Program Funding and Lien Agreements:

A. Approving the following two Residential Roof Program Funding and Lien Agreements between Escambia County CRA and Property Owners; and

Property Owner	Address	Fund	Cost Center	Improvement	Amount	Homestead
Mardine Hale	1850 West Saint Joseph Avenue	151	370117 - Englewood	Roofing	\$6,900	Yes
Annie L. Causey	3400 W. Bobe Street	151	370117 - Englewood	Roofing	\$12,735	Yes

B. Authorizing the Chairman to sign the Funding and Lien Agreements and any related documents necessary to implement the Grant awards.

Motion: Move the balance
For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

4. Recommendation: That the Board take the following action concerning the Bayou Chico Bridge Lighting Project:
- A. Approve the issuance of a Purchase Order, in the amount of \$ 39,745.06, to Ingram Signalization, Inc., to cover the cost of installing new overhead LED roadway lighting fixtures and retrofit the existing underdeck fixtures on the Bayou Chico Bridge, located in the Barrancas CRA District; and
 - B. Authorize the County Administrator to sign the Purchase Order and any other related documents necessary to implement this project.

This project is located in Commission District 2.

(Funding Source: Fund 151. CRA Barrancas Tax Increment Finance (TIF), Cost Center 370116)

Motion: Move the balance

For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.

Made by: Commissioner Bergosh

Seconded by: Commissioner Underhill

Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

5. Recommendation: That the Board, for the Fiscal Year 2020-2021, approve the issuance of blanket and/or individual Purchase Orders, in excess of \$25,000, based upon previously awarded Contracts, Contractual Agreements, or annual requirements, for the Parks and Recreation Department, as follows:

Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
Fund 353 - LOST IV	\$29,978	350221-56301- Project # 19PR0369	Vendor Registry Quote # PKS 4-21-21, Bradberry Football Bleachers	Bleachers International
Total Expenditures	\$29,978	N/A	N/A	N/A

Motion: Move the balance

For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.

Made by: Commissioner Bergosh

Seconded by: Commissioner Underhill

Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

6. 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. 20353, relating to the Derelict Vessel Removal Grant for Fiscal Year 2021, which provides up to \$5,200 in Grant funding from FWC to remove and dispose of the 25-foot sailboat "Brandi Hunter" from Pensacola Bay near Bayou Texar. There is no County match required under this Grant Agreement; and
- B. Adopt and authorize the Chairman to sign the Resolution [R2021-102] approving Supplemental Budget Amendment #123, Fund 110, in the amount of \$5,200, to recognize the proceeds from Florida Fish and Wildlife Conservation Commission (FWC), and to appropriate these funds for the removal of the derelict vessel.

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	\$5,200	Fund 110, Other Grants and Projects Account 334260, Derelict Vessels Grant	FWC 20353	N/A
Total Revenue	\$5,200			

(Continued on Page 20)

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

6. Continued...

Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
Florida Fish and Wildlife Conservation Commission (FWC) Grant	\$5,200	Fund 110, Other Grants and Projects Cost Center 220339 Derelict Vessels Grant	FWC 20353	N/A
Total Expenditures	\$5,200			

Motion: Move the balance

For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.

Made by: Commissioner Bergosh

Seconded by: Commissioner Underhill

Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

7. 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. 20354, relating to the Derelict Vessel Removal Grant for Fiscal Year 2021 which provides up to \$9,650 in Grant funding from FWC to remove and dispose of the 36-foot motor vessel "Unbranded" from Escambia Bay. There is no County match required under the Grant Agreement; and
- B. Adopt and authorize the Chairman to sign the Resolution [R2021-103] approving Supplemental Budget Amendment # 124, Fund 110, in the amount of \$9,650, to recognize the proceeds from Florida Fish and Wildlife Conservation Commission and to appropriate these funds for the removal of the derelict vessel.

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

* Paragraph 29, SEVERABILITY, CHOICE OF LAW, AND CHOICE OF VENUE, (page 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	\$9,650	Fund 110, Other Grants and Projects Account 334260, Derelict Vessels Grant	FWC 20354	N/A
Total Revenue	\$9,650			

(Continued on Page 22)

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

7. Continued...

Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
Florida Fish and Wildlife Conservation Commission (FWC) Grant	\$9,650	Fund 110, Other Grants and Projects Cost Center 220339, Derelict Vessels Grant	FWC 20354	N/A
Total Expenditures	\$9,650			

<p>Motion: Move the balance For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes. Made by: Commissioner Bergosh Seconded by: Commissioner Underhill Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers</p>

8. Recommendation: That the Board take the following action concerning the Contract award for PD 20-21.045, Engineering and Design Services for the Eleven Mile Creek Stream Restoration Project:
- A. Approve and award the Agreement between Escambia County and Mott MacDonald Florida, LLC, per the terms and conditions of PD 20-21.045, for Engineering and Design Services for the Eleven Mile Creek Stream Restoration Project, in the amount of \$1,302,759, with \$1,150,000 funded through the RESTORE Direct Component (Pot 1) Grant and the balance of \$152,759 to be funded by future funding opportunities; and

(Continued on Page 23)

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

8. Continued...

B. Authorize the County Administrator to sign the Agreement.

Vendor/Contractor	Funding	Amount	Contract Number
Mott MacDonald Florida, LLC	Fund 118, Gulf Coast Restoration Cost Center 222046 Object Code 53101 U.S. Department of Treasury Award No. 1 RDCGR080135-01-00	\$1,302,759	PD 20-21.045

This Project is located in Commission District 5.

Motion: Move the item

For Information: Commissioner Barry clarified during the Agenda Work Session and the Regular Meeting that any tasks that exceed the \$1,150,000 will be brought back to the Board to identify a funding source and that the only Purchase Order anticipated to be issued currently will be for the \$1,150,000, but that the language in the Agreement referencing those tasks will be left because they will become a part of the construction management.

Made by: Commissioner Barry

Seconded by: Commissioner May

Disposition: Carried unanimously

Speaker(s): Bill Hoff and Chris Curb

9. 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.

Motion: Move the balance

For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.

Made by: Commissioner Bergosh

Seconded by: Commissioner Underhill

Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

10. Recommendation: That the Board approve the issuance of a Purchase Order, to Dell Marketing LP, for Computer Aided Dispatch Server, in the amount of \$28,922.86, per Quote 3000077622795.5, dated May 5, 2021.

Vendor/Contractor	Funding	Amount	Contract
Dell Marketing LP Vendor Number: 040517	Fund: 001, General Fund Cost Center: 330403, Communications Object Code: 56401, Machinery & Eqp	\$28,922.86	N/A

Motion: Move the balance For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes. Made by: Commissioner Bergosh Seconded by: Commissioner Underhill Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

11. Recommendation: That the Board award and authorize the County Administrator to sign the Agreement and Purchase Order between Escambia County, Florida, and Comprehensive Forensic Psychiatric Services, LLC, for Psychiatric Services with telemed option, per the terms and conditions of PD 19-20.091, in the amount of \$115,000.

Expenditures				
Source of Funds	Amount	Account Codes	Contract	Vendor
Fund 001, General Fund	\$115,000	Cost Center 290402, Inmate Medical	PD 19-20.091	Comprehensive Forensic Psychiatric Services, LLC
Total Expenditures	\$115,000			

(Continued on Page 25)

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

11. Continued...

Motion: Move the balance
For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

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

- A. Authorize the use of the FSA Contract FSA 20-VEL28.0; and
- B. Award and authorize the County Administrator to sign a Purchase Order, in the amount of \$31,169, to Bozard Ford for one 2021 F-150 Super Cab 4x4 Pickup.

Vendor/Contractor	Funding	Amount	Contract Number
Bozard Ford (Vendor #423826)	Fund: General Fund 001 Cost Center: 221201 Object Code: 56401	\$31,169	FSA Contract FSA 20-VEL28.0

Motion: Move the balance
For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

- A. Authorize the use of the Sourcewell Cooperative Purchasing Agreement Contract Number 060920-NAF; and
- B. Award and authorize the County Administrator to sign a Purchase Order, in the amount of \$610,772, to G & S Holding LLC (Empire Truck Sales), for four 2022 Western Star 49X Semi Tractors (\$152,693 each), for Waste Services.

Vendor/Contractor	Funding	Amount	Contract Number
G & S Holding LLC (Empire Truck Sales) Vendor #050992	Fund 401, Solid Waste Fund Cost Center: 230307, SW Transfer Station Object Code: 56401	\$610,772	Sourcewell Contract # 060920-NAF

Motion: Move the balance
For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

14. Recommendation: That the Board authorize the County Administrator to sign a Purchase Order to Pace Analytical Services, LLC, in the amount of \$31,200. Pace Analytical Services, LLC, submitted a quote, in the amount of \$29,583.50, and was found to be the lowest responsive vendor. An additional \$1,616.50 is included for re-testing of samples, due to contamination and/or re-sampling, etc., if needed. This Purchase Order is for general laboratory analysis of the State of Florida Department of Environmental Protection (FDEP) required collection of water samples by the Escambia County Water Quality Laboratory, which supports the Waste Services Department monitoring program.

The amount of the Purchase Order represents testing for both Fall 2021 and Spring 2022 testing events.

Vendor/Contractor	Funding	Amount	Contract Number
Pace Analytical Services, LLC	Fund 401, Solid Waste Fund Cost Center - 230304 Environmental Quality Object Code 53401, Other Contractual Services - \$13,500 Cost Center - 230309 Closed Landfills Object Code 53401, Other Contractual Services - \$16,500 Cost Center - 230316 Saufley Landfill Object Code 53401, Other Contractual Services - \$1,200	\$31,200	Vendor Registry Request for Quotes General Laboratory Analytical Services for the Waste Services Landfills, Fiscal Year 2021-2022

(Continued on Page 28)

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

14. Continued...

A Request for Quotes for General Laboratory Analytical Services for the Escambia County Waste Services Department Landfills was placed in Vendor Registry, with a deadline of February 23, 2021. Vendor Registry sent notifications to 80 registrants, representing 57 firms. The Request for Quotes was viewed by nine firms and downloaded by six of the firms. Proposals were submitted by two firms, with Pace Analytical Services, LLC, as the lowest, most responsive quote received.

Motion: Move the balance

For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.

Made by: Commissioner Bergosh

Seconded by: Commissioner Underhill

Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

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

- A. Approve and authorize the County Administrator to sign the Agreement between Escambia County, Florida, and Passio Technologies, Inc., per the terms and conditions of PD 19-20.099, ECAT Fixed Route Software, for a negotiated term of 60-months with no options for renewal periods. The first year Contract price is \$818,730.52 and includes the required licensing, hardware, software, and installation services. The Contract includes the annual licensing fee to be paid for years 2-5, negotiated to eliminate any price increase in exchange for a five-year term, in the amount of \$207,860.37; and
- B. Authorize the County Administrator to sign a Purchase Order, in excess of \$25,000, for PD 19-20 099, ECAT Fixed Route Software, to Passio Technologies, Inc., for the Year One licensing, hardware, software, and installation services including:
- Passio Go - Fixed Route Software
 - Foresight Augmented Reality (FAR) - ADA accessibility improvements
 - Passio Driver Time Clock - Integrates with existing Kronos System
 - BusBuzz Text Connect - Allows text messaging to customers regarding expected bus arrival times
 - Telematics - Reporting for equipment
 - Faster Asset Solution - Required for real-time analysis of equipment performance

(Continued on Page 29)

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

15. Continued...

Vendor/Contractor	Funding	Amount	Contract Number
Passio Technologies, Inc.	Fund: 320 Cost Center: 211246	\$880,000	Pending Contract Award for Install and first year services

(Funding Impact: Revenue funding is available in Fund 320, Grant FTA 5339 FL-2020-109, Account 331431. The expenditure budget for this purchase is Fund 320, Cost Center 211246.)

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

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

- A. Approve the following allocations of Law Enforcement Trust (LET) Funds, per the requirements of F.S. 932.7055(5), for Outside Agency, neighborhood engagement and events working with community partners in Escambia County for Fiscal Year 2020/2021:
1. Pensacola Chapter Military Officers Association of America, in the amount of \$1,000;
 2. Epilepsy Florida, in the amount of \$500;
 3. J. M. Tate High School FFA Foundation, Inc., in the amount of \$1,000;
 4. Iron Men Outdoor Ministries, in the amount of \$2,000;
 5. Ensley Youth Sports Association, Inc., in the amount of \$1,000;
 6. Veterans Memorial Park Foundation of Pensacola, Inc., in the amount of \$1,000;
 7. Sheriff's Blazer Academy, in the amount of \$25,000;
 8. Sheriff's Neighborhood Cookout Program, in the amount of \$15,000;
 9. Sheriff's Autism Awareness Program, in the amount of \$4,000; and
- B. Adopt the Resolution [R2021-104] approving Supplemental Budget Amendment #122, to appropriate \$303,500 of the LET Fund fund balance, for future aids to private organizations and neighborhood engagements events.

(Continued on Page 30)

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

16. Continued...

(Funding Source: Fund 121, Law Enforcement Trust Fund, Cost Center 540103)

Motion: Move the balance
For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

17. Recommendation: That the Board take the following action concerning the Locally Funded Agreement (LFA) between the State of Florida Department of Transportation (FDOT) and Escambia County, Florida, Project #442920-1-4B-01 and 442920-1-43-01, for Interstate Circle over 8 Mile Creek (Bridge No. 484071) Bridge Replacement Project:

- A. Adopt and authorize the Chairman to sign the Resolution [R2021-105] authorizing the Locally Funded Agreement (LFA);
- B. Approve and authorize the Chairman to sign the Locally Funded Agreement (LFA) between Escambia County, Florida, and the State of Florida Department of Transportation (FDOT), for Interstate Circle over 8 Mile Creek (Bridge No. 484071) Bridge Replacement Project Right-of-Way Acquisition Phase (Project #442920-1-4B-01 and 442920-1-43-01);
- C. Approve and authorize the Chairman to sign the Three-Party Escrow Agreement; and
- D. Authorize the Chairman or his designee to execute, subject to Legal review and sign-off, any subsequent Agreements and program-related documents for this project that do not alter the finite terms of funding amounts or budgets.

(Continued on Page 31)

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

17. Continued...

This project is located in Commission District 1.

Vendor/Contractor	Funding	Amount	Contract Number
FDOT	Fund 353, LOST IV Cost Center 210106, Object Code 56301, Project #21EN1575	\$18,750 25% County (\$56,250 75% FDOT)	442920-1-4B-01 and 442920-1-43-01

Motion: Move the balance

For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.

Made by: Commissioner Bergosh

Seconded by: Commissioner Underhill

Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

18. Recommendation: That the Board ratify the following Purchase Orders related to Hurricane Sally, in excess of \$25,000, for the Engineering Department:

Vendor/Contractor	Funding	Amount	Description
Sigma Consulting Group, Inc. PO 211255	Fund 112, "Disaster Recovery Fund", Cost Center 330906, Object Code 53401 Emergency Watershed Protection (EWP)/Natural Resources Conservation Services (NRCS) 75%, State 25%	\$49,460	Engineering Services for Glynn Broc Gully/Gatewood Ditch to assist the County in coordination of the County's emergency responses and recovery activities associated with Hurricane Sally 2020 damages. Contract PD 02-03.79 Professional Services
Sigma Consulting Group, Inc. PO 211254	Fund 112, "Disaster Recovery Fund", Cost Center 330906, Object Code 53401 EWP/NRCS 75%, State 25%	\$47,315	Engineering Services for Willowbrook Dam to assist the County in coordination of the County's emergency responses and recovery activities associated with Hurricane Sally 2020 damages. Contract PD 02-03.79 Professional Services

Motion: Move the balance
For Information: The "balance" refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – JUNE 3, 2021

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

19. Recommendation: That the Board approve the reimbursement of the Pensacola Bay Center, in the amount of \$12,539.64, for the purchase of COVID-19 PPE and Social Distancing signs.

Escambia County has received reimbursement for the full allocation of \$57,285,295 of CARES Act Funding.

Motion: Move the balance
For Information: The “balance” refers to Budget/Finance Consent Agenda items 1 through 19, with the exception of items 8 and 15, which were held for separate votes.
Made by: Commissioner Bergosh
Seconded by: Commissioner Underhill
Disposition: Carried 4-0, with Commissioner May temporarily out of Board Chambers

III. FOR DISCUSSION

1. Recommendation: That the Board discuss the reappointment of District 1 Interim Medical Examiner, Deanna Oleske, M.D.

Motion: Move the item with the form to be filled out by the DOMES representative and signed by the Chairman
Made by: Commissioner May
Seconded by: Commissioner Underhill
Disposition: Carried unanimously

2. Recommendation: That the Board discuss the Planning Board Presentation by DPZ for the OLF-8 Masterplan.

Disposition: No action taken
For Information: This item was discussed during the Agenda Work Session.

COUNTY ATTORNEY’S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

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

- A. Approve the tender of defense and indemnity by RSUI Group and Covington Insurance, as the general liability carrier for Sunset Holding Company, Inc.;
- B. Approve the substitution of Counsel by the Firm of Cole, Scott & Kissane, P.A., and Joshua Barrows for the County Attorney’s Office, as attorney for SRIA and Escambia County; and
- C. Authorize the dismissal of the cross-claim brought by SRIA and Escambia County against Sunset Holding Company, Inc.

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

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

- A. Approve the Amendment to the Interlocal Agreement and authorize the Chairman to execute; and
- B. Approve the issuance of bonds by the FDFC for the Lakeview Center, Inc. Project and approve the Resolution and authorize the Chairman to execute.

For Information: This item was dropped when the Board adopted the amended agenda.

3. Recommendation: At the request of Commissioner Barry, that the Board discuss the County Administrator’s contract and vote to schedule the contract as an agenda item on the June 17, 2021, BCC meeting agenda.

Motion: I would ask my colleagues to put the contract on the agenda for the 17 th and we will take up all the discussion then.
Made by: Commissioner Barry
Seconded by: Commissioner Bergosh
Disposition: Carried unanimously
Speaker(s): Jacqueline Rogers

MINUTES – JUNE 3, 2021

COUNTY ATTORNEY’S REPORT – Continued

II. FOR DISCUSSION

1. Recommendation: That the Board discuss the following:
 - A. Approve or deny the request of Southeastern Freight Lines, Inc. for the Board to release its reserved mineral rights under Section 270.11, Florida Statutes;
 - B. If approved, determine the amount, if any, that Southeastern Freight Lines, Inc. must pay for the release; and
 - C. If approved, authorize the Chairman to execute the release.

Motion: Move CAT II-1, A, B, and C at zero dollars
For Information: Chips Kirschenfeld, Natural Resources Management Director, advised the Board that staff knew of no public interest in maintaining the mineral rights.
Made by: Commissioner Barry
Seconded by: Commissioner Bergosh
Disposition: Carried unanimously

2. Recommendation: At the request of Commissioner Barry, that the Board discuss the following:
 - A. Discuss the County’s 401a annuity program, an option offered to Senior Management Service (SMSC) employees and Elected Official Class (EOC) participants pursuant to Florida law and the regulations governing the Florida Retirement System; and
 - B. Authorize in concept a resolution, as set forth in the attached Advisory Opinion from the Florida Commission on Ethics, for the class of SMSC and EOC participants who were not informed of the 401a annuity program’s benefits or how it differs from the FRS options; and
 - C. Authorize the resolution offered to the class of affected SMSC and EOC personnel to be limited to those in the class who execute a release, who are in or have transferred to the FRS Investment Plan, who then opt out of the FRS entirely per §121.052(3)(d) or §121.055(1)(b)2, Fla. Stat. and into the County’s 401a annuity program, and who have their resolution adopted by a majority vote of the Board of County Commissioners during a public session; and

(Continued on Page 36)

MINUTES – JUNE 3, 2021

COUNTY ATTORNEY’S REPORT – Continued

II. FOR DISCUSSION – Continued

2. Continued...

- D. Authorize a resolution formula that retroactively captures the delta between the employer contribution amount that would have been captured in the 401a account and the amount that was captured in the FRS Investment account on the participant’s behalf, for solely the term that the participant could have been in the 401a program, but was not due to a lack of proper information; and
- E. Accept the attached Advisory Opinion of the Commission on Ethics, adopted by the Commission on Ethics during open public session on March 5, 2021 as guidance for this resolution; and
- F. Identify a funding source for those class members who proceed with the resolution set forth in this recommendation; and
- G. Accept notice that the County Attorney will not pursue membership in the County’s 401a program nor the proposed resolution set out above.

Disposition: No action taken

For Information: After a lengthy discussion, the Board agreed to ask County Attorney Rogers to obtain, put together, and provide the Board with a written legal opinion regarding the legality of items A through G.

Speaker(s): Melissa Pino, Jacqueline Rogers, and Bryan Caro

MINUTES – JUNE 3, 2021

ITEMS ADDED TO THE AGENDA

I. COMMISSIONER STEVEN BARRY, DISTRICT 5

1. Verbal Add-On Item Related to Public Records Requests

Motion: Move to clarify and define the fact that anything related to our offices are, first of all, going to be shared immediately with our offices before the compilation of data is completed because we are a part of the compilation of that data if it pertains to our districts and anything also pertaining to our districts be funneled to the County Attorney's office before it's released for her purview with her being one of the two employees that we actually oversee.

For Information: The Board also discussed the practice of charging for records requests and having an item brought back to the Board with the numbers related to the volume of records requests before determining whether all such requests should funnel through the County Attorney's office or just the ones identified in the motion.

Made by: Commissioner Barry

Seconded by: Commissioner May

Disposition: Carried 4-1, with Commissioner Underhill voting "no"


Speaker(s): Melissa Pino

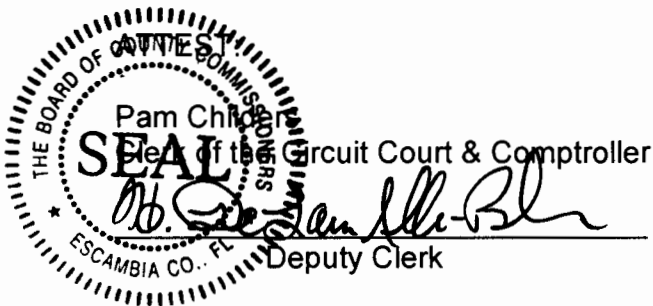
ANNOUNCEMENTS – None.

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 8:25 p.m.

BOARD OF COUNTY COMMISSIONERS
ESCAMBIA COUNTY, FLORIDA

By: 
Robert Bender, Chairman



Approved: June 17, 2021