

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

**APRIL 16, 2019**

Present: Commissioner Lumon J. May, Chairman, District 3  
Commissioner Steven L. Barry, Vice Chairman, District 5  
Commissioner Robert D. Bender, District 4  
Commissioner Jeffrey W. Bergosh, District 1  
Commissioner Douglas B. Underhill, District 2  
Honorable Pam Childers, Clerk of the Circuit Court and Comptroller  
Amy Lovoy, Interim County Administrator  
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 May called the Regular Meeting of the Board of County Commissioners to order at 9:13 a.m.

2. Invocation

Commissioner Underhill delivered the invocation.

3. Pledge of Allegiance to the Flag

Commissioner Barry led the Pledge of Allegiance to the Flag.

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REGULAR BCC AGENDA – Continued

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

<b>Motion:</b> Move the agenda, as amended
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Underhill
<b>Disposition:</b> Carried unanimously

5. Commissioners' Forum:

- A. District 4 – Commissioner Bender provided comments;
- B. District 5 – Commissioner Barry provided comments; and
- C. District 3 – Commissioner May provided comments.

6. Presentation - Plaque by Commissioner Barry to M. Gabe Jackson, III, for his service as Commissioner Barry's appointee on the Escambia Marine Advisory Committee from November 20, 2012, through January 14, 2019.

<b>Motion:</b> Move Item 6 in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried unanimously

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

- A. Adopt the Proclamation proclaiming April 25, 2019, as "National Get on Board Day" in Escambia County, Florida, and joining with Escambia County Area Transit and public transportation agencies across the country to participate in the 1st annual National Get on Board Day to encourage people to ride public transportation on April 25, 2019;
- B. Adopt the Proclamation proclaiming the week of April 28 - May 4, 2019, as "Family Values Week" in Escambia County, Florida, and honoring and commending the Scottish Rite Masons, Valley of Pensacola, for their leadership, dedication, and service to the community; and

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REGULAR BCC AGENDA – Continued

7. Continued...

- C. Ratify the Proclamation, dated April 11, 2019, congratulating the Pensacola Alumnae Chapter of Delta Sigma Theta Sorority, Inc., for 70 years of faithful and dedicated service to the citizens of Escambia County.

<b>Motion:</b> Move Item 7, A, B, and C
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried unanimously
<b>Speaker(s):</b> Tonya Ellis

8. Written Communication – March 28, 2019, communication from Tammy Bohannon requesting Lien relief for the owner of property located at 1504 Sonia Street.

Recommendation: That the Board review and consider the Lien relief request made by Tammy Bohannon, realtor for the owner (Northern Horizons, LLC, and Wayne Wheatley), against 1504 Sonia Street, which Lien was generated from property located at 2115 Herman 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 of Environmental (Code) Enforcement Liens to determine if the request met the criteria 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.

Ms. Bohannon submitted a written request dated March 28, 2019, asking for Lien relief. The property is currently owned by the owner/violator of both properties located at 1504 Sonia Street and 2115 Herman Street, Northern Horizons, LLC and Wayne Wheatley.

<b>Motion:</b> Move that we grant the partial lien release against Sonia Street but not against the remaining properties owned by Northern Horizons
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously
<b>Speaker(s):</b> Tammy Bohannon

MINUTES – APRIL 16, 2019

REGULAR BCC AGENDA – Continued

9. 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 [**Note:** the Clerk’s office received the proof of publication for the Board’s Weekly Meeting Schedule after the Meeting]:
- A. The 9:01 a.m. Public Hearing, advertised in the *Pensacola News Journal* on April 1 and 6, 2019, for consideration of the Fiscal Year 2019 proposed Grant Application for mass transit projects;
  - B. The 9:15 a.m. Public Hearing, advertised in the *Pensacola News Journal* on April 1, 2019, concerning the renewal of a Recycling Permit for an asphalt/concrete crushing recycling and processing facility located at 2390 Longleaf Drive, Pensacola, FL, Sunbelt Crushing, LLC; and
  - C. The 9:16 a.m. Public Hearing, advertised in the *Pensacola News Journal* on April 1, 2019, concerning the issuance of an Operational Permit for Resource Extraction for a borrow pit known as Black Gold Sand and Clay Borrow Pit.

<b>Motion:</b> Move that we waive the reading
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried unanimously

10. Recommendation: That the Board, at the 9:01 a.m. Public Hearing, take the following action concerning the Fiscal Year 2019 Grant Application for Federal Transit Administration (FTA) Section 5307 Funds for operating and capital expenses:
- A. Conduct the Public Hearing for the purpose of receiving comments from the general public on the Grant Application by the Mass Transit Department for \$3,533,637 in Federal Assistance for Operating and Capital expenses;
  - B. Approve, or amend and approve, the Grant application after receiving comments at the Public Hearing;
  - C. Adopt the Resolution [R2019-43] authorizing the Chairman to execute all appropriate documents for the processing and receipt of federal funds from the Federal Transit Administration; and

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REGULAR BCC AGENDA – Continued

10. Continued...

- D. Authorize the Mass Transit Department Director to file the Grant Application via the Federal Transportation Award Management System (TrAMS).

[Budgetary Impact - The Grant Application is for a total of \$3,533,637, and is included in the Mass Transit Fund 104 Fiscal Year 2019 Budget.]

<b>Motion:</b> Move the Item, A through D
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Underhill
<b>Disposition:</b> Carried unanimously
<b>Speaker(s):</b> None

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

**I. CONSENT AGENDA**

1. Recommendation: That the Board approve Records Disposition Document No. 686, for disposition of Board of County Commissioners' Records, Item 32, Minutes: Official Meetings, for the period July 5, 2018, through December 13, 2018, in accordance with State Retention Schedule GS1, since the permanent records have been digitally imaged.

<b>Motion:</b> Move the Clerk’s Report
<b>Made by:</b> Commissioner Bergosh
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried unanimously

2. Recommendation: That the Board take the following action concerning Minutes and Reports prepared by the Clerk to the Board's office:
- A. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session held April 4, 2019;
- B. Accept, for filing with the Board's Minutes, the Report of the Gary Sansing Public Forum held April 4, 2019; and
- C. Approve the Minutes of the Regular Board Meeting held April 4, 2019.

<b>Motion:</b> Move the Clerk’s Report
<b>Made by:</b> Commissioner Bergosh
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried unanimously

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

**I. PUBLIC HEARING**

1. Recommendation: That the Board of County Commissioners, at the 9:15 a.m. Public Hearing, review and approve, modify, or deny the renewal of a Recycling Permit for an existing asphalt/concrete crushing recycling and processing facility located at 2390 Longleaf Drive, Pensacola, FL, owned by Sunbelt Crushing, LLC ("Sunbelt").

<b>Motion:</b> Move that we approve the permit as Item number 1 under the Public Hearings
<b>Made by:</b> Commissioner Bergosh
<b>Seconded by:</b> Commissioner Underhill
<b>Disposition:</b> Carried 4-1, with Commissioner May voting “no”
<b>Speaker(s):</b> Dr. Gloria Horning, Todd Harris, George Levy, Dr. Calvin Avant, Dianne Krumel, and Frances Hinely

2. Recommendation: That the Board, at the 9:16 a.m. Public Hearing, take the following action in regard to the “Operational Permit” for Resource Extraction for a new resource extraction facility borrow pit, located at 1950 Morgan Cemetery Road, parcel reference number 21-3N-31-1101-000-002:
  - A. Review and approve, modify, or deny the issuance of an Operational Permit for Resource Extraction for a new borrow pit; and
  - B. Approve, and authorize the Development Services Department of Escambia County, Florida, to issue, an Operational Permit for Resource Extraction for Black Gold Sand and Clay Borrow Pit, located at 1950 Morgan Cemetery Road.

<b>Motion:</b> Move to approve A and also B
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously
<b>Speaker(s):</b> None

**COUNTY ADMINISTRATOR'S REPORT** – Amy Lovoy, Interim County Administrator

**I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA**

1. Recommendation: That the Board take the following action concerning appointments/reappointment to the Escambia County Contractor Competency Board:

A. Waive the Board's Policy, Section I, Part B 1.(D), Appointment Policy and Procedures, and reappoint Michael E. Batchelor, Roofing Contractor, to serve in a Division II Contractor position, for a three-year term, effective May 1, 2019, through April 30, 2022; and

B. Appoint the following individuals to serve in the Division I/Division II Contractor positions, for a three-year term, effective May 1, 2019, through April 30, 2022:

(1) Erwin D. Waters - General Contractor, Waters General Contractors, Inc.;

(2) Drew C. Dennis - Residential Contractor, Omega Construction and Design, Inc.;  
and

(3) Jonathan Tarr, Sr. - Plumbing Contractor, Pensacola Christian College.

A Community and Media Relations General Alert, posted March 6, 2019, advising "Appointees Sought for Contractor Competency Board," received only the four applicants listed above by the posted deadline of March 20, 2019.

<b>Motion:</b> Move the Technical/Public Service Consent Agenda
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

2. Recommendation: That the Board approve the Request for Disposition of Property Form for the Roads and Bridges Department, for property which is described and listed on the Form, with reason for disposition stated. The listed item has been found to be of no further usefulness to the County; thus, it is requested that it be disposed of properly. The Request Form has been signed by all applicable authorities.

<b>Motion:</b> Move the Technical/Public Service Consent Agenda
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

MINUTES – APRIL 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

3. Recommendation: That the Board approve the Request for Disposition of Property Form for the Corrections Department, listing one item. The listed item has been found to be of no further usefulness to the County; thus, it is requested that it be approved for disposal.

<b>Motion:</b> Move the Technical/Public Service Consent Agenda
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

4. Recommendation: That the Board accept the Affordable Housing Incentive Plan Review Report (Report) as prepared by the Affordable Housing Advisory Committee (AHAC) and authorize staff to submit the Report to the Florida Housing Finance Corporation (FHFC).

<b>Motion:</b> Move the Technical/Public Service Consent Agenda
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

5. Recommendation: That the Board acknowledge, for the Official Record, the Pensacola City Council's appointment of Dr. Charletha D. Powell to the Escambia County Mass Transit Advisory Committee, to serve a two-year term, effective March 28, 2019, through May 1, 2021.

<b>Motion:</b> Move the Technical/Public Service Consent Agenda
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously



COUNTY ADMINISTRATOR'S REPORT – Continued

**II. BUDGET/FINANCE CONSENT AGENDA**

1. Recommendation: That the Board take the following action concerning Amendment #014 to Agreement #A0150 with Big Bend Community Based Care, Inc.:
  - A. Approve Amendment #014 to Contract #A0150; this Amendment is to update and replace Exhibit G-Funding Detail to reflect the change in funding Other Cost Accumulator (OCA); the total dollar amount of funding will not change and will remain at \$43,971; and
  - B. Authorize the Chairman to sign Amendment #014 to Contract #A0150, including necessary attachments.

[Funding: This Contract is a fixed rate Contract for a total of \$43,971, for Fiscal Year 2018/2019.]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

2. Recommendation: That the Board approve the utilization of the first of two possible twelve-month renewal periods provided for under Section 2 of PD 17-18.003, Agreement for Psychiatry Services between Escambia County, Florida and LocumTenens.com, LLC.

[Funding: Fund 001, General Fund; Cost Center 290402]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

3. Recommendation: That the Board accept the U.S. Department of Interior, National Park Service Award/Contract, for Order Number 140P5219P0042, to reimburse Escambia County up to \$114,000, for the period of 5/17/2019 to 9/2/2019.

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

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

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

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

4. Recommendation: That the Board take the following action regarding the Second Amendment to the Interim Interlocal Agreement for Materials Recovery Facility:
- A. Approve the Second Amendment to the Interim Interlocal Agreement for Materials Recovery Facility, amending as described therein, Paragraph 2, "County's Lease of Real Property"; Paragraph 3, "ECUA to Construct MRF"; Paragraph 5, "Yard Trash"; Paragraph 6, "Term"; and to add Paragraph 20, "Termination for Cause"; and

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COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

4. Continued...

B. Authorize the Chairman to sign the Second Amendment to the Interim Interlocal Agreement for Materials Recovery Facility.

[Funding: Fund 401, Solid Waste Fund; Cost Centers 230306 (Recycling) and 230314 (Landfill Operations)]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

5. Recommendation: That the Board approve, and authorize the Interim County Administrator to execute, the following Change Order 2, adding funds for parts and services on Escambia County vehicles:

Department	Mass Transit
Division	Maintenance
Type	Addition
Amount	\$40,000
Vendor	Pete Moore Chevrolet, Inc.
Purchase Order	190409
Change Order	2
Original Award Amount	\$30,000
Cumulative Amount of Change Orders through this Change Order:	\$50,000
New Purchase Order Total	\$90,000

[Funding Source: Fund 104 Mass Transit, Cost Center 211213, Object Code 54606]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

MINUTES – APRIL 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

6. Recommendation: That the Board approve, and authorize the County Administrator to execute, the following Changer Order 2, adding funds for Engine parts on Escambia County Vehicles:

Department	Mass Transit
Division	Maintenance
Type	Addition
Amount	\$25,000
Vendor	Jasper Engine & Transmission Exc.
Purchase Order	190406
Change Order	2
Original Award Amount	25,000
Cumulative Amount of Change Orders through this Change Order:	\$55,000
New Purchase Order Total:	\$80,000

[Funding Source: Fund 104 Mass Transit, Outside Fleet Maintenance Cost Center 211213, Object Code 54606]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

7. Recommendation: That the Board approve, and authorize the Chairman to sign, the State of Florida, Florida Fish and Wildlife Conservation Commission (FWC) Agreement No. 18212, relating to the Derelict Vessel Removal Grant for Fiscal Year 2018-2019 which provides up to \$8,045.10 in grant funding from FWC combined with Escambia County's in-kind and matching funds up to \$5,000 from Vessel Registration Fees.

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

- 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."

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COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

7. Continued...

- Paragraph 31, JURY TRIAL WAIVER, (page 18 of 20), "As part of the consideration for 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*."

[Funding Source: Fund 110, Other Grants and Projects, Cost Center to be determined at the time of Supplemental Budget Amendment. Match of in-kind services and cash match from Vessel Registration Fees.]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

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

- A. Authorize the County to utilize the Florida Sheriff's Association Contract FSA18-VEH16.0 in accordance with the Escambia County, Florida Code of Ordinances, Chapter 46, Article II, Section 46-44, Application; Exemptions; and Section 46-64, Board approval, for the purchase of a 2020 International HV 507 SFA, Solicitation VE 18-19.015; and
- B. Authorize the Interim County Administrator to execute all related documents and Purchase Orders in excess of \$50,000, for the Waste Services Department for the Purchase Order to Ward International Trucks of Florida, LLC, in the amount of \$286,017.43.

In an effort to encourage competition for local businesses, and in compliance with Board-adopted policy, this vehicle purchase was advertised on the Escambia County web site for thirty days. Ward International Trucks of Florida, LLC, was the lone bidder against the original quote.

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MINUTES – APRIL 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

8. Continued...

[Funding: Fund 401, Solid Waste Fund; Cost Center 230314, Solid Waste Management Operations; Object Code 56401, Machinery & Equipment]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

9. Recommendation: That the Board take the following action regarding the purchase of four 2019 Model Pierce Fire Engines:

- A. Authorize the County to utilize the National Purchasing Partners (NPP) d/b/a NPPGov, a group purchasing organization, Contract Number 1420 Specification 2.1, in accordance with Escambia County, Florida, Code of Ordinances, Chapter 46, Article II, Section 46-44, Application; Exemptions; and Section 46-64, Board approval; and
- B. Authorize the issuance of a Purchase Order for the purchase of the following four 2019 Model Pierce Fire Engines for the Public Safety Fire Department of Escambia County, Florida, to Ten-8 Fire Equipment, Inc., in the sum of \$2,036,267.10, according to the specifications outlined in Solicitation PD 18-19.047.

There are no local businesses offering to sell a new fire truck, therefore the Board-adopted policy regarding local businesses having the opportunity to bid is not applicable.

[Funding: Fund 352, LOST (Local Option Sales Tax) III; Cost Center 330228, Fire Services Cap Project; Object Code 56401, Machinery & Equipment; Project Code 08FS0018 Vehicle/Apparatus Replacement]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

MINUTES – APRIL 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

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

- A. Rescind the Agreement approved by the Board on February 21, 2019, (CAR II-11, AI-15640; 2019-000251 BCC), Local Agency Program (LAP) Design Services for Dawson Road Over Pritchett Mill Creek Bridge (484046); and
- B. Approve, and authorize the Interim County Administrator to sign, the Agreement between Escambia County and Mott MacDonald Florida, LLC, per the terms and conditions of PD 17-18.032, Dawson Road Over Pritchett Mill Creek Bridge (484046), a Florida Department of Transportation (FDOT) Local Agency Program (LAP) with a FPN: 432287-1-38-01, and Federal No. (FAIN): D317-051-B, for an amount not to exceed \$509,387.78.

[Funding: Fund 352, LOST (Local Option Sales Tax) III; Cost Center 210128, LAP-Dawson/Pritchett Mill; Object Code 56301, Improvements Other Than Buildings; Project #13EN2188; LAP Portion (75%) \$382,040.83; Fund 352, LOST III; Cost Center 210107, Transportation and Drainage; Object Code 56301, Improvements Other Than Buildings; Project #13EN2188; County Portion (25%) \$127,346.95; Total \$509,387.78]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

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

- A. Authorize the County to utilize the Sourcewell (formerly NJPA) Purchasing Contract 032515-JDC in accordance with the Escambia County, Florida Code of Ordinances, Chapter 46, Article II, Section 46-44, Application; Exemptions; and Section 46-64, Board approval for the purchase of a 2019 John Deere 744K-II Loader; and
- B. Authorize the Interim County Administrator to execute all related documents and Purchase Orders in excess of \$50,000 for the Waste Services Department for the Purchase Order to Beard Equipment Company, in the amount of \$399,612.80.

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MINUTES – APRIL 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

11. Continued...

In an effort to encourage competition from local businesses, and in compliance with Board-adopted policy, this vehicle purchase was advertised on the Escambia County web site for thirty days. Beard Equipment Company was the lone bidder against the original quote.

[Funding: Fund 401, Solid Waste Fund; Cost Center 230307, Palafox Transfer Station; Object Code 56401, Machinery & Equipment]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

12. Recommendation: That the Board approve, and authorize the Interim County Administrator to sign, the Agreement between Escambia County, Florida and Utility Services Company, Inc., per the terms and conditions of PD 18-19.022, Lake Charlene Sediment Catchment, in the amount of \$296,043.87.

[Funding: Fund 352, LOST (Local Option Sales Tax) III, Cost Center 210107, Object Code 56301 - Total \$296,043.87]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

13. Recommendation: That the Board approve, and authorize the Interim County Administrator to sign, the Agreement between Escambia County, Florida, and Panhandle Grading and Paving, Inc., per the terms and conditions of PD 18-19.028, Blueberry Lane Dirt Road Paving, in the amount of \$683,331.

[Funding: Fund 353, LOST (Local Option Sales Tax) IV, Cost Center 210106, Object Code 56301, Project Number 18EN0255]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously



MINUTES – APRIL 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

14. Recommendation: That the Board take the following action concerning an Interlocal Agreement between Florida-Alabama Transportation Planning Organization, Escambia County Board of County Commissioners, and the City of Pensacola for the West Cervantes Street/Mobile Highway Traffic Feasibility Study:

- A. Approve the Interlocal Agreement between Florida-Alabama Transportation Planning Organization, Escambia County Board of County Commissioners, and the City of Pensacola for the West Cervantes Street/Mobile Highway Traffic Feasibility Study; and
- B. Authorize the Chairman to sign the Interlocal Agreement between Florida-Alabama Transportation Planning Organization, Escambia County Board of County Commissioners, and the City of Pensacola.

[Funding: Fund 353, LOST (Local Option Sales Tax) IV, Cost Center 210106, Object Code 56301, Project #19EN0719 \$44,097.48 in Fiscal Year 2019.(The total contract amount with HDR will be \$122,493, and the City of Pensacola's portion is \$78,395.52)]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

MINUTES – APRIL 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

15. Recommendation: That the Board approve the reallocation of funds from Fund 352, Local Option Sales Tax (LOST) III, Cost Center 210107, Transportation and Drainage (T&D), in the amount of \$296,044, to the following projects:

**FROM:**

Type	Description	District	Amount
D	Gulf Beach Highway	2	\$256,911
D	Jackson Lake Diversion Project	2	\$12,205
D	Mayfair/Algiers	2	\$26,678
D	Talladega Trail	2	\$250
	<b>Total Drainage</b>		<b>\$296,044</b>
	<b>Grand Total to Transfer</b>		<b>\$296,044</b>

**TO:**

Type	Description	District	Amount
D	Lake Charlene Sediment Catchment	2	\$296,044
	<b>Grand Total</b>		<b>\$296,044</b>

[Funding Source: Fund 352, "Local Option Sales Tax III," Account 210107, Transportation and Drainage]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

MINUTES – APRIL 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

16. Recommendation: That the Board authorize Escambia County to issue a Purchase Order in the amount of \$74,980.35, for Fiscal Year 2018-2019, for the Office of Court Administration, to Security Engineering, Inc., to replace and enhance the current Video Surveillance Management Systems at the M.C. Blanchard Judicial Building and the Theodore Bruno Juvenile Justice Center. The upgrade is necessary in order to maintain a high level of security for the judiciary, staff, and public which utilize these facilities.

This will not impact the General Revenue Fund.

[Funding: Fund 353, Judicial Capital Improvement LOST (Local Option Sales Tax) IV, Cost Center 410417, Object Code 56401, Machinery and Equipment]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

17. Recommendation: That the Board approve the Funding Allocation of \$150 from Commissioner Lumon May's Discretionary Fund to support St. James Missionary Baptist Church Mother's Day Event.

[Funding: Fund 001, Discretionary Money, Cost Center 110101, Cost Center 58201]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

18. Recommendation: That the Board approve the Application for Tax Deed List for any of the 96 properties having County-held Tax Certificates set [to] expire on June 1, 2019, that remain unpaid at the time of application. (See provided list.) 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 these 96 Tax Deed Applications is \$71,232.

(Continued on Page 20)

MINUTES – APRIL 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

18. Continued...

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 the 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 on property valued at less than \$5,000 on the Property Appraiser's most recent assessment roll. There are seven of the subject properties valued at \$5,000 or above, and the remainder are valued below \$5,000. The County has held a Tax Certificate on each of these parcels for almost seven years, and the Certificates are set to expire on June 1, 2019. This is the County's last chance to attempt to collect on these delinquent taxes.

[Funding Source: Fund 001, General Fund, Cost Center 110201]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

19. Recommendation: That the Board approve funding \$500 from Commissioner Robert Bender's discretionary funds for the Carpenter's Creek Appreciation Day and Cleanup scheduled for April 27, 2019.

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

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

MINUTES – APRIL 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

20. Recommendation: That the Board approve, and authorize the Interim County Administrator to sign, the Agreement between Escambia County and Mehta & Associates, Inc., per the terms and conditions of PD 17-18.043, Local Agency Program Agreement Bauer Road Paved Shoulders, Construction Engineering and Inspection services, FPN: 437085-1-68-01, Federal No. (FAIN): 9044-034-C, for an amount not to exceed \$45,809.90.

[Funding: Fund 352, LOST (Local Option Sales Tax) III, Cost Center 210116, Object Code 56301, Project Number 16EN3441]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

21. Recommendation: That the Board take the following action concerning the acceptance of the Drainage Easement (approximately 4,652 square feet), located at 901 South Old Corry Field Road, from The Area Housing Commission:
- A. Accept the donation of a Drainage Easement, located at 901 South Old Corry Field Road, for drainage improvements;
  - B. Authorize the payment of documentary stamps considering the property is being donated for governmental use for drainage improvements, and the County benefits from the acceptance of this property, which enhances the safety and well-being of the citizens of Escambia County;
  - C. Authorize the payment of incidental expenditures associated with the recording of documents; and
  - D. Authorize the Chairman or Vice Chairman to accept the Easement on the day of delivery of the Easement to the Chairman or Vice Chairman, and authorize the Chairman or Vice Chairman to acknowledge the Board's acceptance at that time.

(Continued on Page 22)

MINUTES – APRIL 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

21. Continued...

This property is located in Commission District 2.

[Funding Source: Funds for incidental expenses associated with the recording of documents are available in an Engineering Escrow Account.]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

22. Recommendation: That the Board approve, and authorize the Interim County Administrator to sign, the Agreement between Escambia County, Florida and Panhandle Grading and Paving, Inc. per the terms and conditions of PD 17-18.044, Local Agency Program Agreement Bauer Road Paved Shoulders, FPID: 437085-1-58-01, Federal-Aid Project Number: 9044-034-C, in the amount of \$443,969.60.

[Funding: Fund 352, LOST (Local Option Sales Tax) III/LAP Portion, Cost Center 210116, Object Code 56301, Project #16EN3441 - \$382,079; Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project #08EN0208 - \$47,671.81; Fund 352, LOST III, Cost Center 210107, Object Code 56301, Project #16EN3542 - \$14,218.79]

<b>Motion:</b> Move the Budget and Finance Consent Agenda, less Item 9, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

III. FOR DISCUSSION

1. Recommendation: That the Board waive the Board's Policy, Section I, Part B 1. (D), Appointment Policy and Procedures and reappoint Naresh (Nash) Patel, to the Tourist Development Council, for a four-year term, effective May 1, 2019, through April 30, 2023, as a "Hotel/Motel Industry" appointee.

<b>Motion:</b> "Move to support him continuing on that Board"
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried unanimously

MINUTES – APRIL 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION – Continued

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

A. Based on Board direction at the April 11, 2019, Committee of the Whole Workshop, approve the addition of candidates to be interviewed [for the County Administrator position]:

(1) Chris Martin;

(2) Janice Gilley; and

(3) Cedric Alexander; and

B. Approve the addition of any other candidates that the Board adds at the April 16, 2019, Board of County Commissioners Meeting.

<b>Motion:</b> Move the slate, as amended
<b>For Information:</b> Kimberly Washington and Ricardo Mendez were added to the list of candidates.
<b>Made by:</b> Commissioner Bergosh
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried unanimously

**COUNTY ATTORNEY’S REPORT** – Alison Rogers, County Attorney

**I. FOR ACTION**

1. Recommendation: That the Board take the following action:
  - A. Rescind the Board's action of March 7, 2019, adopting Resolution R2018-133 establishing the Escambia County Youth Commission;
  - B. Adopt the Resolution [R2019-44] establishing a committee with five (5) initial members of the Escambia County Youth Commission; and
  - C. Authorize the Chairman to sign the Resolution.

<b>Motion:</b> Move A, B, and C and Item 2
<b>For Information:</b> The motion refers to County Attorney’s Report Item 1, A, B, and C, and County Attorney’s Report Item 2.
<b>Made by:</b> Commissioner Bergosh
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried 4-0, with Commissioner Underhill temporarily out of Board Chambers

2. Recommendation: That the Board take the following action regarding the Interlocal Agreement between the Escambia County Board of County Commissioners and the City of Pensacola relating to the funding of the Escambia-Pensacola Human Relations Commission:
  - A. Approve the Interlocal Agreement with the City of Pensacola relating to the funding of the Escambia-Pensacola Human Relations Commission; and
  - B. Authorize the Chairman to execute the Interlocal Agreement.

<b>Motion:</b> Move A, B, and C and Item 2
<b>For Information:</b> The motion refers to County Attorney’s Report Item 1, A, B, and C, and County Attorney’s Report Item 2.
<b>Made by:</b> Commissioner Bergosh
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried 4-0, with Commissioner Underhill temporarily out of Board Chambers



**ITEMS ADDED TO THE AGENDA – COMMISSIONER DOUGLAS B. UNDERHILL**

1. Recommendation: That the Board take the following action, as recommended by the Committee of the Whole (C/W), at the April 11, 2019, C/W Workshop:
  - A. Authorize the Chairman, on behalf of the entire Board, to write a letter in support of the Memorandum from Superintendent Daniel R. Brown, Gulf Islands National Seashore, requesting approval for a waiver of entrance fees for May 4, 2019, from 9:00 a.m. to 12:00 p.m., for the Rosamond Johnson Memorial event; and
  - B. Authorize the printing of flyers, based on what Superintendent Brown believes to be the number of cars that will come through the gate during the aforementioned time period, to be paid for by Commissioner Underhill’s discretionary fund.

<b>Motion:</b> Move that we allow Chairman May, on behalf of all of us, to send the letter to Superintendent Brown’s supervisors and to print the flyers
<b>For Information:</b> Joy Tsubooka advised the Board that the Community and Media Relations department would absorb the cost for printing the flyers.
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

**ITEMS ADDED TO THE AGENDA – COMMISSIONER JEFFREY W. BERGOSH**

1. Recommendation: That the Board approve funding for \$500 for James B. Washington Education and Sports, Inc. (JBWES), for their Fundraiser on April 27, 2019, from Commissioner Jeff Bergosh’s discretionary money, and approve a Purchase Order for this purpose.

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

<b>Motion:</b> “I have two add-ons for my discretionary. One of them is the James Benny Washington Youth Program and the other one is I want to help support the Rosamond Johnson thing as well.”
<b>Made by:</b> Commissioner Bergosh
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried unanimously

MINUTES – APRIL 16, 2019

ITEMS ADDED TO THE AGENDA – COMMISSIONER BERGOSH – Continued

2. Recommendation: That the Board approve the funding allocation of \$1,000 from Commissioner Jeff Bergosh's discretionary money for the Rosamond Johnson Memorial Event.

<b>Motion:</b> "I have two add-ons for my discretionary. One of them is the James Benny Washington Youth Program and the other one is I want to help support the Rosamond Johnson thing as well."
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<b>Made by:</b> Commissioner Bergosh
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<b>Seconded by:</b> Commissioner Barry
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<b>Disposition:</b> Carried unanimously
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ITEMS ADDED TO THE AGENDA – COMMISSIONER STEVEN L. BARRY

1. Recommendation: That the Board consider and approve the request from the Gulf Coast Kid's House, for \$2,500 to be funded from the District V Discretionary fund, for the Brunch and Bubbles event, and approve the Purchase Order for this purpose.

<b>Motion:</b> Move \$2,500 for the Gulf Coast Kid's House in support of the Brunch and Bubbles event
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<b>Made by:</b> Commissioner Barry
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<b>Seconded by:</b> Commissioner Underhill
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<b>Disposition:</b> Carried unanimously
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ITEMS ADDED TO THE AGENDA – COMMISSIONER LUMON J. MAY

1. Recommendation: That the Board approve the funding allocation of \$1,000 from Commissioner Lumon May's discretionary money, for the Rosamond Johnson Memorial Event.

<b>Motion:</b> "I would like to, same as Commissioner Bergosh, do \$1,000 from my discretionary for the Rosamond Johnson Memorial Event."
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<b>Made by:</b> Commissioner May
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<b>Seconded by:</b> Commissioner Bergosh
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<b>For Information:</b> Chairman May passed the gavel to Vice Chairman Barry for this Item.
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<b>Disposition:</b> Carried unanimously
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MINUTES – APRIL 16, 2019

ITEMS ADDED TO THE AGENDA – COMMISSIONER MAY – Continued

2. Verbal Item Added to the Agenda

<b>Motion:</b> “Last week I gave \$250 for the Tanyard Neighborhood Association for their Easter Egg Hunt. That should have been \$500. So I want to move \$250 from my discretionary to the Tanyard Neighborhood Association.”
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<b>Made by:</b> Commissioner May
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<b>Seconded by:</b> Commissioner Bergosh
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<b>For Information:</b> Chairman May passed the gavel to Vice Chairman Barry for this Item.
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<b>Disposition:</b> Carried unanimously
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**ANNOUNCEMENTS** – None.

**ADJOURNMENT**

There being no further business to come before the Board, Chairman May declared the Regular Meeting of the Board of County Commissioners adjourned at 10:50 a.m.

BOARD OF COUNTY COMMISSIONERS  
ESCAMBIA COUNTY, FLORIDA

By: \_\_\_\_\_  
Lumon J. May, Chairman

ATTEST:

Pam Childers  
Clerk of the Circuit Court & Comptroller

\_\_\_\_\_  
Deputy Clerk

Approved: May 2, 2019