

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

**MAY 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  
Matt Coughlin, Interim County Administrator  
Alison Rogers, County Attorney  
Lizabeth Carew, Administrative Specialist, Clerk and Comptroller's Office  
Shamara Jernigan, Agenda Program Coordinator, County Administrator's Office  
Codey Leigh, Director of Court Services, Clerk and Comptroller's Office

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

Minutes prepared by: Lizabeth Carew

**REGULAR BCC AGENDA**

1. Call to Order

Chairman May called the Regular Meeting of the Board of County Commissioners to order  
at 9:15 a.m.

2. Invocation

Pastor David Morris, St. Mark United Methodist Church, delivered the Invocation.

3. Pledge of Allegiance to the Flag

Commissioner Barry led the Pledge of Allegiance to the Flag.

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

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

MINUTES – MAY 16, 2019

REGULAR BCC AGENDA – Continued

- 5. Commissioners' Forum:
  - A. District 1 – Commissioner Bergosh provided comments;
  - B. District 4 – Commissioner Bender provided comments;
  - C. District 5 – Commissioner Barry provided comments; and
  - D. District 3 – Commissioner May provided comments.
  
- 6. Recommendation: That the Board take the following action concerning adoption/ratification of Proclamations:
  - A. Adopt the Proclamation proclaiming the week of May 19 - 25, 2019, as "Emergency Medical Services Week" in Escambia County, and reminding the community of the vital importance of the services provided by Escambia County Emergency Medical Services, and encouraging all citizens to honor the "Everyday Heroes" dedicated to emergency medical care; and
  
  - B. Ratify the Proclamation, dated May 3, 2019, proclaiming Saturday, May 4, 2019, as "Rosamond Johnson Beach Day" in Escambia County, in honor and memory of Private Rosamond Johnson, Jr., who made the ultimate sacrifice for our freedom.

<b>Motion:</b> To move Item A and B
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Underhill
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

REGULAR BCC AGENDA – Continued

7. Written Communication – April 12, 2019, communication from Joe M. Barham, Jr., requesting Lien relief for property located at 6011 Hilltop Road.

Recommendation: That the Board review and consider the Lien relief request made by Joe M. Barham, Jr., part owner of the properties, against 2501 East Olive Road and attached to 6011 Hilltop Road.

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.

The owner is requesting a partial release of lien for the property located at 6011 Hilltop Road from the lien generated at 2501 East Olive Road so they can sell the property.

<b>Disposition:</b> No action taken
<b>Speaker(s):</b> Joe Barham

8. Recommendation: That the Board waive the reading of the legal advertisement and accept, for filing with the Board's Minutes, the certified affidavit establishing proof of publication for the *Board of County Commissioners – Escambia County, Florida, Meeting Schedule, May 13-May 17, 2019*, as published in the *Pensacola News Journal* on May 11, 2019.

<b>Motion:</b> To move the waiving of the advertisement
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

REGULAR BCC AGENDA – Continued

9. Recommendation: That the Board take the following action concerning public safety training options and the appointment of an Acting County Administrator, as recommended by the Committee of the Whole (C/W) at the May 9, 2019, C/W Workshop:
- A. Recognize that the Board has a training issue that needs to be addressed and move forward with the procurement of training services to meet the criteria set forth by the Medical Director using the expedited procurement process (C/W Item #5); and
  - B. Appoint Matt Coughlin as Acting County Administrator through July 1st, with the minimum County Administrator salary and all benefits of the position, including a car allowance (Verbal Add-On Item #1).

<b>Motion:</b> To approve Item B with all the associated backup
<b>Made by:</b> Commissioner Bergosh
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried unanimously

<b>Disposition:</b> No action taken on Item A
<b>Speaker(s):</b> Melissa Pino, Larry Downs, Jr., Nick Gradia

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

**I. CONSENT AGENDA**

1. Recommendation: That the Board adopt, and authorize the Chairman to sign, the Resolution [R2019-47] authorizing the write-off of \$3,690.79 of returned checks and accounts receivable in various funds of the County that have been determined to be uncollectible bad debts.

<b>Motion:</b> To move the Clerk's Report
<b>Made by:</b> Commissioner Bergosh
<b>Seconded by:</b> Commissioner Underhill
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

CLERK OF COURTS & COMPTROLLER’S REPORT – Continued

- I. CONSENT AGENDA – Continued
2. Recommendation: That the Board take the following action concerning Minutes and Reports prepared by the Clerk to the Board's Office:
  - A. Approve the Minutes of the Special Board Meeting held April 29, 2019;
  - B. Accept, for filing with the Board's Minutes, the Report of the Agenda Work Session and the Report of the Gary Sansing Public Forum held May 2, 2019; and
  - C. Approve the Minutes of the Regular Board Meeting held May 2, 2019.

<b>Motion:</b> To move the Clerk's Report
<b>Made by:</b> Commissioner Bergosh
<b>Seconded by:</b> Commissioner Underhill
<b>Disposition:</b> Carried unanimously

COUNTY ADMINISTRATOR'S REPORT – Matt Coughlin, Interim County Administrator

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA

1. Recommendation: That the Board take the following action concerning the Data Use Agreement between the University of Florida and Escambia County:
  - A. Approve the Data Use Agreement, to allow the disclosing of limited data set of protected health information for research; and
  - B. Authorize the Interim County Administrator to sign the Agreement.

<b>Motion:</b> To move Technical/Public Service Consent Agenda Item 1, A and B, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried 4-0, with Commissioner May temporarily out of Board Chambers

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

2. Recommendation: That the Board approve, and authorize the Chairman to sign, Amendment 1 to the Contract for Services Agreement between Escambia County and the University of West Florida for the Market Analysis for the Town of Century, to remove the deliverable to receive feedback from the community on the draft Market Analysis Report. No payment was due on this deliverable and all other terms and conditions remain the same.

<b>Motion:</b> To move Technical/Public Service Consent Agenda Item 2, with the following changes: to add 60 days to the public portion and 60 days to the final deliverable, with that to be the only amendment
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<b>Made by:</b> Commissioner Underhill
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<b>Seconded by:</b> Commissioner Bergosh
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<b>Disposition:</b> Carried 4-0, with Commissioner May temporarily out of Board Chambers
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3. Recommendation: That the Board ratify the Chairman's signature on the letter, dated May 3, 2019, to Governor Ron DeSantis regarding the Cervantes Street Pedestrian Safety Plan.

<b>Motion:</b> To move the letter
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<b>Made by:</b> Commissioner Bender
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<b>Seconded by:</b> Commissioner Underhill
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<b>Disposition:</b> Carried 4-0, with Commissioner May temporarily out of Board Chambers
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4. Recommendation: That the Board approve the request for Disposition of Property Form for the Escambia County Tax Collector's Office, for property that is described and listed on the Disposition Form, with reason for disposition stated. The listed item has been found to be of no further usefulness to the County/Tax Collector; thus, it is requested that it be auctioned as surplus or disposed of properly.

<b>Motion:</b> To move the item in the affirmative
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<b>Made by:</b> Commissioner Underhill
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<b>Seconded by:</b> Commissioner Bergosh
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<b>Disposition:</b> Carried 4-0, with Commissioner May temporarily out of Board Chambers
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MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

I. TECHNICAL/PUBLIC SERVICE CONSENT AGENDA – Continued

5. Recommendation: That the Board approve the second revision of the 2019 Board of County Commissioners' Meeting/Committee of the Whole Workshop schedule, as submitted, to make the following changes:
- A. Cancel the June 13, 2019, Committee of the Whole Workshop, due to date conflicts with the FAC Annual Conference;
  - B. Change the November 26, 2019, Board of County Commissioners' Meeting to November 18, 2019, due to date conflicts with the Thanksgiving Holidays;
  - C. Change the January 2, 2020, Board of County Commissioners' Meeting to January 9, 2020, due to date conflict with the January 1, 2020, Holiday; and
  - D. Change the January 9, 2020, Committee of the Whole Workshop to January 16, 2020.

<b>Motion:</b> To amend A to include a Special Meeting on June 17 at 9:00 a.m. and pass A, B, C, and D
<b>Made by:</b> Commissioner Bender
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried unanimously

II. BUDGET/FINANCE CONSENT AGENDA

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

[Funding Source: Fund 001, General Fund, Lake Stone, Cost Center 350204, in the amount of \$11,400, paid via 12 equal monthly installments of \$950, with housing and utilities provided. This amount is currently allocated in the Fiscal Year 2019 Budget and will be budgeted in Fiscal Year 2020.]

<b>Motion:</b> To move 1 through 4
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Bender
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

2. Recommendation: That the Board take the following action concerning Federal Elections Activities Grant Funds from the Department of State:

- A. Certify that the County will match State Grant funds with \$4,689.93 from the Supervisor of Elections' Fiscal Year 2018/2019 Budget; and
- B. Authorize the Chairman to sign the Certificate County Match to Federal Grant Trust Funds [under the Help America Vote Act], and the Certificate of Equipment for Casting and Counting Ballots.

In order to receive the Federal Elections Activities funds, the Legislature has required that the Chairman of the Board of County Commissioners certify that the County will match the State funds with a 15% County match. Both the State funds and the County matching funds must be held in a separate account, to be used solely for activities relating to Federal Elections. The required match for this Grant is \$4,689.93. The match is included in the Supervisor of Elections' Fiscal Year 2018/2019 Budget under Cost Center 550101 and various Object Codes.

<b>Motion:</b> To move 1 through 4
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Bender
<b>Disposition:</b> Carried unanimously

3. Recommendation: That the Board take the following action regarding the Bureau of Justice Assistance Application for the Fiscal Year 2019 Prison Rape Elimination Act (PREA) Standards, Protecting Inmates and Safeguarding Communities Grant:

- A. Approve the Bureau of Justice Assistance application for the Fiscal Year 2019 PREA Standards, Protecting Inmates and Safeguarding Communities Grant. This Application is for a two-year grant period totaling \$337,032. The grant program requires a 50% match that will be paid from existing departmental funds;
- B. Authorize the Chairman to execute the letter of support required as part of the application process; and

(Continued on Page 9)

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

3. Continued...

C. Authorize the Corrections Department to electronically submit the Application, on behalf of the Board, through the Bureau of Justice Assistance Grant portal.

[Match Funding: Fund 001, Cost Center 290401 and Fund 111, Cost Center 290406]

<b>Motion:</b> To move 1 through 4
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Bender
<b>Disposition:</b> Carried unanimously

4. Recommendation: That the Board take the following action concerning the Justice Assistance Grant for the Fiscal Year 2017-2018 Jail Alternative Initiative project:

A. Approve the acceptance of the Justice Assistance Grant (JAG) County-wide Program subgrant award, in the amount of \$30,000, related to the Fiscal Year 2017-2018 Jail Alternative Initiative project;

B. Authorize the Chairman to sign the Certificate of Acceptance; and

C. Authorize the Chairman, as the County's authorized official, to execute any Amendments or other related documents as may be required for the Jail Alternative Initiative project.

<b>Motion:</b> To move 1 through 4
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Bender
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

5. Recommendation: That the Board take the following action concerning the First Extension of Interlocal Agreement between Escambia County Board of County Commissioners and the Pensacola Downtown Improvement Board for the management and operation of County parking facilities:

- A. Approve the First Extension of the Interlocal Agreement; and
- B. Authorize the Chairman to sign the First Extension of Interlocal Agreement and any subsequent Agreement-related documents, including time extensions.

[Funding: Fund 001, General Fund, Cost Center 310203, Maintenance; Fund 001, General Fund, Cost Center 310207, Utilities]

<b>Motion:</b> To drop
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Bender
<b>Disposition:</b> Carried unanimously

6. Recommendation: That the Board take the following action regarding the Second Renewal of Lease Agreement between Escambia County and Artel, Inc.:

- A. Approve the Second Renewal of Lease Agreement between Escambia County and Artel Inc., for space on the first floor of the Old Escambia County Courthouse, located at 223 Palafox Place, Pensacola, Florida, for an additional five-year term, commencing on February 19, 2020; and
- B. Authorize the Chairman to sign the Renewal of Lease Agreement.

[Funding: Lessee shall pay the County rent in the amount of \$1.00 per year for the renewal term.]

<b>Motion:</b> To move the balance, except for II-16
<b>For Information:</b> The "balance" refers to Items 6 through 15 and 17 through 22.
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

7. Recommendation: That the Board authorize the Chairman to sign the Lease Agreement with Pitney Bowes, per State of Florida Contract #44102100-17-1, for the Pitney Bowes digital mailing system for the Mass Transit Department, for 60 months, at the monthly cost of \$26.97.

[Funding Source: Fund 104, Mass Transit Fund, Cost Center 211216]

<b>Motion:</b> To move the balance, except for II-16
<b>For Information:</b> The "balance" refers to Items 6 through 15 and 17 through 22.
<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 concerning the surplus and sale of County-owned real property located at 39 North Cypress Street:

- A. Authorize the County Attorney's Office to take such necessary actions to evict occupants of County-owned property, if occupied;
- B. Declare surplus the Board's real property located at 39 North Cypress Street, located in District 5; Account #: 2-3553-140, Reference #: 02-4N-33-4400-005-300, Property Appraiser's current assessed value: \$684;
- C. Authorize the sale of the property to the bidder with the highest offer received at or above the minimum bid, which will be set at the Property Appraiser's current assessed value. It has been determined that the County does not have a need for this property; and
- D. Authorize the County Attorney's Office to prepare, and the Chairman to sign, all documents related to the sale of this property, without further action of the Board.

<b>Motion:</b> To move the balance, except for II-16
<b>For Information:</b> The "balance" refers to Items 6 through 15 and 17 through 22.
<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

9. Recommendation: That the Board adopt the Resolution [R2019-48] approving Supplemental Budget Amendment #150, Other Grants and Projects Fund (110), in the amount of \$8,046, to recognize Grant proceeds from the Florida Fish and Wildlife Conservation Commission (FWC), for FWC #18212 - Derelict Vessel Grant, to remove and dispose of an eligible derelict vessel. Total project cost is \$10,727 and requires a 25% match of \$2,682, and has unanticipated contingency costs of \$2,318, which will be provided from Vessel Registration Fees. Natural Resources Management will also provide project management for in-kind match.

**Motion:** To move the balance, except for II-16

**For Information:** The "balance" refers to Items 6 through 15 and 17 through 22.

**Made by:** Commissioner Underhill

**Seconded by:** Commissioner Bergosh

**Disposition:** Carried unanimously

10. Recommendation: That the Board adopt the Resolution [R2019-49] approving Supplemental Budget Amendment #152, General Fund (001) and Other Grants and Projects Fund (110), in the amount of \$35,956, to recognize Grant proceeds from the Florida Department of State - Division of Elections, in the amount of \$31,266, and to appropriate these funds to be used solely for activities related to Federal Elections. A 15% match, or \$4,690, is required by the State, and matching funds will come from the adopted Fiscal Year 2018/2019 Supervisor of Elections Budget to cover this requirement.

**Motion:** To move the balance, except for II-16

**For Information:** The "balance" refers to Items 6 through 15 and 17 through 22.

**Made by:** Commissioner Underhill

**Seconded by:** Commissioner Bergosh

**Disposition:** Carried unanimously

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

11. Recommendation: That the Board take the following action concerning [acceptance of] a Drainage Easement, located in the 5000 Block of Barrineau Park School Road, from Mary Nell Wells:
- A. Accept the donation of a Drainage Easement (approximately 2,571 square feet), located in the 5000 Block of Barrineau Park School 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.

This property is located in Commission District 5.

[Funding: Funds for incidental expenses associated with the recording of documents are available in an Engineering Escrow Account accessed by the Escambia County Clerk's Office.]

<b>Motion:</b> To move the balance, except for II-16
<b>For Information:</b> The "balance" refers to Items 6 through 15 and 17 through 22.
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

12. Recommendation: That the Board take the following action regarding the exchange of County property for property owned by Cleveland Rufus Campbell, Sr., individually and as Trustee of the Cleveland Rufus Campbell, Sr., Revocable Trust, dated December 14, 2017:
- A. Adopt a Resolution [R2019-50] authorizing the exchange of a portion of a County-owned parcel (approximately 2.06 acres), for a portion of a parcel (approximately 3.16 acres), owned by Cleveland Rufus Campbell, Sr., individually and as Trustee of the Cleveland Rufus Campbell, Sr., Trust, dated December 14, 2017, in accordance with the terms and conditions contained in the Agreement for Sale and Purchase and Contract for Sale and Purchase;
  - B. Waive the retention of the fractional interest in the phosphates, minerals, metals, and petroleum in the parcel to be conveyed by the County, in accordance with Section 270.11(3), Florida Statutes;
  - C. Authorize the payment of documentary stamps because the property is being acquired for public use, which is for the Brickton Road right-of-way, and the public benefits from the exchange by having safer, more efficient traffic flow and improved stormwater drainage; and
  - D. Authorize the County Attorney's Office to prepare, and the Chairman or Vice Chairman to execute, any documents, subject to Legal review and sign-off, necessary to complete the exchange of the properties, without further action of the Board.

[Funding Source: Funds for incidental expenses associated with the recording of documents are available in an Engineering Escrow Account accessed by the Escambia County Clerk's Office.]

This property exchange is located in District 5.

<b>Motion:</b> To move the balance, except for II-16
<b>For Information:</b> The "balance" refers to Items 6 through 15 and 17 through 22.
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

13. Recommendation: That the Board take the following action concerning Modification to Federally-Funded Subaward and Grant Agreement #19HM-H4-01-27-01-201, Project #4177-19-A, from the Florida Division of Emergency Management (FDEM), for the construction of Lake Charlene Drainage Improvements Project:
- A. Approve, and authorize the Chairman to execute, Modification Number One of Federally-Funded Subaward and Grant Agreement #19HM-H4-01-27-01-201, Project #4177-19-A, for the construction of Lake Charlene Drainage Improvements Project, increasing the Grant amount to \$2,162,366.35; and
  - B. Authorize the Chairman 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.

The County Attorney's Office has requested that the Board be made aware of the following language within the Agreement: *Section (22) Mandated Conditions, subsection (b), that "This Agreement shall be construed under the laws of the State of Florida, and venue for any actions arising out of this Agreement shall be in the Circuit Court of Leon County."*

[Funding Source: Current grant funds are available in Fund 352, Local Option Sales Tax III (HMGP Grant), Cost Center 210121, Object Code 56301, Project #16EN3602]

This project is located in Commission District 2.

<b>Motion:</b> To move the balance, except for II-16
<b>For Information:</b> The "balance" refers to Items 6 through 15 and 17 through 22.
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

14. Recommendation: That the Board take the following action concerning the purchase of one 2020 International HV 513 SFA Cab and Chassis with Swaploader Hook Lift System 42H42 SL-650 65,000# Lift/Dump for Public Works - Waste Services Department:
- A. Authorize the County to utilize the Sourcewell (formerly NJPA) Contract #81716-NVS, 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 one 2020 International HV 513 SFA Cab and Chassis with Swaploader Hook Lift System 42H42 SL-650 65,000# Lift/Dump, Solicitation VE 18-19.007; and
  - B. Authorize the Interim County Administrator to execute all related documents and Purchase Orders, in excess of \$50,000, for the Public Works - Waste Services Department, for the Purchase Order to Ward International Trucks of Florida, LLC, in the amount of \$168,606.42.

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 website for thirty days. Ward International Trucks of Florida, LLC, was the lowest price based on contract amounts and quotations.

[Funding: Fund 401, Solid Waste Fund; Cost Center 230315, Solid Waste Projects; Object Code 56401, Machinery & Equipment]

<b>Motion:</b> To move the balance, except for II-16
<b>For Information:</b> The "balance" refers to Items 6 through 15 and 17 through 22.
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

15. Recommendation: That the Board approve, and authorize the Interim County Administrator to sign, the Agreement between Escambia County, Florida, and Infinity Datacom Solutions, LLC, per the terms and conditions of PD 18-19.032, M.C. Blanchard Wi-Fi Project, in the amount of the Base Bid amount of \$220,501.84.

[Funding: Fund 353, Local Option Sales Tax (LOST) IV; 410147, Judicial Cap Imp LOST IV; 56201, Buildings]

<b>Motion:</b> To move the balance, except for II-16
<b>For Information:</b> The "balance" refers to Items 6 through 15 and 17 through 22.
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

16. 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 national competitively solicited purchasing cooperative, 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 four 2019 Model Pierce fire engines for the Public Safety - Fire Department of Escambia County, Florida, to Ten-8 Fire Equipment, Inc., in the amount of \$2,036,267.10, according to the specification outlines in Solicitation PD 18-19.047.

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MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

16. Continued...

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

[Funding: Fund 352, Local Option Sales Tax (LOST) III; Cost Center 330228, Fire Services Cap Project; Object Code 56401, Machinery and Equipment; Project Code 08FS0018 Vehicle/Apparatus Replacement \$633,000; and Fund 353, LOST IV; Cost Center 330434, Public Safety Cap Project; Object Code 56401, Machinery and Equipment; Project Code 19FS0429, Vehicle/Apparatus Replacement \$1,403,267.10; Total: \$2,036,267.10]

<b>Motion:</b> To approve Item 16, A and B
<b>Made by:</b> Commissioner Bergosh
<b>Seconded by:</b> Commissioner Underhill
<b>Disposition:</b> Carried unanimously
<b>Speaker(s):</b> Melissa Pino, Larry Downs, Jr.

17. Recommendation: That the Board approve, and authorize the Interim County Administrator to sign, the Agreement Between Escambia County, Florida, and Chavers Construction, Inc., per the terms and conditions of PD 18-19.033, Motley Court Gully Improvements, in the amount of \$565,228.78.

[Funding: **Grant** (75%) - Fund 352, Local Option Sales Tax (LOST) III; Cost Center 210131, Motley Court Clear Creek; Object Code 56301, Improvements Other Than Buildings; Project Code 08EN0068 - \$423,921.58; and **County Match** (25%) - Fund 352, LOST III; Cost Center 210107, Transportation & Drainage; Object Code 56301, Improvements Other Than Buildings; Project Code 08EN0068 - \$141,307.20; **Total** - \$565,228.78]

<b>Motion:</b> To move the balance, except for II-16
<b>For Information:</b> The "balance" refers to Items 6 through 15 and 17 through 22.
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

18. Recommendation: That the Board approve the utilization of the first of two possible one-year renewal periods, as outlined in Section 2 of the Term of the Agreement relating to pharmaceutical supplies with Bound Tree Medical, LLC, per PD 14-15.084, Pharmaceutical Supplies for Escambia County, retroactive to January 7, 2019. The original Agreement was approved by the Board on January 7, 2016.

[Funding: Fund 408, Emergency Medical Services, Cost Center 330302, EMS Operations, Object Code 55201, Operating Supplies]

<b>Motion:</b> To move the balance, except for II-16
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<b>For Information:</b> The "balance" refers to Items 6 through 15 and 17 through 22.
---

<b>Made by:</b> Commissioner Underhill
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<b>Seconded by:</b> Commissioner Bergosh
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<b>Disposition:</b> Carried unanimously
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19. Recommendation: That the Board approve, and authorize the Chairman or Vice Chairman to sign, the Agreement between Escambia County, Florida, Bill Walther Construction, Inc., and Mattie L. Price, homeowner, per the terms and conditions of PD 18-19.036, HOME/SHIP Substantial Rehabilitation/Reconstruction for 1809 West Bobe Street, in the total amount of \$115,350 (Base bid of \$113,500, plus alternate #1 of \$1000 and alternate #2 of \$850).

[Funding: Fund 147, 2013 HOME HUD Consortium; Cost Center 370265, 2013 HUD Consortium; Object Code 58301, Other Grants and Aids (\$58,805.84); Fund 147 2014 HOME HUD Consortium; Cost Center 370266, 2014 HUD Consortium; Object Code 58301, Other Grants and Aids (\$31,544.16); and Fund 120, 2018 SHIP Grant Admin; Cost Center 370205, SHIP 2018 Grant Admin; Object Code 58301, Grants and Other Aids (\$25,000)]

<b>Motion:</b> To move the balance, except for II-16
--

<b>For Information:</b> The "balance" refers to Items 6 through 15 and 17 through 22.
---

<b>Made by:</b> Commissioner Underhill
--

<b>Seconded by:</b> Commissioner Bergosh
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<b>Disposition:</b> Carried unanimously
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MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

20. Recommendation: That the Board approve, and authorize the Chairman to sign, the Agreement between Escambia County, Florida, and Warren Averett, LLC, per the terms and conditions of PD 18-19.004, Financial Auditing Services, as follows:

- (1) Year 1, in the amount of \$220,000;
- (2) Year 2, in the amount of \$222,200;
- (3) Year 3, in the amount of \$224,422;
- (4) Year 4, in the amount of \$226,666; and
- (5) Year 5, in the amount of \$228,933.

Grand Total Price for Audit Services for 5 years - \$1,122,221.

[Funding: Fund 001, General Fund, Cost Center 140201, Object Code 53101]

<b>Motion:</b> To move the balance, except for II-16
<b>For Information:</b> The "balance" refers to Items 6 through 15 and 17 through 22.
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

<b>Motion:</b> To rescind the action for the award and bring it back on June 6, and have more discussions between now and then about what exactly "we" are going to be entitled to
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

II. BUDGET/FINANCE CONSENT AGENDA – Continued

21. Recommendation: That the Board approve funding \$2,000 from Commissioner Robert Bender's discretionary funds that he can use toward County employee morale and "thank you" events through September 30, 2019.

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

<b>Motion:</b> To move the balance, except for II-16
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<b>For Information:</b> The "balance" refers to Items 6 through 15 and 17 through 22.
---

<b>Made by:</b> Commissioner Underhill
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<b>Seconded by:</b> Commissioner Bergosh
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<b>Disposition:</b> Carried unanimously
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22. Recommendation: That the Board approve, and authorize the Interim County Administrator to sign, the Agreement between Escambia County, Florida, and Fire Recover EMS, per the terms and conditions of PD 18-19.055, EMS Billing Assistance, in the amount of \$200,000.

[Funding: Fund 408, Emergency Medical Service Fund, Cost Center 330603, Object Code 53401]

<b>Motion:</b> To move the balance, except for II-16
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<b>For Information:</b> The "balance" refers to Items 6 through 15 and 17 through 22.
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<b>Made by:</b> Commissioner Underhill
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<b>Seconded by:</b> Commissioner Bergosh
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<b>Disposition:</b> Carried unanimously
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<b>Motion:</b> To rescind the Board's action and drop the item for the contract award to EMS Billing Associates
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<b>Made by:</b> Commissioner Barry
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<b>Seconded by:</b> Commissioner Bender
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<b>Disposition:</b> Carried unanimously
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COUNTY ADMINISTRATOR'S REPORT – Continued

**III. FOR DISCUSSION**

1. **Recommendation:** That the Board approve the following allocations of Law Enforcement Trust (LET) Funds, per the requirements of Florida Statute 932.7055(5), for Outside Agency partners in Escambia County, for Fiscal Year 2018/2019:
  - A. General Daniel Chappie James Flight Academy, in the amount of \$5,000;
  - B. Studer Community Institute, in the amount of \$2,500; and
  - C. Dixon School of the Arts & Sciences, in the amount of \$1,000.

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

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

<b>Motion:</b> To move Item III-1, A, B, and C
<b>Made by:</b> Commissioner Bergosh
<b>Seconded by:</b> Commissioner Underhill
<b>Disposition:</b> Carried unanimously

2. **Recommendation:** That the Board either approve, by super majority vote, or deny the following action:
  - A. Authorize the purchase of real property, located at 123 Diego Circle, from 5T Wealth Partners, LP, a California limited partnership, for the Erress Boulevard and Diego Circle Blight Reduction Project, in the amount of \$9,500 (County's appraised value is \$8,000);
  - B. Approve the Contract for Sale and Purchase for the acquisition of real property located at 123 Diego Circle (.0384 acres); and

(Continued on Page 23)

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION – Continued

2. Continued...

- C. Authorize the County Attorney's office to prepare, and the Chairman or Vice Chairman to execute, subject to Legal Review and sign-off, any documents necessary to complete the acquisition of this property, without further action of the Board.

This parcel is located in District 3.

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

<b>Motion:</b> To drop III-2
<b>Made by:</b> Commissioner Bender
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried unanimously

- 3. Recommendation: That the Board take the following action regarding the acquisition of a parcel of real property (approximately 0.67 acres), located in the 1600 Block of Old Chemstrand Road, from Hussein and Anne Sharaway, for additional access to County property located on 90 and 9 Ranch Road:

- A. Approve, by super-majority vote, or deny, the purchase of a parcel of real property, located in the 1600 Block of Old Chemstrand Road, from Hussein and Anne Sharaway for \$25,000; and
- B. Authorize staff to draft the Contract for Sale and Purchase for the acquisition of real property located in the 1600 Block of Old Chemstrand Road, and bring the Contract to the Board for final approval and execution.

[Funding Source: District 5 Discretionary Fund, Cost Center 110101, Account 58201]

This property is located in Commission District 5.

<b>Motion:</b> To move the item, as amended by Commissioner Barry for the change of purchase of acquisition and the change of funding source to District 5, LOST [Local Option Sales Tax]
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION – Continued

4. Recommendation: That the Board take the following action regarding the acquisition of real property (approximately 2.15 acres), located at 416 and 450 West Herman Street, from Rocky's Collision Center, Inc.:
  - A. Authorize the purchase of three parcels of real property located at 416 and 450 West Herman Street (approximately 2.15 acres), owned by Rocky's Collision Center, Inc., for the Delano/Herman Streets Drainage Improvement Project, for an average of the County's appraised values of \$820,000 and \$870,000, which equals \$845,000, in accordance with the terms and conditions contained in the Contract for Sale and Purchase;
  - B. Approve the Contract for Sale and Purchase for the acquisition of three parcels of real property located at 416 and 450 West Herman Street (approximately 2.15 acres), from Rocky's Collision Center, Inc., for \$845,000; and
  - C. Authorize the County Attorney's Office to prepare, and the Chairman or Vice Chairman to execute, any documents, subject to Legal review and sign-off, necessary to complete the acquisition of this property, without further action of the Board.

[Funding Source: Fund 352, Local Option Sales Tax III/HMGP Grant, Cost Center 210124, Object Code 56101, Project 17EN3743. Funds spent toward this project are eligible for reimbursement through the Hazard Mitigation Grant Program.]

These properties are located in District 3.

<b>Motion:</b> To move the item in the affirmative, A, B, and C
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION – Continued

5. Recommendation: That the Board either approve, by super majority vote, or deny the following action:
- A. Authorize the purchase of real property located at 4253 Erress Boulevard (0.080 acres), from JoAnna Lyn Cope, for the Erress Boulevard and Diego Circle Blight Reduction Project, in the amount of \$20,000 (County's appraised value is \$18,000);
  - B. Approve the Contract for Sale and Purchase for the acquisition of real property located at 4253 Erress Boulevard (0.080 acres); and
  - C. Authorize the County Attorney's Office to prepare, and the Chairman or Vice Chairman to execute, any documents, subject to Legal review and sign-off, necessary to complete the acquisition of this property, without further action of the Board.

This parcel is located in District 3.

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

<b>Motion:</b> To move Item 5, A, B, and C, in the affirmative
<b>Made by:</b> Commissioner Underhill
<b>Seconded by:</b> Commissioner Barry
<b>Disposition:</b> Carried unanimously

6. Recommendation: That the Board discuss the County Commissioners' Technology Policy, per Board direction at the May 9, 2019, Committee of the Whole Workshop.

<b>Motion:</b> To drop this Policy
<b>Made by:</b> Commissioner Bergosh
<b>Seconded by:</b> Commissioner Underhill
<b>Disposition:</b> Carried unanimously
<b>Speaker(s):</b> Michael Lowery, Larry, Downs, Jr., Melissa Pino

MINUTES – MAY 16, 2019

COUNTY ADMINISTRATOR'S REPORT – Continued

III. FOR DISCUSSION – Continued

7. Recommendation: That the Board take the following action regarding the lease of County office space:
- A. Approve and adopt a Resolution [R2019-51] authorizing the lease of County office space in the Ernie Lee Magaha Government Building to the Honorable Rick Scott, U.S. Senator, for use as a satellite office; and
  - B. Authorize the Chairman to execute the Lease Agreement, without further action of the Board.

<b>Motion:</b> To move 7 in the affirmative
<b>Made by:</b> Commissioner Bender
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

COUNTY ATTORNEY'S REPORT – Alison Rogers, County Attorney

I. FOR ACTION

1. Recommendation: That the Board approve a proposed settlement agreement [concerning a Workers' Compensation Claim brought by former employee Donna Balsan], in the sum of \$17,500.00. The proposed settlement would constitute a complete resolution of all outstanding Workers' Compensation claims including medical benefits, indemnity benefits, attorney's fees and costs brought by Donna Balsan. The County would be responsible for payment of the settlement in full.

<b>Motion:</b> "So moved in the affirmative"
<b>For Information:</b> Chairman May requested to entertain a motion for Items 1 through 3.
<b>Made by:</b> Commissioner Bender
<b>Seconded by:</b> Commissioner Underhill
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

COUNTY ATTORNEY'S REPORT – Continued

- I. FOR ACTION – Continued
2. Recommendation: That the Board take the following action concerning approval of a proposed settlement in Escambia County, Florida v. Evanston Insurance Co. and Markel Service, Inc., Case No. 3:19-cv-00538-MCR/EMT:
  - A. Approve acceptance of payment of \$75,520.00 from Evanston Insurance Co. and Markel Service, Inc., for closure and post-closure costs, as provided by the endorsements to the Environmental Impairment Liability policy obtained by Louisiana Investment Group, LLC, regarding closure of Saufley Landfill. In exchange for this payment, the County would execute a general release of all claims in favor of Evanston Insurance Co. and Markel Service, Inc.;
  - B. Authorize the Chairman to execute the general release to be drafted by the attorneys for Evanston Insurance Co. and Markel Service, Inc.; and
  - C. Authorize the County Attorney's Office to execute all documents necessary to effectuate the settlement, including a joint stipulation for dismissal with prejudice.

<b>Motion:</b> "So moved in the affirmative"
<b>For Information:</b> Chairman May requested to entertain a motion for Items 1 through 3.
<b>Made by:</b> Commissioner Bender
<b>Seconded by:</b> Commissioner Underhill
<b>Disposition:</b> Carried unanimously

MINUTES – MAY 16, 2019

COUNTY ATTORNEY'S REPORT – Continued

I. FOR ACTION – Continued

3. Recommendation: That the Board take the following action concerning engagement of Steven K. Hall as Special Master for proceedings pursuant to Section 70.51, Florida Statutes, in which Terramore Development, et. al., has requested relief from a decision of the Escambia County Board of Adjustment, Case No. AP 2017-02:

Authorize the Chairman to execute the Special Master Agreement, which will allow Steven K. Hall to serve as a Special Magistrate for proceedings pursuant to Section 70.51, Florida Statutes.

<b>Motion:</b> "So moved in the affirmative"
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<b>For Information:</b> Chairman May requested to entertain a motion for Items 1 through 3.
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<b>Made by:</b> Commissioner Bender
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<b>Seconded by:</b> Commissioner Underhill
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<b>Disposition:</b> Carried unanimously
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4. Recommendation: That the Board take the following action concerning the Agreement for Sale and Purchase - Navy Federal Credit Union:

- A. Authorize the sale of up to 100 acres adjacent to Navy Federal Credit Union's campus on Nine Mile Road, in accordance with the terms and conditions of the Agreement for Sale and Purchase;
- B. Waive the retention of the fractional interest in the phosphates, minerals, metals, and petroleum in the property to be conveyed by the County, in accordance with Section 270.11(3), Florida Statutes; and
- C. Authorize the Chairman or Vice Chairman to execute the Agreement for Sale and Purchase and other documents necessary to complete the transaction.

<b>Motion:</b> To approve Item 4, A, B, and C
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<b>Made by:</b> Commissioner Bergosh
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<b>Seconded by:</b> Commissioner Underhill
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<b>Disposition:</b> Carried unanimously
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<b>Speaker(s):</b> John Monroe, Kara Cardona
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MINUTES – MAY 16, 2019

COUNTY ATTORNEY'S REPORT – Continued

**II. FOR DISCUSSION**

1. Recommendation: That the Board consider a Contract for County Administrator Janice Gilley.

<b>Motion:</b> To approve the Contract, including the errata sheet
<b>Made by:</b> Commissioner Barry
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried unanimously

**ITEMS ADDED TO THE AGENDA – COMMISSIONER ROBERT D. BENDER**

1. Recommendation: That the Board authorize the Chairman to sign and send the letters to the Honorable Nicole Fried, Commissioner of Agriculture and Consumer Services, State of Florida, and Portia Sapp, Director, Division of Aquaculture, Department of Agriculture and Consumer Services, State of Florida, requesting that the Aquaculture Submerged Land Leases in Escambia Bay remain north of the 30.43 latitude line.

<b>Motion:</b> To authorize the Chairman to sign the letter to Commissioner of Agriculture
<b>Made by:</b> Commissioner Bender
<b>Seconded by:</b> Commissioner Bergosh
<b>Disposition:</b> Carried 4-1, with Commissioner Underhill voting "no"
<b>Speaker(s):</b> Mary Inman, Eleanor Godwin, Jim Inman, Dave Hoxeng, Sharon Sudduth

**ANNOUNCEMENTS**

1. For Information: The Board heard an update concerning the 2019 Legislative Session from Florida Representative Alexander "Alex" Andrade.

MINUTES – MAY 16, 2019

**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 12:27 p.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: June 6, 2019