



# City of Pensacola

## Agenda Conference

### Agenda - Final

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Monday, September 25, 2023, 3:30 PM

Council Chambers, 1st Floor

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#### ROLL CALL

#### PRESENTATION ITEMS

#### REVIEW OF CONSENT AGENDA ITEMS

1. [23-00587](#) AIRPORT - AMENDMENT NO. 1 TO THE LEASE AGREEMENT WITH SKYWARRIOR FLIGHT TRAINING, LLC FOR AIRPORT PROPERTY LOCATED AT 2400 AIRPORT BOULEVARD

**Recommendation:** That City Council approve Amendment No. 1 to the lease agreement with Skywarrior Flight Training, LLC. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer this Amendment No. 1, consistent with the terms of the agreement and the Mayor's Executive Powers as granted in the City Charter.

**Sponsors:** D.C. Reeves

**Attachments:** [Skywarrior Flight Training LLC 2400 Airport Boulevard Lease Amend](#)

2. [23-00714](#) MEMORANDUM OF AGREEMENT WITH THE PENSACOLA PROFESSIONAL FIREFIGHTERS INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF), LOCAL NO. 707

**Recommendation:** That City Council approve the Memorandum of Agreement between the City of Pensacola and the Pensacola Professional Firefighters International Association of Professional Firefighters (IAFF), Local No. 707.

**Sponsors:** D.C. Reeves

**Attachments:** [Memorandum of Agreement \(MOU\) - IAFF](#)

**3.     [23-00731](#)     APPOINTMENTS: ARCHITECTURAL REVIEW BOARD**

**Recommendation:**     That City Council appoint a Planning Board Member or resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District, a property or business owner within the Palafox Historic Business District, and a resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District, for a term of two (2) years, expiring September 30, 2025.

**Sponsors:**             Delarian Wiggins

**Attachments:**         [Member List](#)  
                              [Application of Interest - Lou Courtney](#)  
                              [Application of Interest - George Mead](#)  
                              [Nomination Form - Brian K. Spencer](#)  
                              [Application of Interest - Brian K. Spencer](#)  
                              [Bio - Brian K. Spencer](#)  
                              [Ballot](#)

**4.     [23-00665](#)     AWARD OF ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR RUNWAY AND TAXIWAY PAVEMENTS AT PENSACOLA INTERNATIONAL AIRPORT**

**Recommendation:**     That City Council award a contract to AVCON, Inc. for professional engineering and architectural services related to runway and taxiway pavements at the Pensacola International Airport requested through RFQ #23-029. Further, that Council authorizes the Mayor take the actions necessary to negotiate, execute, and administer the necessary contract as specified RFQ #23-029, consistent with the terms of the contract and the Mayor's Executive Powers as granted in the City Charter.

**Sponsors:**             D.C. Reeves

**Attachments:**         [Tabulation of Respondents to RFQ No. 23-029](#)  
                              [Selection Committee Scoring Matrix](#)  
                              [Vendor Reference List](#)

**5.     [23-00705](#)     DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER JENNIFER BRAHIER - DISTRICT 1**

**Recommendation:**     That City Council approve funding of \$500 to Animal Allies Florida and \$1,000 to Valerie's House from the City Council Discretionary Funds for District 1.

**Sponsors:**             Jennifer Brahier

6. [23-00707](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL  
PRESIDENT DELARIAN WIGGINS - DISTRICT 7
- Recommendation:** That City Council approve funding of \$1,000 for the Southern Youth Sports Association from the City Council Discretionary Funds for District 7.
- Sponsors:** Delarian Wiggins
7. [23-00709](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER  
ALLISON PATTON - DISTRICT 6
- Recommendation:** That City Council approve funding of \$500 to the Epps Christian Center Ministries from the City Council Discretionary Funds for District 6.
- Sponsors:** Allison Patton
8. [23-00710](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER  
TENIADE BROUGHTON - DISTRICT 5
- Recommendation:** That City Council approve funding of \$1,000 to the James B. Washington Education and Sports, \$500 to the 309 Punk Project, \$500 to the Real Women Radio Foundation and \$500 to the Escambia County Sickle Cell Foundation from the City Council Discretionary Funds for District 5.
- Sponsors:** Teniade Broughton

### REVIEW OF REGULAR AGENDA ITEMS (Sponsor)

9. [23-00729](#) COUNCIL OF NEIGHBORHOOD ASSOCIATIONS PRESIDENTS OF  
PENSACOLA (CNAPP) TREE PLANTING TRUST FUND GRANT  
REQUEST IN ACCORDANCE WITH CITY CODE SECTION 12-6-10(C)  
(2)
- Recommendation:** That City Council approve the recommendation of the Environmental Advisory Board (EAB) to approve a grant request in accordance with City Code Sec. 12-6-10(c)(2) for CNAPP - Citizens' Canopy Restoration Project. The amount recommended by the EAB was up to \$5,500.
- Sponsors:** Jennifer Brahier
- Attachments:** [Tree Trust Fund Grant Application 2023 -- CNAPP](#)  
[2023-09-07 Pensacola Canopy Restoration version 2-- CNAPP](#)

10.    [23-00680](#)    HIRING OF A CITY COUNCIL COMMUNICATIONS SPECIALIST
- Recommendation:*    That City Council approve the hiring of a City Council Communications Specialist. Further, that City Council direct the Council Executive to work with City Human Resources to interview and hire the City Council Communications Specialist within the designated salary range.
- Sponsors:*    Allison Patton
- Attachments:*    [City Council Communications Specialist Job Description](#)
11.    [23-00728](#)    PROPOSED AMENDMENTS TO CITY COUNCIL'S RULES AND PROCEDURES
- Recommendation:*    That City Council approve and adopt the proposed amendments to the City Council Rules and Procedures.
- Sponsors:*    Delarian Wiggins
- Attachments:*    [Proposed Council Rules and Procedures Amendments 9.28.23](#)
12.    [2023-068](#)    SUPPLEMENTAL BUDGET RESOLUTION NO. 2023-068 - LAW ENFORCEMENT TRUST FUND (LETF) PURCHASES FOR THE PENSACOLA POLICE DEPARTMENT
- Recommendation:*    That the City Council adopt Supplemental Budget Resolution No. 2023-068.
- A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023; PROVIDING FOR AN EFFECTIVE DATE.
- Sponsors:*    D.C. Reeves
- Attachments:*    [Supplemental Budget Resolution No. 2023-068](#)  
   [Supplemental Budget Explanation No. 2023-068](#)  
   [Letter of Certification No. 2023-068](#)
13.    [2023-076](#)    SUPPLEMENTAL BUDGET RESOLUTION NO.2023-076 - LOST IV - MARKED POLICE VEHICLES
- Recommendation:*    That the City Council adopt Supplemental Budget Resolution No. 2023-076
- A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023; PROVIDING FOR AN EFFECTIVE DATE.
- Sponsors:*    D.C. Reeves
- Attachments:*    [Supplemental Budget Resolution No. 2023-076](#)  
   [Supplemental Budget Explanation No. 2023-076](#)



14. [20-23](#) PROPOSED ORDINANCE NO. 20-23 - CREATING SECTION 8-1-23 OF THE CODE, PROHIBITING THE OBSTRUCTION OF PUBLIC SIDEWALKS
- Recommendation:* That City Council adopt Proposed Ordinance No. 20-23 on second reading.
- AN ORDINANCE CREATING SECTION 8-1-23 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, PROHIBITING THE OBSTRUCTION OF PUBLIC SIDEWALKS; PROVIDING FOR PENALTY; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
- Sponsors:* D.C. Reeves
- Attachments:* [Proposed Ordinance No. 20-23](#)
15. [21-23](#) REVISED: PROPOSED ORDINANCE NO. 21-23 AMENDING TITLE IV-HEALTH AND SANITATION OF THE CITY CODE - ELIMINATING CURBSIDE RECYCLING SERVICE AND INCREASING GARBAGE COLLECTION TO TWICE WEEKLY
- Recommendation:* That City Council adopt Proposed Ordinance No. 21-23 on second reading:
- AN ORDINANCE AMENDING TITLE IV OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, AMENDING HEALTH AND SANITATION SECTION 4-3-40, DEFINITIONS; SECTION 4-3-43, SOLID WASTE OR REFUSE TO BE PROPERTY OF THE CITY; SCAVENGING; SECTION 4-3-44, DETERMINATION OF SERVICE PROVIDERS; SECTION 4-3-45, BURYING OF RECYCLABLES, SOLID WASTE, REFUSE, OR HAZARDOUS MATERIALS OR SUBSTANCES; SECTION 4-3-46, STORING OR PLACEMENT OF RECYCLABLES, SOLID WASTE OR REFUSE; SECTION 4-3-47, PLACEMENT OF RECYCLABLES, SOLID WASTE OR REFUSE IN GUTTERS OR STREETS PROHIBITED, DECLARED NUISANCE; SECTION 4-3-60, COLLECTION SCHEDULE; SECTION 4-3-61, PLACEMENT FOR COLLECTION; SECTION 4-3-81, CITY-OWNED WHEELED CONTAINERS; SECTION 4-3-97, FEES AND SURCHARGES; PROVIDING FOR SEVERABILITY, REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE.
- Sponsors:* D.C. Reeves
- Attachments:* [REVISED Proposed Ordinance No. 21-23](#)  
[Proposed Ordinance No. 21-23](#)

## CONSIDERATION OF ANY ADD-ON ITEMS

**FOR DISCUSSION****READING OF ITEMS FOR COUNCIL AGENDA****COMMUNICATIONS****CITY ADMINISTRATOR'S COMMUNICATION****CITY ATTORNEY'S COMMUNICATION****CITY COUNCIL COMMUNICATION****ADJOURNMENT**

*If any person decides to appeal any decision made with respect to any matter considered at such meeting, he will need a record of the proceedings, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*

*The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 435-1606 (or TDD 435-1666) for further information. Request must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.*



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 23-00587

City Council

9/28/2023

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** D.C. Reeves, Mayor

**SUBJECT:**

AIRPORT - AMENDMENT NO. 1 TO THE LEASE AGREEMENT WITH SKYWARRIOR FLIGHT TRAINING, LLC FOR AIRPORT PROPERTY LOCATED AT 2400 AIRPORT BOULEVARD

**RECOMMENDATION:**

That City Council approve Amendment No. 1 to the lease agreement with Skywarrior Flight Training, LLC. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer this Amendment No. 1, consistent with the terms of the agreement and the Mayor's Executive Powers as granted in the City Charter.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

Skywarrior Flight Training has been providing flight training services to the General Aviation community from Pensacola Aviation Center since 2009. In 2015, Skywarrior expanded its operation by purchasing a facility at 4211 Maygarden Road from Lifeguard Air Ambulance, Inc. Skywarrior further expanded its operation by entering into a short-term lease agreement with the City for Airport property located at 2400 Airport Boulevard.

The parties now wish to reduce the size of the leased premises to include only the landside office building situated to the west of the remaining structures. In keeping with FAA policy requiring airports to be as self-sustaining as possible, the rental rate for the office building alone has been adjusted to market rate.

**PRIOR ACTION:**

June 2015 - City Council approved assignment of land lease from Lifeguard Air Ambulance, Inc. to Skywarrior Flight Training, Inc.

June 2023 - City Council approved lease agreement with Skywarrior Flight Training, LLC for Airport property located at 2400 Airport Boulevard.

**FUNDING:**

Budget: \$ 6,230.80

Actual: \$28,000.00

**FINANCIAL IMPACT:**

Skywarrior will pay a lease rate of \$28,000.00 annually for the office building.

**LEGAL REVIEW ONLY BY CITY ATTORNEY:** Yes

9/19/2023

**STAFF CONTACT:**

Kerrith Fiddler, City Administrator

Amy Miller, Deputy City Administration - Administration & Enterprise

Matthew F. Coughlin, Airport Director

**ATTACHMENTS:**

- 1) Skywarrior Flight Training LLC 2400 Airport Boulevard Lease Amendment No 1

**PRESENTATION:** No

LEASE AGREEMENT AT THE PENSACOLA INTERNATIONAL AIRPORT BETWEEN  
THE CITY OF PENSACOLA AND SKYWARRIOR FLIGHT TRAINING, LLC

AMENDMENT NO. 1

THIS AMENDMENT NO. 1 TO THE LEASE AGREEMENT of September 5, 2023, (hereinafter referred to as "Amendment No. 1"), is made and entered into this \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by and between the City of Pensacola, a municipal corporation of the State of Florida (hereinafter referred to as "City") and Skywarrior Flight Training, LLC., a Florida limited liability company, (hereinafter referred to as "Operator"), (Each at times hereinafter referred to also as "party" or collectively "parties"),

WITNESSETH:

WHEREAS, the City owns, operates, and maintains Pensacola International Airport (hereinafter referred to as "Airport") located in Escambia, County, Florida; and

WHEREAS, City and Operator entered into a Lease Agreement dated September 5, 2023, whereby the City granted Operator the right lease land and improvements at Pensacola International Airport in order to conduct commercial aeronautical services/activities described as Flight Training at the Airport; and

WHEREAS, the parties now desire to amend the Lease Agreement upon the terms and conditions hereinafter set forth in order to reduce the square footage of the leased premises, adjust the annual rental rate to market and remove the requirement to maintain Hangar Keepers Insurance;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained, it is agreed that the Lease Agreement is hereby amended as follows:

1. Section 6 – Leased Premises, is hereby amended to read:

These premises encompass that certain 3500 square foot building to the west of the remaining structures that are situated at the address of 2400 Airport Boulevard, Pensacola, Florida 32504, more particularly shown on Exhibit A attached hereto and incorporated by reference. The Leased Premises excludes the exterior patio space on the airfield side of the building.

2. Section 11 - Rent & Fees, is hereby amended to read:

Lease Term	Annual Rate	Square Footage	Annual Rent
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Commencement Date                      \$8.00 x        3500 =        \$28,000.00

3. Attachment "B": - Section 2 – The term Hangar Keepers Liability is deleted from the heading and Paragraph 3 titled Hangar Keepers Liability Insurance is deleted in its entirety.
4. Exhibit A is deleted in its entirety and replaced with Attachment A to this Amendment No. 1.
5. All other terms and conditions of the Lease Agreement dated September 5, 2023, not amended hereby shall remain in full force and effect.

(END OF TEXT; SIGNATURE PAGES TO FOLLOW)

**EXECUTED** in multiple original copies to be effective as of the day and year first above written.

CITY OF PENSACOLA  
a Municipal Corporation

By \_\_\_\_\_  
Mayor, D.C. Reeves

Attest:

\_\_\_\_\_  
City Clerk, Erika L. Burnett

Witnesses:

Sign \_\_\_\_\_

Print \_\_\_\_\_

Sign \_\_\_\_\_

Print \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

The forgoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by D.C. Reeves, the Mayor of the City of Pensacola, a municipal corporation, for and on behalf of the City, and who is personally know to me.

GIVEN under my hand the official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Legal in form and execution:

Approved as To Substance:

\_\_\_\_\_  
City Attorney

\_\_\_\_\_  
Airport Director

Skywarrior Flight Training, LLC.

By \_\_\_\_\_  
Manager, George B. Sigler

Attest:

\_\_\_\_\_

Witnesses:

Sign \_\_\_\_\_

Print \_\_\_\_\_

Sign \_\_\_\_\_

Print \_\_\_\_\_

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

The forgoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by the President of Skywarrior Flight Training, LLC., a Florida corporation, for and on behalf of the corporation and who is personally know to me.

GIVEN under my hand the official seal this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.



## Attachment "A"

### EXHIBIT A



Leased Premises 3,500 square feet



Predesignated Parking Area



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 23-00714

City Council

9/28/2023

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** D.C. Reeves, Mayor

**SUBJECT:**

MEMORANDUM OF AGREEMENT WITH THE PENSACOLA PROFESSIONAL FIREFIGHTERS INTERNATIONAL ASSOCIATION OF FIREFIGHTERS (IAFF), LOCAL NO. 707

**RECOMMENDATION:**

That City Council approve the Memorandum of Agreement between the City of Pensacola and the Pensacola Professional Firefighters International Association of Professional Firefighters (IAFF), Local No. 707.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

The City has been in negotiations with the Pensacola Professional Firefighters International Association of Professional Firefighters (IAFF), AFL-CIO, Local No. 707 for an agreement for the Fiscal Years 2024 - 2026. The sole purpose of the memorandum of agreement with IAFF is to recognize that the bargaining unit members will receive a Cost-of-Living Adjustment (COLA) of three percent (3%) consistent with non-union employees who are receiving that benefit in FY24. The Fiscal Year 2024 budget anticipated this benefit would be extended and incorporated the fiscal impact noted below.

**PRIOR ACTION:**

Pensacola Professional Firefighters International Association of Firefighters (IAFF) Local No. 707 Collective Bargaining Agreement Ratification Approved By City Council on November 13, 2020.

**FUNDING:**

Budget: \$177,000

Actual: \$166,000 - General Fund FY24 Salary Implementation funding  
          \$11,000 - Airport Fund

Total            \$177,000

**FINANCIAL IMPACT:**

Costs associated are \$177,000.00 for one year. The FY24 budget includes more than \$1,200,000 in the General Fund for potential implementation of a salary study by Evergreen Consulting Monies to pay the cost of the 3% increase for those bargaining unit members funded by the General Fund will be moved from the Salary Implementation line item. The Airport Fund also has funding identified for the implementation of the salary study, and the costs associated with the bargaining unit members funded by the Airport Fund will be absorbed there.

**LEGAL REVIEW ONLY BY CITY ATTORNEY:** Yes

9/13/2023

**STAFF CONTACT:**

Kerrith Fiddler, City Administrator  
Ted Kircharr, Human Resources Director  
Renay Pierre-Richardson, Assistant Human Resources Director

**ATTACHMENTS:**

- 1) Memorandum of Agreement (MOU) - IAFF

**PRESENTATION:** No

## MEMORANDUM OF AGREEMENT

The City of Pensacola (the "City") and the International Association of Firefighters, Local 707 ("IAFF"), are herein collectively referred to as the "Parties."

**WHEREAS**, on September 8<sup>th</sup>, 2023, the City and IAFF hereby reach this Memorandum of Agreement ("Agreement") on compensation as follows (with the understanding that additional bargaining sessions will be required as to all other matters):

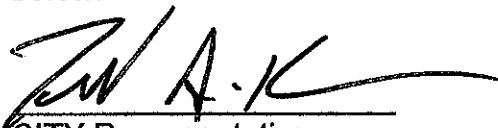
1. The Parties have agreed to the following amendments/changes to the 2020-2023 Collective Bargaining Agreement that was ratified on November 13, 2020, reflected as follows:

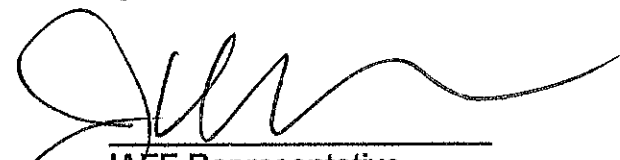
Regarding Article 10, Section 3 at page 15:

Modifying that part of page 15 that references the first paycheck of October 2023, in addition to the language stated therein, the Parties agree that each bargaining unit member shall receive an additional three (3) percent cost-of-living adjustment increase to his or her base wage.

The Parties do not address in this Agreement any other language at this time, as the Parties continue to engage in bargaining sessions regarding the collective bargaining agreement that remains in force until 11:59 pm on October 1, 2023, as stated in Article 53. No modification of Article 53 is made as a result of this Agreement.

IN WITNESS THEREOF, the parties have set their signatures on the date last written below.

  
CITY Representative  
Ted A. Kirchharr

  
IAFF Representative  
Joseph McCombs



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

File #: 23-00731

City Council

9/28/2023

### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** City Council President Delarian Wiggins

**SUBJECT:**

APPOINTMENTS: ARCHITECTURAL REVIEW BOARD

### **RECOMMENDATION:**

That City Council appoint a Planning Board Member or resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District, a property or business owner within the Palafox Historic Business District, and a resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District, for a term of two (2) years, expiring September 30, 2025.

**HEARING REQUIRED:** No Hearing Required

### **SUMMARY:**

The Architectural Review Board approves or disapproves plan for buildings to be erected, renovated, or razed which are located, or to be located within the historic districts, preservation district and governmental center district.

The following have been nominated or are incumbents that wish to be considered for reappointment:

Nominee

Nominated by

***Planning Board Member or resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District***

Lou Mitchell Courtney      Incumbent

***Property Or Business Owner Within the Palafox Historic Business District***

Brian K. Spencer      Brahier

***Resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District***

George R. Mead, II      Incumbent

**PRIOR ACTION:**

City Council makes appointments to this board on an annual basis.

**FUNDING:**

Budget:      N/A

Actual:      N/A

**FINANCIAL IMPACT:**

None.

**STAFF CONTACT:**

Ericka L. Burnett, City Clerk

**ATTACHMENTS:**

- 1) Member List
- 2) Application of Interest - Lou Mitchell Courtney
- 3) Application of Interest - George R. Mead, II
- 4) Nomination Form - Brian K. Spencer
- 5) Application of Interest - Brian K. Spencer
- 6) Bio - Brian K. Spencer
- 7) Ballot

**PRESENTATION:**    No

**Architectural Review Board**

<b>Name</b>	<b>Profession</b>	<b>Appointed By</b>	<b>No. of Terms</b>	<b>Year</b>	<b>Exp Date</b>	<b>First Appointed</b>	<b>Term Length</b>	<b>Comments</b>
,			0	2023			0	
Courtney, Lou M.	Resident-Old East Hill	Council	0	2023	9/30/2023	8/12/2021	2	
Fogarty, Anna	Design/Rep UWFHT	Council	2	2023	9/30/2024	9/13/2018	2	
McCorvey, John	Business Owner-PHBD	Council	0	2023	9/30/2023	10/14/2021	2	
Mead, II, George R.	Resident-North Hill	Council	4	2023	9/30/2023	9/26/2013	2	
Ramos, Yuri L.	Architect	Council	1	2023	9/30/2024	9/10/2020	2	
Salter, Derek	Arch. Rep.UWFHT	Council	2	2023	9/30/2024	9/13/2018	2	
Yee, Jordan M.	Architect	Council	1	2023	9/30/2024	9/10/2020	2	

**Term Length: TWO YEAR TERMS**

The Architectural Review Board approves or disapproves plans for buildings to be erected, renovated, or razed which are located, or to be located within the historic districts, preservation districts and Governmental Center District.

The Architectural Review Board is composed of seven (7) members appointed by City Council: two (2) nominated by the University of West Florida Historic Trust, each of whom shall be a resident of the City of Pensacola; one (1) member from the City Planning Board or resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District; two (2) registered architects, each of whom shall be a resident of the City of Pensacola; one (1) member who is a resident of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District; and one (1) member who is a property or business owner in the Palafox Historic Business District or the Governmental Center District.

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**Sent:** Friday, September 1, 2023 2:22 PM  
**To:** [Ericka Burnett](#); [Robyn Tice](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Application for Boards, Authorities, and Commissions - Mayoral Appointment

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**THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT**

## Application for Boards, Authorities, and Commissions - Mayoral Appointment

*This application will be utilized in considering you for appointment by the Mayor to various boards and advisory committees. Pursuant to Florida Statutes, Chapter 119, all information provided on or with this form becomes a public record and is subject to disclosure, unless otherwise exempted by law.*

*Completed applications will be kept on file for a period of one (1) year from the date received in the Office of the City Clerk.*

*If you have any questions, contact the City Clerk's Office.*

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(Section Break)

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### Personal Information

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Name	lou Mitchell Courtney
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Home Address	523 North 8th Avenue
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Business Address	<i>Field not completed.</i>
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To which address do you prefer we send correspondence regarding this application?	<i>Field not completed.</i>
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Preferred Contact Phone Number(s)	8504901162
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Email Address	<a href="mailto:loumitchell@loumitchell.com">loumitchell@loumitchell.com</a>
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Upload Resume (optional)	<i>Field not completed.</i>
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(Section Break)

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### Details

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Are you a City resident?	Yes
If yes, which district?	6
If yes, how long have you been a City resident?	28 years
Do you own property within the City limits?	Yes
Are you a registered voter in the city?	Yes
Board(s) of interest:	ARB
Please list the reasons for your interest in this position:	I have a love for preservation of historic structures
Do you currently serve on a board?	Yes
If yes, which board(s)?	ARB
Do you currently hold a public office?	No
If so, what office?	<i>Field not completed.</i>
Would you be willing to resign your current office for the appointment you now seek?	N/A

(Section Break)

#### Diversity

*In order to encourage diversity in selections of members of government committees, the following information is required by Florida Statute 760.80 for some committees.*

Gender	Female
Race	Caucasian
Physically Disabled	No

(Section Break)

Acknowledgement of Terms	I accept these terms.
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Email not displaying correctly? [View it in your browser.](#)

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**Sent:** Monday, August 28, 2023 1:57 PM  
**To:** [Ericka Burnett](#); [Robyn Tice](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Application for Boards, Authorities, and Commissions - City Council Appointment

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**THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT**

## Application for Boards, Authorities, and Commissions - City Council Appointment

*This application will be utilized in considering you for appointment to a City Council board, authority, or commission. Pursuant to Florida Statutes, Chapter 119, all information provided on or with this form becomes a public record and is subject to disclosure, unless otherwise exempted by law.*

*Completed applications will be kept on file for a period of one (1) year from the date received in the Office of the City Clerk.*

*It is necessary to contact a member of Council to obtain a nomination in order to be placed on the ballot for consideration. Please go to [cityofpensacola.com/council](http://cityofpensacola.com/council) for Council Member contact information. If you have any questions, contact the City Clerk's Office.*

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(Section Break)

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### Personal Information

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Name	George R. Mead, II
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Home Address	1009 N Reus St
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Business Address	350 W. Cedar St. Suite 100
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To which address do you prefer we send correspondence regarding this application?	Business
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Preferred Contact Phone Number(s)	850-434-3541
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Email Address	<a href="mailto:emead@mhw-law.com">emead@mhw-law.com</a>
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Upload Resume (optional)	Field not completed.
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(Section Break)

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Details

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Are you a City resident? No

---

If yes, which district? 6

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If yes, how long have you been a City resident? 45 years total

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Do you own property within the City limits? Yes

---

Are you a registered voter in the city? Yes

---

Board(s) of interest: Architectural Review Board

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Please list the reasons for your interest in this position: I have legal experience in design, construction and land use, and long personal interest and study in architecture and urban planning

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Do you currently serve on a board? Yes

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If yes, which board(s)? Architectural Review Board

---

Do you currently hold a public office? No

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If so, what office? *Field not completed.*

---

Would you be willing to resign your current office for the appointment you now seek? N/A

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(Section Break)

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Diversity

*In order to encourage diversity in selections of members of government committees, the following information is required by Florida Statute 760.80 for some committees.*

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Gender Male

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Race Caucasian

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Physically Disabled No

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(Section Break)

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Acknowledgement of Terms    I accept these terms.

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Email not displaying correctly? [View it in your browser.](#)

**CITY OF PENSACOLA, FLORIDA**

**NOMINATION FORM**

I, Jennifer Brahier, do nominate Brian Spencer  
(Nominee)

4040 Dunwoody 32503  
(Home Address)

(850) 712-2612  
(Phone)

205 E. Intendencia  
(Business Address)

(Phone)

brian@smp-arch.com  
(Email Address)

City Resident: ☒ YES ☐ NO  
Property Owner within the City: ☒ YES ☐ NO

for appointment by the City Council for the position of:

**PROPERTY OR BUSINESS OWNER IN THE PALAFOX HISTORIC BUSINESS DISTRICT**

**ARCHITECTURAL REVIEW BOARD  
(Two-year term ending 9/30/25)**

Provide a brief description of nominee's qualifications:

Brian is an exceptional, awarded Architect with a passion for preserving his hometown. His work preserving our beautiful city provides others interest in downtown. I am grateful to Brian for his willingness to serve and am honored to nominate him.

Jeff M. Bell  
City Council Member

I hereby certify that the above nomination was submitted to my office within the time limitations prescribed by the Rules and Procedures of Council.

Ericka L. Burnett, City Clerk

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com)  
**Sent:** Thursday, September 14, 2023 2:34 PM  
**To:** [Ericka Burnett](#); [Robyn Tice](#)  
**Subject:** [EXTERNAL] Online Form Submittal: Application for Boards, Authorities, and Commissions - City Council Appointment

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**THIS EMAIL IS FROM AN EXTERNAL EMAIL ACCOUNT**

## Application for Boards, Authorities, and Commissions - City Council Appointment

*This application will be utilized in considering you for appointment to a City Council board, authority, or commission. Pursuant to Florida Statutes, Chapter 119, all information provided on or with this form becomes a public record and is subject to disclosure, unless otherwise exempted by law.*

*Completed applications will be kept on file for a period of one (1) year from the date received in the Office of the City Clerk.*

*It is necessary to contact a member of Council to obtain a nomination in order to be placed on the ballot for consideration. Please go to [cityofpensacola.com/council](http://cityofpensacola.com/council) for Council Member contact information. If you have any questions, contact the City Clerk's Office.*

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(Section Break)

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### Personal Information

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Name	Brian Kenneth Spencer
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Home Address	4040 Dunwody Dr. Pensacola, FL 32503
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Business Address	205 E. Intendencia St. Pensacola, FL 32502
------------------	---

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To which address do you prefer we send correspondence regarding this application?	Business
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Preferred Contact Phone Number(s)	850-712-2612
-----------------------------------	--------------

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Email Address	<a href="mailto:briankennethspencer@me.com">briankennethspencer@me.com</a>
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Upload Resume (optional)	Field not completed.
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Details

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Are you a City resident? Yes

---

If yes, which district? 4

---

If yes, how long have you been a City resident? 42 years

---

Do you own property within the City limits? Yes

---

Are you a registered voter in the city? Yes

---

Board(s) of interest: Architectural Review Board

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Please list the reasons for your interest in this position: I strongly believe that members of the Architectural Review Board should be committed to uphold the principles of design excellence for current and future property owners within the City of Pensacola's aesthetic review districts. My educational background (Masters Degree, Architecture) and experience as a local practicing architect and developer with a focus on redevelopment within the city's historic districts strengthens my objectivity when evaluating applicants' submittal packages.

---

Do you currently serve on a board? No

---

If yes, which board(s)? *Field not completed.*

---

Do you currently hold a public office? No

---

If so, what office? *Field not completed.*

---

Would you be willing to resign your current office for the appointment you now seek? N/A

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(Section Break)

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Diversity

*In order to encourage diversity in selections of members of government committees, the following information is required by Florida Statute 760.80 for some committees.*

---



Gender	Male
Race	Caucasian
Physically Disabled	No
(Section Break)	
Acknowledgement of Terms	I accept these terms.

Email not displaying correctly? [View it in your browser.](#)

# SMP ARCHITECTURE

## BRIAN SPENCER AIA

Principal, SMP Architecture



### EDUCATION

Duke University  
Bachelor of Arts

Tulane University  
Master of Architecture  
Lawrence Award for Design Excellence

### PROFESSIONAL REGISTRATION

Architectural Licensure  
Florida

### COMMUNITY INVOLVEMENT

City of Pensacola Architectural Review Board, 2020-Present  
Pensacola City Council, 2011-2018  
Community Redevelopment Agency, 2011-2018  
WSRE Board of Directors, 2006-2012  
Downtown Improvement Board, 1997-2001  
Gateway Review Board, 2008-2010  
Pensacola Little Theater Board of Trustees, Past President, 1990-1994  
Five Flags Rotary, 1987-2004  
Pensacola Chamber of Commerce Board of Directors 1997-1998

---

### BIOGRAPHY

Brian Spencer, AIA is a Pensacola native and a founding principal at SMP Architecture. After completing his Bachelor of Arts degree at Duke University in 1979, Brian earned his masters degree at Tulane University where he graduated Suma Cum Laude from the School of Architecture in 1984. He has been a licensed Architect for 30+ years and has received recognition for his contributions by the Florida AIA, Hilton Hotel Corporation and The New Orleans Historic District Landmarks Commission. In addition to his passion for revitalizing Pensacola's Historic Downtown Core, Brian is an avid marathon runner and has completed more than 22 marathons. When asked why he chooses to run long distances, his response is "there is no better time to explore design solutions than when running alone for more than 3 hours!"

Brian's contributions to the community include his previous election to serve on the Pensacola City Council. He also represented the Council on the Pensacola/Escambia County Clean Community Commission, Tourist Development Advisory Council, and the North Florida Transportation Planning Organization. Brian has served as the President of the Pensacola Little Theater, Pensacola Museum of Art and WSRE.

**Ballot – Architectural Review Board**

September 28, 2023

Two (2) year term expiring September 30, 2025

***Planning Board Member or resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District***

\_\_\_\_\_ Lou Mitchell Courtney

\_\_\_\_\_

**Vote for One**

---

***Property Or Business Owner Within the Palafox Historic Business District***

\_\_\_\_\_ Brian K. Spencer

\_\_\_\_\_

**Vote for One**

---

***Resident Property Owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District***

\_\_\_\_\_ George R. Mead, II

\_\_\_\_\_

**Vote for One**

Signed: \_\_\_\_\_  
Council Member



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

File #: 23-00665

City Council

9/28/2023

### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** D.C. Reeves, Mayor

**SUBJECT:**

AWARD OF ARCHITECTURAL AND ENGINEERING DESIGN SERVICES FOR RUNWAY AND TAXIWAY PAVEMENTS AT PENSACOLA INTERNATIONAL AIRPORT

**RECOMMENDATION:**

That City Council award a contract to AVCON, Inc. for professional engineering and architectural services related to runway and taxiway pavements at the Pensacola International Airport requested through RFQ #23-029. Further, that Council authorizes the Mayor take the actions necessary to negotiate, execute, and administer the necessary contract as specified RFQ #23-029, consistent with the terms of the contract and the Mayor's Executive Powers as granted in the City Charter.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

Pensacola International Airport requires design and environmental services for two airfield pavement projects: the rehabilitation of Runway 8-26 and construction of an MRO apron with connecting taxiway. The scale and complexity of the proposed projects requires the Airport to seek services of professional architectural and engineering firms to provide general design, bid phase, construction administration, and inspection services for these projects.

**Project 1 - Runway 8-26 Rehabilitation**

Runway 8-26 was reconstructed 20 years ago and is nearing the end of its useful life. The runway pavement is deteriorating from weather and use, and its condition has been noted by FAA as creating a safety risk for operating aircraft. The project will consist of a mill and overlay of the existing asphalt. The Project will include evaluation of the existing conditions, recommendation of pavement rehabilitation methods, and design of airfield pavement improvements. The Engineer will prepare bid documents, including one bid alternate for the installation of a concrete drainage pipe under the runway.

**Project 2 - MRO Apron and Connecting Taxiway**

The extension of Taxiway A and Apron Project is required as part of the Titan Element II package of projects. The additional pavement extends off the north end of Taxiway A. The Engineer will be provided with 30% drawings of the project to complete in coordination with design of the aircraft hangar which is being designed separately.

Airport Staff propose to employ airfield engineering services for the development of construction plans and specifications, construction contract documents, cost estimates, resident project representative services, and construction administration. The final contract will come to the Mayor for approval after being negotiated by Airport Staff.

On June 7, 2023, City Purchasing Department issued Request for Qualifications No. 23-029 for these services. Five (5) responses were received and opened on July 19, 2023. A review panel consisting of Mr. Ken Ibold, Airport Deputy Director; Mr. Roy Remington, Assistant Airport Director of Planning & Engineering; and Mrs. Laura Amentler, Assistant Airport Director of Finance reviewed the qualification packages submitted and requested that the top five (3) ranked firms and their respective teams make oral presentations. After hearing oral presentations on August 22, 2023 and evaluating the firms, the panel ranked the firms in the following order:

1. AVCON, Inc.
2. EXP U.S. Services, Inc.
3. RS&H, Inc.

AVCON is a full-service engineering and planning firm that specializes in aviation specific projects. The committee recommends entering a contract with the top-ranked firm AVCON, Inc. for the design and environmental services for the two projects at the Pensacola International Airport.

#### **PRIOR ACTION:**

##### **Project 1 - Runway 8-26 Rehabilitation**

October 13, 2022 - City Council approved Resolution No. 2022-096 authorizing the Mayor to execute the Public Transportation Grant Agreement No. 420300-5-94-01 with the Florida Department of Transportation for the design of the runway 8/26 rehabilitation at the Airport.

October 13, 2022 - City Council approved the acceptance of the Public Transportation Grant Agreement No. 420300-5-94-01 with the Florida Department of Transportation for the design of the runway 8/26 rehabilitation at the Airport.

##### **Project 2 - MRO Apron and Connecting Taxiway**

June 13, 2013 - City Council adopted a resolution to support the acceptance of a grant offered by the Florida Department of Transportation as a Joint Participation Agreement # 43360229401 in the amount of \$11,090,000 for Air Commerce Park Phases I and IA - Infrastructure Development.

February 13, 2014 - City Council Discussion Item and Presentation on the ST Aerospace Economic Development Project at the Pensacola International Airport.

February 27, 2014 - City Council approved the Interlocal Agreement with Escambia County and the City of Pensacola for Funding of Economic Development Project - ST Aerospace of Mobile, Inc.

September 9, 2014 - City Council approved the lease with VT Mobile Aerospace Engineering.

July 16, 2015 - City Council approved the selection of Greenhut Construction and authorized the

Mayor to execute the contract.

September 17, 2015 - City Council authorized the Mayor to execute acceptance of the Florida Department of Transportation Joint Participation Agreement # 43571729401 in the amount of \$1,531,546 for construction funding to expand the cargo apron and construct a taxiway connector at the Pensacola International Airport of which \$1,121,242 will be used towards taxiway connecting future VT MAE facility to runway 17-35.

March 17, 2016 - City Council authorized the Mayor to execute acceptance of the Florida Department of Transportation Joint Participation Agreements # 42030029401, # 42960929401, and # 42960939401 in the amount of \$2,975,305 for construction of a taxiway connector at the Pensacola International Airport.

April 14, 2016 - City Council authorized the Mayor to execute acceptance of the Florida Department of Transportation Joint Participation Agreement # 43571769401 in the amount of \$8,599,600 for construction of a hangar at the Pensacola International Airport.

September 22, 2016 - City Council authorized the Mayor to execute Amendment No. 1 to the lease the VT Mobile Aerospace Engineering.

September 22, 2016 - City Council authorized the Mayor to execute Amendment No. 1 to the contract with Atkins North America.

February 8, 2017 - City Council authorized the Mayor to execute Amendment No. 2 and Amendment No. 3 to the contract with Atkins North America.

March 8, 2018 - City Council authorized the Mayor to execute acceptance of the State of Florida Department of Economic Opportunity Grant Agreement G0009 in the amount of \$4,000,000 for construction of infrastructure related to MRO expansion.

September 13, 2018 - City Council authorized the Mayor to accept and execute the State of Florida Department of Transportation Public Transportation Grant Agreement Financial Project 441494-2-94-01 in the amount of \$3,000,000 for Pensacola International Airport Facilities Development related to MRO expansion.

September 13, 2018 - City Council committed funding in the amount of \$10 million from Local Option Sales Tax Series IV in support of the aerospace maintenance repair and overhaul (MRO) campus expansion.

February 6, 2019 - City Council approved the amended Interlocal Agreement between the Escambia County Board of County Commissioners and the City of Pensacola related to additional funding requirements for the aerospace maintenance, repair, and overhaul (MRO) campus expansion at the Pensacola International Airport, and approved additional Local Option Sales Tax IV funding of \$5 million for the City's share of the aerospace maintenance, repair, and overhaul (MRO) campus expansion at the Pensacola International Airport.

March 28, 2019 - City Council authorized the Mayor to accept and execute the Project Development Agreement, the Master Lease of Real Property, the Triumph Grant Award Agreement, and a State of

Florida Dept. of Economic Opportunity Grant in the amount of \$10,000,000.

August 8, 2019 - City Council authorized the Mayor to accept and execute Financial Award No. 04-79-07378 from the U.S. Department of Commerce, Economic Development Administration in the amount of \$12,250,000 for the MRO expansion, and authorized the Mayor to accept and execute State of Florida Dept. of Transportation Amendment to the grant agreement for Financial Project 441494-2-94-01 in the amount of \$8,000,000 for the MRO expansion.

November 14, 2019 - City Council authorize the Mayor to take all necessary action to execute an Interlocal Agreement for Grant Administration Services for the Economic Development Administration (EDA) Grant #04-79-07378 between the Emerald Coast Regional Planning Council and the City of Pensacola.

January 16, 2020 - City Council approved the selection of Brasfield & Gorrie, LLC, as the Construction Manager at Risk for Hangar 2 and authorized the Mayor to execute the contract.

March 26, 2020 - City Council authorized the Mayor to execute acceptance of the State of Florida Department of Economic Opportunity Florida Job Growth Infrastructure Grant Agreement in the amount of \$4,875,000 related to the MRO aviation campus expansion project.

July 16, 2020 - City Council authorized the Mayor to accept and execute the State of Florida Department. of Transportation Amendment to the grant agreement for Financial Project 441494-2-94-01 in the amount of \$34,000,000 for the MRO expansion.

August 10, 2020 - City Council approved Resolution 2020-18 related to the State of Florida Department of Transportation Amendment to the grant agreement for Financial Project 441494-2-94-01 in the amount of \$34,000,000 for the MRO expansion.

November 12, 2020 - City Council approved Amendment No. 1 to Construction Manager At Risk Contract between the City and Brasfield & Gorrie, LLC (The 'GMP Amendment') for Hangar 2 of Project Titan/MRO Campus at Pensacola International Airport.

August 12, 2021 - City Council authorized the Mayor to accept and execute the State of Florida Department. of Transportation Amendment to the grant agreement for Financial Project 441494-2-94-01 in the amount of \$1,000,000 for the MRO expansion.

August 18, 2022 - City Council authorized the Mayor to accept and execute the State of Florida Department. of Transportation Amendment to the grant agreement for Financial Project 441494-2-94-01 in the amount of \$2,000,000 for the MRO expansion.

December 15, 2022 - City Council approved Amendment No. 1 of the Interlocal Agreement between the City of Pensacola and Emerald Coast Regional Planning Council extending the Interlocal through the term of the grant.

May 25, 2023 - City Council approved the award of Project Titan Hangar 2 Parking Lot Modifications to Gulf Beach Construction and authorized the Mayor to execute and administer the contract.

August 17, 2023 - City Council approved the award of Project Titan Element 2 site preparations to

HG Construction Development & Investment, Inc. and authorized the Mayor to execute and administer the contract.

# **FUNDING:**

## **Project 1 - Runway 8-26 Rehabilitation**

Budget: \$ 580,000 FDOT Grant 420300-5-94-01  
           580,000 Airport Capital Funds  
\$ 1,160,000

Actual: \$ 1,160,000 Runway 8-26 Rehabilitation Design  
\$ 1,160,000

## **Project 2 - MRO Apron and Connecting Taxiway**

Budget: \$ 35,000,000 VT MAE  
           14,000,000 Governor's Job Growth  
           48,000,000 FDOT Grant  
           15,000,000 Escambia County  
           15,000,000 City Local Option Sales Tax Series IV  
           12,250,000 Federal - U.S. Economic Development Administration  
           66,000,000 Triumph Gulf Coast  
           4,875,000 Florida DEO Grant  
\$ 210,125,000

Actual: Element 1  
       \$ 2,371,801 Design  
           277,645 Design Development Services  
           1,812,640 Contract Administration Services  
           120,560 Cost Estimating Services  
           3,340,999 FAA Project Funding  
           2,595,204 Professional Services  
           15,438,639 Owner Direct Purchases  
           36,166,135 Construction Manager at Risk  
           117,562 Parking Lot Modifications  
           128,319 Miscellaneous (permit fees, eng. alloc., misc.)  
           930,496 Contingency  
\$ 63,300,000 Sub-Total Element 1

Element 2  
       \$ 5,525,000 Design  
           5,500,000 Construction Administration Services  
           403,120 Contract Management Services  
           300,000 Facility Commissioning  
           879,927 Geotech and Environmental Assessment  
           1,496,880 Professional Services  
           650,000 Bridge Financing  
           3,375,000 Owners Contingency



<u>128,695,073</u>	Construction
<u>\$146,825,000</u>	Sub-Total Element 2
<u>\$210,125,000</u>	TOTAL FUND

**FINANCIAL IMPACT:****Project 1 - Runway 8-26 Rehabilitation**

Pensacola International Airport routinely requests grant funding from FDOT as part of a five-year work program. In anticipation of this grant, funds were allocated in the FY23 budget. In FY23, funding in the amount of \$580,000 has been appropriated in the Airport's grant account and funding in the amount \$580,000 has been appropriated in the Airport's capital improvement account. Grant funds will be provided from FDOT on a reimbursable basis.

**Project 2 - MRO Apron and Connecting Taxiway**

The funds for the project were appropriated in the Airport Fund on Supplemental Budget Resolution No. 2019-13 at the March 28, 2019, City Council Meeting. The total project cost is being funded by a combination of VT MAE investment, state grants, federal grants, and local funds, as detailed above under "Funding". Funding for the engineering and design work is available in the design and construction administration services line item under Element 2.

**LEGAL REVIEW ONLY BY CITY ATTORNEY: Yes**

9/19/2023

**STAFF CONTACT:**

Kerrith Fiddler, City Administrator  
Amy Miller, Deputy City Administrator  
Matthew F. Coughlin, Airport Director

**ATTACHMENTS:**

- 1) Tabulation of Respondents to RFQ No. 23-029
- 2) Selection Committee Scoring Matrix
- 3) Vendor Reference List

**PRESENTATION: No**

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TABULATION OF QUALIFICATIONS

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**RFQ NO: 23-029**

**TITLE: ENGINEERING DESIGN SERVICES FOR RUNWAY AND TAXIWAY  
AT PENSACOLA INTERNATIONAL AIRPORT**

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Submittals Due:

**07/13/23, 2:30 P.M.**

Department:

**Airport**

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AVCON, Inc.  
Virgil C. Lewis, PE, Vice President  
3298 Summit Boulevard, Suite 26  
Pensacola, FL 32503  
850-698-3526  
[vclewis@avconinc.com](mailto:vclewis@avconinc.com)

EXP U.S. Services, Inc.  
Timothy Neumann, AIA, NCARB, Exec. V. Pres.  
2510 Miccosukee Road, Suite 200  
Tallahassee, FL 32308  
312-616-7475  
[timothy.neumann@exp.com](mailto:timothy.neumann@exp.com)

Pond & Company  
Hugh Weaver, Jr., PE, LEED AP, VP Aviation  
1200 Riverplace Boulevard, #600  
Jacksonville, FL 32207  
678-459-2464  
Fax: 678-336-7744  
[weaverh@pondco.com](mailto:weaverh@pondco.com)

RS&H, Inc.  
Dale Stubbs, PE, Vice President  
10748 Deerwood Park Boulevard South  
Jacksonville, FL 32256  
678-528-7240  
Fax: 800-464-4358  
[dale.stubbs@rsandh.com](mailto:dale.stubbs@rsandh.com)

Volkert, Inc.  
Mike Warnke, PE, ENV SP, VP SE RCE  
215 Fairpoint Drive, Suite B  
Gulf Breeze, FL 32561  
850-512-8935  
[mike.warnke@volkert.com](mailto:mike.warnke@volkert.com)

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**RFQ NO. 23-029**

**ENGINEERING DESIGN SERVICES  
FOR RUNWAYS AND TAXIWAY PAVEMENTS  
AT PENSACOLA INTERNATIONAL AIRPORT**

Selection Committee Meeting (08/22/23)  
Oral Presentations Evaluation

<b>FIRMS</b> <i>Raw Score</i>	<b>Laura Amentler</b>	<b>Ken Ibold</b>	<b>Roy Remington</b>	<b>TOTAL SCORE</b>	<b>RANKING ORDER</b>
RS&H, Inc.	3	2	2	<b>7</b>	<b>3</b>
EXP U.S. Services, Inc.	2	3	1	<b>6</b>	<b>2</b>
AVCON, Inc.	1	1	3	<b>5</b>	<b>1</b>

Motion: Ken Ibold made a motion to award contracy to AVCON, Inc. top ranked firm

Seconded: Roy Remington seconded to motioned

Vote: 3-0

Submittal Due Date: 07/13/23

Bid No.: 23-029

**FINAL VENDOR REFERENCE LIST  
ENGINEERING DESIGN SERVICES FOR RUNWAY AND TAXIWAY  
AT PENSACOLA INTERNATIONAL AIRPORT  
AIRPORT**

Vendor Name	Address	City	St	Zip Code	SMWBE
034091 A & K ENERGY CONSERVATION INC	PO BOX 1135	DADE CITY	FL	33526	
051996 AECOM USA	2202 N WEST SHORE BLVD STE 455	TAMPA	FL	33607	
043914 AEROSTAR ENVIRONMENTL SVCS INC	11181 ST JOHNS INDUSTRIAL PKWY N	JACKSONVILLE	FL	32246	
047315 ALLIANCE DESIGN GROUP PA	3820 COLONIAL BLVD STE 100	FT MEYERS	FL	33966	
085852 AMERICAN DRILLING INC	3720 MC CLEALLAN ROAD	PENSACOLA	FL	32503	
070194 ASSOCIATED SPACE DESIGN DBA ASD/SKY	4810 WEST NINE MILE ROAD	PENSACOLA	FL	32526	
047874 ATC GROUP SERVICES INC DBA ATC ASSOCIATES INC	130 S GERONIMO ST STE 6	MIRAMAR BEACH	FL	32550	
046757 ATL DISASTER RECOVERY INC	PO BOX 1387	BOYNTON BEACH	FL	33425	
022428 AVCON INC	5555 E MICHIGAN ST SUITE 200	ORLANDO	FL	32822	
000377 BASKERVILLE DONOVAN	449 WEST MAIN ST	PENSACOLA	FL	32502	
068491 BROOKS ENVIRONMENTAL SOLUTIONS LLC	129 CEDAR HAMMOCK LANE	PANAMA CITY BCH	FL	32407	
065821 BRPH ARCHITECTS-ENGINEERS INC	5700 N HARBOR CITY BLVD STE 400	MELBOURNE	FL	32940	
000058 BULLOCK-TICE ASSOCIATES	909 EAST CERVANTES ST STE B	PENSACOLA	FL	32501	
003039 CALDWELL ASSOCTES ARCHTCTS INC	116 NORTH TARRAGONA STREET	PENSACOLA	FL	32502	Y
027733 CAMP DRESSER & MCKEE INC	2301 MAITLAND CENTER PKWY #300	MAITLAND	FL	32751	
055492 CATHEY CONSTRUCTION AND DVLPMT	103 N 30TH STREET	MEXICO BEACH	FL	32410	
053116 CONSTELLATION ENERGY PROJECTS & SERVICES GROUP	2360 DORIAN DRIVE	PENSACOLA	FL	32503	
059761 CPH ENGINEERS INC	700 S PALAFOX	PENSACOLA	FL	32502	
065362 DANA B KENYON COMPANY	5772 TIMUQUANA ROAD	JACKSONVILLE	FL	32210	
044556 DMC CONSULTING OF CENTRAL FLORIDA INC	9212 SUMMIT CENTRE WAY #108	ORLANDO	FL	32810	
031027 DRMP INC	941 LAKE BALDWIN LANE	ORLANDO	FL	32814	
056337 E SCIENCES	34 EAST PINE STREET	ORLANDO	FL	32801	
084561 EXP US SERVICES INC	2510 MICCOSUKEE ROAD STE 200	TALLAHASSEE	FL	32308	
040956 FITZPATRICK, DAVID W PE, PA	10250 N PALAFOX STREET	PENSACOLA	FL	32534	
065730 FPL ENERGY SERVICES	9001 ELLIS ROAD	MELBOURNE	FL	32904	
074355 GANNETT MHC MEDIA INC DBA PENSACOLA NEWS JOURNAL	2 NORTH PALAFOX ST	PENSACOLA	FL	32502	
063463 GEOSYNTEC CONSULTANTS INC	900 BROKEN SOUND PKWY NW	BOCA RATON	FL	33487	
043919 GOVERNOR CONTROL SYSTEMS INC	3101 SW 3RD AVENUE	FT LAUDERDALE	FL	33315	
046524 GREENMAN-PEDERSEN INC	2929 LANGLEY AVENUE SUITE 203	PENSACOLA	FL	32504	
060768 GULF CIVIL ENGINEERING LLC	3298 SUMMIT BLVD STE 44	PENSACOLA	FL	32503	Y
028628 GULF COAST ENVIRONMENTAL & ENGINEERING INC	P O BOX 12623	PENSACOLA	FL	32574	
074827 GULF COAST MINORITY CHAMBER OF COMMERCE INC	321 N DEVILLERS ST STE 104	PENSACOLA	FL	32501	
049076 HAMMOND ENGINEERING INC	3802 NORTH "S" ST	PENSACOLA	FL	32505	
027373 HERNANDEZ & SWIFT ASSOCIATES INC	1630 BALIHAI COURT	GULF BREEZE	FL	32563	
045631 HERNANDEZ CALHOUN DESIGN INTL	420 NORTH PALAFOX STREET	PENSACOLA	FL	32502	Y
065275 IBI GROUP	2200 PARK CENTRAL BLVD N STE 100	POMPANO BEACH	FL	33064	
057720 IMDC INC	1060 MAITLAND CTR COMMONS BLVD	MAITLAND	FL	32751	
067511 INFRASTRUCTURE ENGINEERS INC	3182 GULF BREEZE PARKWAY	GULF BREEZE	FL	32563	
046666 J J SOSA & ASSOCIATES INC	6911 PISTOL RANGE RD # 101A	TAMPA	FL	33626	
065823 JACOBS ENGINEERING GROUP INC	200 S ORANGE AVENUE STE 900	ORLANDO	FL	32801	
067283 JOE DEREUIL ASSOCIATES LLC	301 WEST CERVANTES STREET	PENSACOLA	FL	32501	Y
032824 KENNETH HORNE & ASSOCIATES	7201 NORTH 9TH AVENUE SUITE 6	PENSACOLA	FL	32504	Y

Submittal Due Date: 07/13/23

Bid No.: 23-029

**FINAL VENDOR REFERENCE LIST  
ENGINEERING DESIGN SERVICES FOR RUNWAY AND TAXIWAY  
AT PENSACOLA INTERNATIONAL AIRPORT  
AIRPORT**

Vendor Name	Address	City	St	Zip Code	SMWBE
000436 LARRY M JACOBS & ASSOC INC	328 E GADSDEN ST	PENSACOLA	FL	32501	Y
047317 LEO A DALY	3390 MARY STREET SUITE 216	MIAMI	FL	33133	
070196 LIVESTONE CONSULTING INC	15100 HUTCHISON ROAD STE 250	TAMPA	FL	33625	
036706 MALCOLM PIRNIE INC	1715 E 9TH AVE	TAMPA	FL	33605	
045220 MEP ENGINEERING SOLUTIONS INC	217 EAST INTENDENCIA ST	PENSACOLA	FL	32501	
028091 METRIC ENGINEERING INC	1343 BRICKYARD ROAD	CHIPLEY	FL	32428	
081060 MULLINS LLC	41 N JEFFERSON ST	PENSACOLA	FL	32502	
033184 NODARSE & ASSOCIATES	6950 PHILLIPS HWY STE 2	JACKSONVILLE	FL	32216	
067489 PANHANDLE ENGINEERING & CONSTRUCTION INC	4428 LAFAYETTE STREET SUITE B	MARIANNA	FL	32446	
060344 PENSACOLA BAY AREA CHAMBER OF COMMERCE DBA GREATER PENSACOLA CHAMBER	117 W GARDEN ST	PENSACOLA	FL	32502	
023075 PETERSON ENGINEERING INC	75 SOUTH 'F' STREET	PENSACOLA	FL	32501	Y
055283 PLANENG INC	501 FITZGERALD ST	PENSACOLA	FL	32505	
082538 POND CO	9 DAUPHIN STREET SUITE 200	MOBILE	AL	36602	
065824 PRIME AE GROUP INC	2510 WEST CERVANTES STREET	PENSACOLA	FL	32505	
031126 R W ARMSTRONG & ASSOCIATES INC	2502 N ROCKY POINT DR SUITE 965	TAMPA	FL	33607	
051061 REBOL-BATTLE & ASSOCIATES LLC	2301 NORTH 9TH AVENUE SUITE 3	PENSACOLA	FL	32503	Y
018207 REYNOLDS SMITH & HILLS INC	10748 DEERWOOD BLVD SOUTH	JACKSONVILLE	FL	32256	
069116 RJH & ASSOCIATES INC	215 GRAND BLVD STE 102	MIRAMAR BCH	FL	32550	Y
018207 RS&H INC	10748 DEERWOOD PK BLVD S	JACKSONVILLE	FL	32256	
042209 SCHMIDT DELL ASSOCIATES INC	40 S PALAFOX PLACE STE 300	PENSACOLA	FL	32502	Y
059180 SIGMA CONSULTING GROUP INC	3298 SUMMIT BOULEVARD SUITE 32	PENSACOLA	FL	32503	
067399 STANTEC	1441 MACLAY COMMERCE DR STE 101	TALLAHASSEE	FL	32312	
020070 STROBEL & HUNTER INC	715 EAST GADSDEN ST	PENSACOLA	FL	32501	Y
028087 TAYLOR ENGINEERING INC	P O BOX 550510	JACKSONVILLE	FL	32256	
026223 TBE GROUP INC DBA CARDNO TBE	380 PARK PLACE BLVD STE 300	CLEARWATER	FL	33759	
022365 THE HASKELL COMPANY HASKELL BUILDING	111 RIVERSIDE AVE	JACKSONVILLE	FL	32202	
042009 THOMPSON ENGINEERING	6706-C PLANTATION BLVD	PENSACOLA	FL	32504	
067875 TIERRA	1300 WEST MAIN STREET	PENSACOLA	FL	32501	
041087 TIGER ENERGY SERVICES INC	PO BOX 3084	WINTER GARDEN	FL	34778	
065277 VANASSE HANGEN BRUSTLIN INC	225 EAST ROBINSON ST STE 300	ORLANDO	FL	32801	
038546 VOLKERT INC	215 FAIRPOINT DRIVE	GULF BREEZE	FL	32561	
066549 WELLS, JAMES E III &SAMANTHA M W3 ENGINEERING INC	557 NORTHCREEK CIRCLE	PENSACOLA	FL	32514	
026280 WETLAND SCIENCES INC	3308 GULF BEACH HWY	PENSACOLA	FL	32507	Y
025340 WILBUR SMITH ASSOCIATES	3535 LAWTON RD STE 100	ORLANDO	FL	32803	

Vendors: 76



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 23-00705

City Council

9/28/2023

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** City Council Member Jennifer Brahier

**SUBJECT:**

DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER JENNIFER BRAHIER - DISTRICT 1

**RECOMMENDATION:**

That City Council approve funding of \$500 to Animal Allies Florida and \$1,000 to Valerie's House from the City Council Discretionary Funds for District 1.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

In accordance with the Section 3.28-3.33 of the Policies of the City Council, prior to any distribution of grant or sponsorship funds from the City Council Discretionary Funds, approval by City Council is required.

Animal Allies Florida was founded in December 2010 to help animals in our community. Their mission is to reduce the number of animals put down every year in the Florida Panhandle as well as educating the public about the importance of spay and neuter. They help rehome animals in need and spay or neuter as many animals as possible. Funding will be used towards their mission.

The mission of Valerie's House is to help children and families work through the loss of a loved one together and go on to live fulfilling lives. Their vision is that no child will grieve alone. With locations in Fort Myers, Naples, Charlotte County and Pensacola, Valerie's House is a special place where children connect with one another and learn the tools to heal after they have experienced the death of someone they love. At Valerie's House, children know others their age, and they learn that loss doesn't have to limit their dreams. In addition to their dedicated staff, many of their volunteers have lived this journey and are available to help find hope. All of their resources go directly to providing children and their families a safe place to share, grieve and grow. Funding will be used to further their mission.

**PRIOR ACTION:**

July 21, 2022 - City Council adopted Resolution No. 2022-065 establishing the City Council Discretionary Fund Policy

**FUNDING:**

Budget:	\$10,700	Current Balance - District 1 Discretionary Funds
Actual:	\$ 500	Animal Allies Florida
	<u>1,000</u>	Valerie's House
	<u>\$ 1,500</u>	

**FINANCIAL IMPACT:**

A balance of \$10,700 is currently within the District 1 Discretionary Fund Account. Upon approval by City Council, a balance of \$9,200 will remain in the District 1 Discretionary Fund Account.

**STAFF CONTACT:**

Don Kraher, Council Executive  
Yvette McLellan, Special Assistant to the Council Executive

**ATTACHMENTS:**

None

**PRESENTATION:** No



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 23-00707

City Council

9/28/2023

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** City Council President Delarian Wiggins

**SUBJECT:**

DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL PRESIDENT DELARIAN WIGGINS - DISTRICT 7

**RECOMMENDATION:**

That City Council approve funding of \$1,000 for the Southern Youth Sports Association from the City Council Discretionary Funds for District 7.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

In accordance with the Section 3.28-3.33 of the Policies of the City Council, prior to any distribution of grant or sponsorship funds from the City Council Discretionary Funds, approval by City Council is required.

The Southern Youth Sports Association provides coaching, mentoring and tutoring to inner city and at-risk youth. Their programs have been a huge success on the field and off, helping children stay focused on school, discipline and staying out of trouble. Each year they hold the annual Soul Bowl which brings thousands of local parents, children and community supports together for a fun filled day of football, entertainment and great food. This year will mark the 33<sup>rd</sup> year of the annual event and will be held on October 14, 2023, at the Pensacola Wahoo's Stadium. This event allows many disadvantaged youths the opportunity to play football in a professional stadium. Funding will be used to offset costs associated with this event.

**PRIOR ACTION:**

July 21, 2022 - City Council adopted Resolution No. 2022-065 establishing the City Council Discretionary Fund Policy

**FUNDING:**

Budget:       \$ 1,143       District 7 Discretionary Funds

Actual:       \$ 1,000       Southern Youth Sports Association



**FINANCIAL IMPACT:**

A balance of \$1,143 is currently within the District 7 Discretionary Fund Account. Upon approval by City Council, a balance of \$143 will remain in the District 7 Discretionary Fund Account.

**STAFF CONTACT:**

Don Kraher, Council Executive

Yvette McLellan, Special Assistant to the Council Executive

**ATTACHMENTS:**

None

**PRESENTATION:** No



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

File #: 23-00709

City Council

9/28/2023

### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** City Council Member Allison Patton

**SUBJECT:**

DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER ALLISON PATTON - DISTRICT 6

**RECOMMENDATION:**

That City Council approve funding of \$500 to the Epps Christian Center Ministries from the City Council Discretionary Funds for District 6.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

The Epps Christian Center Ministries is a nonprofit religious organization founded in August 2003 to reach out to the Hungry, Homeless and the Hurting as well as enhancing the Spiritual and Quality of life for the community and others throughout the country and the world. They have sponsored several community events to enhance the quality of life for all citizens in Escambia County. Funding will be used towards the many services they render in the community which includes: aid in obtaining identification documents, distributing backpacks, facilitating job searches, providing referral services, offering hot meals, hosting food giveaways, back to school giveaways, connecting individuals to health resources, among other services.

**PRIOR ACTION:**

July 21, 2022 - City Council adopted Resolution No. 2022-065 establishing the City Council Discretionary Fund Policy

**FUNDING:**

Budget:	\$10,700	District 6 Discretionary Funds
Actual:	\$ 500	Epps Christian Center Ministries

**FINANCIAL IMPACT:**

A balance of \$10,700 remains within the District 6 Discretionary Fund Account. Upon approval by

City Council, a balance of \$10,200 will remain in the District 6 Discretionary Fund Account.

**STAFF CONTACT:**

Don Kraher, Council Executive

Yvette McLellan, Special Assistant to the Council Executive

**ATTACHMENTS:**

None

**PRESENTATION:** No



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 23-00710

City Council

9/28/2023

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** City Council Member Teniadé Broughton

**SUBJECT:**

DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER TENIADE BROUGHTON - DISTRICT 5

**RECOMMENDATION:**

That City Council approve funding of \$1,000 to the James B. Washington Education and Sports, \$500 to the 309 Punk Project, \$500 to the Real Women Radio Foundation and \$500 to the Escambia County Sickel Cell Foundation from the City Council Discretionary Funds for District 5.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

In accordance with Section 3.28-3.33 of the Policies of the City Council, prior to any distribution of grant or sponsorship funds from the City Council Discretionary Funds, approval by City Council is required.

The mission of James B. Washington Education and Sports is to serve underprivileged youth through education, sports and activities to improve and enhance our community. They incentivize youth with a unique model that rewards responsibility and success in the classroom. Children are given opportunities to play on basketball teams, participate in art programs, take field trips and learn life skills through achievement and accomplishment. Funding will be used towards their mission.

309 North 5<sup>th</sup> Avenue became a punk house in the late 1990's. Arguably the oldest continuously inhabited Punk House in the south, 309 and its residents played a role in the American Punk subculture for decades. Over the years, internationally renowned photographers, painters, writers, activists and musicians have lived in 309. In 2016 the non-profit 309 Punk Project was founded to raise awareness about its history through curatorial practice and programming efforts and to raise funds towards the purchase and renovation of the house. The 309 Punk Project is the only artist run nonprofit organization in the South committed solely to archiving the creative efforts of the punk culture of our region. It is their primary goal to serve the local and regional community as archive, residency and venue for divergent practices in DIY culture and contemporary art that critically examines the sociopolitical culture moment that is shaping all our lives. Funding will be used to further their mission.

Founded in 2018, the Real Women Radio Foundation, Inc. is a non-profit organization whose mission is to build economically vibrant and sustainable communities through strategic partnerships with businesses and organization throughout Northwest Florida. Their programs focus on underserved communities and vulnerable populations. Funding will be used to asst with the youth in our community. There is a growing need for positive role-models for all youth between the ages of 8-19. The Real Women Radio Foundation focuses on the relationship between self-esteem, education and employment.

Sickle cell anemia is a blood disorder that affects the shape of red blood cells that carry oxygen through the body. Instead of the usual round and flexible shape, the red blood cells are shaped like sickles or crescent moons, making it hard for oxygen to move through the body and causing fatigue and pain. According to the U.S. Centers for Disease Control and Prevention, sickle cell impacts roughly 1 million to 3 million Americans. It is particularly prevalent in the African-American community. The mission of the Escambia County Sickle Cell Foundation is to advocate, develop and implement programs and services to benefit individuals suffering from sickle cell. Funding will be used towards their mission.

**PRIOR ACTION:**

July 21, 2022 - City Council adopted Resolution No. 2022-065 establishing the City Council Discretionary Fund Policy.

**FUNDING:**

Budget:	\$ 5,707	Current Balance District 5 Discretionary Funds
Actual:	\$ 1,000	James B. Washington Education and Sports
	500	309 Punk Project
	500	Real Women Radio Foundation
	500	Escambia County Sickle Cell Foundation
	<u>\$ 2,500</u>	

**FINANCIAL IMPACT:**

A balance of \$4,851 was previously available within the District 5 Discretionary Fund Account. However, there are two organizations previously approved that were deemed ineligible for discretionary funding after the City Council approved the funding. Those were the Delta Sigma Theta Sorority (\$300) and St. Anthony of Padua Catholic Church (\$150), both approved at the March 23, 2023 City Council Meeting. Additionally, a total funding amount of \$2,000 was approved to be used towards the Pain Memorial Bench however, only \$1,594 was utilized and the remaining amount of \$406 has been added back to the available balance which now totals \$5,707. Upon approval by City Council, a balance of \$3,207 will remain in the District 5 Discretionary Fund Account.

**STAFF CONTACT:**

Don Kraher, Council Executive

Yvette McLellan, Special Assistant to the Council Executive

**ATTACHMENTS:**

None

**PRESENTATION:** No



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

**File #:** 23-00729

City Council

9/28/2023

### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** City Council Member Jennifer Brahier

**SUBJECT:**

COUNCIL OF NEIGHBORHOOD ASSOCIATIONS PRESIDENTS OF PENSACOLA (CNAPP) TREE PLANTING TRUST FUND GRANT REQUEST IN ACCORDANCE WITH CITY CODE SECTION 12-6-10(C)(2)

**RECOMMENDATION:**

That City Council approve the recommendation of the Environmental Advisory Board (EAB) to approve a grant request in accordance with City Code Sec. 12-6-10(c)(2) for CNAPP - Citizens' Canopy Restoration Project. The amount recommended by the EAB was up to \$5,500.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

City Code Section 12-6-10(c)(2) - Tree and Landscape Regulations; Enforcement ; Grant Program states:

(2) A grant program is hereby established for community organizations such as neighborhood associations, civic organizations, and garden clubs, according to the following criteria:

- a. Each grant is limited to 50 percent of the cost of the proposed project up to \$5,500.00;
- b. The tree planting trust fund must have sufficient funds for the project requested;
- c. Grant requests must be submitted to the environmental advisory board for review prior to consideration by the city's designated arborist and city council;
- d. The city council must approve each grant request; and
- e. The funds must be utilized for providing trees or other appropriate vegetation along with associated irrigation that will help restore the tree canopy as deemed appropriate by proper planting location requirements and may enhance the natural beauty of the community, serve to deter graffiti or the defacement of public or private property, and may create sound buffers where desirable.

In accordance with this section, CNAPP has submitted a grant request for the purpose of assisting

the city in tree canopy restoration within neighborhoods and parks, through a city funded, citizen-driven tree planting project that focuses on rebuilding the city's canopy by planting trees within the right-of-way or within 20 feet of the ROW or within City parks. The total project cost submitted was up to \$11,000, with final numbers depending on the number of participants obtained.

This section limits each grant to 50% of the cost of the proposed project up to \$5,500.00.

At its September 7, 2023 Board Meeting, a motion was made and seconded to approved the grant request and send a recommendation to City Council stating such. The vote passed on a vote of 6-0 with two members absent.

**PRIOR ACTION:**

September 7, 2023 - EAB heard from CNAPP and made a recommendation to City Council

**FUNDING:**

Budget: Up to \$5,500

Actual: Up to \$5,500

**FINANCIAL IMPACT:**

Reduction in the Tree Planting Trust Fund in an amount up to \$5,500.

**STAFF CONTACT:**

Don Kraher, Council Executive

**ATTACHMENTS:**

- 1) Tree Planting Trust Fund Grant Application 2023 - CNAPP
- 2) 2023-09-07 Pensacola Canopy Restoration version 2 -- CNAPP

**PRESENTATION:** No





# **CITY OF PENSACOLA, FLORIDA**

## **Pensacola Tree Trust Fund Grant Program Application Instructions**

### **Purpose**

The Pensacola Tree Trust Fund Grant Program (PTTFG) is designed for community organizations such as neighborhood associations, civic organizations, and garden clubs to provide trees or other appropriate vegetation along with associated irrigation that will help restore the tree canopy as deemed appropriate by proper planting location requirements and may enhance the natural beauty of the community, serve to deter graffiti or the defacement of public or private property, and may create sound buffers where desirable.

### **Funds available for this grant**

- Each grant will allow a maximum award of \$5,500 per project.
- Each grant will require a fifty (50) percent match to the proposed project.
- All grants are subject to the availability of funds at the time of the award.

**VERY IMPORTANT NOTE: Please BE SURE your application is complete.  
Incomplete applications will NOT be considered!**

### **Completed applications are to be submitted to:**

- In person: Engineering Services, City Hall  
222 W. Main Street  
Pensacola, FL 32502
- Via Mail Service: Engineering Services  
City of Pensacola  
222 W. Main Street  
Pensacola, FL 32502

Questions about the grant or completion of this application should be directed to:

Mark Jackson, Engineering Services Department  
850-435-1649

[majackson@cityofpensacola.com](mailto:majackson@cityofpensacola.com)

## **-General Information-**

### **1. What is the Pensacola Tree Trust Fund Grant Program?**

The Pensacola Tree Trust Fund Grant Program (PTTFG) makes funds available (for qualified projects) to neighborhood associations, civic organizations and garden clubs to provide trees or other appropriate vegetation along with associated irrigation that will help restore the City of Pensacola's tree canopy as deemed appropriate by proper planting location requirements and may enhance the natural beauty of the community, deter graffiti or the defacement of public or private property, and may create sound buffers where desirable. Awards are competitive due to the limited availability of grant funds. Preference will be given to:

- First-time applicants
- Projects that improve public rights-of-way or public property or that have a public purpose as certified herein.
- Projects that can be completed within the term of the grant agreement (1 year)
- Applicants that demonstrate preparedness to address any ongoing maintenance created by the project.

### **2. What types of projects are possible?**

Each application must consist of a single project with a clearly defined goal that directly benefits the neighborhood and its residents. Applications for phase one of a two-phase project must be identified as such and must include information and costs for the entire project. The fund must be utilized for providing trees or other appropriate vegetation along with associated irrigation that will enhance the natural beauty of the community, serve to deter graffiti or the defacement of public or private property, and may create sound buffers where desirable.

### **3. What are some examples of projects that **WOULD** or **WOULD NOT** be considered "eligible"?**

Eligible projects include (but are not limited to):

- Removal and replacement of dead trees in a community park or green space.
- Addition of shrubbery, trees, or other plants along or adjacent to a right of way.
- Irrigation to maintain the trees and shrubs planted.

Ineligible projects include (but are not limited to):

- Removal and replacement of dead trees on private property, unless such removal and replacement has a public purpose as determined by the City.
- Addition of shrubbery, trees, or other plants on private property, unless such addition has a public purpose as determined by the City.
- Routine maintenance or repair of existing plant life

#### **4. How does the process work?**

An application packet can be obtained from the City of Pensacola website at [www.cityofpensacola.com](http://www.cityofpensacola.com). Applicants will need to complete and submit the application along with any supplemental information to the City of Pensacola's Engineering Services department as outlined on the first page of this document.

The City's Engineering Services department will review and submit the application to the Environmental Advisor Board (EAB) for review. Applicants should be prepared to present their proposal to the EAB if requested. The EAB will review the application and will forward their recommendation to the City Council.

If the PTTFG Technical Review Committee recommends the application for approval, the Office of the Mayor will send the application and recommendation to the EAB for review. If the EAB recommends the application for approval they will send it to the City Council for final review.

If approved by City Council, a PTTFG funding agreement will be mailed to the grantee. Grantees then will be required to submit a signed contract (along with the check for any "matching" cash funds payable) to the City of Pensacola. The City will then finalize the contract and return a copy to the grantee (along with the reporting forms needed to complete the project).

If work is to be performed on private property, the application packet provided must include the location and nature of the work performed. Any approvals by the EAB and City Council must include a certification that the work performed on private property constitutes a public purpose.

#### **5. What are the basic requirements for the grant?**

- a. Applications must be for a "single project" with a documented, reasonable, and cost-effective budget. Applicants must provide three (3) quotes for each component of the project or items to be purchased.
- b. Projects must be well planned, clearly understood, and ready to be executed.
- c. Applicants must complete the project within the term of the grant agreement.
- d. Applicants must prove preparedness and commitment to address any ongoing maintenance created by the project.
- e. Applicants should strive to create projects that involve and benefit a significant number of people with diverse interests.
- f. Applicants are required to prove the ability to "match" the City's cash

contribution with any combination of volunteer labor, in-kind donations, and/or cash to qualify for this grant.

- g. The neighborhood association, civic organization, or garden club carrying out a PTTFG project must make a good faith effort to ensure compliance with the American Disabilities Act. This Act extends the same Civil Rights protections to persons with disabilities that have already been granted based on race, color, religion, sex, and national origin.

\*\*\* Grantees **MUST** provide "before and after" digital photographs documenting the project. \*\*\*

## **6. How is each of the vendors paid?**

- a. The applicant will enter into an agreement for goods or services directly with a vendor.
- b. The vendor submits an original invoice to the applicant's representative for approval.
- c. On or before the 25th of each month, the association representative submits a completed and signed "Certification for Payment" at the bottom of the Monthly Report Form, with the original vendor invoices and vendor's W-9.
- d. The request is reviewed and, if approved, a check is issued directly to the vendor on the 10<sup>th</sup> of the following month. The check must be payable directly to the vendor for sales tax and 1099 purposes.
- e. Applicants may not contract with vendors who are also City of Pensacola employees on PTTFG funded projects.

## **7. What specifically is the "50%" match?**

The total of all forms of "match," whether cash, donated materials or services, or volunteer labor, must equal at least 50% of the grant amount requested from the City. Meaning, for every dollar granted by the City of Pensacola, grantees will be required to match one dollar in cash, donated materials or services, or volunteer labor toward the project. The match must meet the minimum requirement, be secured, and ready to be expended.

### Volunteer Labor:

- a. The City credits "volunteer labor" at a value of \$20 per hour.
- b. If a professional (such as an arborist or a biologist) donates "volunteer labor," the association may calculate the value of this labor at the hourly rate generally paid for this service.

- c. Remember: vendors will not accept volunteer hours as payment for goods or services.

The combined total of the grant and cash match must cover the project's cash costs. (Form "A").

**\*\*\* Grantees will be responsible for keeping track of all volunteer hours donated toward the association's project. \*\*\***

In-kind donations:

The City gives credit for donated professional services, materials, or supplies at their "reasonable and customary" rates. Professionals who contribute their services as part of the match cannot receive compensation from the award money. This is intended to ensure that persons hired to provide services or skilled labor are selected based on their qualifications, experience, or fees, not on their willingness or ability to donate services.

Cash match:

Must be deposited with the City before the project may begin. The cash cost of the project may be covered by a variety of combinations, including the following:

**Example 1:** The total cash needed for the applicant's proposed project is \$9,000. If approved, the City could award a cash grant of \$4,500, and applicants could "match" that award with \$4,500 in cash (i.e., a "50%" match).

**Example 2:** The total cash needed for the applicant's proposed project is \$7,500. If approved, the City could award a cash grant of \$4,500, and the applicant provide a cash match (or secure a donation in services or materials) of \$1,500 plus provide 112.5 hours (multiplied by \$20/hour, valued at \$2,250) of volunteer labor to the project for a total match of \$3,750 (i.e., a "50%" match).

**Example 3:** The total cash needed for the applicant's proposed project is \$9,000. The applicant association could request that the City award a \$4,500 cash grant, with the association providing 225 hours (multiplied by \$20/hour, valued at \$4,500) of volunteer labor to the project (i.e., a "50%" match).

**Example 4:** Any combination of "match" equaling half the total amount of the requested grant.

**PLEASE NOTE:** Vendors and contractors will not accept volunteer hours as payment but will require actual cash. Applicants must be sure all cash costs incurred for the project are covered (even if it does not have a cash match).

- a. The amount and type of match must be appropriate to the needs of the project.

- b. The applicants must spend the proposed match during the implementation/construction of the project. (Costs incurred before an award or after the contract has ended will not be eligible as a match).
- c. Ongoing maintenance (or volunteer hour match) following the contract period will not be eligible.
- d. At least 25% of the applicants match must come from the applicants itself (as opposed to other funding sources, such as community partners or non-member businesses).
- e. Pledged partner matches must be secured. Secured means that the donor has specifically valued and described the contribution and has signed the "Letter of Intent" (Form E) to confirm the commitment.
- f. Activities that are **NOT** eligible as a "match" include: time spent preparing the PTTFG Application; time spent fundraising; assistance from City staff or funds from other City departments.
- g. The association is responsible for keeping track of all volunteer hours donated for its project.

# Pensacola Tree Trust Fund Grant (PTTFG) Application FY 2022

Total amount of PTTFG funds requested: \$ 5500  
(Get this information from line #6, column B, Form C)

## APPLICANT INFORMATION

1. Neighborhood Association, Civic Organization, or Garden Club (Corporate name if applicable)  
CNAPP (Council of Neighborhood Associations Presidents of Pensacola)  
\_\_\_\_\_
2. Project title: Citizens' Canopy Restoration Project
3. Association, Organization or Club President: Kelly Hagen  
(This person will be the designated contact for all project matters)
4. Contact information:  
  
Mailing address: 705 S I St, Pensacola, FL 32502  
  
E-mail address: kellyohagen@gmail.com  
  
Phone (day) 850-217-8787 (evening) \_\_\_\_\_ (fax) \_\_\_\_\_
5. City Council District: 7
6. Registered with City and all information up to date: **YES** / NO / NA
7. Attach the following to the back of the application:
  - ☐ A copy of the current Association's By-Laws (or governing policies)
  - ☐ A copy of the procedures and minutes from the Association or Board meeting -showing the vote to go forward with the PPTTFG project. **Vote by CNAPP Executive Team conducted via email**

## SPECIFIC Association/Organization/Club INFORMATION

*This information will be used to keep our database system up to date with the most current information about your association.*

1. If Neighborhood Association please provide boundaries: (must include areas within the City of Pensacola)  
  
Northern boundary: \_\_\_\_\_ Southern boundary: \_\_\_\_\_  
Eastern boundary: \_\_\_\_\_ Western boundary: \_\_\_\_\_  
\_\_\_\_\_
2. Attach the following:
  - ☐ A map showing the boundaries of the neighborhood.
3. When was Association/Organization/Club organized? 2019
4. How many total members are in the Association/Organization/Club? 14 neighborhood associations.  
Participating neighborhoods: East Pensacola Heights, East Hill, Sanders Beach, Seville, Westside Garden District, Old East Hill, North Hill



These members are: *(check all that apply)*

x Homeowners \_\_\_\_\_ Renters \_\_\_\_\_ Business Owners \_\_\_\_\_ Other (specify) \_\_\_\_\_

5. When do they meet? first Monday of each month

6. Who are elected officers (chairman, president, treasurer), term of office and any other committee positions? (Standing committees, etc.)

President: Kelly Hagen, Vice President: Joe Lennon, Secretary: Brittany Ellers, Treasurer: Jerry Newton

7. Please list the most important needs, issues, or concerns in the neighborhood/area of the project:

We hope to replace our aging canopy and mitigate environmental stressors by increasing canopy coverage in Pensacola, encouraging environmental stewardship and fostering a partnership between the City and civic organizations.

## PROPOSED GRANT PROJECT

1. Provide a detailed description of the proposed project:

A city funded, citizen-driven tree planting project that focuses on rebuilding our city's canopy by planting trees within the right-of-way or within 20 feet of the ROW. The main objective of this project is to build upon the City of Pensacola's canopy goals by partnering with engaged citizens in order to plant more trees than would be possible with City resources alone. The specifics involve the participation and cooperation of neighborhood associations in order to find reliable citizens with property that can accommodate a tree and also to act as a secondary source of accountability to ensure the survival of the tree during the first year after it is planted. This will be a truly collaborative effort involving the cooperation of multiple parties including the City of Pensacola, volunteer/service groups, neighborhood associations/civic organizations, the Canopy Committee, a handful of environmental expert volunteers, and the individual citizens who commit to caring for the tree planted on their property or ROW.

2. How will the project specifically address the needs, issues, and concerns of the neighborhood or project area?

By planting canopy trees we're providing shade, green infrastructure through stormwater mitigation, beautification, and decreased cooling costs.

3. Attach the following specific information to the application:

- ☐ Site plan, drawing or rendering of the proposed project - detailing the location (placement), size and measurements. **see map provided**
- ☐ Photographs of the project area(s).

**NOTE:** Approval and any required permits for projects in the public right of way must be obtained from the City Engineering and Building Inspections Departments prior to commencing work.

- *An application will be considered incomplete and will NOT be approved if the above information is omitted.*
- *Written permission must be obtained from the appropriate government agency for the use of public rights-of-way*
- *Written permission must be obtained from the landowner for the planting of trees, or shrubs on private property.*

## PROJECT MAINTENANCE AND SUPPORT

Maintenance of the project is an important aspect of this grant. It is not the intent of the Pensacola Tree Trust Fund Grant Program to increase maintenance by the City. The applicant is required to provide any initial and ongoing maintenance made necessary by the project.

1. Describe what type of initial and ongoing maintenance (such as tree trimming, mulching, etc.) will be required upon completion of the project and how it will be achieved.

Volunteers will be planting the trees and mulching them with mulch provided by local tree companies. Tree recipients will receive 5-gallon buckets with a specific watering schedule based on the caliper and species. Tree recipients have signed a Commitment to Care document pledging responsibility for the watering and protection of the tree for the time specified. Plastic protectors will be provided with each tree to protect them from yard maintenance such as mowers and weed eaters. City Arborist Kris Stultz has volunteered to help train volunteers in proper tree trimming/pruning techniques.

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2. Because support and maintenance are critical to project success, consent of the property owner and immediately adjacent property owners to proposed plantings must be secured. Please complete the information below as needed. **see attached applications**

Owner's name (Please print)	Address	Support and/or maintain project* (Circle all that apply)	Signature
		Support - Maintain	
		Support - Maintain	
		Support - Maintain	
		Support - Maintain	

\* Approved projects may require additional documentation of pledge/commitment from the affected property owner.

3. How will neighborhood residents be involved in the project? Who will perform maintenance and what is the maintenance schedule for each element? (Example: association members, residents adjacent to the project, a contractor hired by the association, etc.) Please be specific. Broad neighborhood participation is highly encouraged in all PTTFG Awards.

---

Tree recipients are strongly encouraged to volunteer, and have signed a Commitment to Care document pledging to water and care for the tree.

---

4. List five (5) association members who will serve as the association's project team:

Position	Name	Address	Telephone
1. Project Leader *	Kelly Hagen	705 S I St, Pensacola, FL 32502	850-217-8787
2. Coordinator	Chelsea Mahan	3110 E Gonzalez St, Pensacola, FL 32503	336-480-5742
3. Coordinator	Dixie Wilkinson	709 S I St, Pensacola, FL 32502	850-572-9547
4. Coordinator	Christian Wagley	801 E La Rua St, Pensacola, FL 32501	850-687-9968
5. Coordinator	Tom Patton	PO Box 13184, Pensacola, FL 32591	850-974-4141

## PROJECT COSTS AND CONTRIBUTIONS

- Attach the following specific information as part of the application (make additional copies if necessary):
  - ☐ Project Costs Breakdown (Form A) – **REQUIRED**
  - ☐ Volunteer Hours Pledges (Form B) – If applicable
  - ☐ Project Grant / Match Computation (Form C) – **REQUIRED**
  - ☐ Project Plan and Timeline (Form D) - **REQUIRED**
  - ☐ Partner's Letter of Intent (Form E) - If applicable

## PROJECT PROGRESS REPORTS

- The City of Pensacola requires monthly status reports from PTTFG grant recipients. (Once your application has been approved, you will receive these blank "status report" forms from us.)
  - Each month, until the completion of the project, the Association/Organization/Club President will fill out one of the "monthly status reports, review it, sign it and submit it to the City. This must be done monthly until completion of the project.
  - This report should detail the project's activities. It must be submitted with copies of all receipts, invoices, Volunteer Hour sheets, and documentation of Partners' in-kind and cash contributions occurring in that month.

## APPLICATION SUPPORT

1. We certify that the CNAPP \_\_\_\_\_ neighborhood association, civic organization, or garden club membership voted and approved this PTTFG application on September 14, \_\_\_\_\_, 2023\_\_.
2. We pledge a matching contribution totaling \$5,500 (*as outlined on Form B of this application*) for this *Pensacola Tree Trust Fund Grant request*).

Chelsea Mahan

Signature of person preparing application

Kelly Hagen

Signature of association President

Chelsea Mahan

Print name of person preparing application

Kelly Hagen

Print name of association President

09/14/23

Date

09/14/23

Date

# Form "A" – Required

## Project Costs Breakdown

Page \_\_\_\_ of \_\_\_\_  
(Make additional copies if necessary)

Association/Organization/Club: CNAPP

Project Title: Citizens' Canopy Restoration Project of Pensacola \_\_\_\_\_

1. Attach signed, written project estimates from at least three (3) separate vendors/contractors. (Remember, each of these estimates must include an itemized breakdown of all the project costs with all labor and materials included.)
2. Once you have selected a vendor for your project, please provide a detailed breakdown of all project costs from that vendor (including material costs and/or services).
  - a. You will need to complete this form - using your contractor's information.
  - b. These are project expenditures to be paid from the GRANT AWARD and any CASH matched by the applicants. Do not include volunteer labor or other in-kind donations. Vendors will not accept them for payment. The items on this breakdown should be the items that require cash expenditure only.
  - c. Be sure the amounts you are requesting combined with any cash will cover your cash expenditure.

Description of Materials, Services, or Labor	Quantity	Unit Cost	Total Cost
1. Trees	75 max	\$55-\$65	\$4125-\$4875
2. Tree protector	75 max	\$2	\$150
3. 5-gallon bucket	75 max	\$5	\$375
4. watering schedule sticker	75 max	\$4	\$300
5.			
6.			
7.			
8.			
9.			
10.			
11.			
12.			
<b>13. Total project CASH costs</b> (Put this figure in the space in line "3" on Form "C")			<b>Up to \$5500</b>

--	--

**Form “B”**  
**Volunteer Hours Pledged**

Page \_\_\_\_\_ of \_\_\_\_\_  
(Make additional copies if necessary)

Neighborhood Association: CNAPP

Project Title: Citizens' Canopy Restoration Project

Name		Address/Zip	Phone number	Hours pledged	Task(s)
1.				hrs.	
2.				hrs.	
3.				hrs.	
4.				hrs.	
5.				hrs.	
6.				hrs.	
7.				hrs.	
8.				hrs.	
9.				hrs.	
10.				hrs.	
11.	Total hours from extra attached sheet(s)			hrs.	
<b>12. Total number of volunteer hours</b>					<b>275</b> hrs. X \$20.00/hr = \$5500
Total hours needed to match the grant is 275, which we will exceed on the day of planting.					<b>\$.</b> (Put this figure in the space on line “5” in Form “C”, column “A” & “B”)



## Project Grant / Match Computation (Form C) – Required

Association/Organization/Club: CNAPP \_\_\_\_\_ Project Title: Citizens' Canopy Restoration Project \_\_\_\_\_

Requested Grant Amount: \$5500 (Project Total \$11,000)\_(Get this information from line 8 below)

Cash Needed for this project: \$5500 \_\_\_\_\_ (From Form A, line #13) Match required for this grant: 275 hours \_\_\_\_\_ (Line 7 below)

### Summary of Applicants Grant Match:

Applicant Cash Contribution(s): (these funds must be deposited with the City of Pensacola Finance Department upon execution of Grant agreement.		
	Form(s) required	Amount
1	Association/Organization/Club	
2	Partner(s)	Form E
3	Total Cash Contribution(s) (add item 1 & 2):	
Applicant In-kind Contribution(s):		
4	Volunteer labor: min 275_hrs. at \$20 per hour (Volunteer hours are valued at a rate of \$20 per hour for determination of match value only. Vendors will not accept them for payment.)	Form B
5	Materials/Supplies/Services	Form E
6	Total In-kind Contribution(s) (add item 4 & 5):	\$5500
7	TOTAL APPLICANT MATCH (add item 3 & 6)	\$5500
City of Pensacola's Contribution		
8	Pensacola Tree Trust Fund Grant (PTTFG) Grant, Equals the total Association Match (item 7) not to exceed \$5,500. Association's match may be greater than \$5,500; however, the City's grant will not exceed \$5,500.	\$5500

9	Total <u>cash</u> available for Project (add item 3 & 8) <b>Must equal 'Total Project Costs' on Form A</b>	\$5500

## Form “D” – Required Project Plan and Timeline

Page \_\_\_\_ of \_\_\_\_  
(Make additional copies if necessary)

Neighborhood Association: CNAPP

Project Title: Citizens' Canopy Restoration Project

	Description of activity	Project team-member responsible	Estimated # of hours to complete task	Anticipated expenditures, In-kind contribution and Volunteer hours
1.	Recruit participants through September 28, 2023,	Canopy Council, CNAPP member associations	25 hours per canopy council, 2 hours per association	
2.	Ordering supplies, confirming locations, volunteer coordination, communication with business providing trees, coordination with participants/association board members, tree planting demos.	Canopy Council, Kris Stultz, association board members, participants, Beth Bolles	50 hours	50 hours
3.	Day of Planting: transport of trees to planting sites, volunteer/participants preparing, planting and mulching site.	Canopy Council, volunteer and service groups, participants. 2 volunteers per tree, and approximately 2 hours to complete planting of 75 trees.	275 hours +	275 hours +
4.	Communication and outreach between participants and neighborhood association board members/Canopy Council	Canopy Council, participants, neighborhood association board members	25 hours	25 hours
5.	We are calculating that each tree will require 35 hours of irrigation for tree establishment, per the contract period of 1 year, for approximately 75 trees.	Canopy Project Tree Recipients/Participants	2,625	2,625
6.				
7.				

8.				
9.				

**Form "E"**  
**Partner Letter of Intent**  
**(Donated materials/supplies/services)**

Page \_\_\_\_ of \_\_\_\_  
(Make additional copies if necessary)

This letter is to confirm that \_\_\_\_\_ will participate as a partner  
(Company/Agency)

with the \_\_\_\_\_ association/organization in the implementation of its  
(Association Name)

Pensacola Neighborhood Challenge Grant Program project. We will donate a total of \$ \_\_\_\_\_ (in cash and/or in-kind services and/or in-kind materials/supplies – see # 1 – 3 below).

**The contribution will consist of the following:**

1. Cash amount of \$ \_\_\_\_\_

2. The following in-kind services valued at \$ \_\_\_\_\_

*Please itemize (or attach list of) in-kind contribution(s):* \_\_\_\_\_

\_\_\_\_\_

3. The following in-kind materials/supplies valued at \$ \_\_\_\_\_

*Please itemize (or attach list of) in-kind contribution(s):* \_\_\_\_\_

\_\_\_\_\_

Name: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Please print your name)

Company/Agency: \_\_\_\_\_  
(Please Print)

Mailing Address: \_\_\_\_\_  
(Please Print)

City/State/Zip: \_\_\_\_\_  
(Please Print)

Phone: \_\_\_\_\_

FAX: \_\_\_\_\_

Date: \_\_\_\_\_

# Application Checklist

Please complete the attached checklist to help ensure that the application is finished.

## Association/Organization/Club Information

- Information complete?
- Membership list attached?
- Meeting minutes attached? (Last two meetings)
- Map attached?
- By-laws or governing policies/procedures attached?

**Yes**

X
X
X
X
X

## Proposed Grant Project

- Project information/details complete?
- Site plan attached?
- Drawings attached?
- Photographs attached?

**Yes**

X
X
X
X

## Project Maintenance and Support

- Ongoing maintenance identified?
- Maintenance adequately addressed?
- Adjacent Property Owner(s) consent secured?

**Yes**

**N/A**

X
X

N/A
-----

## Participation

- Participation Information complete?
- Project team identified?
- Appropriate organization signatures?

**Yes**

**N/A**

X
X
X


## Forms

- Form "A" (Cost Breakdown Sheet) completed and attached?
- Form "B" (Volunteer Hours Pledges) completed and attached?
- Form "C" (Grant / Match Computation Sheet) completed and attached?
- Form "D" (Project Plan and Timeline) completed and attached?
- Form "E" (Partner Letter(s) of Intent) completed and attached?
- Computation Sheet, Cost Breakdown and Project Description/site plan all correspond?

**Yes**

**N/A**

X
X
X
X
X

N/A



ADOPT-A-TREE

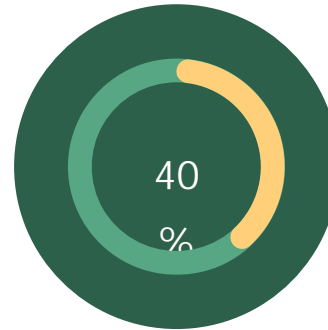
# CITIZENS' CANOPY RESTORATION PROJECT

PENSACOLA, FLORIDA

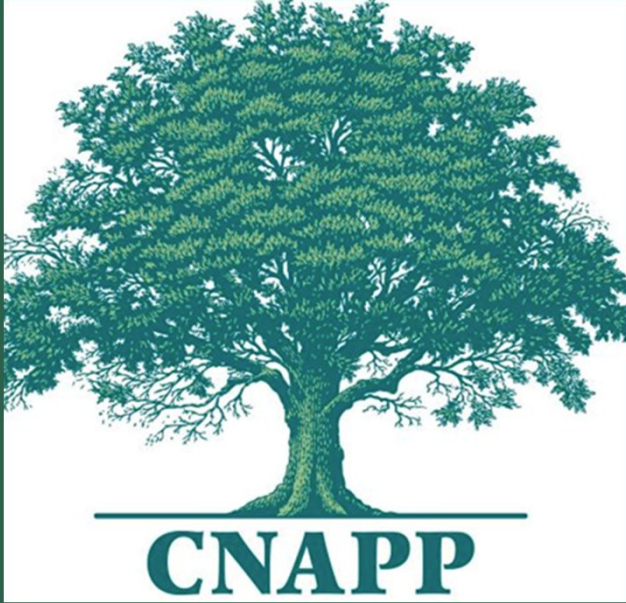


# Our Goals

- Help the City achieve its canopy restoration goals through constructive and efficient use of the Tree Trust Fund
- Build partnerships between the City and local civic organizations
- Engage and educate the public on tree canopy maintenance and restoration







## Our Project: A Grassroots Effort

- Partnership and Education: CNAPP will partner with neighborhood associations to plant native canopy trees in right-of-way or within 20 feet of ROW
- Expert buy-in: Right Tree, Right Place
- Community buy-in: neighbors sign accountability agreements
- Efficient use of TTF: City purchases trees at wholesale price, volunteers reduce labor costs
- Minimizing Risk: Provide watering bucket, watering schedule, trunk protection



# Building on Success: EPH Story

- In 2022, EPH received \$4,268 matching grant to plant 25 trees on ROW and residential property
- Santa Rosa UF/IFAS Extension donated 36 additional trees
- Orlando Street Tree Program used as guide
- EPH recruited residents to plant trees and agree to commitment to care
  - Right tree, right place; adequate space
  - Within 20 feet of ROW
  - Watering bucket and schedule provided
  - Community planting day
- 16 months post-project:
  - 89% success rate for all trees
  - 96% success for City-funded trees



# Project Benefits

- Goal to plant 50 live oaks which are 5% of trees in Escambia but 28% of the canopy
- Storm-resistant, long-lived and adapted to our climate
- Reduces energy costs with passive cooling
- Improves walkability
- Contributes to neighborhood beautification
- Reduces stormwater runoff
- Helps with traffic calming in ROW

would indicate. Live oaks, on the other hand, comprise only 5 percent of all trees in southern Escambia County, yet they contribute to 28 percent of the area's total leaf area.

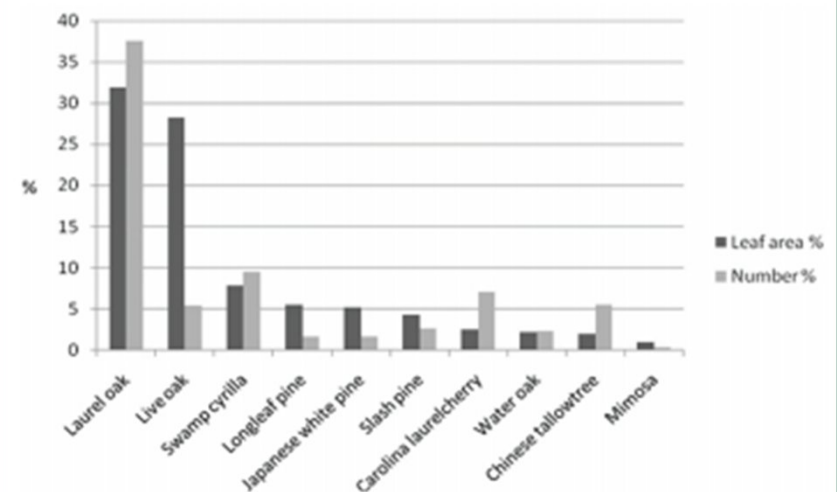


Figure 5. The top ten trees with highest total leaf area compared to their numbers in southern Escambia County's urban forest.

# Planting on Residential Property is Allowed



- Tree Ordinance 12-6-10(c):
  - No prohibition of planting on private property
  - Mention of preventing “defacement of [...] private property” may imply such permission
- Tree Planting Management Plan I-A-1(d)
  - “Encourage planting on residential property through [...] tree planting programs placing priority on neighborhoods willing to provide supplemental early tree care.”



# Planting on Residential Property is Cost Effective: A Comparison

## EPH Lions Park Planting (2021)

- City contracts job
  - Planting delayed due to lack of bids
  - Volunteer labor not permitted
- Lack of Post-Planting Care

### 2021 Results

\$166 per tree  
62% 1-year survival rate  
\$268 per live tree

## EPH Canopy Restoration Project (2022)

- City purchased trees and materials
- Volunteer labor
- Community Care Commitment
- Post-Planting Plan

### 2022 Results

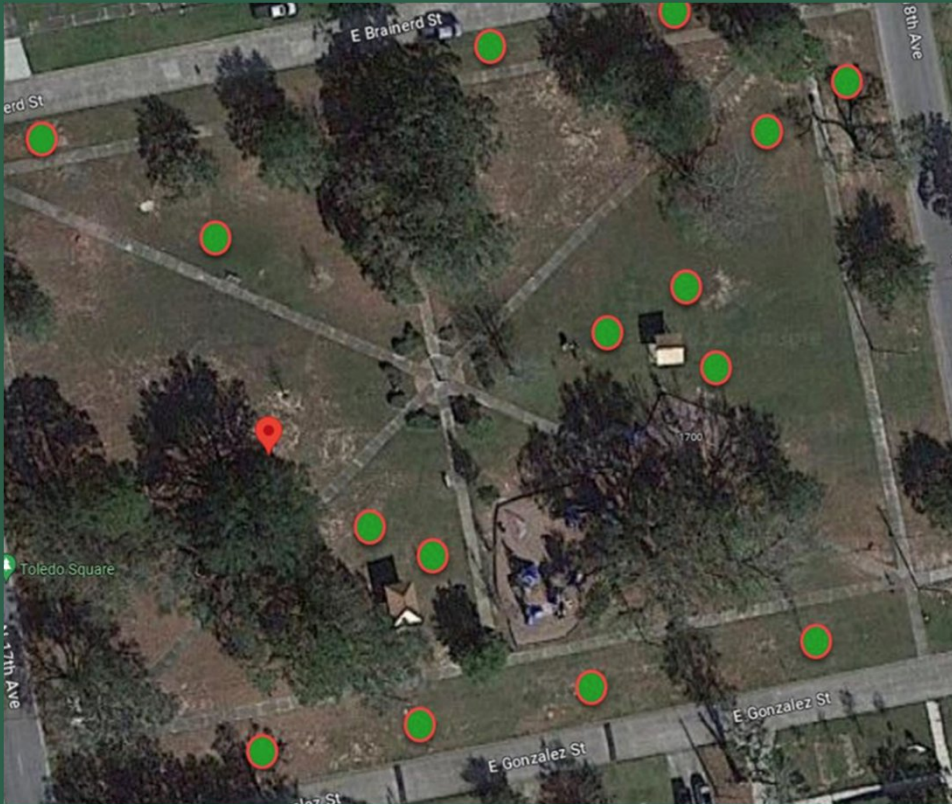
\$109 per tree  
89% 1-year survival rate  
\$122 per live tree

# EPH Lions Park Results



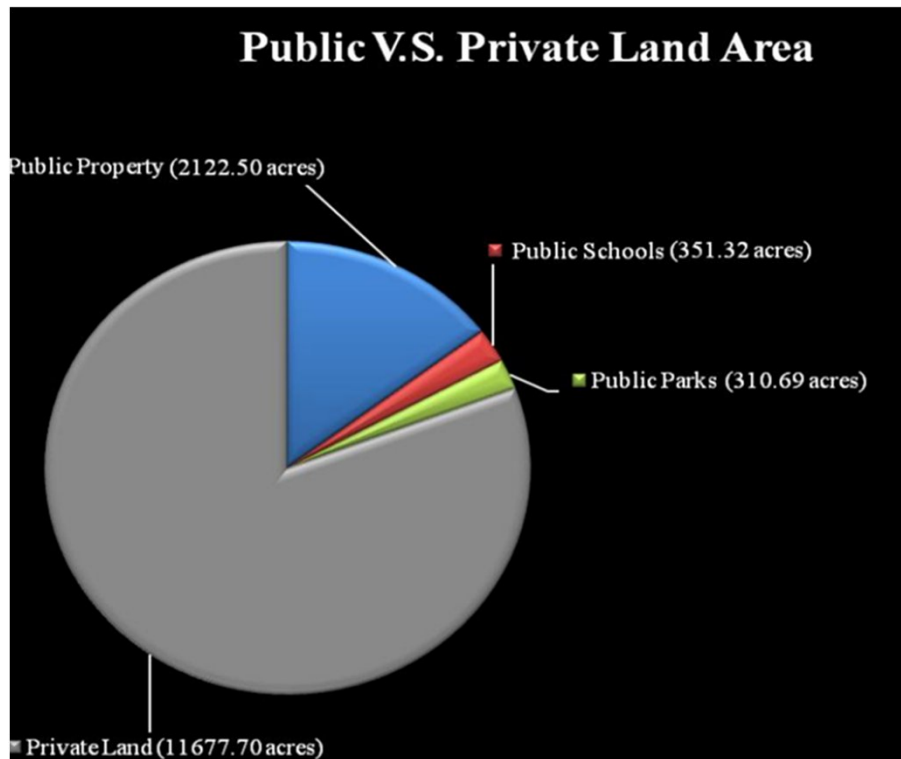


# Future Park Stewardship from Residents



- 16 trees in Toledo Square
- Apply post-planting care to park trees

# Planting on Residential Property is Necessary to meet City's Canopy Goals



- Question: Can the City increase overall UTC by Planting on City Property?
- Answer:
  - City Open Space currently 419 acres
  - City overall tree canopy is 26.6%
  - Increasing coverage to 40% on City Property within 20 years would require planting 5,376 trees (Forest Service to Confirm numbers)
  - Answer is No, not with current conditions
- Reference:
  - Jimmie Jarrett, ISA Arborist per City of Pensacola Urban Tree Canopy Phase 1 Analysis (2013)

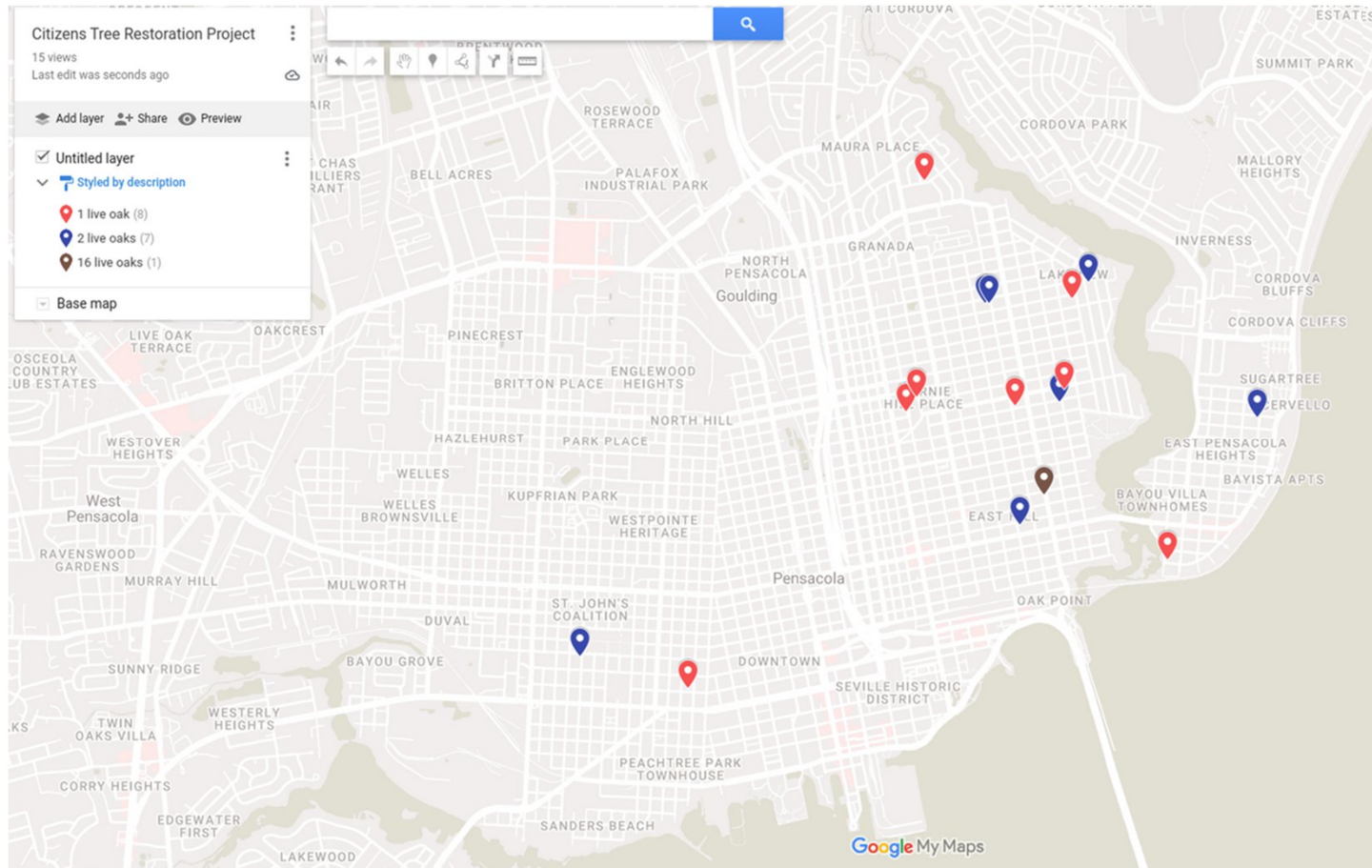


# Our Project Budget



Item	Cost	Count	Total
Tree	\$55-\$65	75	\$4,125-\$4,875
Tree Protector	\$2	75	\$150
5 Gallon Bucket	\$5	75	\$375
Watering Schedule	\$4	75	\$300
Mulch	\$0	75	0
<b>Total</b>	<b>\$66-76 total per tree</b>	<b>--</b>	<b>\$4,950-\$5,500</b>

# Our Project Map: In Progress



# In Summary

- Our project minimizes risk due to time of planting, size of trees, built-in education, and created network of accountability
- Strives to address the 3 biggest risks that threaten survivability of the trees:
  - Improper planting techniques
  - Underwatering
  - Physical damage to the tree from landscaping equipment and maintenance crews






# Path Forward: A Citizen-driven Partnership







"YOU CAN'T JUST REGULATE (A GREAT TREE CANOPY INTO EXISTENCE). YOU REALLY HAVE TO DO EDUCATION AND PARTNERSHIPS AND ULTIMATELY, AS A COMMUNITY, IT IS SOMETHING THAT YOU HAVE TO VALUE AND BE WILLING TO INVEST IN AND CARE DEEPLY ABOUT."

LYSISTRATA HALL, PLANNER AND ARBORIST

CIVICCON 2020





THANK YOU





# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 23-00680

City Council

9/28/2023

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** City Council Member Allison Patton

**SUBJECT:**

HIRING OF A CITY COUNCIL COMMUNICATIONS SPECIALIST

**RECOMMENDATION:**

That City Council approve the hiring of a City Council Communications Specialist. Further, that City Council direct the Council Executive to work with City Human Resources to interview and hire the City Council Communications Specialist within the designated salary range.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

In 2014, a Charter amendment was passed which authorized the City Council to establish the Office of the City Council, with the authority to hire certain staff:

"The City Council shall establish an Office of the City Council and shall have as its staff the following who shall be responsible to the City Council through the President of the Council." 4.02(6) City Charter

"...Other Staff. The City Council may create and fill other staff positions for the purpose of assisting it in the performance of its legislative function."

In 2015, City Council began the staffing process with the addition of a Council Executive and in early 2016 added an Executive Assistant to the City Council and Council Assistant. In 2019, Council hired a Budget Analyst and in 2022 Council added a Special Assistant to the Council Executive. In 2023, the Budget Analyst resigned, and the position remains open. As authorized by the City Charter, that was approved by the electorate in a special referendum, the position requested is that of Other Staff, described as a Communications Specialist. This position will be funded by the appropriated for the currently unfilled Budget Analyst position.

During the summer of 2023 (June-July), City Council employed two (2) interns who started the process of setting a baseline for this type of position. The internships were used as a semi-pilot program to gauge the necessity / advantages of such a position. Based on input from a variety of internal sources, it is felt that such a position and the continuity that an individual could provide would be beneficial to City Council Members. This position is envisioned to be a "Mini- PIO" for Council

Members to assist in the creation and dissemination of District centric community outreach as well as City wide initiatives.

**PRIOR ACTION:**

June 2023 - July 2023 - City Council employed two (2) Social Media focused Summer Interns

November 4, 2014 - Charter Amendment passed via referendum vote requiring City Council to establish the Office of the City Council, thereby authorizing Council to hire their own staff.

**FUNDING:**

Salary Range: \$55,764.80 - \$95,180.80

**FINANCIAL IMPACT:**

The estimated salary range for the City Council Communications Specialist is \$55,764.80 - \$95,180.80 which is comparable with the Assistant Public Information Officer position. Funding from the Budget Analyst for City Council position will be utilized to fund this position. With the addition of the City Council Communications Specialist position, the Budget Analyst for City Council position will be eliminated.

**STAFF CONTACT:**

Don Kraher, Council Executive

**ATTACHMENTS:**

- 1) City Council Communications Specialist Job Description

**PRESENTATION:** No



Job Classification: City Council Communications Specialist  
Job Code: 2152

### **Minimum Preparation for Work:**

- ✓ Graduation from an accredited college or university with a Bachelor's Degree in English, Journalism, Public Administration, Communications, Marketing, Business or related field; and
- ✓ Two years (2) years of experience in public relations, public information, journalism, marketing, social media or related field or area of experience. Communications, public information or marketing experience within state and/or local government preferred. Experience in photography preferred.

Or

- ✓ Combination of education, training, and/or work experience equal to or higher than the requirements listed above as determined by City Council in consultation with Human Resources.

### **Necessary Special Requirements:**

- ✓ Possession of an appropriate driver license for equipment operated and any license, training or certification required by law or regulation to complete assigned tasks.

### **Nature of Work:**

This is a professional position responsible for creating and sharing print, video and social media content to educate and inform City of Pensacola residents on behalf of City Council members.

Work is performed under the direction of the Council Executive and Individual City Council Members. This position will be responsible for creating high quality print, video, photo, and social media content for City Council Members. This position requires the ability to write appropriate content, design mailers and film and edit video footage to share on the Council Member's social media channels, websites, You Tube channels and more in order to communicate with District residents regarding Council and City initiative and District centric activities. The ability to create content, regardless of form, in a timely manner is required. Work performance is evaluated based on observed and achieved results.

This position will require attendance of events outside of normal business hours, such as Town Hall Meetings, District Events, and Speaking engagements.

### **Examples of Work:**

- Creates press releases, fliers, newsletters, videos and other written and visual content that can be shared across multiple platforms, including, but not limited to, mailers, social media, city website, traditional media, and YouTube.
  - Assists Council Members in the creation of District centric community outreach in mediums to include fliers, post cards, and social media postings.
- Assists Council Members and staff with gathering content to highlight District projects and Council Member activities including videos and photos.
- Assists with posting on Council Member social media channels under the direction of the Council Members and Council staff.
- Provides written, video, photo, and social media content ideas to Council Members and Council staff, with a focus of promoting Council Member projects, activities and initiatives.
- Assesses filming locations to determine filming and lighting requirements, providing recommendations to ensure that quality footage is captured.
- Assembles and arranges video and audio equipment at Council Member events and functions.
- Performs other duties as assigned.

### **Knowledge, Skills and Abilities:**

- Knowledge of the operation of local and state government as it applies to ethics and the Sunshine Law
- Knowledge of print media to include press releases, fliers, newsletters, and post cards
- Knowledge of video industry best practices to include equipment setup, selection of equipment and sounds feeds utilized in audio visual productions.
- Knowledge of social media best practices, including but not limited to Facebook, Instagram, Twitter, and LinkedIn.
- Skilled in turning ideas into outlines, storyboards, and images.
- Skilled in photography
- Skilled in video editing and production.
- Ability to film high-quality video and edit packages in a timely manner.
- Ability to demonstrate excellent interpersonal skills and work well with colleagues, elected officials and the general public.
- Ability to assess customer needs and make recommendations regarding audio visual technology.
- Ability to ensure the safe storage and integrity of video and photo data.

- Ability to test and resolve audio visual equipment issues.
- Ability to mix sound inputs and feeds to ensure quality.
- Ability to capture footage both in-house and in the field to include safe transit and shipment of equipment.

#### Video and Social Media Specialist (continued)

*The mental and physical demands and the work environment characteristics described below are representative of those that must be met by an employee to successfully perform the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.*

#### **Mental and Physical Requirements:**

While performing the duties of this job, the employee is regularly required to use hands and fingers to hold or feel, reach with hands and arms, walk, talk and hear. The employee is occasionally required to stand, sit, climb, balance, stoop, and crouch. Specific vision abilities include near distance, far distance, color, and peripheral vision, and depth perception.

#### **Work Environment:**

The noise level in the work environment is usually moderate. Some jobs may require an employee to be exposed to outside weather conditions, wet and/or humid conditions.

*This description is not intended to be, nor should it be construed as an all-inclusive list of responsibilities, skills or working conditions associated with the position. It is intended to accurately reflect the activities and requirements of the position, but duties may be added, deleted, or modified as necessary. This description does not constitute a written or implied contract of employment.*

Est. 08-15-2023



## Memorandum

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**File #:** 23-00728

City Council

9/28/2023

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** City Council President Delarian Wiggins

**SUBJECT:**

PROPOSED AMENDMENTS TO CITY COUNCIL'S RULES AND PROCEDURES

**RECOMMENDATION:**

That City Council approve and adopt the proposed amendments to the City Council Rules and Procedures.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

From time to time, a need arises to revise City Council Rules and Procedures. Since their adoption in 2013, they have been revised five (5) times.

The proposed revisions are as follows:

1. Section 1.06 (p.6) - Order of Business - In this instance the desire is to move the Awards, to take place prior to the First LeRoy Boyd Forum.

Currently this is how we have been doing it, this revision will bring the Rules and Procedures in line with our practice.

2. Section 3.03 (p.14) - Council Appointments - In this instance the revision would be the allowance for the Mayor to nominate individuals to Council appointed Boards, Commissions and Authorities.

The City Council is still the appointing authority, this would allow the Mayor to nominate only. This revision does not create dedicated or guaranteed nominations or positions for either the Council or the Mayor, rather they would remain open nominations for the Council and the Mayor.

The other revision within this section would be the defining the deadline for when an incumbent would be required to submit his/her Application of Interest in order to be placed on the ballot.

The language would read as follows:

**Section 3.03 Council Appointments**

The City Clerk shall notify Council members and the Mayor in writing of coming expirations or vacancies in a Council appointment and provide a nomination form to include a brief description of the nominee's qualifications for appointment. All nominees must complete an Application for City Council Appointed Boards, Authorities and Commissions, or similar superseding form, which must be attached to the completed nomination form. All nominations shall be filed with the City Clerk prior to the deadline for the agenda conference specified in the Clerk's notice. The names of incumbents indicating a willingness to serve an additional term and who shall have completed a current Application for City Council Appointed Boards, Authorities and Commissions, or similar superseding form, which shall be filed with the City Clerk prior to the deadline for the agenda conference specified in the Clerk's notice, shall be placed on the ballot for consideration without the necessity of a written nomination. Voting shall be by written ballot. If more than one person is nominated, and one person does not receive the affirmative vote of a majority of the existing membership of Council, the person receiving the lowest number of votes shall be eliminated and balloting shall continue until the appointment is made. Nominations for open positions may be made by City Council Members and/or the Mayor.

**PRIOR ACTION:**

June 13, 2013 - City Council Rules and Procedures were adopted  
January 15, 2015 - City Council Rules and Procedures were revised  
September 17, 2015 -- City Council Rules and Procedures were revised  
June 16, 2016 -- City Council Rules and Procedures were revised  
October 8, 2020 -- City Council Rules and Procedures were revised  
May 12, 2022 -- City Council Rules and Procedures were revised

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**STAFF CONTACT:**

Don Kraher, Council Executive

**ATTACHMENTS:**

- 1) City Council Rules and Procedures Proposed Amendments 9.28.23

**PRESENTATION:** No

CITY OF PENSACOLA

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CITY COUNCIL

RULES AND PROCEDURES

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*“The City Council shall determine its own rules of procedure and order of business....”*  
City Charter 4.03(b)

Adopted June 13, 2013  
Revised January 15, 2015  
Revised September 17, 2015  
Revised June 16, 2016  
Revised October 8, 2020  
Revised May 12, 2022

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## **Article I. Council Meetings**

### **Section 1.01 Regular Meetings**

Regular meetings of the City Council shall be held at least once each month beginning at 5:30 p.m. in the Council's Chamber, City Hall, First Floor, 222 West Main Street, Pensacola, Florida, or at such other temporary location selected by the President as may be required should its Chamber be unavailable. The Council shall generally adopt its regular meeting schedule for the following calendar year at a regular meeting held in December of each year. The Council may reschedule or cancel meetings so long as at least one noticed, regular meeting occurs each month. No scheduled meeting shall be rescheduled without a majority vote of the existing membership of Council, except in cases of emergency or extreme hardship.

### **Section 1.02 Leroy Boyd Fora**

For a period not to exceed one-half hour near the beginning of each regular Council meeting, and again at some point near the conclusion of regular Council business during each regular Council meeting, the Council shall invite public comment upon any subject not on the agenda unless waived by a majority of the existing membership of Council. Public comment shall be limited to three (3) minutes per speaker. The time limit for public input may be reduced in the President's discretion to accommodate a larger number of speakers. A speaker's time may not be given to another.

### **Section 1.03 Special Meetings**

Special meetings may be held as provided in the City Charter, and shall be held in the Council's Chambers, or at such other location within the City of Pensacola as may be specified by the President and set forth in the notice of meeting. When practicable, seventy-two hours' notice of the meeting shall be given to the Council Members and the media by email. The matters to be considered in the special meeting shall be included in the notice of meeting. No action unrelated to the noticed matters shall be taken.

### **Section 1.04 Workshops**

Council workshops may be held as necessary to allow Council members to informally discuss matters of concern or interest. Workshops shall be held in the Hagler-Mason Conference Room, 222 West Main Street, Second Floor, City Hall, Pensacola, Florida, or at such other location as may be selected by the Council or the President. Any topic may be referred to a workshop by the President, from an agenda conference, a Council meeting or a workshop by affirmative vote of a majority of the Council members present either specifying the date or leaving the date to the discretion of the President.

The matters to be considered shall be included in the notice of the workshop. No other matters shall be considered without the consent of a majority of the existing membership of Council. When practicable, seventy-two hours' notice of the workshop shall be given to the members and the media by email. No formal or binding action by the City Council may be taken in a workshop. Unofficial "straw votes" may be taken to determine a non-binding consensus on any matter. Public input may be allowed or denied during a workshop as shall be determined, and as may be revised, by the Council during the workshop. Unless imposed by majority vote of members present, the only limitation upon the number of times, or the duration, of a member's comments on a subject shall be at the discretion of the chair, exercised in a manner to permit all members to contribute within the time allotted.

The President shall initially preside over the workshop, but the first order of business after the roll call, shall be the selection of a member to chair the workshop, by consensus or motion. The president shall chair if no alternate selection is made. It is the intent of the Council that a member calling forth the topic for the workshop or particularly interested in the topic should chair the meeting. If more than one topic is to be discussed, the Council may, but shall not be required to select a separate chair for each topic.

#### **Section 1.05      President as Presiding Officer**

The President shall preside at every meeting or conference of the Council and have equal participation. The President will not be required to relinquish the chair when making motions and seconds or during debate. At the hour appointed, the President shall call the Council to order and, for a regular or special meeting determine whether a quorum is present. The President shall sign all ordinances, resolutions, subpoenas, or other writs ordered by the Council.

The President shall preserve order, speak to points of order, and decide all questions of order raised subject to appeal to the Council by any member. On appeal, no member may speak more than once and no more than one (1) minute. An appeal is settled by a majority plus one vote of the members present for or against the question "Shall the decision of the President be sustained." If not sustained, then the President shall make an alternate ruling subject to appeal to the Council by any member. In so doing the President shall attempt to ensure that matters are considered individually and in an orderly fashion, that members have a reasonable opportunity to express their views on matters before the Council and to respond to the views of others on that same matter, but not to the point of redundancy or personal attack. The President shall have control of the Council Chamber or meeting room and the connecting halls and corridors, and in case of disturbance or disorderly conduct cause the same to be cleared.

Other duties of the President include:

- (a) Monitoring preparation of agenda and ultimate approval of scheduling of agenda items as elsewhere provided in these rules;
- (b) Annual evaluation of Council Executive and any other Council staff reporting directly to the Council;
- (c) Execution of City Council Minutes to evidence approval by the Council; and
- (d) Any other matter directed by Council.

The Vice President shall exercise all duties of the President during the President's absence or disability and shall assume the Chair at the request of the President. In the event of the absence or disability of both the President and Vice President, not constituting a vacancy in either office, the Council may, but shall not be required to, elect one of its members Interim President until one of those officers returns to serve.

## **Section 1.06      Order of Business**

### **(a) Regular Meetings**

The order of business during regular Council meetings shall be:

- 1) Call to Order, Roll Call and Determination of Quorum.
- 2) Invocation and Pledge of Allegiance.
- 3) Rules of Decorum.
- 4) ~~First LeRoy Boyd Forum.~~ Awards
- 5) ~~Awards.~~ First LeRoy Boyd Forum
- 6) Approval of Minutes.
- 7) Approval of Agenda.
  - a. Call for transfer of any consent item to regular agenda.
  - b. Call for reordering of items.
  - c. Vote on Agenda
- 8) Consent Agenda.
  - a. Presentation of remaining consent agenda items.
  - b. Vote on consent agenda.
- 9) Regular Agenda.
- 10) Council Executive Report.
- 11) Mayor's Communication.
- 12) Council Communications and Civic Announcements.

- 14) Second Leroy Boyd Forum.
- 15) Adjournment.

#### **(b) Special Meetings**

The order of business during special Council meetings shall be:

- 1) Call to Order, Roll Call and Determination of Quorum.
- 2) Pledge of Allegiance.
- 3) Noticed Business in Agenda Order.
- 4) Adjournment.

#### **(c) Workshops**

- 1) Call to Order and Roll Call.
- 2) Selection of Chair.
- 3) Determination of Public Input.
- 4) Noticed Business.
- 5) Adjournment.

#### **(d) Quasi-Judicial Hearings**

#### **(e) Flexibility of Agenda**

At the time appointed for Approval of the Agenda, the Council may reorder the agenda items. The designation of an item marked for discussion in a regular meeting shall not prohibit the Council from taking action on that item if the Council determines to do so after discussion.

### **Section 1.07      Presentation of Agenda Items**

For each agenda item in turn, the President shall recognize initially the sponsor of the item or a City Administration or City Council staff member designated by the sponsor, to allow for the item to be introduced; this shall occur at the Agenda Conference. At the regular meeting of the City Council, no item can be discussed prior to obtaining a motion to move the item forward and a second. Once a motion and second has been obtained, the President shall recognize the sponsor of the item who shall have the first opportunity to speak to the item, if so desired. This initial opportunity afforded the sponsor shall not exceed two (2) minutes in length and shall not be included in the limitations upon Council member input imposed by these rules. If an item does not receive a motion and/or second, that item is not open to debate and no discussion may take place. The Council President shall move to the next item.

### **Section 1.08            Public Input on Agenda Items**

A member of the public may address any action or discussion item on a Council meeting agenda by delivering a speaker's card to the City Clerk at the meeting prior to the end of consideration by Council, or in a public hearing required by law or designated as such by the Council prior to the closing of the hearing. All comments shall be directed to the President who has it within his/her purview to allow a citizen to speak directly to a Council member. No Council member shall address a member of the public without permission from the President. Public input shall be limited to three (3) minutes per speaker and must be germane to the item under consideration, in the opinion of the President. In order to accommodate a larger number of speakers, the time limit for public input may be reduced in the President's discretion. A speaker's time may not be given to another. Public input on a particular agenda item shall be received during Council consideration of that item at a time recognized by the President. After public input is concluded, it may not be reopened without consent of the Council. In the interests of time and orderly deliberation, unless prohibited by law the Council reserves the right to deny public input on any item at any time except a public hearing, required by law. Conversely, the Council may choose to permit public input at any time.

### **Section 1.09            Council Member Input**

For any item or subject, Council members shall have a total of three (3) opportunities to speak and shall limit each opportunity to three (3) minutes. Members shall speak no more than once so long as any member who has not spoken desires to speak. So long as a member does not object, the President may choose not to enforce these limitations. These limitations may be waived or suspended for a time certain by majority vote of the existing membership of the Council. The requirements of this section shall not apply to workshops.

### **Section 1.10            Voting and Quorum**

The vote or abstention of each Council member present shall be recorded in the minutes of the meeting. Voting shall ordinarily be made by electronic tally device, but upon approval of a majority of the existing members of Council, voting may be by paper ballot or roll call. As provided in the Charter, and subject to limited exceptions expressed in the Charter, a majority of the existing membership of the Council shall constitute a quorum and no action by the Council shall be valid or binding unless adopted by the affirmative vote of a majority of the existing membership of Council. The requirement for a Council Member to vote, minus a required abstention, shall be consistent with Attorney General's opinions regarding this matter.

Council members who must leave a meeting prior to its conclusion shall either advise the Council Executive in advance of the approximate time of his/her departure, who shall

ensure that information is made part of the minutes of the meeting, or, prior to leaving the meeting, announce his/her departure on the record.

### **Section 1.11            Parliamentary Procedure**

*Robert's Rules of Order* will serve as a guide for parliamentary procedures in the conduct of all Council meetings and workshops. Any exceptions noted in these rules or by resolution of the Council shall take precedence. A violation of parliamentary procedure shall not call into question the validity of any decision or action of the Council so long as the requirements of state law and the City Charter have been met and the intent of the Council is clear from the minutes and the electronic recordings of the proceedings.

### **Section 1.12            Postponing an Item**

A Council member who has the floor at a regular meeting and who feels that he or she does not have enough information to act on an item may request that the sponsor of that item postpone the item. The request shall take precedence. If the sponsor refuses, a motion, second and affirmative vote of a majority of the existing members of Council to postpone the item will result in it being placed on a subsequent agenda conference and the sponsor shall have the opportunity to add additional information to the related Council Memorandum.

### **Section 1.13            Ending Debate**

A motion for the previous question may not interrupt a speaker who has the floor, must be made and seconded, is not debatable, cannot be amended, requires an affirmative, majority plus one vote of members present to pass and in this assembly cannot be reconsidered. Additionally, in order to protect the democratic process, any Council member or member of the public who is on record to speak before the motion is made will be permitted to speak before the vote is taken on the motion for the previous question.

### **Section 1.14            Reconsideration**

A Council member on the prevailing side may move to reconsider a question in the same meeting. The motion must pass with the same vote formality as required to pass the main motion, and if passed reopens the main motion to debate.

## **Article II. Agendas**

### **Section 2.01            Submission of Items**

Agenda items may be sponsored and submitted by an individual Council member or by the Mayor. In order to be included in the next regularly scheduled meeting and to have adequate time to go through the appropriate approval process and dedicated reviews, items shall show as "Agenda Ready" with all necessary attachments included by 5:00

p.m. on the Friday prior to the posting of the agenda for public view. All proposed ordinances and resolutions must go through review by the Office of the City Attorney (Legal) prior to being placed on the agenda, in coordination with the Council Executive. The sponsor of an item may unilaterally withdraw that item at any time prior to the commencement of Council voting on that item in a regular or special Council meeting. At the point an item has been withdrawn, no further discussion may take place.

## **Section 2.02 Council Memoranda**

Every agenda item shall be accompanied by a Council Memorandum, offered, and supported by the sponsor of the item and containing, at a minimum, the following information or stating not applicable if that be the case.

### **(a) Proposed Legislative Items**

- 1) Sponsor's name.
- 2) Subject
- 3) Recommendation.
- 4) Required Hearing
- 5) Summary
- 6) Prior Action
- 7) Funding
- 8) Financial Impact
- 9) Staff Contact
- 10) Attachments (examples: form of proposed ordinance, form of proposed contract and bid summary).
- 11) Presentation (where a presentation will be made by someone other than the sponsor).

### **(b) Presentations**

- 1) Sponsor's Name.
- 2) Subject
- 3) Request
- 4) Summary (Subject matter background and purpose of presentation.)
- 5) Prior Action
- 6) Staff Contact
- 7) Attachments (Related documentation.)

### **(c) Council Discussion Items and Administrative Items**

- 1) Sponsor's name.
- 2) Subject
- 3) Summary
- 4) Prior Action
- 5) Staff Contact
- 6) Attachments (Related documentation.)
- 7) Presentation

### **Section 2.03 Preliminary Agenda Preparation**

The Council staff shall assign a sequential number to each Council Memorandum presented, prepare a preliminary agenda, and shall have the flexibility to order and group items in a logical way. If two matters are related or appear to have a bearing upon one another, the Council staff may place those items in consecutive sequence. In addition, the President shall be authorized to review the agenda proposed by the Council staff and make such changes, including re-positioning or postponing an item, as he or she deems appropriate in consideration of the length of the agenda and the nature, complexity and urgency of all the matters at hand including ensuring that an item has been fully vetted and ready for the Council's consideration. If the Council President postpones an item, that action can be overridden at the agenda conference by a motion and second and a majority vote of the existing Council membership. As a general practice, action items will precede discussion items. The agenda will be generated by Council staff on the Tuesday prior to the agenda conference who will also post it to the City's website. The Clerk shall be responsible for notifying the media and providing a link to the agenda to the City Council.

### **Section 2.04 Agenda Conference - General**

An agenda conference of Council members shall be held the Monday before each regular Council meeting, at 3:30 p.m. in the Hagler-Mason Conference Room, 222 West Main Street, 2<sup>nd</sup> Floor, City Hall, Pensacola, Florida, or at such other time and place as may from time to time be set by the President or the Council. The agenda conference will serve as an opportunity for the City Council, as a collegial body, to fully discuss agenda items being brought forth for the upcoming regular meeting of the City Council to ensure such items are complete and ready for a discussion of the merits of the item. This will be an opportunity for the sponsor of an item to introduce an item to the City Council in accordance with Section 1.07 of these rules. Additionally, this will allow Council members to request additional information from the sponsor, staff and/or administration. If an item is deemed incomplete or in need of further review prior to the regular Council meeting, the item may be removed from the agenda either by the consent of the sponsor or by a



majority vote of the existing membership of City Council and directed to the appropriate staff for follow-up. During the agenda conference, and minus objection, the City Council may consider administrative or ministerial matters, such as requesting a legal opinion, or moving items from the regular agenda to the consent agenda. Discussion items will be conducted at the agenda conference. In months with two (2) regularly scheduled Council meetings, discussion items will take place at the second agenda conference of the month. In months with one (1) Council meeting scheduled, discussion items will take place during that agenda conference. The agenda conference shall also be the meeting where stand-alone presentations are heard (those presentations that are not part of a legislative action item); as well as the City Administrator's report, the Finance Director's Quarterly report and any other such report as requested on behalf of staff or the Mayor's Office.

#### **Section 2.05            Agenda Conference – Order of Business**

- 1) Roll Call.
- 2) Presentations.
- 3) Review of consent agenda items.
- 4) Review of regular agenda items.
- 5) Consideration of any add-on items.
- 6) Discussion Items
- 7) Approval of final agenda.
- 8) City Administrator's Communication.
- 9) City Attorney's Communication.
- 10) Finance Director's Quarterly Report.
- 11) Council Communication.
- 12) Adjournment.

#### **Section 2.06            Agenda Conference – Approval of Final Agenda**

A majority of the Council members present at the agenda conference shall approve the final agenda to be presented to Council at the next regular meeting. If no members attend the agenda conference, the preliminary agenda shall become the final agenda. Only the affirmative vote of a majority of the existing membership of the Council shall be entitled to remove an item from the agenda. An item removed may be placed upon the next preliminary agenda. An item removed twice from the preliminary agenda shall be deemed rejected in its then current form. The City Clerk shall be responsible for placing the final agenda and accompanying memoranda upon the City's website and notifying the media.

#### **Section 2.07            Consent Agenda**

The Council Executive may include in the consent agenda section of the preliminary agenda any items which are not controversial, are viewed as routine, which are procedural or have been thoroughly discussed previously that require formal Council

approval. During the agenda conference, or during the approval of the agenda portion of a regular Council meeting, any single Council member shall have the privilege of moving any item from the consent agenda to the regular agenda items section after providing a basis for the removal; providing the basis for the removal will allow for any additional information to be gathered prior to the regular Council meeting.

#### **Section 2.08            “Add-On” Items**

During the Agenda Approval portion of a regular meeting, or during the “Consideration of any Add-On Items” portion of the agenda conference, any person entitled to submit an agenda item may request that a new item of business, that is either time sensitive or requires action prior to the next scheduled meeting, with an appropriate Council Memorandum, be added to the agenda. Within the memorandum shall be language which indicates the reason the item is either time sensitive or requires immediate action. The request shall be granted only by the affirmative vote of a majority plus one of the existing membership of Council. If granted, a duplicate copy of all materials supporting the item must be provided to each member before discussion.

#### **Section 2.09 Presentations**

Requests for Presentations shall be sponsored by a City Council member or the Mayor. Such a request shall be accompanied by a Council Memorandum and shall be included on the agenda in the same manner as all other items are included. Standalone presentations, those not attached to an action item, will be conducted at the agenda conference.

#### **Section 2.10            Suspension of the Rules**

By motion to suspend all or part of a particular rule for a particular purpose, a majority of existing membership of Council may suspend any provision of these rules which would limit or prohibit the discussion of any matter amongst the Council members. Failure of any member to raise as a point of order any violation of these rules before or during any discussion, action or presentation shall be deemed a waiver of the application of any rule limiting or prohibiting that discussion, action or presentation prior to the point of order being raised. Once the call for a vote has been made by the Council President it shall be too late to raise a point of order concerning the earlier application of these rules to the matter upon which the voting is occurring.

## **Article III. Elections and Appointments by Council**

### **Section 3.01 Election of Officers**

Nominations for the offices of President and Vice President of City Council shall be submitted in writing to the City Clerk by individual Council members in November each year no later than five (5) days prior to the Council meeting held to elect those officers as provided in the City Charter. Provided a nomination has been duly made; nominations shall then be closed. The Clerk shall distribute the names of each nominee and the Council member making the nomination to all members no later than four (4) days prior to the scheduled meeting. A member may nominate himself or herself. A member may be nominated for both offices. If a single nomination was duly made, that member may be elected by acclamation, or the Council may open the floor for nominations. If no member was duly nominated in writing, the floor shall be opened for nominations. If more than one member is nominated, voting shall be by written ballot and if one member does not receive the affirmative vote of a majority of the existing membership of Council, the member receiving the lowest number of votes shall be eliminated and balloting shall continue until the officer is elected by such a majority.

### **Section 3.02 Council Vacancies**

The City Clerk shall notify Council members in writing of a Council vacancy and solicit nominations within 5 days after becoming aware of the vacancy. Written nominations by individual members shall be returned to the City Clerk by a date certain specified in the notice, which date shall be no less than [7] nor more than [10] days after distribution of the notice. Provided a nomination has been duly made, nominations shall then be closed. The Clerk shall distribute the names of each nominee and the member making the nomination to all members no later than four (4) days prior to the scheduled meeting. The election shall be held at the next regular or special Council meeting. If a single nomination was duly made, the vacancy may be filled by a vote of acclamation, or the Council may open the floor for further nominations. If no person was duly nominated in writing, the floor shall be opened for nominations. If more than one person is nominated, voting shall be by written ballot and if one person does not receive the affirmative vote of a majority of the existing membership of Council, the person receiving the lowest number of votes shall be eliminated and balloting shall continue until the vacancy is filled.

### **Section 3.03 Council Appointments**

The City Clerk shall notify Council members and the Mayor in writing of coming expirations or vacancies in a Council appointment and provide a nomination form to include a brief description of the nominee's qualifications for appointment. All nominees must complete an Application for City Council Appointed Boards, Authorities and Commissions, or similar superseding form, which must be attached to the completed nomination form. All nominations shall be filed with the City Clerk prior to the deadline for the agenda

conference specified in the Clerk's notice. The names of incumbents indicating a willingness to serve an additional term and who shall have completed a current Application for City Council Appointed Boards, Authorities and Commissions, or similar superseding form, which shall be filed with the City Clerk prior to the deadline for the agenda conference specified in the Clerk's notice, shall be placed on the ballot for consideration without the necessity of a written nomination. Voting shall be by written ballot. If more than one person is nominated, and one person does not receive the affirmative vote of a majority of the existing membership of Council, the person receiving the lowest number of votes shall be eliminated and balloting shall continue until the appointment is made. Nominations for open positions may be made by City Council Members and/or the Mayor.

### **Section 3.04 Council Established Boards**

City Council established Boards, Commissions or Authorities shall supply a yearly report to the City Council outlining the year's achievements, accomplishments, and up-coming year's goals. This report shall be identified within the by-laws of each Board, Commission or Authority and shall be provided at the end of each fiscal year.

Board members shall be provided with annual ethics training conducted by a member of Council staff or the City Attorney's Office. Upon the appointment to a Board, Commission or Authority, individuals will be provided said training as soon as is possible after their appointment to the Board, Commission or Authority.

Removal of board members shall be in accordance with state statute and/or the policy and procedures set forth by the City Council.

The Council Executive shall ensure that each Council established Board, Commission or Authority has a working set of rules and procedures that are consistent with City Council Rules and Procedures.

### **Article IV. Code of Ethics**

In addition to the Code of Ethics established and incorporated by Chapter 2-6 of the Code of Ordinances of the City as amended from time to time, and as authorized by the Charter of the City and contemplated by Sec. 2-6-3 of the Code of Ordinances, Council members shall adhere to the requirements of this article. Further, each member of City Council must complete four (4) hours of ethics training each calendar year which addresses, at minimum, the Code of Ethics for public officials and employees and the public records and public meeting laws of the State of Florida.

#### **Section 4.01            Financial Dealings with the City**

Each Council member shall discharge his or her debts with all City agencies and departments in a timely manner the same as every citizen is expected to act. No advances will be granted on salaries due to a Council member. Failure to comply may result in public censure of the delinquent member by the Council.

#### **Section 4.02            Travel and Training for City Business**

During the budget process each year, the City Council will budget and allocate sufficient funds for Council's travel and training requirements in an amount permitting each member to have available the amount of at least \$4,000 for travel and at least \$4,000 for training, plus an additional total amount of \$10,000 for unscheduled or unanticipated travel or training requirements available for Council. These expenses shall include training mandated by Florida law for local elected officials.

Travel expenses incurred by a Council member traveling on City business shall not be incurred by the City or reimbursed to the member unless such travel is approved by the President or Vice President of the Council. Travel by either the President or the Vice President must be approved by the other. Approval by the President or Vice President may be reviewed and overturned or limited by the Council provided a written request to review is filed by a Council member with the City Clerk within ten (10) days after the accounting for all expenses of the travel has been completed. Accounting of all travel will be completed within ten (10) days of the termination of the trip, and in any event prior to the initiation of any subsequent travel.

Pursuant to the authority conferred by F.S. 166.021(9), the meal and incidental expenses (M&IE) per diem reimbursement amount for all authorized persons traveling on behalf of the City of Pensacola shall be the then-current meal and incidental expenses (M&IE) per diem amounts published online by the federal General Services Administration (GSA), as those amounts are determined by location of the travel destination and updated from time-to-time by the GSA.

#### **Section 4.03            Voting Conflicts**

Notwithstanding the provisions of Sec. 112.3143, Florida Statutes, or subsequent superseding legislation, a Council member required to abstain from a vote by Florida law shall make his or her disclosure at the commencement of the discussion of the conflicted item and shall not participate in the discussion. Nothing in this section shall lessen the abstention and disclosure requirements imposed upon Council members by Florida law. The requirement for a Council member to vote, minus a required abstention, shall be consistent with Attorney General's opinions regarding this matter.

#### **Section 4.04            City Council Inquiries and Investigations**

(A) **Scope.** This section governs all inquiries and investigations conducted by City Council under Section 4.02(a)(3) of the City Charter for the City of Pensacola.

(B) **Authority.** City Charter Section 4.02(a)(3) authorizes City Council “To inquire into the conduct of any municipal office, department, agency or officer and to investigate municipal affairs, and for that purpose, may subpoena witnesses, administer oaths and compel the production of books, papers, or other evidence.”

(C) **Definitions.**

1. **Inquiry.** Under this section, the word “inquiry” shall mean any legislative inquiry authorized in good faith as required by City Charter by resolution of City Council by the affirmative vote of the majority of the full City Council and conducted by City Council under the authority of City Charter Sections 4.02(a)(3) and 4.04(b) and in accordance with City Council Rules and Procedures under this section, for the purpose of requesting information to provide necessary factual knowledge to City Council to assist it in carrying out the legislative powers and duties imposed on City Council under the City Charter.

2. **Investigation.** Under this section, the word “investigation” shall mean any legislative investigation authorized in good faith by resolution of City Council by the affirmative vote of at least a majority of the full City Council members and conducted by City Council under the authority of City Charter Sections 4.02(a)(3) and 4.04(b) in accordance with City Council Rules and Procedures under this section, said investigation to include a public hearing of City Council at which witnesses may be requested or compelled by subpoena to appear and provide testimony and to produce records to provide necessary factual knowledge to City Council to aid it in carrying out the legislative powers and duties imposed on City Council under the City Charter.

3. **Subpoena.** Under this section, the word “subpoena” shall mean a subpoena or subpoena duces tecum directed to be issued by resolution of City Council under the authority of City Charter Sections 4.02(a)(3) and 4.04(b) for the purpose of requesting the production of documents, books, papers, witnesses or other evidence pertinent and material to providing necessary factual knowledge to City Council to assist it in carrying out the legislative powers and duties imposed on City Council by City Charter.

4. **Agency.** Under this section, the word “agency” shall mean a City board, commission or authority as contemplated by City Charter Section 5.05.

(D) **Request for City Council to Authorize an Inquiry or Investigation.**

1. **Complaint.** An individual City Council member may submit a written request for City Council to authorize an inquiry or investigation under the authority of City Charter Sections 4.02(a)(3) and 4.04(b) to assist City Council in carrying out the legislative powers and duties imposed on City Council by City Charter.

2. **Sufficient Legal Basis.** The complaint shall set out a factual basis and provide the legal rationale for the inquiry or investigation to ensure the legal basis is appropriate and justified in assisting City Council in carrying out the legislative powers and duties of City Council under the City Charter.

3. **Insufficient Legal Basis.** Upon review of the request, should City Council determine that the legal basis of the complaint is insufficient to invoke the inquiry or investigative authority of City Council under the City Charter or not within the jurisdiction of City Council under the City Charter, it shall suspend further consideration of the complaint and state the reasons.

4. **No Presumption Raised.** City Council authorization to conduct an inquiry or investigation does not give rise to a presumption of violation of the City Charter or City Code, or rules or policies of the City, or any other local, state or federal laws.

5. **Criminal Law Violation.** Should City Council have a reasonable belief that the subject matter would violate a criminal law, City Council will refer the matter to the appropriate authority and state the reasons.

(E). **Authorization by Resolution.**

1. **Agenda Item.** A request for City Council to authorize an inquiry or investigation shall be considered as an item on the agenda of a properly noticed meeting of City Council. City Council may only discuss the legal basis for the inquiry or investigation and may not discuss the merits of the complaint nor make factual determinations or findings relating to the complaint.

2. **Inquiry shall be authorized by Majority Vote.** An inquiry by City Council as authorized by Sections 4.02(a)(3) and 4.04(b) of the City Charter shall be authorized by resolution approved by the affirmative vote of the majority of the full City Council, at a properly noticed meeting of City Council.

3. **Investigations shall be authorized by Majority of the Full City Council Members.** An investigation by City Council as authorized by Sections 4.02(a)(3) and 4.04(b) of the City Charter shall be authorized by resolution approved by the affirmative vote of at least a majority of the full City Council members, at a properly noticed meeting of City Council.

4. **Time Frame.** City Council shall determine the appropriate time frame for completion of an inquiry or investigation on a case by case basis provided that such time frame does not exceed ninety (90) days from the date of the authorizing resolution. Every reasonable effort shall be made to complete an inquiry or investigation within the time frame set by City Council. However, each case presents different circumstances and it is not always possible to maintain the time frame set by City Council. Extensions of time may be allowed by the affirmative vote of the majority of the full City Council upon good cause shown.

5. **Progress Reports.** The City Council Executive shall report monthly on the progress of each pending inquiry and investigation at a properly noticed meeting of City Council.

(F) **Inquiry.** An inquiry by City Council as authorized by Sections 4.02(a)(3) and 4.04(b) of the City Charter, into the conduct of any municipal office, department, agency or officer, shall be for the purpose of providing necessary factual knowledge to City Council to assist it in carrying out the legislative powers and duties imposed on City Council by City Charter and shall be authorized by resolution approved by the affirmative vote of the majority of the full City Council, at a properly noticed meeting of the City Council.

1. Such resolution shall describe with particularity the subject matter of the inquiry, specifically the alleged conduct and related municipal office, department, agency or officer, the conduct of which is subject to inquiry.

2. Such resolution shall request a written response from the appropriate representative of such municipal office, department or agency or in the case of a municipal officer, from such officer, and may direct responses to specific questions to be provided, request supporting documentation and other relevant material be included with the response, and shall also request that other individuals with relevant information be identified.

3. Such resolution shall set a date for the written report to be submitted to City Council as an agenda item at a properly noticed meeting of the City Council.

4. Such responsive information shall be submitted into the record at the public meeting scheduled for submitting the response. City Council shall review the responsive information at the meeting and deliberate and make findings. Such findings shall be adopted by resolution approved by a majority vote of the full City Council.

(G) **Investigation.** An investigation by City Council as authorized by Sections 4.02(a)(3) and 4.04(b) of the City Charter, into municipal affairs, shall be for the purpose of providing necessary factual knowledge to City Council to assist it in carrying out the legislative powers and duties imposed on City Council by City Charter and shall be authorized by resolution approved by the affirmative vote of at least a majority of the full City Council members, at a properly noticed meeting of the City Council.

1. Such resolution shall describe with particularity the subject matter of the investigation, detailing with specificity the scope and purpose of the investigation, and shall provide the course of action to be followed in carrying out such investigation and investigative hearing.

2. City Council may employ an expert for assistance in conducting an investigation pursuant to this section herein. The terms of the employment agreement shall be for the sole purpose of assisting with an investigation consistent with and limited to the scope of City Council's investigative authority under Sections 4.02(a)(3) and 4.04(b) of the City



Charter and shall be set forth and authorized by a resolution approved by City Council. Investigative information shall be subject to public disclosure as required by law.

(H) **Investigative Hearing.** City Council shall determine on a case by case basis whether an investigative hearing shall be conducted. An investigation by City Council as authorized by Sections 4.02(a)(3) and 4.04(b) of the City Charter, into municipal affairs, shall be for the purpose of providing necessary factual knowledge to City Council to assist it in carrying out the legislative powers and duties imposed on City Council by City Charter and shall be authorized by resolution approved by the affirmative vote of at least a majority of the full City Council members, at a properly noticed meeting of the City Council. Such investigative hearing shall be open to the public.

1. An investigative hearing is legislative in nature and not a judicial proceeding. Normal procedural guarantees which surround the conduct of a trial, therefore, are not required as a matter of general law in such investigations. Accordingly, except for the constitutional privilege against self-incrimination, and the guarantee of the First Amendment, witnesses before investigative hearing of City Council shall have those rights which City Council determines are appropriate to ensure that all procedures are orderly and fair.

2. At the conclusion of an investigative hearing, City Council shall make written findings and conclusions.

(I) **Authorization for Preparation and Issuance of Subpoenas.** City Council shall authorize by resolution, at a properly noticed meeting of City Council, the preparation and issuance of subpoenas or subpoenas duces tecum for purposes of an investigation under this section by the City Clerk in accordance with state statute. The authorization shall direct the City Council Executive to prepare subpoenas or subpoenas duces tecum and submit such subpoenas or subpoenas duces tecum to the City Attorney for review for legal sufficiency.

(J) **Authorization for Contempt Order.** The punishment for violation of a subpoena or subpoena duces tecum that City Council may impose against any person who violates a subpoena or subpoena duces tecum shall be prescribed by ordinance.

1. Pursuant to such ordinance, City Council is authorized to hold a person in contempt for violation of a subpoena or subpoena duces tecum and to impose a fine, not to exceed five hundred dollars (\$500), against any person for such violation.

2. City Council shall determine whether grounds for a contempt order exist and shall prescribe the fine amount for violation of the ordinance.

3. **Public Notice.** The City Clerk shall publish legal notice of each investigative hearing authorized under this section at least one time in a newspaper published in the city which meets the requirements of Section 50.031, Florida Statutes.

4. Transcripts of Investigations. The investigative hearing under this section shall be recorded and transcribed verbatim and provided to City Council. .



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 2023-068

City Council

9/28/2023

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** D.C. Reeves, Mayor

**SUBJECT:**

SUPPLEMENTAL BUDGET RESOLUTION NO. 2023-068 - LAW ENFORCEMENT TRUST FUND (LETF) PURCHASES FOR THE PENSACOLA POLICE DEPARTMENT

**RECOMMENDATION:**

That the City Council adopt Supplemental Budget Resolution No. 2023-068.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023; PROVIDING FOR AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

The Law Enforcement Trust Fund was established by City of Pensacola to allow the Police Department the use of money and goods confiscated as a result of criminal activity. Florida State Statute 932.7055 as amended on July 1, 2016, details the circumstances confiscated good may be used. The Federal Controlled Substance Act, Section 881 (e) (3) of Title 21, United States Code, in accordance with the United States Department of Justice Guide to Equitable Sharing designates the uses of Federal Law Enforcement Trust Funds.

The Pensacola Police Department (PPD) is requesting \$6,048.00 from the Law Enforcement Trust Fund (LETF) established by the City of Pensacola as a non-major special revenue fund and as such, combining both state and federal confiscated funds into one accounting fund. The enhancement of relationships between law enforcement and the community promotes a safe and engaged community. The requested amount of \$6,048.00 will help fund the following:

The purchase of supplies in support of crime prevention, safe neighborhood, and community engagement. This will allow Pensacola Police Department to purchase PPD branded items as giveaways and prizes at schools and community events that cultivate positive interactions and stimulation of relationship between law enforcement and community members. The purchased supplies will be used for the following, but not limited to, upcoming events: National Night Out, Coco with a Cop at the Library, Blue Angels Homecoming, Beyond the Badge Leadership Academy, multiple Coffee with a Cop events and multiple Halloween trunk or treat events.

**PRIOR ACTION:**

None

**FUNDING:**

Budget: \$ 6,048

Actual: \$ 5,178 - Various promotional items from 4imprint

37 - Prize wheel from Amazon

833 - PPD Blue Angel Tahoe air fresheners - Promo by Cody McConnell  
\$ 6,048

**FINANCIAL IMPACT:**

The funds would be from the Law Enforcement Trust funds and would have no impact on the City's General Fund. The attached Supplemental Budget Resolution will appropriate for these purposes.

**LEGAL REVIEW ONLY BY CITY ATTORNEY:** Yes

8/28/2023

**STAFF CONTACT:**

Kerrith Fiddler, City Administrator

Eric Randall, Chief of Police

**ATTACHMENTS:**

- 1) Supplemental Budget Resolution No. 2023-068
- 2) Supplemental Budget Explanation No. 2023-068
- 3) Letter of Certification No. 2023-068

**PRESENTATION:** No

**RESOLUTION  
NO. 2023-068**

A RESOLUTION  
TO BE ENTITLED:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR  
THE FISCAL YEAR ENDING SEPTEMBER 30, 2023; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA

SECTION 1. The following appropriations from funds on hand in the fund accounts stated below, not heretofore appropriated, and transfer from funds on hand in the various accounts and funds stated below, heretofore appropriated, be, and the same are hereby made, directed and approved to-wit:

**A. LAW ENFORCEMENT TRUST FUND**

To:	Fund Balance	6,048
As Reads:	Operating Expenses	218,210
Amended		
To Read:	Operating Expenses	224,258

SECTION 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This resolution shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

THE CITY OF PENSACOLA  
SEPTEMBER 2023 - SUPPLEMENTAL BUDGET RESOLUTION - LETF FUNDS - NO. 2023-068

FUND	AMOUNT	DESCRIPTION
LAW ENFORCEMENT TRUST FUND		
Fund Balance	6,048	Increase appropriated fund balance
Appropriations		
Operating Expenses	6,048	Increase appropriation for Operating Expenses
Total Appropriations	6,048	

THE CITY OF PENSACOLA  
SEPTEMBER 2023 - SUPPLEMENTAL BUDGET RESOLUTION - LETF FUNDS - NO. 2023-068

Created Docs \_\_\_\_\_ Bud Adj in Eden \_\_\_\_\_  
Make Agenda \_\_\_\_\_, Pass/Fail \_\_\_\_\_  
Put on Internet \_\_\_\_\_, Bal Beg/End \_\_\_\_\_

FUND	ACCOUNT NUMBER	AMOUNT	DESCRIPTION
LAW ENFORCEMENT TRUST FUND	118		
Estimated Revenues			
Total Revenues		0	
Fund Balance		6,048	Increase appropriated fund balance
Total Estimated Revenues and Fund Balance		6,048	
Appropriations			
PPD - Promotional Items	118.520.5260.526036.9360.118092	6,048	Increase appropriation for Operating Expenses
Total Appropriations		6,048	

**CITY OF PENSACOLA POLICE DEPARTMENT**  
**Local Law Enforcement Trust Funds**  
**Letter of Certification**

I hereby certify that the requests contained herein comply in full with the provisions of Florida State Statute 932.7055, as amended on July 1, 2016, in reference to the use of contraband forfeiture from a State Law Enforcement Trust Fund and/or under the Federal Controlled Substance Act, Section 881 (e)(3) of Title 21, United States Code, in accordance with the US Department of Justice Guide to Equitable Sharing from a designated Federal

Item	Description of Requested Items	Amount
1	4imprint - various promotional items	\$5,178
2	Amazon - prize wheel	\$37
3	Promo by Cody McConnel - air fresheners of PPD Blue Angel Tahoe	\$833
Total Requested		<u>\$6,048</u>

  
Eric Randall, Chief of Police

  
Date





# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 2023-076

City Council

9/28/2023

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** D.C. Reeves, Mayor

**SUBJECT:**

SUPPLEMENTAL BUDGET RESOLUTION NO.2023-076 - LOST IV - MARKED POLICE VEHICLES

**RECOMMENDATION:**

That the City Council adopt Supplemental Budget Resolution No. 2023-076

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023; PROVIDING FOR AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

COVID-19 has brought about various shortages in commodities and most importantly has impacted the ability to purchase police vehicles. Therefore, in order to be able to purchase vehicles, LOST IV funding in the amount of \$397,437 for Marked Police Vehicles originally slated for Fiscal Year 2024 have been moved forward to Fiscal Year 2023 to allow more vehicles to be purchased when available.

**PRIOR ACTION:**

None

**FUNDING:**

Budget: \$397,437

Actual: \$397,437

**FINANCIAL IMPACT:**

Adoption of the Supplemental Budget Resolution will move up the appropriation of LOST IV - Marked Vehicles fund balance from fiscal year 2024 to be currently purchase in fiscal year 2023.

**LEGAL REVIEW ONLY BY CITY ATTORNEY:** Yes

9/15/2023

**STAFF CONTACT:**

Kerrith Fiddler, City Administrator  
Amy, Lovoy, Finance Director

**ATTACHMENTS:**

- 1) Supplemental Budget Resolution No. 2023-076
- 2) Supplemental Budget Explanation No. 2023-076

**PRESENTATION:** No

**RESOLUTION  
NO. 2023-076**

A RESOLUTION  
TO BE ENTITLED:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE  
FISCAL YEAR ENDING SEPTEMBER 30, 2023; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA

SECTION 1. The following appropriations from funds on hand in the fund accounts stated below, not heretofore appropriated, and transfer from funds on hand in the various accounts and funds stated below, heretofore appropriated, be, and the same are hereby made, directed and approved to-wit:

**A. LOCAL OPTION SALES TAX FUND**

	Fund Balance	397,437
As Reads:	Capital Outlay	21,496,028
Amended		
To Read:	Capital Outlay	21,893,465

SECTION 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This resolution shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

THE CITY OF PENSACOLA  
SEPTEMBER 2023 - APPROPRIATE FUNDING FOR LOST IV MARKED POLICE VEHICLES - EXPLANATION NO. 2023-076

FUND	AMOUNT	DESCRIPTION
<b>LOCAL OPTION SALES TAX FUND</b>		
Estimated Revenues		
Fund Balance	397,437	Increase Appropriated Fund Balance- LOST IV- Marked Vehicles - Move up From FY 2024
Appropriations		
LOST IV - Marked Police Vehicles	397,437	Increase Appropriation - LOST IV - Move up From FY 2024
Total Appropriations	397,437	



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 20-23

City Council

9/28/2023

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** D.C. Reeves, Mayor

**SUBJECT:**

PROPOSED ORDINANCE NO. 20-23 - CREATING SECTION 8-1-23 OF THE CODE, PROHIBITING THE OBSTRUCTION OF PUBLIC SIDEWALKS

**RECOMMENDATION:**

That City Council adopt Proposed Ordinance No. 20-23 on second reading.

AN ORDINANCE CREATING SECTION 8-1-23 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, PROHIBITING THE OBSTRUCTION OF PUBLIC SIDEWALKS; PROVIDING FOR PENALTY; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

The Americans with Disabilities Act (ADA) stipulates guidelines for safe pedestrian passage for all members of the public. Sidewalks that are obstructed create a danger to the health and safety of the public and prevent the safe use of public sidewalks for their intended and proper use, as well as prevent accessibility of movement.

The attached proposed ordinance codifies a specified prohibition on the obstruction of sidewalks in the City of Pensacola, and establishes a means to comply with an offense via responding to a verbal warning.

**PRIOR ACTION:**

September 14, 2023 - City Council voted to approve Proposed Ordinance No. 20-23 on first reading.

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None.

**LEGAL REVIEW ONLY BY CITY ATTORNEY:** Yes

8/21/2023

**STAFF CONTACT:**

Kerrith Fiddler, City Administrator

David Forte, Deputy City Administrator

Jonathan Bilby, Building Official, ADA Coordinator

**ATTACHMENTS:**

- 1) Proposed Ordinance No. 20-23

**PRESENTATION:** No

PROPOSED  
ORDINANCE NO. 20-23

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE CREATING SECTION 8-1-23 OF THE  
CODE OF THE CITY OF PENSACOLA, FLORIDA,  
PROHIBITING THE OBSTRUCTION OF PUBLIC  
SIDEWALKS; PROVIDING FOR PENALTY; PROVIDING  
FOR SEVERABILITY; REPEALING CLAUSE; AND  
PROVIDING AN EFFECTIVE DATE.

WHEREAS, sidewalks that are obstructed create a danger to the health and safety of the public and prevent the safe use of public sidewalks for their intended and proper uses; and

WHEREAS, sidewalks that are obstructed are contrary to the guidelines set forth in the American Disabilities Act for safe pedestrian passage for all members of the public; and

WHEREAS, sidewalks that are obstructed in areas that provide access between the public sidewalks and on-street parking spots or curb ramps impedes or halts safe pedestrian passage and accessibility of movement onto or off of a public sidewalk.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:**

SECTION 1. Section 8-1-23 of the Code of the City of Pensacola, Florida, is hereby created to read as follows:

Section 8-1-23. Obstruction of Sidewalks.

(a) It shall be unlawful in the City of Pensacola for any person or their personal property to obstruct an area of a public sidewalk in a manner that prohibits or impedes the safe passage and flow of pedestrian movement as described in this clause. On public sidewalks 36 inches or greater in width, 36 inches shall be considered the minimum width area of that sidewalk that must remain unobstructed for safe pedestrian movement. On all public sidewalks there shall remain sufficient unobstructed sidewalk space to permit the safe movement and passage of a person using a mobility aid.

(b) No person shall be in violation of this law unless they receive, at the time the obstruction is occurring, a minimum of one (1) verbal warning followed by a

reasonable time to readjust, relocate or move so that neither they nor their personal property are an obstruction that prohibits or impedes safe passage and flow of pedestrian traffic as described in (a) of this section.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted : \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk





# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

File #: 21-23

City Council

9/28/2023

### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** D.C. Reeves, Mayor

**SUBJECT:**

REVISED: PROPOSED ORDINANCE NO. 21-23 AMENDING TITLE IV-HEALTH AND SANITATION OF THE CITY CODE - ELIMINATING CURBSIDE RECYCLING SERVICE AND INCREASING GARBAGE COLLECTION TO TWICE WEEKLY

### **RECOMMENDATION:**

That City Council adopt Proposed Ordinance No. 21-23 on second reading:

AN ORDINANCE AMENDING TITLE IV OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, AMENDING HEALTH AND SANITATION SECTION 4-3-40, DEFINITIONS; SECTION 4-3-43, SOLID WASTE OR REFUSE TO BE PROPERTY OF THE CITY; SCAVENGING; SECTION 4-3-44, DETERMINATION OF SERVICE PROVIDERS; SECTION 4-3-45, BURYING OF RECYCLABLES, SOLID WASTE, REFUSE, OR HAZARDOUS MATERIALS OR SUBSTANCES; SECTION 4-3-46, STORING OR PLACEMENT OF RECYCLABLES, SOLID WASTE OR REFUSE; SECTION 4-3-47, PLACEMENT OF RECYCLABLES, SOLID WASTE OR REFUSE IN GUTTERS OR STREETS PROHIBITED, DECLARED NUISANCE; SECTION 4-3-60, COLLECTION SCHEDULE; SECTION 4-3-61, PLACEMENT FOR COLLECTION; SECTION 4-3-81, CITY-OWNED WHEELED CONTAINERS; SECTION 4-3-97, FEES AND SURCHARGES; PROVIDING FOR SEVERABILITY, REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

### **SUMMARY:**

That City Council adopt the proposed ordinance and authorize the Mayor to implement the resulting changes in service, which include eliminating curbside recycling service and increasing garbage collection to twice weekly.

These amendments are necessary due to an increase in fees charged by ECUA for receiving recyclables which would result in a significant rate increase to customers, and high contamination rates in the City's recyclables which results in additional excess contamination and refused load

charges.

As has been discussed by the Mayor, the intent is to bring forward at a later date one or more alternative recycling programs which could include a paid opt-in curbside recycling program and/or the establishment of manned recycling drop-off locations.

City Council approved this item, as amended, on first reading. The amendments are:

1. Insert the definition of Recyclables within City Code Section 4-3-40 : “Recyclables means materials extracted from solid waste or refuse having known recycling potential that can be processed and returned to a useful product and are designated as a recyclable material in the city recycling program.”
2. Insert the following language within City Code Section 4-3-60:; “City of Pensacola Sanitation Customers will receive a minimum of two pickups per week, pickups are inclusive of solid waste or refuse and/or recyclables.

**PRIOR ACTION:**

September 14, 2023 - City Council approved the Proposed Ordinance, as amended, on first reading.

March 26, 2009 - City Council authorized the implementation of a citywide curbside recycling program.

May 28, 2009 - City Council approved Proposed Ordinance No. 18-09.

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**LEGAL REVIEW ONLY BY CITY ATTORNEY:** Choose an item.

[Click here to enter a date.](#)

**STAFF CONTACT:**

Kerrith Fiddler, City Administrator  
Fred Crenshaw, Director of Sanitation & Fleet Management

**ATTACHMENTS:**

- 1) REVISED Proposed Ordinance No. 21-23
- 2) Proposed Ordinance No. 21-23

**PRESENTATION:** No

PROPOSED  
ORDINANCE NO. 21-23

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING TITLE IV OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, AMENDING HEALTH AND SANITATION SECTION 4-3-40, DEFINITIONS; SECTION 4-3-43, SOLID WASTE OR REFUSE TO BE PROPERTY OF THE CITY; SCAVENGING; SECTION 4-3-44, DETERMINATION OF SERVICE PROVIDERS; SECTION 4-3-45, BURYING OF RECYCLABLES, SOLID WASTE, REFUSE, OR HAZARDOUS MATERIALS OR SUBSTANCES; SECTION 4-3-46, STORING OR PLACEMENT OF RECYCLABLES, SOLID WASTE OR REFUSE; SECTION 4-3-47, PLACEMENT OF RECYCLABLES, SOLID WASTE OR REFUSE IN GUTTERS OR STREETS PROHIBITED, DECLARED NUISANCE; SECTION 4-3-60, COLLECTION SCHEDULE; SECTION 4-3-61, PLACEMENT FOR COLLECTION; SECTION 4-3-81, CITY-OWNED WHEELED CONTAINERS; SECTION 4-3-97, FEES AND SURCHARGES; PROVIDING FOR SEVERABILITY, REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:**

SECTION 1. Section 4-3-40 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-40 – Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Words, terms, and phrases used in this article which are not defined in this section shall have the meanings given in F.S. § 403.703, or in this article, unless the context clearly otherwise requires. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

*Animal* means any male, female, or altered member of the canine or feline species, or any other domesticated animal, except those classified by the state fish and game commission as wildlife.

*Bulk waste* means items that because of its size, shape, quality, or quantity precludes or complicates handling by normal collection, processing, or disposal methods; including, but not limited to, the following:

- (1) Discarded materials resulting from remodeling, repair, excavation, construction or demolition of structures, such as plaster, roofing materials, trees, and similar items, excluding asbestos materials and treated lumber, or other items excluded herein.
- (2) Tree stumps, tree trunks, and limbs larger than eight inches in diameter and six feet in length.
- (3) Household furnishings, such as sofas, chairs, mattresses, box springs, televisions, tables, appliances, water heaters, air conditioners, and space heaters.
- (4) Yard trash mixed with other waste.
- (5) Any other item as may be determined by the director.

*Business district* means all that area bound on the south by Pensacola Bay, on the west by Spring Street, on the north by Belmont Street, on the east by Tarragona Street, and includes all properties facing on the above streets.

*Collection* means the act of removing solid waste or refuse from the source of generation to the point of disposal.

*Customer* means any person subscribing to sanitation services in the city.

*Director* means the department of sanitation services and fleet management director.

*Disposal facility* means the site where solid waste or refuse is disposed of, whether by sanitary landfilling, incineration, treatment, or recovery, ~~or recycling~~ approved by the city.

*Garbage* means all waste accumulations of animal, fruit, or vegetable matter that attend the preparation, use, cooking, dealing in or storage of meat, fowl, fish, fruits, or vegetables, containers originally used for foodstuffs other than those containers designated as recyclable in the city recycling program, but does not include animal waste.

*Owner/occupant* means any person or entity who acquires responsibility or title of real property, a structure or dwelling, by occupancy, ownership, or agency.

~~*Recyclables* means materials extracted from solid waste or refuse having known recycling potential that can be processed and returned to a useful product and are designated as a recyclable material in the city recycling program.~~

*Recyclables* means materials extracted from solid waste or refuse having known recycling potential that can be processed and returned to a useful product and are designated as a recyclable material in the city recycling program.

*Residential composting* is the managed process of controlled decomposition of organic material such as leaves, twigs, grass clippings, and vegetative food waste that is utilized as a soil amendment.

*Rubbish* means all nonputrescible solid wastes ~~other than those materials designated as recyclables in the city recycling program~~, consisting of both combustible and noncombustible wastes, such as paper, cardboard, glass, crockery, excelsior, cloth, and similar material.

*Scavenging* means to search through solid waste or discarded materials for something of use or value.

*Solid waste or refuse* means material as defined in F.S. § 403.703.

*Yard trash or green waste* includes grass clippings, pine straw, leaves, residue from trimming limbs, shrubs, and trees, tree trunks, stumps, and bark which do not exceed six feet in length and eight inches in diameter.

SECTION 2. Section 4-3-43 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-43. - Solid waste or refuse to be property of city; scavenging.

- (a) Ownership of the ~~recyclables~~, solid waste or refuse material set out for collection shall be deemed discarded and ownership of same shall vest in the city. In no case will scavenging be permitted except where prior written permission is given by the director.
- (b) Disturbing, removing after placement for collection. It shall be unlawful for any person to remove, handle, or otherwise disturb the ~~recyclables~~, solid waste or refuse which has been placed curbside for collection by the sanitation services and fleet management department. This section does not apply to the owner or occupant of a residence or dwelling so placing the contents.

SECTION 3. Section 4-3-44 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-44. - Determination of service providers.

It shall also be unlawful for any person, firm or entity to provide ~~recyclables~~, solid waste or refuse collection and disposal service to any dwelling, structure, or real property in the city unless the director has made a written determination that the sanitation services and fleet management department is not capable of providing such service.

SECTION 4. Section 4-3-45 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-45. - Burying of ~~recyclables~~, solid waste, refuse, or hazardous materials or substances.

No ~~recyclables~~, solid waste or refuse shall be buried on any property within the city.

SECTION 5. Section 4-3-46 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-46. - Storing or placement of ~~recyclables~~, solid waste or refuse.

- (a) *Storing or placement of ~~recyclables~~, solid waste or refuse.* No person shall place ~~recyclables~~, solid waste or refuse in any street, alley, or other public place. Nor shall any person store any such ~~recyclables~~, solid waste or refuse upon any private property whether owned by the person or not, within the city. ~~Recyclables~~, Solid waste or refuse shall be placed in proper containers and placed for collection as required in this article.
- (b) *Disposal upon water* No person shall throw, deposit, or dispose of any ~~recyclable material~~, solid waste or refuse in or upon any stream, waterway, or body of water.
- (c) *Unauthorized accumulation.* Any unauthorized accumulation of ~~recyclables~~, solid waste or refuse not in compliance with this Code on any real property or premises is prohibited and declared a nuisance.
- (d) *Scattering of ~~recyclables~~, solid waste or refuse.* No person shall cast, place, sweep, or deposit any ~~recyclable materials~~, solid waste, refuse, or garbage in such manner that it may be carried or deposited by the elements.
- (e) *Residential composting.* Residential composting, with the intent of utilizing such as a soil amendment, shall not be deemed to be a violation of this section.

- (f) *Dead animals.* It is unlawful for any person to store dead animals in a container or place it at curbside for collection by the city. It is the responsibility of the owner of a dead animal or the person who discovers a dead animal to promptly notify a local animal control agency responsible for disposing of dead animals.

SECTION 6. Section 4-3-47 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-47. - Placement of ~~recyclables~~, solid waste or refuse in gutters or streets prohibited, declared nuisance.

The placement or scattering of yard trash, green waste, and/or ~~other recyclables~~, solid waste or refuse in or upon street gutters, street surfaces, or stormwater inlets is hereby declared a nuisance and a danger to water quality and shall be prohibited.

SECTION 7. Section 4-3-60 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-60. - Collection schedule.

~~Recyclables~~, solid waste or refuse. All ~~recyclables~~, solid waste or refuse shall be collected by the city according to a regular schedule as determined by the Mayor in consultation with the Sanitation Services Director. The collection schedule, including holiday pickup and yard trash/green waste schedules, shall be mailed to every sanitation account holder at least once each year and the schedule shall be published and available on the city's internet site at all times. City of Pensacola Sanitation Customers will receive a minimum of two pickups per week, pickups are inclusive of solid waste or refuse and/or recyclables. ~~the following schedule except d~~During periods of disaster cleanups or peak yard trash collection seasons, ~~when~~ schedules may be altered, suspended, or delayed.;

- (1) ~~All combined household solid waste, refuse, or garbage generated in residential areas shall be collected once twice each week from the city-owned wheeled container designated for garbage.~~
- (2) ~~All recyclables shall be collected once each week from the city-owned wheeled container designated for recycling.~~
- (3) ~~Yard trash/green waste shall be collected once a week.~~

~~(4)~~Bulk waste shall be collected as provided in the provisions of this article, including, but not limited to, sections 4-3-59 and 4-3-63.



- (4) ~~Corrugated cardboard moving boxes shall be collected as provided for in section 4-3-66.~~

SECTION 8. Section 4-3-61 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-61. - Placement for collection.

- (a) No person shall place any accumulation of ~~recyclables~~, solid waste or refuse, recovered materials, or garbage containers in any street or gutter, or other public place of travel nor upon any private or public property, except adjacent to and directly in front of said person's own property. In all cases where conditions permit, said placement shall be in the area behind the curb, but no more than two feet from the curb or the back slope or roadside.
- (b) Yard trash/green waste shall not be placed on top of and shall not cover sprinkler system heads and water meters. The city shall not be responsible for damage to sprinkler systems, sprinkler heads, water meters, utility combination boxes, or the like, and other objects including fences, gates, hedges, plants, and trees damaged due to yard trash or green waste being placed over or piled on or against such items for collection.
- (c) Wheeled containers shall not be placed out for collection prior to 6:00 p.m. of the day preceding the scheduled day of collection, and all containers shall be removed no later than 6:00 a.m. the day following collection.

SECTION 9. Section 4-3-81 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-81. - City-owned wheeled containers.

- (a) *Mandatory use.* Except as otherwise provided in this section, ~~all recyclables~~, garbage and rubbish shall be placed in designated ~~separate~~ wheeled containers issued to the customer by the city for the specific purpose of ~~providing separate recyclable and~~ garbage collection. The use of any other containers is unlawful.
- (b) *Prohibited materials.* It shall be unlawful to place for collection in city-owned wheeled containers any materials described in sections 4-3-62, 4-3-63, and 4-3-67.
- ~~(c) Separation of recyclables. It shall be unlawful to place for collection in a city-owned wheeling container, designated specifically for recycling use, any materials~~

~~other than those recyclable materials determined by the city to be eligible for inclusion in the city recycling program.~~

~~(dc)~~*Responsibility of customer.* Wheeled containers issued to customers by the city are and shall continue to be the property of the city. It is the responsibility of the customer to which such container has been issued to keep it clean and to protect it from theft, destruction, and damage beyond repair. The customer shall notify the city customer service department prior to vacating a premises and shall place the container in a safe location where it is accessible to the city.

~~(ed)~~*Damaged containers.* The customer shall be responsible for charges associated with replacement of any city-owned container damaged due to negligence or abuse.

~~(fe)~~*Exceptions for disabled persons.* Service will be provided in accordance with applicable ADA guidelines.

~~(gf)~~*Placement of containers.* When not placed curbside for collection, city-owned wheeled containers shall be placed beside a permanent structure or behind vegetation or other visual barrier. The mayor is authorized to grant an exemption from the requirements of this provision when a determination has been made that the existing circumstances render compliance not reasonably feasible. This subsection may be enforced pursuant to the provisions of section 1-1-8 or 13-3-2.

SECTION 10. Section 4-3-97 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-97. - Fees and surcharges.

The following fees are hereby established for ~~recycling~~, solid waste, or refuse collection services by the city as may be amended from time to time by resolution of the city council:

- (1) *New accounts, transferred accounts, and resumption of terminated service (\*)*: \$20.00.
- (2) *Garbage, ~~recycling~~, and trash collection fee, per month*: \$27.44 effective October 1, 2022. Additionally, out-year automatic increases to the monthly collection rate through Oct. 1, 2026 as follows: \$1.11 effective Oct. 1, 2023; \$1.15 effective Oct. 1, 2024; \$1.77 effective Oct. 1, 2025; \$0.79 effective Oct. 1, 2026. Further adjustments, upon approval of council, will be implemented each October 1 hereafter based on the percentage difference in the cost of living as computed under the most recent Consumer Price Index for all urban consumers or similar index published by the Bureau of Labor Statistics, U.S. Department of Labor for

the period beginning April 1st of the preceding year and ending March 31st of the current year.

- (3) *Premium service:* The fee for Premium Service surcharge of \$20.00 shall be added to the collection fee established herein when participating customer enrolls in this optional service. Retrieval of ~~recycling~~ and garbage carts, dumping, and returning carts to their originating locations are services included. This service is not applicable to trash (green waste/construction and demolition).
- (4) Provided, however, the monthly fee for garbage, ~~recycling~~, and trash collection for the dwelling of an eligible household, occupied by a person 65 years of age or older, under the low-income home energy assistance program pursuant to F.S. § 409.508, 1993, as administered by the Escambia County Council on Aging or for the dwelling of a family heretofore determined by the housing and community development office of the city to be eligible for assistance under the Section 8 existing housing assistance payments program pursuant to 42 U.S.C., Section 1437(f), shall be reduced by \$1.00 per month commencing October 1, 1989, and by an additional \$1.00 per month commencing October 1, 1990, provided that sufficient monies are appropriated from the general fund to replace decreased solid waste revenues caused by such fee reductions. If insufficient monies are appropriated from the general fund to replace all of such decreased solid waste revenues, then the mayor may change the amount of the fee reduction to an amount less than the amount set forth in the preceding.
- (5) *Sanitation equipment surcharge:* \$4.12 per month effective Oct. 1, 2022, with an additional increase of \$1.00 effective Oct. 1, 2023, bringing the Sanitation Equipment Surcharge to \$5.12. A sanitation equipment surcharge shall be added as a separate line item to all city solid waste and/or refuse collection services fees. This surcharge shall be automatically adjusted upon approval of council each October 1 hereafter based on the percentage difference in the cost of living as computed under the most recent consumer Price Index for all urban consumers or similar index published by the Bureau of Labor Statistics, U.S. Department of Labor for the period beginning April 1st of the preceding year and ending March 31st of the current year.
- (6) *Vehicle fuel and lubricant pass-through surcharge:* \$1.30 per month. A sanitation services division vehicle fuel and lubricant surcharge shall be added as a separate line item to all city solid waste and/or refuse collection service fees. Said surcharge, which shall be initially set on the fiscal year 2007 sanitation services fuel and lubricant budget, shall be revised by the director of finance no less frequently than annually based upon the budgeted fuel and lubricant costs adjusted for their actual costs for the previous or current fiscal years.

- (7) *Tire removal:* A surcharge of \$3.00 per tire shall be added to the scheduled or nonscheduled bulk waste collection fee established herein whenever tire(s) more than 12 inches in size are collected.
- (8) *Scheduled bulk waste collection:* The fee for scheduled bulk item collection shall be \$15.00 for the first three minutes and \$5.00 for each additional three minutes up to 21 minutes after which time a disposal fee will be added.
- (9) *Non-scheduled bulk waste collection:* The fee for nonscheduled bulk item collection shall be \$35.00 for the first three minutes and \$10.00 for each additional three minutes up to 21 minutes after which time a disposal fee will be added.
- (10) Deposits in an amount up to a total of the highest two months bills for service within the previous 12 months may be required of customers who, after the passage of this section, have their service cut for nonpayment or have a late payment history. The department of finance will be responsible for the judicious administration of deposits.
- (11) A late charge equal to one and one-half percent per month of the unpaid previous balance.

SECTION 11. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 12. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 13. This ordinance shall take effect on October 1, 2023 unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted : \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

PROPOSED  
ORDINANCE NO. 21-23

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING TITLE IV OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, AMENDING HEALTH AND SANITATION SECTION 4-3-40, DEFINITIONS; SECTION 4-3-43, SOLID WASTE OR REFUSE TO BE PROPERTY OF THE CITY; SCAVENGING; SECTION 4-3-44, DETERMINATION OF SERVICE PROVIDERS; SECTION 4-3-45, BURYING OF RECYCLABLES, SOLID WASTE, REFUSE, OR HAZARDOUS MATERIALS OR SUBSTANCES; SECTION 4-3-46, STORING OR PLACEMENT OF RECYCLABLES, SOLID WASTE OR REFUSE; SECTION 4-3-47, PLACEMENT OF RECYCLABLES, SOLID WASTE OR REFUSE IN GUTTERS OR STREETS PROHIBITED, DECLARED NUISANCE; SECTION 4-3-60, COLLECTION SCHEDULE; SECTION 4-3-61, PLACEMENT FOR COLLECTION; SECTION 4-3-81, CITY-OWNED WHEELED CONTAINERS; SECTION 4-3-97, FEES AND SURCHARGES; PROVIDING FOR SEVERABILITY, REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

**NOW, THEREFORE, BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:**

SECTION 1. Section 4-3-40 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-40 – Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning. Words, terms, and phrases used in this article which are not defined in this section shall have the meanings given in F.S. § 403.703, or in this article, unless the context clearly otherwise requires. When not inconsistent with the context, words used in the present tense include the future, words used in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not merely directory.

*Animal* means any male, female, or altered member of the canine or feline species, or any other domesticated animal, except those classified by the state fish and game commission as wildlife.

*Bulk waste* means items that because of its size, shape, quality, or quantity precludes or complicates handling by normal collection, processing, or disposal methods; including, but not limited to, the following:

- (1) Discarded materials resulting from remodeling, repair, excavation, construction or demolition of structures, such as plaster, roofing materials, trees, and similar items, excluding asbestos materials and treated lumber, or other items excluded herein.
- (2) Tree stumps, tree trunks, and limbs larger than eight inches in diameter and six feet in length.
- (3) Household furnishings, such as sofas, chairs, mattresses, box springs, televisions, tables, appliances, water heaters, air conditioners, and space heaters.
- (4) Yard trash mixed with other waste.
- (5) Any other item as may be determined by the director.

*Business district* means all that area bound on the south by Pensacola Bay, on the west by Spring Street, on the north by Belmont Street, on the east by Tarragona Street, and includes all properties facing on the above streets.

*Collection* means the act of removing solid waste or refuse from the source of generation to the point of disposal.

*Customer* means any person subscribing to sanitation services in the city.

*Director* means the department of sanitation services and fleet management director.

*Disposal facility* means the site where solid waste or refuse is disposed of, whether by sanitary landfilling, incineration, treatment, or recovery, ~~or recycling~~ approved by the city.

*Garbage* means all waste accumulations of animal, fruit, or vegetable matter that attend the preparation, use, cooking, dealing in or storage of meat, fowl, fish, fruits, or vegetables, containers originally used for foodstuffs other than those containers designated as recyclable in the city recycling program, but does not include animal waste.

*Owner/occupant* means any person or entity who acquires responsibility or title of real property, a structure or dwelling, by occupancy, ownership, or agency.

~~*Recyclables* means materials extracted from solid waste or refuse having known recycling potential that can be processed and returned to a useful product and are designated as a recyclable material in the city recycling program.~~

*Residential composting* is the managed process of controlled decomposition of organic material such as leaves, twigs, grass clippings, and vegetative food waste that is utilized as a soil amendment.

~~*Rubbish* means all nonputrescible solid wastes other than those materials designated as recyclables in the city recycling program,~~ consisting of both combustible and noncombustible wastes, such as paper, cardboard, glass, crockery, excelsior, cloth, and similar material.

*Scavenging* means to search through solid waste or discarded materials for something of use or value.

*Solid waste or refuse* means material as defined in F.S. § 403.703.

*Yard trash or green waste* includes grass clippings, pine straw, leaves, residue from trimming limbs, shrubs, and trees, tree trunks, stumps, and bark which do not exceed six feet in length and eight inches in diameter.

SECTION 2. Section 4-3-43 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-43. - Solid waste or refuse to be property of city; scavenging.

- (a) Ownership of the ~~recyclables~~, solid waste or refuse material set out for collection shall be deemed discarded and ownership of same shall vest in the city. In no case will scavenging be permitted except where prior written permission is given by the director.
- (b) Disturbing, removing after placement for collection. It shall be unlawful for any person to remove, handle, or otherwise disturb the ~~recyclables~~, solid waste or refuse which has been placed curbside for collection by the sanitation services and fleet management department. This section does not apply to the owner or occupant of a residence or dwelling so placing the contents.

SECTION 3. Section 4-3-44 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-44. - Determination of service providers.

It shall also be unlawful for any person, firm or entity to provide ~~recyclables~~, solid waste or refuse collection and disposal service to any dwelling, structure, or real property in the city unless the director has made a written determination that the sanitation services and fleet management department is not capable of providing such service.

SECTION 4. Section 4-3-45 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-45. - Burying of ~~recyclables~~, solid waste, refuse, or hazardous materials or substances.

No ~~recyclables~~, solid waste or refuse shall be buried on any property within the city.

SECTION 5. Section 4-3-46 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-46. - Storing or placement of ~~recyclables~~, solid waste or refuse.

- (a) *Storing or placement of ~~recyclables~~, solid waste or refuse.* No person shall place ~~recyclables~~, solid waste or refuse in any street, alley, or other public place. Nor shall any person store any such ~~recyclables~~, solid waste or refuse upon any private property whether owned by the person or not, within the city. ~~Recyclables~~, Solid waste or refuse shall be placed in proper containers and placed for collection as required in this article.
- (b) *Disposal upon water* No person shall throw, deposit, or dispose of any ~~recyclable material~~, solid waste or refuse in or upon any stream, waterway, or body of water.
- (c) *Unauthorized accumulation.* Any unauthorized accumulation of ~~recyclables~~, solid waste or refuse not in compliance with this Code on any real property or premises is prohibited and declared a nuisance.
- (d) *Scattering of ~~recyclables~~, solid waste or refuse.* No person shall cast, place, sweep, or deposit any ~~recyclable materials~~, solid waste, refuse, or garbage in such manner that it may be carried or deposited by the elements.
- (e) *Residential composting.* Residential composting, with the intent of utilizing such as a soil amendment, shall not be deemed to be a violation of this section.
- (f) *Dead animals.* It is unlawful for any person to store dead animals in a container or place it at curbside for collection by the city. It is the responsibility of the owner of a dead animal or the person who discovers a dead animal to promptly notify a local animal control agency responsible for disposing of dead animals.



SECTION 6. Section 4-3-47 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-47. - Placement of ~~recyclables~~, solid waste or refuse in gutters or streets prohibited, declared nuisance.

The placement or scattering of yard trash, green waste, and/or ~~other recyclables~~, solid waste or refuse in or upon street gutters, street surfaces, or stormwater inlets is hereby declared a nuisance and a danger to water quality and shall be prohibited.

SECTION 7. Section 4-3-60 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-60. - Collection schedule.

~~Recyclables~~, solid waste or refuse. All ~~recyclables~~, solid waste or refuse shall be collected by the city according to a regular schedule as determined by the Mayor in consultation with the Sanitation Services Director. The collection schedule, including holiday pickup and yard trash/green waste schedules, shall be mailed to every sanitation account holder at least once each year and the schedule shall be published and available on the city's internet site at all times. ~~the following schedule except~~ During periods of disaster cleanups or peak yard trash collection seasons, when schedules may be altered, suspended, or delayed.;

- ~~(1) All combined household solid waste, refuse, or garbage generated in residential areas shall be collected once twice each week from the city-owned wheeled container designated for garbage.~~
- ~~(2) All recyclables shall be collected once each week from the city-owned wheeled container designated for recycling.~~
- ~~(3) Yard trash/green waste shall be collected once a week.~~
- ~~(4) Bulk waste shall be collected as provided in the provisions of this article, including, but not limited to, sections 4-3-59 and 4-3-63.~~
- ~~(4) Corrugated cardboard moving boxes shall be collected as provided for in section 4-3-66.~~

SECTION 8. Section 4-3-61 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-61. - Placement for collection.

- (a) No person shall place any accumulation of ~~recyclables~~, solid waste or refuse, recovered materials, or garbage containers in any street or gutter, or other public place of travel nor upon any private or public property, except adjacent to and directly in front of said person's own property. In all cases where conditions permit, said placement shall be in the area behind the curb, but no more than two feet from the curb or the back slope or roadside.
- (b) Yard trash/green waste shall not be placed on top of and shall not cover sprinkler system heads and water meters. The city shall not be responsible for damage to sprinkler systems, sprinkler heads, water meters, utility combination boxes, or the like, and other objects including fences, gates, hedges, plants, and trees damaged due to yard trash or green waste being placed over or piled on or against such items for collection.
- (c) Wheeled containers shall not be placed out for collection prior to 6:00 p.m. of the day preceding the scheduled day of collection, and all containers shall be removed no later than 6:00 a.m. the day following collection.

SECTION 9. Section 4-3-81 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-81. - City-owned wheeled containers.

- (a) *Mandatory use.* Except as otherwise provided in this section, ~~all recyclables~~, garbage and rubbish shall be placed in designated ~~separate~~ wheeled containers issued to the customer by the city for the specific purpose of ~~providing separate recyclable and~~ garbage collection. The use of any other containers is unlawful.
- (b) *Prohibited materials.* It shall be unlawful to place for collection in city-owned wheeled containers any materials described in sections 4-3-62, 4-3-63, and 4-3-67.
- ~~(c) Separation of recyclables. It shall be unlawful to place for collection in a city-owned wheeling container, designated specifically for recycling use, any materials other than those recyclable materials determined by the city to be eligible for inclusion in the city recycling program.~~
- ~~(d) Responsibility of customer.~~ Wheeled containers issued to customers by the city are and shall continue to be the property of the city. It is the responsibility of the customer to which such container has been issued to keep it clean and to protect it from theft, destruction, and damage beyond repair. The customer shall

notify the city customer service department prior to vacating a premises and shall place the container in a safe location where it is accessible to the city.

*(ed) Damaged containers.* The customer shall be responsible for charges associated with replacement of any city-owned container damaged due to negligence or abuse.

*(fe) Exceptions for disabled persons.* Service will be provided in accordance with applicable ADA guidelines.

*(gf) Placement of containers.* When not placed curbside for collection, city-owned wheeled containers shall be placed beside a permanent structure or behind vegetation or other visual barrier. The mayor is authorized to grant an exemption from the requirements of this provision when a determination has been made that the existing circumstances render compliance not reasonably feasible. This subsection may be enforced pursuant to the provisions of section 1-1-8 or 13-3-2.

SECTION 10. Section 4-3-97 of the Code of the City of Pensacola, Florida, is hereby amended to read as follows:

Sec. 4-3-97. - Fees and surcharges.

The following fees are hereby established for ~~recycling~~, solid waste, or refuse collection services by the city as may be amended from time to time by resolution of the city council:

- (1) *New accounts, transferred accounts, and resumption of terminated service (\*)*: \$20.00.
- (2) *Garbage, ~~recycling~~, and trash collection fee, per month*: \$27.44 effective October 1, 2022. Additionally, out-year automatic increases to the monthly collection rate through Oct. 1, 2026 as follows: \$1.11 effective Oct. 1, 2023; \$1.15 effective Oct. 1, 2024; \$1.77 effective Oct. 1, 2025; \$0.79 effective Oct. 1, 2026. Further adjustments, upon approval of council, will be implemented each October 1 hereafter based on the percentage difference in the cost of living as computed under the most recent Consumer Price Index for all urban consumers or similar index published by the Bureau of Labor Statistics, U.S. Department of Labor for the period beginning April 1st of the preceding year and ending March 31st of the current year.
- (3) *Premium service*: The fee for Premium Service surcharge of \$20.00 shall be added to the collection fee established herein when participating customer enrolls in this optional service. Retrieval of ~~recycling~~ and garbage carts, dumping, and returning

carts to their originating locations are services included. This service is not applicable to trash (green waste/construction and demolition).

- (4) Provided, however, the monthly fee for garbage, ~~recycling~~, and trash collection for the dwelling of an eligible household, occupied by a person 65 years of age or older, under the low-income home energy assistance program pursuant to F.S. § 409.508, 1993, as administered by the Escambia County Council on Aging or for the dwelling of a family heretofore determined by the housing and community development office of the city to be eligible for assistance under the Section 8 existing housing assistance payments program pursuant to 42 U.S.C., Section 1437(f), shall be reduced by \$1.00 per month commencing October 1, 1989, and by an additional \$1.00 per month commencing October 1, 1990, provided that sufficient monies are appropriated from the general fund to replace decreased solid waste revenues caused by such fee reductions. If insufficient monies are appropriated from the general fund to replace all of such decreased solid waste revenues, then the mayor may change the amount of the fee reduction to an amount less than the amount set forth in the preceding.
- (5) *Sanitation equipment surcharge*: \$4.12 per month effective Oct. 1, 2022, with an additional increase of \$1.00 effective Oct. 1, 2023, bringing the Sanitation Equipment Surcharge to \$5.12. A sanitation equipment surcharge shall be added as a separate line item to all city solid waste and/or refuse collection services fees. This surcharge shall be automatically adjusted upon approval of council each October 1 hereafter based on the percentage difference in the cost of living as computed under the most recent consumer Price Index for all urban consumers or similar index published by the Bureau of Labor Statistics, U.S. Department of Labor for the period beginning April 1st of the preceding year and ending March 31st of the current year.
- (6) *Vehicle fuel and lubricant pass-through surcharge*: \$1.30 per month. A sanitation services division vehicle fuel and lubricant surcharge shall be added as a separate line item to all city solid waste and/or refuse collection service fees. Said surcharge, which shall be initially set on the fiscal year 2007 sanitation services fuel and lubricant budget, shall be revised by the director of finance no less frequently than annually based upon the budgeted fuel and lubricant costs adjusted for their actual costs for the previous or current fiscal years.
- (7) *Tire removal*: A surcharge of \$3.00 per tire shall be added to the scheduled or nonscheduled bulk waste collection fee established herein whenever tire(s) more than 12 inches in size are collected.

- (8) *Scheduled bulk waste collection*: The fee for scheduled bulk item collection shall be \$15.00 for the first three minutes and \$5.00 for each additional three minutes up to 21 minutes after which time a disposal fee will be added.
- (9) *Non-scheduled bulk waste collection*: The fee for nonscheduled bulk item collection shall be \$35.00 for the first three minutes and \$10.00 for each additional three minutes up to 21 minutes after which time a disposal fee will be added.
- (10) Deposits in an amount up to a total of the highest two months bills for service within the previous 12 months may be required of customers who, after the passage of this section, have their service cut for nonpayment or have a late payment history. The department of finance will be responsible for the judicious administration of deposits.
- (11) A late charge equal to one and one-half percent per month of the unpaid previous balance.

SECTION 11. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 12. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 13. This ordinance shall take effect on October 1, 2023 unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted : \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk