



City of Pensacola

CITY COUNCIL

Meeting Minutes

December 14, 2017

5:30 P.M.

Council Chambers

Council President Wingate called the meeting to order at 5:32 P.M.

ROLL CALL

Council Members Present: Gerald Wingate, Sherri Myers, Jewel Cannada-Wynn, Larry Johnson, Brian Spencer, Andy Terhaar, P.C. Wu

Council Members Absent: None

INVOCATION

Given by Reverend David Morris, Pastor - St. Mark United Methodist Church.

PLEDGE OF ALLEGIANCE

Lead by Council Vice President Sherri Myers.

FIRST LEROY BOYD FORUM

Colvin Rancifer: Addressed Council regarding the proposed fish hatchery to be built on City-owned property commonly none as "Bruce Beach" indicating he is opposed to it being at that location and gave a history of Bruce Beach how it was used in the past by near-by neighborhoods.

Cecilia Pressley: Addressed Council indicating she was falsely arrested in 2015 and alleged she was violated by the officers which she provided badge numbers. She explained that she is afraid of police retaliation and not sure what to do at this point.

Council Member Cannada-Wynn asked Ms. Pressley to contact her. Council President Wingate asked Ms. Pressley to provide the badge numbers to the City Clerk.

That concluded the first segment of LeRoy Boyd Forum.

AWARDS

None.

APPROVAL OF MINUTES

1. [17-00673 APPROVAL OF MINUTES: REGULAR MEETING DATED 11/9/17 AND SPECIAL MEETING DATED 11/28/17](#)

A motion to approve was made by Council Member Terhaar and seconded by Council Member Myers.

The motion carried by the following vote (with Council Member Johnson not yet in attendance):

Yes: 6 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, P.C. Wu
No: 0 None

APPROVAL OF AGENDA

A motion to approve the agenda as presented was made by Council Member Cannada-Wynn and seconded by Council Member Terhaar.

The motion carried by the following vote (with Council Member Johnson not yet in attendance):

Yes: 6 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, P.C. Wu
No: 0 None

CONSENT AGENDA

2. [17-00305 AIRPORT COMMERCE PARK - PROPERTY ACQUISITION B2406 - COLLEGE HEIGHTS](#)

Recommendation: That City Council authorize the purchase of B2406 (Parcel ID#141S292100025002) from Robert J. Ingram for \$70,000 along with a purchase additive of \$40,000, closing costs of \$1,900, and a 5% contingency in the amount of \$5,595 for a total amount of \$117,495.

3. [17-00628 ADMINISTRATIVE PLAN FOR THE PENSACOLA HOUSING DIVISION HOUSING CHOICE VOUCHER PROGRAM](#)

Recommendation: That City Council approve the amendments to the Administrative Plan for the Pensacola Housing Division Housing Choice Voucher program.

CONSENT AGENDA (CONT'D.)

4. [17-00647](#) LEASE AGREEMENT WITH KAPLE HOLDINGS, INC. FOR RESTAURANT OUTDOOR SEATING AREA

Recommendation: That City Council authorize the Mayor to take all action necessary to execute a Lease Agreement with Kaple Holdings, Inc. for exterior space to be used for restaurant and bar outdoor seating.

5. [17-00648](#) APPROVAL OF SUBLEASE - HARBOURVIEW BUILDING

Recommendation: That City Council approve a sublease, from Harbourview of Pensacola, LLC to Crown Health Care Laundry Services, LLC, for property located at 25 W. Cedar Street.

6. [17-00641](#) SCHEDULE A PUBLIC HEARING - DISPOSITION OF SURPLUS PROPERTY - 216 NORTH "A" STREET

Recommendation: That the City Council schedule a public hearing regarding the sale of surplus property located at 216 North "A" Street, Parcel Identification Number 000S009010163083, Account Number 131804000. The Public Hearing will be held at the regular City Council meeting in January of 2018.

7. [17-00669](#) FIRST AMENDED AND RESTATED LEASE AGREEMENT WITH THE GENERAL "CHAPPIE" JAMES SUMMER FLIGHT ACADEMY, INC.

Recommendation: That City Council authorize the Mayor to execute and take all action necessary to enter into an amended and restated lease agreement, with The General "Chappie" James Summer Flight Academy, Inc., for the operation of a community-based youth flight academy within the General Daniel "Chappie" James Memorial Home site located at 1608-1610 Dr. Martin Luther King, Jr. Drive.

8. [17-00670](#) LEASE AGREEMENT WITH THE CHAPPIE JAMES MUSEUM OF PENSACOLA, INC.

Recommendation: That City Council authorize the Mayor to execute and take all action necessary to enter into a Lease Agreement with Chappie James Museum of Pensacola, Inc. for the operation of a museum commemorating the life of General Daniel "Chappie" James within the General Daniel "Chappie" James Memorial Home site located at 1608-1610 Dr. Martin Luther King, Jr. Drive.

CONSENT AGENDA (CONT'D.)

A motion to approve consent agenda Items 2 – 8 was made by Council Member Spencer and seconded by Council Member Myers.

The motion carried by the following vote (with Council Member Johnson not yet in attendance):

Yes: 6	Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, P.C. Wu
No: 0	None

REGULAR AGENDA9. [17-00600 FY 2017 STREET REHABILITATION PROJECT LIST PHASE II](#)

Recommendation: That City Council approve the proposed FY 2017 Street Rehabilitation Project List Phase II.

A motion to approve was made by Council Member Terhaar and seconded by Council Member Cannada-Wynn.

Council Member Myers expressed her concerns and provided pictures of areas within the City where the asphalt are up to curbs and causing drainage issues (on file with background materials). City Administrator Olson and Public Works & Facilities Director Owens addressed Ms. Myers' concerns and photos. Council Member Spencer also asked questions.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

Yes: 6	Gerald Wingate, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 1	Sherri Myers

10. [17-00636 CONTRACT APPROVAL AND SALE OF 113 NORTH "C" STREET - FORMER BLOUNT SCHOOL PROPERTY](#)

Recommendation: That City Council approve the contract between ParsCo and the City of Pensacola for sale and development agreement of the property located at 113 North "C" Street (Parcel ID number 00-0S-00-9080-001-018). Further that City Council authorize the Mayor to take all actions necessary to execute any subsequent documents relating to the sale and development of these parcels. Finally, that City Council allocate 100 percent of the proceeds, after costs associated with the final transaction, to the Housing Initiatives Fund.

REGULAR AGENDA (CONT'D.)

A motion to approve (Item 10) was made by Council Member Cannada-Wynn and seconded by Council Member Terhaar.

Council Members Cannada-Wynn and Myers inquired as to affordable housing and incentives within this development with Housing Administrator Whitaker responding accordingly. Council President Wingate made comments indicating there is not affordable workforce within this development, therefore, he cannot support this action.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

Yes: 6	Sherry Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 1	Gerald Wingate

11. [17-00655 2018 CITY COUNCIL MEETING SCHEDULE](#)

Recommendation: That City Council adopt the 2018 City Council Meeting Schedule.

A motion to approve was made by Council Member Terhaar and seconded by Council Member Cannada-Wynn.

Council Member Terhaar indicated that he has a recurring conflict with the scheduling of July meetings and made a motion to amend that the July meetings be changed to the week of the third Thursday on a permanent basis and seconded by Council Member Johnson.

Discussion took place among Council.

Based on discussion, Council Member Terhaar retracted his amendment to the July schedule as a permanent change, rather 2018 only with Agenda Conference on July 16th and City Council Meeting on July 19th. No objection from the seconder.

Upon conclusion of discussion, **the vote was called on the amendment.**

The motion carried by the following vote:

Yes: 7	Gerald Wingate, Sherry Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0	None

REGULAR AGENDA (CONT'D.)

There being no further discussion, **the vote was then called on the main motion as amended (on Item 11).**

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
 No: 0 None

12. [17-00645](#) **LETTER OF SUPPORT FOR THE ESCAMBIA COUNTY - DOWNTOWN SPORTS COMPLEX**

Recommendation: That City Council authorize the Council President to prepare a letter of support for the Escambia County - Downtown Sports Complex for delivery to the Triumph Gulf Coast Board.

Council Member Spencer indicated out of an abundance of caution, he will need to withdraw as sponsor of this item due to the possibility of a conflict of interest. Council President Wingate indicated he will accept sponsorship of this item.

Mr. Jay Patel provided an overhead presentation of their proposal for *Escambia County Field House & Arena – Supplement to Unsolicited Proposal, October 5th, 2017* (on file with background materials).

Following the presentation, a **motion to approve was made by Council Member Wu and seconded by Council Member Terhaar.**

Discussion ensued among Council Members with Mr. Patel responding accordingly to questions. City Attorney Bowling provided clarification as to the letter to be delivered.

Upon conclusion of discussion, the voted was called.

The motion carried by the following vote (with Council Member Spencer abstaining):

Yes: 6 Gerald Wingate, Sherri Myers, Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
 No: 0 None
 Abstained: 1 Brian Spencer

REGULAR AGENDA (CONT'D.)

13. [17-00629](#) PUBLIC HEARING: REQUEST FOR ZONING & FUTURE LAND USE MAP AMENDMENT FOR RECENTLY ANNEXED PENSACOLA INTERNATIONAL AIRPORT OWNED PROPERTY

Recommendation: That City Council conduct a public hearing on December 14, 2017 to consider the request to amend the City's zoning map for recently annexed Pensacola International Airport Owned Property.

Planning Services Administrator Morris summarized the issue before Council as outlined in the memorandum dated 12/14/17, as well as provided overhead slides of the subject property and responded accordingly to questions of Council.

A motion to approve was made by Council Member Cannada-Wynn and seconded by Council Member Johnson.

There being no further discussion or public input, the vote was called.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

14. [43-17](#) PROPOSED ORDINANCE NO. 43-17 REQUEST FOR FUTURE LAND USE MAP AMENDMENT FOR RECENTLY ANNEXED PENSACOLA INTERNATIONAL AIRPORT OWNED PROPERTY

Recommendation: That City Council approve Proposed Ordinance No. 43-17 on first reading.

AN ORDINANCE AMENDING THE FUTURE LAND USE CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE FUTURE LAND USE MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE.

A motion to pass on first reading was made by Council Member Cannada-Wynn and seconded by Council Member Terhaar.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

REGULAR AGENDA (CONT'D.)

15. [44-17 PROPOSED ORDINANCE NO. 44-17 REQUEST FOR ZONING MAP AMENDMENT FOR RECENTLY ANNEXED PENSACOLA INTERNATIONAL AIRPORT OWNED PROPERTY](#)

Recommendation: That City Council approve Proposed Ordinance No. 44-17 on first reading.

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE ZONING MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE.

A motion to pass on first reading was made by Council Member Terhaar and seconded by Council Member Johnson.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

16. [17-00654 PUBLIC HEARING: DESIGNATION OF THE PROPERTY LOCATED AT 1717 WEST CERVANTES STREET, PENSACOLA, ESCAMBIA COUNTY, FL, PARCEL REFERENCE NUMBER 000S009060001105, AS A GREEN REUSE AREA PURSUANT TO SECTION 376.80\(2\)\(C\), FLORIDA STATUTES](#)

Recommendation: That City Council hold the first of two Public Hearings to designate the property located at 1717 West Cervantes Street (Parcel Reference Number 000S009060001105) a Green Reuse Area.

Mr. Michael Goldstein addressed Council on behalf of the property owner/applicant regarding this request. Council Members asked questions related to the intent of the designation; impacts on the classification of the property; and affordable housing, to which Mr. Goldstein responded accordingly.

That concluded discussion at this time.

No action necessary at this time; second hearing scheduled for January 11, 2018.

REGULAR AGENDA (CONT'D.)**17. [17-00630](#) QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - AGUADA CREEK**

Recommendation: That City Council conduct a quasi-judicial hearing on December 14, 2017 to consider approval of the final subdivision plat - Aguada Creek.

Council President Wingate read into the record describing how a quasi-judicial proceeding differs from legislative action. He then called on City staff as to whether or not this issue is contested. **Planning Services Administrator Morris indicated she is not aware of any formal contest in opposition.** Council President Wingate indicated they may dispense of formalities and called for evidence to be entered into the record by City staff.

Planning Services Administrator Morris presented evidence into the record on behalf of the City describing the issue and referencing all background materials provided in the agenda package dated 12/14/17, as well as overhead slides of the subject plat. She responded accordingly to questions of Council Members.

There was no one present on behalf of the applicant.

A motion to approve was made by Council Member Terhaar and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel
 Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

18. [17-00637](#) APPOINTMENT - COMMUNITY REDEVELOPMENT AGENCY CHAIRPERSON

Recommendation: That City Council appoint one member of the Community Redevelopment Agency (CRA) as Chairperson of the CRA for a period of one year expiring in December of 2018.

Council President Wingate indicated Council Member Wu is the only nominee.

A motion by acclamation was made by Council Member Myers and seconded by Council Member Spencer that City Council appoint P. C. Wu as Chairperson of the Community Redevelopment Agency (CRA) for a period of one year expiring in December of 2018.

REGULAR AGENDA (CONT'D.)**The motion (on Item 18) carried by the following vote:**

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel
 Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

19. [17-00638](#) APPOINTMENT - COMMUNITY REDEVELOPMENT AGENCY VICE CHAIRPERSON

Recommendation: That City Council appoint one member of the Community Redevelopment Agency (CRA) as Vice Chairperson of the CRA for a period of one year expiring in December of 2018.

Council Member Myers withdrew her name for consideration, as she explained at agenda conference, she was just appointed as Council Vice President.

Council President Wingate indicated he will take nominations from the floor.

A motion by acclamation was made by Council Member Johnson and seconded by Council Member Terhaar that City Council appoint Jewel Cannada-Wynn as Vice Chairperson of the Community Redevelopment Agency (CRA) for a period of one year expiring in December of 2018.

Council Member Cannada-Wynn accepted the nomination.

There being no discussion the vote was called.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel
 Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

REGULAR AGENDA (CONT'D.)20. [17-00646](#) AMENDING SECTION 3.01 OF CITY COUNCIL RULES AND PROCEDURES - ELECTION OF OFFICERS

Recommendation: That City Council amend Section 3.01 of the Council Rules and Procedures to have the offices of President and Vice-President be elected on a rotating basis by District.

A motion to approve was made by Council Member Myers and seconded by Council Member Spencer.

Discussion ensued among Council with Council Member Myers fielding comments and questions.

Upon conclusion of discussion, the vote was called.

The motion failed by the following vote:

Yes: 2 Sherri Myers, Brian Spencer

No: 5 Gerald Wingate, Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu

21. [17-00657](#) STRATEGIC BUDGET PLANNER

Recommendation: That City Council approve the employment of Wilhem A. "Butch" Hansen for the position of Strategic Budget Planner to the City Council and approve an employment agreement with Mr. Hansen for this position.

A motion to approve was made by Council Member Cannada-Wynn and seconded by Council Member Terhaar.

Some discussion took place among Council. Mr. Hansen was also provided an opportunity to address Council.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

Yes: 6 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel
Cannada-Wynn, P.C. Wu

No: 1 Larry Johnson

REGULAR AGENDA (CONT'D.)22. [17-00658 BAYVIEW COMMUNITY RESOURCE CENTER](#)

Recommendation: That City Council place a moratorium on proceeding any further with the Bayview Community Resource Center project until such a time that input from the citizens can be obtained and certain design characteristics can be explained and addressed.

A motion to approve was made by Council Member Wingate and seconded by Council Member Myers.

Public input was heard from Blair Stephenson.

Discussion took place among Council.

Upon conclusion of discussion, the vote was called.

The motion failed by the following vote:

Yes: 0 None
No: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel
 Cannada-Wynn, Larry Johnson, P.C. Wu

23. [17-83 RESOLUTION IN SUPPORT OF THE NATIONAL PARK SYSTEM](#)

Recommendation: That City Council adopt Resolution No. 17-83:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA IN SUPPORT OF THE NATIONAL PARK SERVICE AND ENCOURAGING CONGRESS TO CREATE A RELIABLE, PREDICTABLE STREAM OF RESOURCES TO ADDRESS DEFERRED MAINTENANCE NEEDS IN AMERICA'S NATIONAL PARK SYSTEM.

A motion to adopt was made by Council Member Cannada-Wynn and seconded by Council Member Terhaar.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel
 Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

REGULAR AGENDA (CONT'D.)24. [17-00642](#) WEST FLORIDA REGIONAL PLANNING COUNCIL (WFRPC) BROWNFIELDS CLEAN-UP SUBGRANT AGREEMENT

Recommendation: That City Council authorize the Mayor to take all actions necessary related to the finalization and execution of West Florida Regional Planning Council's Grant Agreement as a sub-grantee in the amount of \$250,000 to remove hazardous substances and petroleum contaminants at Community Maritime Park. Further, that City Council approve the supplemental budget resolution appropriating the grant funds.

A motion to approve was made by Council Member Terhaar and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

25. [17-82](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-82 - WEST FLORIDA REGIONAL PLANNING COUNCIL (WFRPC) BROWNFIELDS CLEAN-UP SUBGRANT AGREEMENT

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-82.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018; PROVIDING FOR AN EFFECTIVE DATE.

A motion to adopt was made by Council Member Terhaar and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

REGULAR AGENDA (CONT'D.)**26. [17-00651](#) ESTABLISHMENT OF THE AUDIT COMMITTEE TO CONDUCT THE AUDITOR SELECTION PROCESS**

Recommendation: That City Council be established as the Audit Committee to select an auditor to conduct the annual financial statement audit as required in Section 218.391, Florida Statutes.

A motion to approve was made by Council Member Cannada-Wynn and seconded by Council Member Terhaar.

The motion carried by the following vote:

Yes: 6 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, P.C. Wu
No: 1 Larry Johnson

27. [17-84](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-84 - FY 2018 NON-ENCUMBERED CARRYOVER BUDGET RESOLUTION

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-84.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018; PROVIDING FOR AN EFFECTIVE DATE.

A motion to adopt was made by Council Member Johnson and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 7 Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0 None

REGULAR AGENDA (CONT'D.)

28. 41-17 PROPOSED ORDINANCE NO. 41-17 - AMENDING SECTION 12-2-21 PALAFOX HISTORIC BUSINESS DISTRICT OF THE LAND DEVELOPMENT CODE

Recommendation: That City Council adopt Proposed Ordinance No. 41-17 on second reading.

AN ORDINANCE AMENDING SECTION 12-2-21 (F)(4)(a) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR A PROHIBITION OF INTERNALLY ILLUMINATED SIGNS IN THE PALAFOX HISTORIC BUSINESS DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE. (Ordinance No. 31-17)

A motion to adopt was made by Council Member Terhaar and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 7	Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0	None

DISCUSSION

None.

COUNCIL EXECUTIVE'S REPORT

None.

MAYOR'S COMMUNICATION

None.

COUNCIL COMMUNICATIONS

Council Member Myers inquired of an open records request she submitted regarding Pensacola Energy's gas re-piping planned over the next two (2) or three (3) years. City Administrator Olson indicated he will look into getting her the information.

Council Member Cannada-Wynn wished everyone a Merry Christmas and Happy New Year.

CIVIC ANNOUNCEMENTS

None.

SECOND LEROY BOYD FORUM

None.

ADJOURNMENT

WHEREUPON the meeting was adjourned at 8:39 P.M.

Adopted: _____

Approved: _____
Gerald C. Wingate, President of City Council

Attest:

Ericka L. Burnett, City Clerk

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME SPENCER BRIAN KENNETH	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PENSACOLA CITY COUNCIL
MAILING ADDRESS ON FILE	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY PENSACOLA	COUNTY ESCAMBIA
DATE ON WHICH VOTE OCCURRED 12/14/17	NAME OF POLITICAL SUBDIVISION: MY POSITION IS <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

* * * * *

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; *and*

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

* * * * *

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, BRIAN SPENCER, hereby disclose that on 12/14, 2017:

(a) A measure came or will come before my agency which (check one or more)

- inured to my special private gain or loss;
- inured to the special gain or loss of my business associate, _____ ;
- inured to the special gain or loss of my relative, _____ ;
- inured to the special gain or loss of _____, by whom I am retained; or
- inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

possible special gain

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

12/14/17
Date Filed

[Signature]
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.