



# City of Pensacola

## *CITY COUNCIL*

### Regular Meeting Minutes

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July 13, 2017

5:30 P.M.

Council Chambers

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Council Vice President Wingate called the meeting to order.

#### **ROLL CALL**

Council Members Present: Council Vice President Gerald Wingate, Jewel Cannada-Wynn, Larry B. Johnson, Sherri Myers, Andy Terhaar, P.C. Wu (arrived 5:38)

Council Members Absent: Council President Brian Spencer

#### **INVOCATION**

Given by Council Member Cannada-Wynn.

#### **PLEDGE OF ALLEGIANCE**

Lead by Council Member Johnson.

#### **FIRST LEROY BOYD FORUM**

**Laurie Murphy:** Executive Director of Emerald Coast Keepers addressed Council regarding the upcoming Carpenter's Creek clean-up scheduled for this Saturday, 7/15. She spoke of the positive experiences she has had working with City departments and Council Members with organized clean-ups as the three miles of the Creek within City limits will be completed.

**Chase Baker:** Addressed Council on his viewpoint of the lawsuit regarding the Bayview Cross.

That concluded the first segment of LeRoy Boyd Forum.

**PRESENTATION**

1. [17-00402](#) PRESENTATION FROM BAY AREA RESOURCE COUNCIL (BARC) AND WEST FLORIDA REGIONAL PLANNING COUNCIL (WFRPC) - EPA RESTORE ESTUARY PROGRAM PROPOSAL

**Recommendation:** The BARC TAC and WFRPC would like to present the draft EPA RESTORE Estuary Program proposal for Council review and consideration.

Jennifer Laurent, Planning Manager for Community & Economic Development at WFRPC addressed Council providing a summary of the draft EPA RESTORE Estuary Program proposal. She indicated Escambia County will be the sponsor/applicant of the proposal.

Some follow-up discussion took place with Council Members asking questions which Ms. Laurent responded accordingly. She indicated the purpose of her addressing Council is to provide information and there is not a request for any action from the Council at this point.

**AWARDS**

Government Finance Officers' Association of the United States and Canada (GFOA) *Distinguished Budget Preparation Award – Fiscal Year 2017* was presented to Chief Financial Officer Richard Barker, Jr. and Budget Manager Yvette McLellan.

**APPROVAL OF MINUTES**

2. [17-00428](#) APPROVAL OF REGULAR MEETING MINUTES DATED JUNE 8, 2017

**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, Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu, Sherri Myers
No: 0	None

## APPROVAL OF AGENDA

City Administrator Olson **pulled Item 6, *Re-Appointment to the Downtown Improvement Board (DIB)* indicating it will be withdrawn at this time.**

Council Member Cannada-Wynn **pulled three (3) items from the agenda as follows: Item 23, *LOST IV Funding – Legion Field*; Item 24, *LOST IV Funding – Fricker Center*; and Item 25, *LOST IV Funding – Land Acquisition, Economic Development/ Housing Initiative / Homeownership*.** She indicated she will be working with City Administration in order to address her LOST IV funding priorities. She encouraged other Council Members to also work with staff. Council Member Myers made comments with follow-up remarks from City Administrator Olson.

Council Vice President Wingate indicated he will entertain a motion to approve the agenda as revised.

**A motion to approve the (revised) agenda was made by Council Member Terhaar and seconded by Council Member Johnson.**

**The motion carried by the following vote:**

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

## CONSENT AGENDA

3. [17-00269](#) AWARD OF CONTRACT - BID #17-026 BAYOU CHICO SOUTH STORMWATER OUTFALL TREATMENT ENHANCEMENT PROJECT

**Recommendation:** That City Council award a contract for construction of the Bayou Chico South Stormwater Outfall Treatment Enhancement Project to BKW, Inc., of Pensacola, Florida, the lowest and most responsible bidder with a base bid of \$287,890.85, plus 10% contingency of \$28,789.09 for a total amount of \$316,679.94.

4. [17-00374](#) INTERLOCAL AGREEMENT FOR USE OF THE PENSACOLA FIRE DEPARTMENT TRAINING FACILITY BETWEEN ESCAMBIA COUNTY AND THE CITY OF PENSACOLA

**Recommendation:** That City Council approve and authorize the Mayor to take all actions necessary to execute an Interlocal Agreement between the City of Pensacola and Escambia County for use of the Pensacola Fire Department training facility. Further, that City Council authorize the receipt of a donated Conex container from Escambia County.

**CONSENT AGENDA (CONT'D.)**

5. [17-00388](#) PENSACOLA AVIATION CENTER CONSENT TO SUBLEASE TO SPEED AVIATION, INC.

**Recommendation:** That City Council authorize the Mayor to execute written consent allowing Pensacola Aviation Center to sublease portions of their Leased Premises to Speed Aviation, Inc. Further that City Council authorize the Mayor to take all necessary actions to execute the written consent.

**\*\*\*THE FOLLOWING ITEM WAS PULLED BY THE SPONSOR\*\*\***

6. [17-00387](#) RE-APPOINTMENT TO THE DOWNTOWN IMPROVEMENT BOARD (DIB)

**Recommendation:** That the City Council affirm the Mayor's reappointment of Jim Homyak and Teri Levin to the Downtown Improvement Board (DIB) for a term of three years expiring June 30, 2020.

7. [17-00403](#) APPOINTMENT - GENERAL PENSION BOARD

**Recommendation:** That City Council reappoint Debra Little to the General Pension Board for a term of 6 (six) years, expiring June 30, 2023.

8. [17-00404](#) APPOINTMENT - PENSACOLA-ESCAMBIA DEVELOPMENT COMMISSION (PEDC)

**Recommendation:** That City Council reappoint Clorissi Mitchell as an at-large member to the PEDC for a term of two (2) years, expiring June 30, 2019.

9. [17-00405](#) APPOINTMENTS - ZONING BOARD OF ADJUSTMENT

**Recommendation:** That City Council reappoint Chris Lonergan, Clayton Taylor, and Boyce White who are residents or property owners of the City to the Zoning Board of Adjustments for a term of three (3) years, expiring July 14, 2020 and appoint Troy Stepherson to fill the unexpired term of Jared Moore, ending July 14, 2018.

**A motion was made by Larry Johnson, seconded by Jewel Cannada-Wynn.**

10. [17-00406](#) APPOINTMENTS - PLANNING BOARD

**Recommendation:** That City Council reappoint Nina Campbell, Danny Grundhoefer, Kurt Larson, Nathan Monk, Jared Moore, Kyle Owens, and Paul Ritz who are residents of the City of Pensacola, one of whom is a licensed architect (Grundhoefer), to the Planning Board for a term of two years, expiring July 14, 2019.

**CONSENT AGENDA (CONT'D.)**11. [17-00415](#) APPOINTMENT - EASTSIDE REDEVELOPMENT BOARD

**Recommendation:** That City Council appoint Council Member Gerald Wingate to the Eastside Redevelopment Board for a term of three years expiring November 30, 2019.

12. [17-00416](#) APPOINTMENTS - WESTSIDE COMMUNITY REDEVELOPMENT BOARD

**Recommendation:** That City Council appoint Doug Baldwin Sr. and Amy Richardson who are either redevelopment area residents, members of area neighborhood associations or owners or operators of a business located in the redevelopment area, to fill two (2) unexpired terms on the Westside Community Redevelopment Board, ending January 31, 2018.

13. [17-00417](#) APPOINTMENT - ESCAMBIA COUNTY MASS TRANSIT ADVISORY COMMITTEE

**Recommendation:** That City Council appoint Yolanda Anderson to the Escambia County Mass Transit Advisory Committee as its representative for a term of four (4) years expiring May 1, 2021, subject to confirmation by a majority vote of the Board of County Commissioners

14. [17-00418](#) APPOINTMENTS - ENVIRONMENTAL ADVISORY BOARD

**Recommendation:** That City Council appoint Calvin Avant and David Fries who are employed or retired environmental professionals, or members of local environmental organizations or businesses with an interest in City environmental issues to serve on the Environmental Advisory Board for a term of two (2) years, expiring March 1, 2018.

**A motion to approve consent agenda Items 1 – 5; and 7 – 14 was made by Council Member Johnson and seconded by Council Member Cannada-Wynn.**

**The motion carried by the following vote:**

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

**REGULAR AGENDA**

15. [17-00391](#) PUBLIC HEARING - AMENDMENT TO SECTION 12-12-8 OF THE LAND DEVELOPMENT CODE - REGULATION OF PATRONS' DOGS AT PERMITTED FOOD SERVICE ESTABLISHMENTS

**Recommendation:** That City Council hold a Public Hearing regarding **an amendment to the land development code Section 12-12-8 - Regulation of Patrons' Dogs at Permitted Food Service Establishments.**

Council Member Myers (sponsor) introduced this item.

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

Discussion took place among Council.

Based on discussion, **Council Member Myers indicated she would like to offer a friendly amendment to the ordinance language allowing for “patrons” to also be liable for enforcement action.**

*No objections.*

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

**The motion carried by the following vote:**

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

16. [31-17](#) PROPOSED ORDINANCE NO. 31-17-- AMENDMENT TO SECTION 12-12-8 OF THE LAND DEVELOPMENT CODE-REGULATION OF PATRONS' DOGS AT PERMITTED FOOD SERVICE ESTABLISHMENTS

**Recommendation:** That City Council approve Proposed Ordinance No. 31-17 on first reading:

**AN ORDINANCE AMENDING SECTION 12-12-8 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, REGULATION OF PATRONS' DOGS AT PERMITTED FOOD SERVICE ESTABLISHMENTS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.**

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

**REGULAR AGENDA (CONT'D.)**

**The motion (to approve passage on first reading for P.O. #31-17) carried by the following vote:**

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

17. [17-00375](#) PUBLIC HEARING - REQUEST TO VACATE RIGHT-OF-WAY - 700 BLOCK OF COMMENDENCIA STREET - FERRY LANDING

**Recommendation:** That City Council conduct a public hearing on July 13, 2017 to consider the request to vacate a portion of the Commendencia Street right of way.

Planning Services Administrator Morris provided an overview and explained the request as outlined in the background materials dated July 13, 2017, and overhead graphics of the subject property.

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

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

**The motion carried by the following vote:**

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

18. [29-17](#) PROPOSED ORDINANCE NO. 29-17 - VACATION OF RIGHT-OF-WAY 700 BLOCK OF COMMENDENCIA STREET - FERRY LANDING

**Recommendation:** That City Council approve Proposed Ordinance No. 29-17 on first reading.

AN ORDINANCE CLOSING, ABANDONING AND VACATING A PORTION OF THE COMMENDENCIA STREET RIGHT OF WAY; IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**A motion to approve passage on first reading was made by Council Member Johnson and seconded by Council Member Cannada-Wynn.**

**REGULAR AGENDA (CONT'D.)**

**The motion (to approve passage on first reading for P.O. #29-17) carried by the following vote:**

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

19. [17-00376](#) QUASI-JUDICIAL HEARING - WATERFRONT REDEVELOPMENT DISTRICT (WRD) SITE PLAN APPROVAL - FERRY LANDING.

**Recommendation:** That City Council conduct a quasi-judicial hearing on July 13, 2017 to consider approval of the site plan for the Ferry Landing Project.

Council Vice 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 this issue is not contested.** 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, as well as overhead slides of the subject site plan.

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

There being no discussion, the vote was called.

**The motion carried by the following vote:**

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



**REGULAR AGENDA (CONT'D.)**

20. [25-17](#) PROPOSED ORDINANCE NO. 25-17 - AMENDING SECTION 3-3-2 - REGULATING CONTRACTING AND PURCHASE OF COMMODITIES AND SERVICES

**Recommendation:** That City Council approve Proposed Ordinance No. 25-17 - amending Section 3-3-2 of the Code - regulating contracting and purchase of commodities and services adding language to cover purchase of legal services, on first reading.

AN ORDINANCE AMENDING SECTION 3-3-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; CONTRACTS FOR PUBLIC WORK AND PURCHASES OF OTHER COMMODITIES AND SERVICES; LOWEST AND BEST RESPONSIBLE BIDDER; REJECTION OF BIDS; APPROVAL OF COUNCIL AND MAYOR; EMERGENCY PURCHASES; REGULATING CONTRACTING AND PURCHASE OF LEGAL SERVICES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

**A motion to approve passage on first reading was made by Council Member Myers.**

*Motion dies due to lack of a second.*

21. [17-00401](#) AMENDMENT TO LAND DEVELOPMENT CODE SECTION 12-6-10(C); TREE PLANTING TRUST FUND -- ENFORCEMENT

**Recommendation:** That City Council refer to the Planning Board for review and recommendation a proposed amendment to Section 12-6-10(C) of the Land Development Code.

**A motion to approve was made by Council Member Myers.**

*Motion dies due to lack of a second.*

**\*\*\*THE FOLLOWING ITEM WAS WITHDRAWN BY THE SPONSOR UPON PRESENTATION\*\*\***

22. [17-00408](#) LOST IV FUNDING FOR BURGESS ROAD

**Recommendation:** That City Council approve \$1.6 Million in unallocated LOST IV Funds from the 2017 budget for installation of sidewalks and drainage on Burgess Road from Sewell St. to Sanders St.

**REGULAR AGENDA (CONT'D.)**

**\*\*\*THE FOLLOWING ITEMS WERE WITHDRAWN BY THE SPONSOR \*\*\***

23. 17-00409 LOST IV FUNDING - LEGION FIELD

**Recommendation:** That City Council include \$1.5 million within the LOST IV funding plan and move the proposed appropriations for Legion Field from 2027 to an earlier date for the renovation of Legion Field.

24. 17-00410 LOST IV FUNDING - FRICKER CENTER

**Recommendation:** That City Council include \$800,000 in the LOST IV funding plan for upgrades and improvements to the Fricker Center.

25. 17-00411 LOST IV FUNDING - LAND ACQUISITION, ECONOMIC DEVELOPMENT / HOUSING INITIATIVE / HOMEOWNERSHIP

**Recommendation:** That City Council include \$1 million in the LOST IV funding plan for the purpose of supporting housing initiatives and home ownership programs.

26. 17-00412 LOST IV FUNDING - COMMUNITY REDEVELOPMENT AGENCY (CRA)

**Recommendation:** That City Council include \$6 million within the LOST IV funding plan to be spread out over the 10 years of the plan.

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

Discussion took place among Council. City Administrator Olson was also provided an opportunity for input.

Upon conclusion of discussion, the vote was called.

**The motion failed by the following vote:**

Yes: 2            Gerald Wingate, Andy Terhaar

No: 4            Jewel Cannada-Wynn, Larry Johnson, P.C. Wu, Sherri Myers

**REGULAR AGENDA (CONT'D.)****27. [17-00413](#) ESTABLISHMENT OF A YEARLY FUNDING SOURCE FOR HOMELESSNESS INITIATIVES**

**Recommendation:** That City Council establish a yearly funding source for homelessness initiatives and determine a yearly dollar amount to be funded.

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

Discussion took place among Council.

Public input was heard from Nathan Monk.

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

**The motion failed by the following vote:**

Yes: 3            Gerald Wingate, Andy Terhaar, Sherri Myers  
No: 3            Jewel Cannada-Wynn, Larry Johnson, P.C. Wu

**28. [17-00365](#) TENTATIVE MILLAGE RATE - FISCAL YEAR 2018**

**Recommendation:** That City Council set the tentative fiscal year 2018 millage rate for the City of Pensacola at 4.2895 mils and for the Downtown Improvement District at 2.0000 mils and authorize the Mayor to set final levies in compliance with the new property tax reform regulations. Further that the Mayor may administratively adjust the final adopted millage rate upon receipt of the final valuation if the City's final current year gross taxable value is reduced by more than 1%. Finally, that the first public hearing on fiscal year 2018 millage rates be held on September 13, 2017 at 5:30 p.m. in Council Chambers.

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

Council Member Myers made comments indicating she is not inclined to support the proposed millage rate, as she feels it should be increased. She asked questions with Chief Financial Officer Barker responding accordingly.

Upon conclusion of discussion and there being no public input, the vote was called.

**The motion carried by the following vote:**

Yes: 5            Gerald Wingate, Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu  
No: 1            Sherri Myers

**REGULAR AGENDA (CONT'D.)**29. [17-00414 COMPLETE STREETS COMMITTEE](#)

**Recommendation:** That City Council reappoint a Complete Streets Committee, to review the work and recommendations of the prior committee(s), focusing on the use of appropriate traffic calming measures, as well as including street lighting as a guide to ensure the needs of bicyclists, pedestrians, transit users, and disabled people are integrated into the design, operation and maintenance of streets to promote safe and convenient access and travel for all users including pedestrians, bicyclists, motorists, transit riders and people of all abilities. Based on this approach, to then make recommendations to City Council. Further that the Committee membership be established by each Council Member appointing an individual to serve on the Committee.

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

Council Member Cannada-Wynn asked questions with Council Member Myers (sponsor) responding accordingly.

Based on discussion, **Council Member Myers indicated she would like to offer a friendly amendment that the Committee bring its recommendations to Council within six (6) months of the first meeting.**

*No objections.*

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

**The motion carried by the following vote:**

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

**REGULAR AGENDA (CONT'D.)**

30. 16-17 PROPOSED ORDINANCE NO. 16-17 - AMENDING SECTION 11-4-66 OF THE CITY CODE; OBSTRUCTIONS OF PUBLIC RIGHTS-OF-WAY - PROHIBITED

**Recommendation:** That City Council approve Proposed Ordinance No. 16-17, Amending Section 11-4-66 of the City Code; Obstructions of Public Rights-Of-Way - Prohibited - on first reading.

AN ORDINANCE AMENDING SECTION 11-4-66 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, OBSTRUCTIONS OF PUBLIC RIGHTS-OF-WAY -- PROHIBITED; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

*There was no motion or second to approve passage on first reading.*

31. 17-29 RESOLUTION NO. 17-29 - SUPPORT FOR WEST CERVANTES CORRIDOR MANAGEMENT PLAN RECOMMENDATIONS

**Recommendation:** That City Council adopt Resolution No. 17-29.

A RESOLUTION OF THE CITY OF PENSACOLA SUPPORTING THE SHORT-TERM AND LONG-TERM RECOMMENDATIONS WITHIN FLORIDA-ALABAMA TRANSPORTATION PLANNING ORGANIZATION'S WEST CERVANTES CORRIDOR MANAGEMENT PLAN AND THE PROGRESSION OF A PD&E STUDY BY FDOT FOR ROADWAY DESIGN IMPROVEMENTS TO ENHANCE THE COMMUNITY WITH AN ATTRACTIVE STREETScape, MULTI-MODAL TRANSPORTATION AND SAFE PEDESTRIAN ACCESS AND COORDINATING THE IMPLEMENTATION OF SAID PLAN WITH ESCAMBIA COUNTY.

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

Council Member Cannada-Wynn asked for clarification regarding the intent of the resolution with City Administrator Olson responding accordingly.

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

**The motion carried by the following vote:**

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

**REGULAR AGENDA (CONT'D.)**32. [17-00384](#) AWARD OF CONTRACT - FY 2017 STREET REHABILITATION GROUP 1

**Recommendation:** That City Council award a contract for Fiscal Year 2017 Street Rehabilitation Project -Group 1 to Roads Inc. the lowest and most responsible bidder with a base bid amount of \$1,770,000.00 plus a 5% contingency of \$88,500.00 plus \$6,000.00 for miscellaneous construction items for a total amount of \$1,864,500.00.

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

Council Member Cannada-Wynn asked about the funding source with City Administrator Olson responding accordingly.

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

**The motion carried by the following vote:**

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

33. [17-30](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-30 - FY 2017 STREET REHABILITATION - GROUP 1

**Recommendation:** That the City Council adopt Supplemental Budget Resolution No. 17-30.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017: 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: 6            Gerald Wingate, Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, P.C.  
                      Wu, Sherri Myers  
No: 0            None



**REGULAR AGENDA (CONT'D.)****36. [17-00382](#) AWARD OF CONTRACT - FY 2017 STREET REHABILITATION GROUP 3**

**Recommendation:** That City Council award a contract for Fiscal Year 2017 Street Rehabilitation Project -Group 3 to MidSouth Paving Inc. the lowest and most responsible bidder with a base bid amount of \$1,688,661.81 plus a 5% contingency of \$84,433.09 plus \$6,000.00 for miscellaneous construction items for a total amount of \$1,779,094.90.

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

Public Works & Facilities Director Owens responded accordingly to questions from Council Member Myers regarding the amount of work left to be awarded under the bond funding.

Upon conclusion of discussion and there being no public input, the vote was called.

**The motion carried by the following vote:**

Yes: 5            Gerald Wingate, Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, P.C.  
                                Wu  
No: 1            Sherri Myers

**37. [17-32](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-32 - FY 2017 STREET REHABILITATION GROUP 3**

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 17-32.

**A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017; PROVIDING FOR AN EFFECTIVE DATE.**

**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: 5            Gerald Wingate, Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, P.C.  
                                Wu  
No: 1            Sherri Myers



**REGULAR AGENDA (CONT'D.)****38. [10-17 PROPOSED ORDINANCE NO. 10-17 - ANNEXATION OF PROPERTY - CAMPUS HEIGHTS](#)**

**Recommendation:** That City Council adopt Proposed Ordinance No. 10-17 as amended on second reading.

AN ORDINANCE INCORPORATING AND ANNEXING A CERTAIN AREA CONTIGUOUS AND ADJACENT TO THE CITY OF PENSACOLA INTO THE CITY OF PENSACOLA, AND DECLARING SAID AREA TO BE A PART OF THE CITY OF PENSACOLA; REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 15-17)

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

Council Member Wu asked questions about a particular parcel with City Administrator Olson responding accordingly.

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

**The motion carried by the following vote:**

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

**39. [18-17 PROPOSED ORDINANCE NO. 18-17 - VACATION RIGHT-OF-WAY - 500 BAY BOULEVARD](#)**

**Recommendation:** That City Council adopt Proposed Ordinance No. 18-17 on second reading.

AN ORDINANCE CLOSING, ABANDONING AND VACATING A PORTION OF THE BAY BOULEVARD RIGHT OF WAY; IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 16-17)

**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: 6            Gerald Wingate, Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, P.C.  
                      Wu, Sherri Myers  
No: 0             None

**REGULAR AGENDA (CONT'D.)**

40. [19-17](#) PROPOSED ORDINANCE NO. 19-17 - REQUEST FOR ZONING MAP AMENDMENT - 1103 NORTH 15TH AVENUE AND THE 1400 BLOCK OF EAST GONZALEZ STREET

**Recommendation:** That City Council adopt Proposed Ordinance No. 19-17 on second 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. (Ordinance No. 17-17)

**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: 6	Gerald Wingate, Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu, Sherri Myers
No: 0	None

41. [20-17](#) PROPOSED ORDINANCE NO. 20-17 - REQUEST FOR ZONING MAP AMENDMENT - 2311 AND 2305 NORTH 12TH AVENUE.

**Recommendation:** That City Council adopt Proposed Ordinance No. 20-17 on second 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. (Ordinance No. 18-17)

**A motion to adopt was made by Council Member Terhaar and seconded by Council Member Johnson.**

**The motion carried by the following vote:**

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

**REGULAR AGENDA (CONT'D.)**

42. [21-17](#) PROPOSED ORDINANCE NO. 21-17 - REQUEST FOR HISTORIC PRESERVATION AD VALOREM PROPERTY TAX EXEMPTION - IMPROVEMENTS TO 105 WEST JACKSON STREET

**Recommendation:** That City Council adopt Proposed Ordinance No. 21-17 on second reading as amended.

AN ORDINANCE GRANTING AN HISTORIC PRESERVATION AD VALOREM PROPERTY TAXATION EXEMPTION FOR 100% OF THE VALUE OF REAL PROPERTY IMPROVEMENTS UP TO \$644,926 PER YEAR FOR A TEN YEAR PERIOD FROM JANUARY 1, 2017 THROUGH DECEMBER 31, 2026 FOR THE STRUCTURE LOCATED AT 105 WEST JACKSON STREET, PARCEL NUMBER 000S009010110019, ACCOUNT NUMBER 131127000; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE. (Ordinance No. 19-17)

**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: 6            Gerald Wingate, Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, P.C.  
                                    Wu, Sherri Myers  
No: 0            None

43. [22-17](#) PROPOSED ORDINANCE NO. 22-17 AMENDING ORDINANCE NO. 15-05, THE URBAN INFILL AND REDEVELOPMENT AREA PLAN, TO PROVIDE THAT ALL COMMUNITY REDEVELOPMENT ACTIVITIES FINANCED BY TAX INCREMENT REVENUES IN THE URBAN INFILL AND REDEVELOPMENT AREA SHALL BE COMPLETED BY SEPTEMBER 30, 2045; AND PROVIDING AN EFFECTIVE DATE.

**Recommendation:** That City Council adopt Proposed Ordinance No. 22-17 on second reading.

AN ORDINANCE AMENDING ORDINANCE NO. 15-05, THE URBAN INFILL AND REDEVELOPMENT AREA PLAN, TO PROVIDE THAT ALL COMMUNITY REDEVELOPMENT ACTIVITIES FINANCED BY TAX INCREMENT REVENUES IN THE URBAN INFILL AND REDEVELOPMENT AREA SHALL BE COMPLETED BY SEPTEMBER 30, 2045; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 20-17)

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

**REGULAR AGENDA (CONT'D.)****The motion (to adopt P.O. #22-17) carried by the following vote:**

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

44. [23-17 PROPOSED ORDINANCE NO. 23-17 AMENDING ORDINANCE NO. 16-05 TO PROVIDE FOR EXTENSION OF THE EASTSIDE NEIGHBORHOOD REDEVELOPMENT TRUST FUND ESTABLISHED UNDER THE AUTHORITY OF CHAPTER 163, PART III; FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE.](#)

**Recommendation:** That City Council adopt Proposed Ordinance No. 23-17 on second reading.

AN ORDINANCE AMENDING ORDINANCE NO. 16-05 TO PROVIDE FOR EXTENSION OF THE EASTSIDE NEIGHBORHOOD REDEVELOPMENT TRUST FUND ESTABLISHED UNDER THE AUTHORITY OF CHAPTER 163, PART III; FLORIDA STATUTES; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 21-17)

**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: 6            Gerald Wingate, Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, P.C.  
                       Wu, Sherri Myers  
 No: 0             None

45. [24-17 PROPOSED ORDINANCE NO. 24-17 - REPEALING SECTION 8-1-28 - REGULATION OF CONDUCT IN THE DOWNTOWN VISITORS' DISTRICT](#)

**Recommendation:** That City Council adopt Proposed Ordinance No. 24-17, repealing Section 8-1-28 of the City Code on second reading.

AN ORDINANCE REPEALING SECTION 8-1-28 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, REGULATION OF CONDUCT IN THE DOWNTOWN VISITORS' DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE

**A motion to adopt was made by Council Member Myers and seconded by Council Member Wu.**

**REGULAR AGENDA (CONT'D.)**

Council Member Johnson asked for an update regarding the lawsuit filed related to P.O. No. 24-17. City Attorney Bowling explained since there is a case in progress and she suggested Council schedule an executive session which would occur out-of-the Sunshine. She indicated it would not be appropriate to provide public comment related to a pending lawsuit.

Council Member Johnson expressed concerns with adoption of P.O. 24-17 at this time. He inquired about tabling or postponing action, with City Attorney Bowling clarifying.

**A motion to postpone action on P.O. No. 24-17 for sixty (60) days was made by Council Member Johnson and seconded by Council Member Cannada-Wynn.**

Discussion ensued among Council with City Attorney Bowling responding accordingly to questions.

Public input was heard from the following individuals:

Michael Kimberl

Nathan Monk

Discussion continued among Council with further clarification from City Attorney Bowling clarifying that the proposed ordinance before Council is independent of the lawsuit.

Upon conclusion of discussion and there being no further public input, **the vote on the substitute motion was called.**

**The substitute motion carried by the following vote:**

Yes: 4            Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, Sherri Myers  
No: 2            Gerald Wingate, P.C. Wu

**DISCUSSION**

None.

**COUNCIL EXECUTIVE'S REPORT**

Council Executive Kraher addressed Council regarding the following:

- Currently he is vetting candidates for the position of Council Budget Analyst and will bring back his recommendation of the top two (2) or three (3) candidates.
- The process of recodification is moving forward and suggested Council will want to address a review of the Land Development Code.

**MAYOR'S COMMUNICATION**

None.

**COUNCIL COMMUNICATIONS**

Following up on Council Executive Kraher's (above) comments, Council Member Terhaar indicated the Land Development Code is in need of an overhaul and will work with him to bring forward a review for Council.

**CIVIC ANNOUNCEMENTS**

None.

**SECOND LEROY BOYD FORUM**

None.

**ADJOURNMENT**

WHEREUPON the meeting was adjourned at 8:10 P.M.

\*\*\*\*\*

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

Approved: \_\_\_\_\_  
Brian K. Spencer, President of City Council

Attest:

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