



City of Pensacola

CITY COUNCIL

Meeting Minutes

January 12, 2017

5:33 P.M.

Council Chambers

ROLL CALL

Members Present: Brian Spencer, Gerald Wingate, Sherri Myers, Larry B. Johnson
(arrived at 5:44; left 7:37), Andy Terhaar, P.C. Wu,
Members Absent: Jewel Cannada-Wynn,

Council President Spencer recognized the passing of Jerry Wynn, Council Member Cannada-Wynn's husband.

INVOCATION

Council President Spencer indicated he will provide an opportunity for a Council Member to offer the invocation at each meeting or, alternatively a Council Member may choose someone from the community to offer the invocation. No Member of Council raised any objection.

Council President Spencer gave the invocation.

PLEDGE OF ALLEGIANCE

Council Member Myers lead the Pledge of Allegiance.

FIRST LEROY BOYD FORUM

Goreatha Simmons: Addressed Council regarding an upcoming fundraising event to benefit the General Daniel "Chappie" James Museum. She provided printed information for all Council Members.

Chuck and Barbee Major: Identified themselves as the owners of Pensacola Victorian Bed and Breakfast and addressed the issue of the lack of regulations for AirBnB which they believe is negatively impacting their business. They urged for a level playing field.

CONSENT AGENDA (CONT'D.)

5. [16-00323](#) AIRPORT - AWARD OF CONTRACT, RFP NO. 16-042 BAGGAGE HANDLING SYSTEM AND PASSENGER LOADING BRIDGE OPERATION AND MAINTENANCE SERVICES

Recommendation: That City Council award a contract for RFP No. 16-042 Baggage Handling System and Passenger Loading Bridge Operation and Maintenance Services to Elite Line Services, Inc. for the maintenance and operation of the baggage handling system and passenger loading bridges at the Pensacola International Airport. Further, that Council authorize the Mayor to execute all contract and related documents and take all related actions necessary to complete the project.

6. [16-00330](#) ACQUISITION OF THE FORMER AMERICAN CREOSOTE WORKS PROPERTY (ACW) AT TAX SALE AUCTION

Recommendation: That the City Council authorize the Mayor to enter into the County Tax Sale Auction, if necessary, for the potential acquisition of the former American Creosote Works property, reference number 00-0S-00-9080-001-164 located at 700 BLK South I Street.

A motion to approve consent Items 2 through 6 was made by Council Member Johnson and seconded by Council Member Terhaar.

The motion carried by the following vote:

Yes: 6	Brian Spencer, Gerald Wingate, Andy Terhaar, Larry Johnson, P.C. Wu, Sherri Myers
No: 0	None

REGULAR AGENDA

7. [16-00268](#) AWARD OF CONTRACT - BID# 17-001 BILL GREGORY PARK REGIONAL STORMWATER TREATMENT FACILITY PROJECT

Recommendation: That City Council award a contract for construction of the Bill Gregory Park Regional Stormwater Treatment Facility Project to Gulf Coast Utility Contractors of Panama City, Florida, the lowest and most responsible bidder with a base bid of \$1,519,080.50 plus Bid Alternate #1 of \$9,500.00, plus Bid Alternate #2 of \$25,000.00, plus Bid Alternate #3 of \$25,000.00, plus Bid Alternate #4 of \$144,985.00, plus a 10% contingency of \$172,356.55 for a total amount of \$1,895,922.05.

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

Discussion took place among Council with Public Works & Facilities Director Owens responding accordingly to questions.

REGULAR AGENDA (CONT'D.)9. [16-00327](#) APPOINTMENTS - BOARD OF TRUSTEES - POLICE OFFICERS' RETIREMENT FUND

Recommendation: That City Council appoint two residents of the City to the Board of Trustees, Police Officers' Retirement Fund for a term of two years, expiring December 31, 2018.

Council Members were provided an opportunity to make comments on behalf of the incumbent/nominees.

The following incumbents/nominee were provided an opportunity to address Council:

Bryan Ball (not present)
Richard Peterson (not present)
Stephanie Taylor (not present)

Upon conclusion of discussion a ballot vote was called (while moving forward with the agenda).

Following Item 10, Council President Spencer announced Council has appointed Bryan Ball and reappointed Stephanie Taylor to the Board of Trustees - Police Officers' Retirement Fund for a term of two (2) years expiring December 31, 2018.

10. [16-00328](#) APPOINTMENT - BOARD OF TRUSTEES, FIREMEN'S RELIEF AND PENSION FUND

Recommendation: That City Council appoint a resident of the City to the Board of Trustees, Firemen's Relief and Pension Fund for a term of two years, expiring December 31, 2018.

A motion was made by Council Member Johnson and seconded by Council Member Spencer that City Council reappoint Veronica Dias to the Board of Trustees, Firemen's Relief and Pension Fund for a term of two years, expiring December 31, 2018.

The motion carried by the following vote:

Yes: 6	Brian Spencer, Gerald Wingate, Andy Terhaar, Larry Johnson, P.C. Wu, Sherri Myers
No: 0	None

REGULAR AGENDA (CONT'D.)

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

11. [16-00318 PUBLIC HEARING: PROPOSED AMENDMENT TO SECTION 12-12-5 \(BUILDING PERMITS\) OF THE LAND DEVELOPMENT CODE - HISTORIC BUILDING DEMOLITION REVIEW](#)

Recommendation: That City Council conduct the first of two public hearings on January 12, 2017 to consider an amendment to the Land Development Code, Section 12-12-5 (Building Permits), by including Historic Building Demolition Review.

12. [16-00362 PUBLIC HEARING -- AMENDMENT TO THE LAND DEVELOPMENT CODE - SECTION 12-2-10 - HISTORIC & PRESERVATION LAND USE DISTRICT, \(A\)\(4\) PROCEDURE FOR REVIEW](#)

Recommendation: That City Council conduct the first of two Public Hearings on January 12, 2017, proposing an amendment to the Land Development Code, Section 12-2-10 - Historic & Preservation Land Use District, (A)(4) Procedure for review, by adding subsection (f) allowing for Conceptual review and approval.

Council President Spencer indicated this is the first hearing on this issue (second hearing scheduled for February 9th).

Council Member Terhaar made follow-up remarks indicating he is in favor of the proposed amendment.

There was no public input.

13. [16-00360 SUPPORT OF REPEAL OF, OR IN THE ALTERNATIVE, AN AMENDMENT TO SECTION 403.7033, FLORIDA STATUTES, ALLOWING FOR LOCAL REGULATION OF NON-DEGRADABLE BAGS AND CONTAINERS](#)

Recommendation: That City Council adopt a Resolution in support of the repeal of, or in the alternative, an amendment to Section 403.7033, Florida Statutes, allowing local regulation of non-degradable bags and containers.

Council Myers as sponsor explained the intent of adopting the proposed resolution.

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

Discussion took place among Council.

REGULAR AGENDA (CONT'D.)

Public input (regarding Item 13) was heard from the following individuals:

Ellen Roston	Laurie Murphy
Carolyn Kolb	Doreen Swartz
Patricia Edmisten	

There being no further discussion, the vote was called (on Item 13).

The motion carried by the following vote:

Yes: 6	Brian Spencer, Gerald Wingate, Andy Terhaar, Larry Johnson, P.C. Wu, Sherri Myers
No: 0	None

32. [17-02 RESOLUTION NO. 17-02](#)

Recommendation: That City Council Adopt Resolution No. 17-02.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA SUPPORTING LEGISLATIVE EFFORTS TO REPEAL, OR IN THE ALTERNATIVE, AMEND SECTION 403.7033, FLORIDA STATUTES, SO THAT LOCAL GOVERNMENTS ARE NO LONGER PREEMPTED FROM ENACTING LEGISLATION REGULATING NON-DEGRADABLE CONTAINERS.

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

The motion carried by the following vote:

Yes: 6	Brian Spencer, Gerald Wingate, Andy Terhaar, Larry Johnson, P.C. Wu, Sherri Myers
No: 0	None

14. [16-00315 PUBLIC HEARING: PROPOSED AMENDMENT TO SECTION 12-2-8 \(B\) \(1\) OF THE LAND DEVELOPMENT CODE - ADDITION OF MEDICAL MARIJUANA DISPENSARY](#)

Recommendation: That City Council conduct the first of two public hearings on January 12, 2017 to consider an amendment to the Land Development Code, Section 12-2-8 (B)(1), Commercial land use district, to add "Medical Marijuana Dispensary" under the uses permitted section.

REGULAR AGENDA (CONT'D.)

Council Member Terhaar as sponsor (of Item 14) explained the intent of the proposed amendment. **(Second hearing scheduled for February 9th.)**

15. [16-00261](#) DISPOSITION OF CITY OWNED PROPERTY AT 113 NORTH "C" STREET (FORMER BLOUNT SCHOOL)

Recommendation: That the City Council declare as surplus the property located at 113 North "C" Street (Parcel ID number 00-0S-00-9080-001-018), and authorize the Mayor to dispose of the property through a Request for Proposals.

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

City Administrator Olson responded according to questions from Council Member Wingate.

There being no further discussion, the vote was called.

The motion carried by the following vote:

Yes: 6 Brian Spencer, Gerald Wingate, Andy Terhaar, Larry Johnson, P.C. Wu, Sherri Myers

No: 0 None

16. [16-00354](#) DECLARATION AND DISPOSAL OF SURPLUS CITY PROPERTY - 400 BLOCK WEST BELMONT

Recommendation: That City Council declare the City-owned unimproved real property located at 400 Block West Belmont Street, Parcel Identification Number 000S009060030022, Account Number 150263000, as surplus and authorize the Mayor to engage the services of a real estate professional from the City's list of qualified real estate professionals to market and sell the parcel.

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

The motion carried by the following vote:

Yes: 6 Brian Spencer, Gerald Wingate, Andy Terhaar, Larry Johnson, P.C. Wu, Sherri Myers

No: 0 None

REGULAR AGENDA (CONT'D.)

17. [16-00355](#) DECLARATION AND DISPOSAL OF SURPLUS CITY PROPERTY - WEST INTENDENCIA STREET

Recommendation: That City Council declare the City-owned unimproved real property located at West Intendencia Street, Parcel Identification Number 000S009080014094, Account Number 153145000, as surplus and authorize the Mayor to engage the services of a real estate professional from the City's list of qualified real estate professionals to market and sell the parcel.

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

The motion carried by the following vote:

Yes: 6 Brian Spencer, Gerald Wingate, Andy Terhaar, Larry Johnson, P.C. Wu,
 Sherri Myers
No: 0 None

18. [16-00356](#) DECLARATION AND DISPOSAL OF SURPLUS CITY PROPERTY - 1000 BLOCK NORTH "E" STREET

Recommendation: That City Council declare the City-owned improved real property located at 1000 Block North "E" Street, Parcel Identification Number 000S009060015048, Account Number 150596000, as surplus and authorize the Mayor to engage the services of a real estate professional from the City's list of qualified real estate professionals to market and sell the parcel.

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

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)

19. [16-00374 AMENDMENT TO SECTION 3 OF ORDINANCE NO. 23-15, GRANTING AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION \(EDATE\) TO REAL PROPERTY AT 101 E. ROMANA STREET AND TANGIBLE PROPERTY FOR DAILY CONVO, LLC](#)

Recommendation: That City Council adopt an ordinance amending Section 3 of Ordinance No. 23-15, granting an Economic Development Ad Valorem Tax Exemption (EDATE) for certain improvements to real property located at 101 East Romana Street and tangible property for Daily Convo, LLC, to read: The period of time for which the exemption will remain in effect is ten (10) years, beginning with the first year that the improvements for which the exemption is being granted are placed on the ad valorem tax rolls.

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

Robert Emmanuel and Andrew Rothfeder, representatives for Daily Convo, LLC, were in attendance and indicated they are available to answer any questions.

Council Member Myers made comments.

There being no further discussion, the vote was called.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5	Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0	None

20. [01-17 PROPOSED ORDINANCE NO. 01-17](#)

Recommendation: That City Council approve Proposed Ordinance No. 01-17 on first reading.

AN ORDINANCE AMENDING ORDINANCE NO. 23-15, GRANTING AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION FOR CERTAIN IMPROVEMENTS TO REAL PROPERTY LOCATED AT 101 EAST ROMANA STREET AND TANGIBLE PROPERTY FOR DAILY CONVO, LLC; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

REGULAR AGENDA (CONT'D.)

The motion (on P.O. No. 01-17) carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

21. [16-00364](#) AMENDMENT TO CITY COUNCIL RULES AND PROCEDURES--SECTION(S) 2.05 AND 2.09

Recommendation: That City Council amend Council Rules and Procedures, Section(s) 2.05 and 2.09 to clear up currently existing ambiguity and conflict.

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

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

22. [16-00339](#) AMENDMENT TO CITY COUNCIL RULES AND PROCEDURES--SECTION 3.04

Recommendation: That City Council amend Section 3.04 of the City Council Rules and Procedures, Council Established Boards, by mandating yearly Ethics and Sunshine Law training, establish April 1st of each year as the date by which the training must be completed, require training within 30-days of appointment and create a reporting mechanism to ensure compliance.

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

Council Member Myers as sponsor explained the intent.

City Attorney Bowling responded to questions of Council Member Terhaar.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)

23. [16-00345 AMENDMENT TO POLICIES OF THE CITY COUNCIL - FUND BALANCE POLICY SECTION \(D\)\(3\)\(c\)](#)

Recommendation: That City Council amend the Fund Balance Policy of the City Council, Section (D)(3)(c) changing the minimum reserve from 15 percent to 20 percent.

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

The motion (on Item 23) carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

*****THE FOLLOWING ITEM AND PROPOSED ORDINANCE WAS WITHDRAWN BY THE SPONSOR DURING DISCUSSION*****

24. [16-00375 AMENDMENT TO SECTION 3-3-2 OF THE CODE OF THE CITY OF PENSACOLA - 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](#)

Recommendation: That City Council adopt an ordinance amending Section 3-3-2 of the Code of the City of Pensacola - 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 - by including Purchasing of Lobbying and/or Lobbyist services.

Council Member Myers as sponsor explained her intent for the proposed amendment and responded to questions of Council Member Terhaar. City Attorney Bowling also provided input.

Based on City Attorney Bowling's comments, **Council Member Myers withdrew this item for consideration at this time.**

25. [02-17 PROPOSED ORDINANCE NO. 02-17](#)

Recommendation: That City Council adopt proposed ordinance 02-17 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; CREATING A NEW SECTION (C) TO PROVIDE FOR THE PURCHASING OF LOBBYING AND/OR LOBBYIST SERVICES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

REGULAR AGENDA (CONT'D.)26. [16-00350 EAST HILL NEIGHBORHOOD ASSOCIATION REQUEST FOR AN OVERLAY DISTRICT](#)

Recommendation: That City Council refer to the Planning Board for its review and recommendation, a request from the East Hill Neighborhood Association for an overlay district. Further, that the Planning Board work with the neighborhood groups in gathering input for this overlay district.

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

Council Member Terhaar expressed his concerns related to the matter of referring issues to the Planning Board, with Council President Spencer fielding comments and questions explaining the intent.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

27. [16-00334 SETTING MEETING DATES FOR THE CLIMATE ADAPTATION AND MITIGATION TASK FORCE AND THE PORT ECONOMIC FEASIBILITY STUDY COMMITTEE](#)

Recommendation: That City Council set the date of the first Climate adaptation and Mitigation Task Force meeting to take place no later than February 15, 2017 and the first meeting of the Port Economic Feasibility Study Committee to take place no later than March 15, 2017.

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

Council President Spencer inquired if members of the Port committee have been contacted with Council Executive Kraher responding regarding his correspondence.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)**28. [16-00340](#) BOARDS, COMMISSIONS AND AUTHORITIES ANNUAL REPORT AND RECOGNITION RECEPTION**

Recommendation: That City Council schedule a special meeting whereby each Council created Board, Commission or Authority will present their annual report and that after this special meeting, a reception be held in recognition of the board members.

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

Council Member Myers as sponsor explained the intent is to give staff some guidance.

Council Executive Kraher provided input (regarding Item 28) as to boards needing time to prepare for such presentations to Council - - suggesting April/May timeframes; and further indicated based on the functions and duties, there would be no purpose for some boards to prepare an annual report such as the three (3) pension boards.

A motion to amend was made by Council Member Myers and seconded by Council President Spencer that City Council schedule a special meeting whereby Council created Boards, Commissions or Authorities, the selection of which will be at the Council Executive's discretion, will be provided an opportunity present their annual report and that after this special meeting, a reception be held in recognition of all the members of the various Council created Boards, Commissions, and Authorities.

The motion to amend carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5	Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0	None

The main motion as amended carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5	Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0	None

29. [16-00349](#) SCHEDULE A CITY COUNCIL GOALS & OBJECTIVES WORKSHOP

Recommendation: That City Council schedule a workshop to discuss the City Council's Goals & Objectives for the upcoming two (2) years.

Council Executive Kraher on behalf of Council Member Cannada-Wynn (in her absence) explained the intent of the proposed workshop.

REGULAR AGENDA (CONT'D.)

A motion to approve (Item 29) was made by Council Member Terhaar and seconded by Council President Spencer.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

30. [16-00358 LAW ENFORCEMENT TRUST FUND \(LETF\) PURCHASES FOR THE PENSACOLA POLICE DEPARTMENT](#)

Recommendation: That the City Council approve a request to expend \$107,900 from the Law Enforcement Trust Funds to purchase various items for the Pensacola Police Department and its personnel. Further, that City Council approve the supplemental budget resolution to provide funding for these items.

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

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

31. [17-01 SUPPLEMENTAL BUDGET RESOLUTION NO. 17-01 - LAW ENFORCEMENT TRUST FUND \(LETF\) PURCHASES FOR THE PENSACOLA POLICE DEPARTMENT](#)

Recommendation: That the City Council adopt Supplemental Budget Resolution No. 17-01.

[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 Wingate and seconded by Council Member Terhaar.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)33. [16-00371](#) FY 2017 STREET REHABILITATION - GROUP 7

Recommendation: That City Council award a contract for Fiscal Year 2017 Street Rehabilitation Project Group 7 to Roads Inc., the lowest and most responsible bidder with a base bid amount of \$2,693,298.02 plus a 5% contingency of \$134,664.90 and \$10,000.00 for miscellaneous construction items for a total amount of \$2,837,962.92. Further, that City Council approve the supplemental budget resolution appropriating the funds for this project.

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

Some discussion took place with questions from Council Member Myers regarding funding for the north end of the City, with City Administrator Olson responding accordingly; and questions from Council Member Wingate regarding the proposals considered for this award of contract, with Public Works & Facilities Director Owens responding accordingly.

The motion (on Item 33) carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

34. [17-03](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-03 - FY 2017 STREET REHABILITATION - GROUP 7

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-03.

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 Wingate.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)35. [16-00351](#) FY 2017 STREET REHABILITATION - GROUP 8

Recommendation: That City Council award a contract for Fiscal Year 2017 Street Rehabilitation Project Group 8 to MidSouth Paving Inc. the lowest and most responsible bidder with a base bid amount of \$1,896,310.00 plus a 5% contingency of \$94,815.50 and \$6,000.00 for miscellaneous construction items for a total amount of \$1,997,125.50. Further, that City Council approve the supplemental budget resolution appropriating the funds for this project.

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

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

36. [17-04](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-04 - FY 2017 STREET REHABILITATION - GROUP 8

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-04.

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 Wingate.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

37. [16-00352](#) FY 2017 STREET REHABILITATION - GROUP 9

Recommendation: That City Council award a contract for Fiscal Year 2017 Street Rehabilitation Project Group 9 to MidSouth Paving Inc. the lowest and most responsible bidder with a base bid amount of \$1,744,394.00 plus a 5% contingency of \$87,219.70 and \$6,000.00 for miscellaneous construction items for a total amount of \$1,837,613.70. Further, that City Council approve the supplemental budget resolution appropriating the funds for this project.

REGULAR AGENDA (CONT'D.)

A motion to approve (Item 37) was made by Council Member Terhaar and seconded by Council President Spencer.

Council Member Myers asked about job creation related to the award of (public works) contracts such as this, with City Administrator responding that he is unsure as that would depend on the workload of individual contractors.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

38. [17-05 SUPPLEMENTAL BUDGET RESOLUTION NO. 17-05 - FY 2017 STREET REHABILITATION - GROUP 9](#)

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-05.

[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 Spencer.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

39. [16-00344 GENERAL DANIEL "CHAPPIE" JAMES JR. MUSEUM AND FLIGHT ACADEMY FUNDING](#)

Recommendation: That City Council authorize the Mayor to transfer \$440,000 from the City's General Fund to the Community Redevelopment Agency's (CRA's) Eastside Tax Increment Financing District specifically for the General Daniel "Chappie" James Jr. Museum & Flight Academy Project.

Also, that the City Council approve a supplemental budget resolution.

Council Member Wingate as sponsor explained the intent as outlined in the background information.

REGULAR AGENDA (CONT'D.)

A motion to approve (Item 39) was made by Council Member Wingate and seconded by Council Member Terhaar.

Council Member Myers asked questions of City Administrator Olson in light of Item 41 (following) which also recommends using the \$440,000 in proceeds from the sale of 16 South Palafox, how not awarding those additional funds will impact Housing programs. City Administrator Olson responded accordingly that it would just lead to fewer dollars for such (existing) programming.

Public input was heard from Dianne Robinson and Jeannie Rhoden.

Council Member Wu made follow-up comments regarding General Chappie James being buried in Arlington and tours there reflect on his significance.

City Administrator Olson reminded that if Council approves (Item 39) then the issue also will have to go to the CRA Board to direct the funding.

The motion (on Item 39) carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

40. [17-06 SUPPLEMENTAL BUDGET RESOLUTION NO. 17-06 - GENERAL DANIEL "CHAPPIE" JAMES JR. MUSEUM AND FLIGHT ACADEMY](#)

Recommendation: That City Council adopt supplemental budget resolution No. 17-06.

[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 Wingate and seconded by Council Member Terhaar.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)41. [16-00338 ESTABLISHMENT OF A HOUSING INITIATIVES FUND](#)

Recommendation: That Council approve the establishment of an assigned Fund Balance which would be restricted for the Housing Initiatives Fund, dedicated to receiving specified funds to supplement existing and future adopted Housing Program Initiatives. Further that City Council allocate the General Fund portion of the proceeds from the sale of 16 South Palafox into the Housing Initiatives Fund. Finally that City Council allocate 50% of the proceeds from the sales of 1015 N "E" Street, 300 Block of W. Intendencia Street and 50% of all future proceeds from the sale of affordable housing designated surplus properties into the Housing Initiatives Fund.

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

A motion to amend was made by Council Member Terhaar and seconded by Council Member Myers that Council approve the establishment of an assigned Fund Balance which would be restricted for the Housing Initiatives Fund, dedicated to receiving specified funds to supplement existing and future adopted Housing Program Initiatives. ~~Further that City Council allocate the General Fund portion of the proceeds from the sale of 16 South Palafox into the Housing Initiatives Fund. Further~~ Finally that City Council allocate ~~50%~~ 100% of the proceeds from the sales of 1015 N "E" Street and 300 Block of W. Intendencia Street and 50% of all future proceeds from the sale of affordable housing designated surplus properties into the Housing Initiatives Fund.

The motion to amend carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5	Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0	None

The main motion as amended carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5	Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0	None

42. [16-00365 SELECTION OF TOPICS FOR CITY COUNCIL - BOARD OF COUNTY COMMISSIONERS JOINT MEETING](#)

Recommendation: That City Council select the topics they wish to include on the agenda for the Joint Meeting between the City Council and the Escambia County Board of County Commissioners.

City Council discussed the topics they wish to include on the agenda for the upcoming joint meeting (to be held on January 30th).

REGULAR AGENDA (CONT'D.)

A motion was made by Council Member Myers and seconded by Council Member Wingate that City Council designate Council President Spencer to be its representative in meeting with Council Executive Kraher and City Administrator Olson to further develop, refine, and finalize the topics to include on the agenda for the Joint Meeting between the City Council and the Escambia County Board of County Commissioners (on January 30th), based on discussion.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

43. [47-16 PROPOSED ORDINANCE NO. 47-16 - AMENDMENT TO SECTION 12-2-24 OF THE LAND DEVELOPMENT CODE--NORTH 9TH AVENUE CORRIDOR MANAGEMENT OVERLAY DISTRICT](#)

Recommendation: That City Council approve Proposed Ordinance No. 47-16 on second reading.

[AN ORDINANCE AMENDING SECTION 12-2-24 OF THE CODE OF THE CITY OF PENSACOLA; AMENDING THE LAND DEVELOPMENT CODE, NORTH 9TH AVENUE CORRIDOR MANAGEMENT OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE. \(Ordinance No. 01-17\)](#)

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

Council Member Terhaar made comments indicating that he is not comfortable with the language requiring "conformity" of properties by (year) 2024 without other improvements being sought by the property owner. He will support this amendment at this time, but likely unwilling to support if proposed for other districts in the future. Some follow-up discussion took place among Council.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)

44. [48-16](#) PROPOSED ORDINANCE NO. 48-16 - AMENDMENT TO GROUP INSURANCE AMENDING SECTION 9-7-2

Recommendation: That City Council adopt Proposed Ordinance 48-16 on second reading.

AN ORDINANCE AMENDING THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR CONTINUED INSURANCE COVERAGE AFTER EMPLOYMENT; AMENDING SECTION 9-7-2; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (Ordinance No. 02-17)

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

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

45. [17-00013](#) RESOLUTION REGARDING A JOINT SESSION OF THE PENSACOLA CITY COUNCIL AND THE ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS

Recommendation: That City Council adopt a resolution regarding the joint session of the Pensacola City Council and the Escambia County Board of County Commissioners

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

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5 Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)

46. [17-08](#) RESOLUTION NO. 17-08 - RESOLUTION REGARDING A JOINT SESSION OF THE PENSACOLA CITY COUNCIL AND THE ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS

Recommendation: That City Council adopt Resolution No. 17-08

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA, PRESCRIBING THE DATE, TIME AND LOCATION TO CONDUCT A JOINT SESSION OF THE PENSACOLA CITY COUNCIL AND THE ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS

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

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5	Brian Spencer, Gerald Wingate, Andy Terhaar, P.C. Wu, Sherri Myers
No: 0	None

DISCUSSION

47. [16-00386](#) UPDATE(S) ON THE GOVERNMENT ST. STORM WATER PROJECT

Recommendation: That City Council have a discussion about and seek the answers to the following questions:

1. Update on complaints lodged by the Tanyard Neighborhood residents
2. Update on the status of the Government St. Storm Water Project
3. Cost updates on the project
4. Is / will the playground be handicapped accessible

Discussion began with City Administrator Olson providing an update on neighborhood complaints and the overall status of the project, as well as costs associated with the project. He indicated he will have Parks and Recreation Director Cooper contact Council Member Myers regarding the accessibility of the playground equipment to be installed. He then responded accordingly to questions.

Public input was heard from the following individuals:

Laurie Murphy	Gloria Horning
Jellie Whitehurst	Hazel Johnson

Following public input, Council discussion continued.

COUNCIL EXECUTIVE'S REPORT

Council Executive Kraher provided an update on the following issues:

- Local Option Sales Tax (LOST) IV Workshop to be held on January 23rd at 3:30 PM.
- In budgeting process now for Council Office and will be setting up budget workshops.
- Thanks for patience with Granicus platform (new agenda management and legislative system) tonight - - will work through issues.

MAYOR'S COMMUNICATION

City Administrator Olson advised that on February 9th the Escambia County Board of County Commissioners will discuss top ten (10) RESTORE Projects.

COUNCIL COMMUNICATIONS

Council Member Myers made comments expressing thanks for Staff's work on new Granicus system - loves it. Only issue is it's confusing to access online and working with Council Executive Kraher to address her concerns.

CIVIC ANNOUNCEMENTS

Council Member Myers indicated Emerald Coast Keepers will be scheduling additional clean-ups for Carpenter's Creek.

Laurie Murphy who was still in attendance indicated the next clean-up is scheduled for January 28th 8:00 A.M. to 3:00 P.M. behind Carmike Theater.

SECOND LEROY BOYD FORUM

Council President Spencer thanked all in attendance for working together.

ADJOURNMENT

There being no additional speakers, the meeting was adjourned.

WHEREUPON the meeting was adjourned at 10:00 P.M.

Adopted: _____

Approved: _____
Brian K. Spencer, President of City Council

Attest:

Ericka L. Burnett, City Clerk