



City of Pensacola

City Council

Agenda - Final

Thursday, April 13, 2017, 5:30 PM

Council Chambers, 1st Floor

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

Council Member Gerald Wingate

FIRST LEROY BOYD FORUM

PRESENTATION

1. [17-00240](#) PRESENTATION FROM THE CHAIRMAN OF THE BOARD OF TRUSTEES- COMMUNITY MARITIME PARK ASSOCIATES (CMPA)

Recommendation: Presentation from CMPA Board of Trustees Chairman to be given at the April 13, 2017 City Council Meeting; updating the Council on the financial and maintenance aspects of the park as well as an update on the marketing of the private parcels within the park.

Sponsors: Sherri Myers

Attachments: [CMPA Chairman Presentation](#)

AWARDS

APPROVAL OF MINUTES

2. [17-00264](#) APPROVAL OF REGULAR MEETING MINUTES DATED MARCH 9, 2017

Sponsors: Brian Spencer

Attachments: [Draft - Regular Minutes dated 4/13/16](#)

APPROVAL OF AGENDA

APPROVAL OF ADD-ON ITEM - AWARD OF CONTRACT FOR SALE OF 150 SOUTH BAYLEN STREET

CONSENT AGENDA

3. [17-00012](#) AWARD OF CONTRACT - BID #17-006 BAYOU CHICO “R” STREET AT MAGGIE’S DITCH STORMWATER TREATMENT ENHANCEMENT PROJECT
- Recommendation:** That City Council award a contract for construction of the Bayou Chico “R” Street at Maggie’s Ditch Stormwater Treatment Project to Williams Industrial & Marine, Inc., of Westville, Florida, the lowest and most responsible bidder with a base bid of \$597,719.00, plus 10% contingency of \$59,771.90 for a total amount of \$657,490.90.
- Sponsors:** Ashton J. Hayward, III
- Attachments:** [Bid Tabulation, Bid No. 17-006](#)
[Final Vendor Reference List, Bid No. 17-006](#)
[Map, Bayou Chico "R" Street at Maggie's Ditch Stormwater Treatment Enhc](#)
[Report of City Council Action - NFWF Grant – dated 10-8-15](#)
4. [17-00221](#) AIRPORT - AWARD OF BID #17-018, PENSACOLA INTERNATIONAL AIRPORT FUEL FARM ROAD RECONSTRUCTION
- Recommendation:** That City Council award Bid # 17-018, Pensacola International Airport Fuel Farm Road Reconstruction to J. Miller Construction, Inc., the lowest and most responsible bidder in the amount of \$125,684.00 for roadway repairs as outlined in the bid specifications plus a 10% contingency of \$12,568.40 for a total amount of \$138,252.40. Further, that City Council authorize the Mayor to execute a contract and take all actions necessary to complete the project.
- Sponsors:** Ashton J. Hayward, III
- Attachments:** [Bid Tabulation - Bid # 17-018](#)
[Vendor Reference List - Bid # 17-018](#)
5. [17-00208](#) APPOINTMENT TO THE FIREFIGHTERS’ RELIEF AND PENSION FUND BOARD OF TRUSTEES
- Recommendation:** That City Council ratify the appointment of Jerri Barnes as the fifth member trustee of the Firefighters’ Relief and Pension Fund.
- Sponsors:** Ashton J. Hayward, III

6. [17-00247](#) APPOINTMENTS - PARKS AND RECREATION BOARD
- Recommendation:** That City Council appoint two (2) individuals to serve on the Parks and Recreation Board for a term of three (3) years, expiring March 31, 2020.
- Sponsors:** Brian Spencer
- Attachments:** [Nomination Form - Barrett Breedlove](#)
[Application of Interest - Barrett Breedlove](#)
[Resume - Barrett Breedlove](#)
[Application of Interest - Paul Epstein](#)
7. [17-00260](#) OVERRIDE MAYOR ASHTON HAYWARD'S VETO OF MARCH 14, 2017 OF THE CITY COUNCIL ACTION ITEM #17-00186, BEGIN THE PROCESS FOR HIRING A BUDGET ANALYST, PASSED BY CITY COUNCIL ON MARCH 9, 2017.
- Recommendation:** That City Council vote to override Mayor Ashton Hayward's Veto, dated March 14, 2017, of City Council legislative action item #17-00186 pertaining to the City Council beginning the process of hiring a Budget Analyst, which City Council passed on March 9, 2017.
- Sponsors:** Sherri Myers
- Attachments:** [Ordinance No. 28-14, Creating Charter Amendment](#)
[Ordinance No. 05-15, Creating the Office of City Council](#)
[Ordinance No.10-16, Establishing the Position of Budget Analyst](#)
[Organizational Chart for Office of City Council](#)
[September 14, 2016 Council Report](#)
[March 9, 2017 Council Report](#)
[March 14, 2017 Veto Memos from Mayor Hayward](#)
[Section 4.02, City Charter](#)
[Provided to Council: Legal Opinion From Attorney Hired By Citizen](#)

REGULAR AGENDA

8. [11-17](#) PROPOSED ORDINANCE NO. 11-17 - AMENDMENT TO SECTION 4-3-97, PROVIDING SANITATION COLLECTION FEE AND CREATING A SANITATION EQUIPMENT SURCHARGE.

Recommendation: That City Council approve Proposed Ordinance No. 11-17 on first reading.

AN ORDINANCE AMENDING SECTION 4-3-97 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR INCREASE IN SANITATION FEES; PROVIDING FOR SANITATION EQUIPMENT SURCHARGE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Proposed Ordinance No. 11-17](#)
[Sanitation Rate Study Report](#)

9. [17-00222](#) QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - JUNCTION AT WEST HILL

Recommendation: That City Council conduct a quasi-judicial hearing on April 13, 2017 to consider approval of the final subdivision plat - Junction at West Hill.

Sponsors: Ashton J. Hayward, III

Attachments: [Subdivision Plat Application, Junction at West Hill, dated 2/13/2017](#)
[Final Plat, Junction at West Hill, dated March 2017](#)
[Plat Boundary Survey, Junction at West Hill, dated February 2017](#)
[March 14, 2017 Planning Board Minutes](#)

10. [17-00057](#) ANNEXATION OF PROPERTY - CAMPUS HEIGHTS

Recommendation: That City Council conduct the first of two required Public Hearings to consider the annexation of seventy-seven (77) parcels in the Campus Heights area, sixty-one (61) of which are owned by the Pensacola International Airport.

Sponsors: Ashton J. Hayward, III

Attachments: [Map of Annexation Area](#)
[PULLED BY SPONSOR PUBLIC HEARING & P.O.10-17 ANNEXATION C](#)

11. [10-17](#) PROPOSED ORDINANCE NO. 10-17 - ANNEXATION OF PROPERTY
- CAMPUS HEIGHTS

Recommendation: That City Council approve Proposed Ordinance No. 10-17 on first 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.

Sponsors: Ashton J. Hayward, III

Attachments: [Proposed Ordinance No. 10-17 Survey, City of Pensacola Proposed Campus Heights Annexation Phase I](#)
[PULLED BY SPONSOR PUBLIC HEARING & P.O.10-17 ANNEXATION C](#)

12. [17-00175](#) CREATION OF SECTION 8-1-28 OF THE CITY CODE - PROHIBITING SOLICITATION OF DONATIONS UPON PUBLIC SIDEWALKS AND RIGHTS-OF-WAY IN THE DOWNTOWN VISITORS' DISTRICT

Recommendation: That City Council adopt an ordinance creating Section 8-1-28 of the City Code - Prohibiting solicitation of donations upon public sidewalks and rights-of-way in the Downtown Visitors' District.

Sponsors: Ashton J. Hayward, III, Brian Spencer

Attachments: [Letter from John Peacock, DIB Chair, dated February 21, 2017 with Ordinance Proposed Ordinance](#)
[EMAIL FROM CITY ATTORNEY](#)
[PETITION FROM RESIDENT/PROPERTY OWNERS WITHIN ON PALAF](#)

13. [09-17](#) PROPOSED ORDINANCE NO. 09-17 - CREATING SEC. 8-1-28 OF THE CITY CODE - PROHIBITING SOLICITATION OF DONATIONS UPON PUBLIC SIDEWALKS AND RIGHTS-OF-WAY IN THE DOWNTOWN VISITORS' DISTRICT

Recommendation: That City Council approve Proposed Ordinance No. 09-17 on first reading.

AN ORDINANCE CREATING SECTION 8-1-28 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; DEFINING THE DOWNTOWN VISITORS' DISTRICT AND REGULATING THE CONDUCT OF INDIVIDUALS ON SIDEWALKS AND PUBLIC RIGHTS-OF-WAY THEREIN; PROVIDING DEFINITIONS; PROHIBITING SOLICITATION OF DONATIONS; PROVIDING PENALTIES THEREFOR; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III, Brian Spencer

Attachments: [Proposed Ordinance No. 09-17](#)
[Letter from John Peacock, DIB Chairman](#)
[DIB Panhandling Ordinance Boundary Map](#)

14. [17-00227](#) PENSACOLA ENERGY - AWARD OF BID #17-012, NATURAL GAS PIPELINE CONSTRUCTION EAST PENSACOLA LOW PRESSURE AREA UPGRADES

Recommendation: That City Council award Bid #17-012 Natural Gas Pipeline Construction to R.A.W. Construction, LLC., the lowest and most responsible bidder in the amount of \$2,477,265 for seven (7) natural gas infrastructure replacement projects, \$581,835 for the miscellaneous work option as outlined in the bid specifications plus a 10% contingency of \$305,910 for a total amount of \$3,365,010 for a period of one year. Further, that City Council approve the supplemental budget resolution appropriating the additional amount needed from the Florida Gas System Revenue Note, Series 2016. Finally, that City Council authorize the Mayor to execute a contract and take all actions necessary to complete the project.

Sponsors: Ashton J. Hayward, III

Attachments: [Bid Tabulation - Bid No 17-012.pdf](#)
[Final Vendor Reference List-Bid No 17-012.pdf](#)
[Supplemental Budget Resolution](#)
[Supplemental Budget Explanation](#)

15. [17-20](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-20 - PENSACOLA ENERGY - AWARD OF BID #17-012, NATURAL GAS PIPELINE CONSTRUCTION EAST PENSACOLA LOW PRESSURE AREA UPGRADES

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-20

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

Sponsors: Ashton J. Hayward, III

Attachments: [Supplemental Budget Resolution No. 17-20](#)
[Supplemental Budget Explanation](#)

16. [12-17](#) PROPOSED ORDINANCE NO. 12-17 - AMENDING SECTION 6-2-3 OF THE CITY CODE--PARKS AND RECREATION BOARD - DUTIES

Recommendation: That City Council approve Proposed Ordinance 12-17 on first reading.

AN ORDINANCE AMENDING SECTION 6-2-3 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, PARKS AND RECREATION BOARD - DUTIES; TO PROVIDE FOR THE INCLUSION WITHIN THE DUTIES LANGUAGE STATING, "AND RECREATIONAL ACTIVITIES"; PROVIDING FOR SEVERABILITY; R E P E A L I N G C L A U S E ; PROVIDING AN EFFECTIVE DATE

Sponsors: Brian Spencer

Attachments: [Proposed Ordinance No. 12-17](#)
[March 16, 2017 Parks and Recreation Board Minutes.pdf](#)

17. [13-17](#) PROPOSED ORDINANCE NO. 13-17 - AMENDING SECTION 8-3 OF THE CITY CODE - CREATING SECTION 8-3-4 NO WAKE ZONE FOR THE PORTION OF THE WATERS NORTH OF THE HARBOR CHANNEL ADJACENT TO THE RED BUOY MARKER KNOWN AS "PMT2" LOCATED IN PENSACOLA BAY TO THE ENTRANCE OF PALAFOX PIER BASIN AND FROM THE WEST END OF THE PORT OF PENSACOLA TO THE WEST END OF THE HARBOR CHANNEL

Recommendation: That City Council approve Proposed Ordinance 13-17 on first Reading.

AN ORDINANCE AMENDING SECTION 8-3 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, OFFENSES UPON WATERS; CREATING SECTION 8-3-4 TO PROVIDE FOR A NO WAKE ZONE FOR THE PORTION OF THE WATERS NORTH OF THE HARBOR CHANNEL ADJACENT TO THE RED BUOY MARKER KNOWN AS "PMT2" LOCATED IN PENSACOLA BAY TO THE ENTRANCE OF PALAFOX PIER BASIN AND FROM THE WEST END OF THE PORT OF PENSACOLA TO THE WEST END OF THE HARBOR CHANNEL; PROVIDING FOR SEVERABILITY; R E P E A L I N G C L A U S E ; PROVIDING AN EFFECTIVE DATE.

Sponsors: Brian Spencer

Attachments: [Proposed Ordinance No. 13-17](#)
[ProposedNoWake Zone](#)

18. [17-00228](#) RETURN CONVEYANCE OF MORRIS COURT PARK TO THE AREA HOUSING COMMISSION

Recommendation: That City Council authorize the Mayor to execute all documents necessary to return the property located at North "J" and West Lloyd Streets, known as Morris Court Park, to the Area Housing Commission for use as planned affordable housing.

Sponsors: Ashton J. Hayward, III, Jewel Cannada-Wynn

Attachments: [Deed of Realty dated June 27, 1990](#)
[Area Housing Commission Letter to Keith Wilkins, dated September 16, 201](#)
[Map, Morris Court Park](#)
[MORRIS COURT PARK EMAIL CONFIRMING PULLING ITEM FROM 4/](#)

19. [17-00251](#) REIMBURSEMENT TO CDBG FUND - PURCHASE OF 113 NORTH "C" STREET (FORMER BLOUNT SCHOOL PROPERTY)
- Recommendation:** That City Council approve reimbursing the CDBG Fund \$295,937 based on CDBG program requirements for the purchase of the property located at 113 North "C" Street (former Blount School). Further that City Council approve the supplemental budget resolution appropriating funding for the reimbursement.
- Sponsors:** Ashton J. Hayward, III
- Attachments:** [Appraisal Report 113 North "C" Street dated March 3, 2017](#)
[Supplemental Budget Resolution](#)
[Supplemental Budget Explanation](#)
20. [17-22](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-22 - APPROPRIATING FUNDING FOR REIMBURSEMENT TO THE CDBG FUND - PURCHASE OF 113 NORTH "C" STREET (FORMER BLOUNT SCHOOL PROPERTY)
- Recommendation:** That City Council adopt Supplemental Budget Resolution No. 17-22.
- A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017; PROVIDING FOR AN EFFECTIVE DATE.
- Sponsors:** Ashton J. Hayward, III
- Attachments:** [Supplemental Budget Resolution No. 17-22](#)
[Supplemental Budget Explanation No. 17-22](#)
21. [17-00245](#) PORT WAREHOUSE #9 TERMINATION OF LEASE AND WAREHOUSE #1 LEASE AMENDMENT WITH OFFSHORE INLAND MARINE & OILFIELD SERVICES, INC.
- Recommendation:** That City Council authorize the Mayor to take all action necessary to terminate the Lease Agreement for Port Warehouse #9 and to amend the Lease Agreement for Port Warehouse #1 with Offshore Inland Marine & Oilfield Services, Inc.
- Sponsors:** Ashton J. Hayward, III
- Attachments:** [Termination Agreement for Warehouse #9](#)
[Amendment to Warehouse #1 Lease Agreement](#)

22. [17-00254](#) NEW MARKET TAX CREDIT UNWIND

Recommendation: That City Council authorize the Mayor to execute all documents and take all action necessary associated with unwinding the New Market Tax Credit transaction. This includes but is not limited to executing an Interlocal Agreement with the Community Maritime Park Associates, Inc. (CMPA) and the Community Redevelopment Agency (CRA) to terminate the Project Support Payments to the CMPA. Further, as provided in the CMPA Articles of Incorporation, that the City accept the CMPA's distributed assets. In addition, that upon NMTC unwind, when the City owns the CTA Investment Fund that City Council authorize the Mayor to forgive the loans made to the CMPA.

Sponsors: Ashton J. Hayward, III

23. [17-00241](#) JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) - VIDEO DETECTION EQUIPMENT

Recommendation: That City Council authorize the Mayor to execute and implement a Joint Participation Agreement (JPA) with FDOT for the purchase of Video Detection Equipment to be installed at certain state-owned intersections within the City. Further, that City Council adopt a supplemental budget resolution appropriating the funds from the FDOT. Finally that City Council authorize the Mayor to take any and all actions necessary to execute and implement the JPA with the FDOT.

Sponsors: Ashton J. Hayward, III

Attachments: [JPA.pdf](#)
[Supplemental Budget Resolution](#)
[Supplemental Budget Explanation](#)

24. [17-21](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-21 - JOINT PARTICIPATION AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION - VIDEO DETECTION EQUIPMENT

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-21.

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

Sponsors: Ashton J. Hayward, III

Attachments: [Supplemental Budget Resolution No. 17-21](#)
[Supplemental Budget Explanation No. 17-21](#)

25. [04-17](#) PROPOSED ORDINANCE NO. 04-17 - REPEALING SECTION 10-4-16(C) OF THE CITY CODE - INSTALLATION OF SERVICES
- Recommendation:** That City Council adopt Proposed Ordinance No. 04-17 repealing Section 10-4-16(c) of the city code on second reading.

AN ORDINANCE REPEALING SECTION 10-4-16(c) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, INSTALLATION OF SERVICES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE

Sponsors: Ashton J. Hayward, III, Sherri Myers

Attachments: [Proposed Ordinance No. 04-17](#)
[PROOF OF PUBLICATION - 2ND READING ADVERTISEMENT](#)

26. 17-00266 AWARD OF CONTRACT FOR SALE OF 150 SOUTH BAYLEN STREET
- Recommendation:** That the City Council approve the recommendation of the Community Redevelopment Agency to award the contract for sale of the surplus property at 150 South Baylen Street to Studer Properties in the amount of \$510,000.00 and authorize the CRA Chairperson to execute all necessary documents.
- Sponsors:** Jewel Cannada-Wynn
- Attachments:** *Purchase Offer- 150 S. Byalen St.*

DISCUSSION

COUNCIL EXECUTIVE'S REPORT

MAYOR'S COMMUNICATION

COUNCIL COMMUNICATIONS

CIVIC ANNOUNCEMENTS

SECOND LEROY BOYD FORUM

ADJOURNMENT

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

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