



City of Pensacola

CITY COUNCIL

Agenda Conference Minutes

February 7, 2022

3:30 P.M.

Hagler/Mason Conference Room

The agenda conference was called to order by Council President Hill at 3:31 P.M.

ROLL CALL

Council Members Present: Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers

Council Members Absent: Delarian Wiggins

Also Present: Mayor Grover C. Robinson, IV (via Microsoft Teams)

Members of the public may attend the meeting in person. City Council encourages those not fully vaccinated to wear face coverings that cover their nose and mouth.

The meeting can also be watched live stream at: cityofpensacola.com/428/Live-Meeting-Video.

Council President Hill referenced hardcopies of an **add-on presentation item for today's agenda conference as follows:**

22-00168 PRESENTATION – UPDATE ON GENERAL DANIEL “CHAPPIE” JAMES MEMORIAL PLAZA AND MONUMENT PROJECT

A motion to add-on was made by Council Member Moore and seconded by Council Member Brahier.

The motion carried by the following vote

Yes: 6 Ann Hill, Jennifer Brahier, Casey Jones, Jared Moore, Sherri Myers, Teniade Broughton

No: 0 None

Council President Hill indicated the added-on presentation item will be placed following the first presentation.

PRESENTATION ITEMS

1. [22-00134](#) PRESENTATION FROM WALTER GULLEY JR., PRESIDENT OF THE ELLA L. JORDAN AFRICAN AMERICAN HISTORY MUSEUM

Recommendation: That City Council receive a presentation from Walter Gulley, Jr. on behalf of the 501(c)3 organization for the museum.

Walter Gulley, Jr., President of the Board of Directors, addressed Council and provided an overhead presentation (on file with background materials) updating Council on the restoration of the building, funds needed to complete interior furnishings and the upcoming *Housewarming Event* on February 19th. Danielle Mullet, Secretary and Edward Hayes, Treasurer made follow-up remarks. Some discussion took place among Council with Mr. Gulley fielding comments and questions.

- Add-on: [22-00168](#) PRESENTATION – UPDATE ON GENERAL DANIEL “CHAPPIE” JAMES MEMORIAL PLAZA AND MONUMENT PROJECT

Recommendation: That City Council receive a presentation from Cris Dosev providing an update on the General Daniel “Chappie” James Memorial Plaza and Monument Project.

Cris Dosev addressed Council and provided overhead slides (on file with background materials) updating Council on the artist’s progress of the making of the monument and conversations with the U.S. Air Force coordinating scheduling of officials to induct the monument and the placement of an aircraft within the memorial plaza. He responded accordingly to comments and questions of Council Members

2. [22-00154](#) PRESENTATION FOR THE TERM SHEET WITH INSPIRED COMMUNITIES AS WELL AS AN OVERVIEW OF THE OPTION AGREEMENT WITH INSPIRED FOR THE DEVELOPMENT OF LOTS 4 AND 5 AT THE COMMUNITY MARITIME PARK

Recommendation: That the City Council hear the presentation regarding a Term Sheet for the development of Lots 4 and 5 at the Community Maritime Park. Further, an overview of the option agreement with Inspired Communities.

Andrew Rothfeder, agent with Kuhn Realty, LLC representing the City addressed Council and provided overhead slides (on file with background materials) giving an overview of the proposed term sheet and option agreement with Inspired Communities of Florida, LLC for the development of Lots 4 and 5 at the Community Maritime Park, which Council will consider approval on February 10th (Items 22-00151 and 22-00152).

PRESENTATION ITEMS (CONT'D.)

Discussion ensued (regarding Item 22-00154) with Mr. Rothfeder, Mayor Robinson, Finance Director Lovoy, and CRA Administrator Gibson fielding comments and questions. **Several Council Members indicated they would like to see an option presented providing for at least ten percent (10%) of the units to be designated as affordable housing.**

REVIEW OF CONSENT AGENDA ITEMS**3. [22-00041](#) AWARD OF BID NO. 22-011 - PLAZA DE LUNA HURRICANE REPAIRS PROJECT**

Recommendation: That City Council award Bid No. 22-011 Plaza De Luna Hurricane Repairs Project to Emerald Coast Constructors, Inc., of Pensacola Florida, the lowest and most responsible bidder with a base bid of \$1,227,630.00 plus a 10% contingency in the amount of \$122,763.00 for a total amount of \$1,350,393.00. Further, that City Council authorize the Mayor to execute the contract and take all action necessary to complete the project.

Place on Consent Agenda.

4. [22-00109](#) PUBLIC WORKS AND FACILITIES - AWARD OF BID #22-013 "I" STREET STORM PIPE REHABILITATION PROJECT

Recommendation: That City Council award Bid #22-013 "I" Street Storm Pipe Rehabilitation Project to Nu-Pipe, LLC of Charleston, South Carolina, the lowest and most responsible bidder with a total bid of \$319,926.10 plus a 10% contingency in the amount of \$31,992.61 for a total amount of \$351,918.71. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

Place on Consent Agenda.

5. [22-00136](#) AWARD OF BID NO. 22-002 - GARDEN STREET LANDSCAPE PROJECT FROM "A" STREET TO ALCANIZ STREET

Recommendation: That the City Council award Bid No. 22-002 for Garden Street Landscaping from "A" Street to Alcaniz Street to The Wallace Company, the lowest and most responsive bidder in the amount of \$564,391.80 plus a 10% contingency in the amount of \$56,439.32 for a total amount of \$620,831.12.

Place on Consent Agenda.

REVIEW OF REGULAR AGENDA ITEMS

6. [22-00047](#) QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - THE LANDING AT DEVILLIERS

Recommendation: That City Council conduct a quasi-judicial hearing on February 10, 2022, to consider approval of the Final Subdivision Plat - The Landing at DeVilliers.

Place on Regular Agenda.

7. [22-00151](#) APPROVAL OF THE TERM SHEET BETWEEN THE CITY OF PENSACOLA AND INSPIRED COMMUNITIES OF FLORIDA, LLC (INSPIRED) FOR THE DEVELOPMENT OF LOTS 4 AND 5 AT THE COMMUNITY MARITIME PARK

Recommendation: That the City Council approve in concept the term sheet between the City of Pensacola and Inspired Communities of Florida, LLC. The Mayor or designee will then use this term sheet to negotiate a final lease that will be returned to City Council for their approval.

Place on Regular Agenda.

8. [22-00152](#) APPROVAL OF THE OPTION AGREEMENT BETWEEN THE CITY OF PENSACOLA AND INSPIRED COMMUNITIES OF FLORIDA, LLC (INSPIRED) FOR LOTS 4 AND 5 AT THE COMMUNITY MARITIME PARK

Recommendation: That City Council approve and authorize the Mayor to execute the Option Agreement between the City of Pensacola and Inspired Communities of Florida LLC. for the exclusive right to develop Parcels 4 and 5 of the Vince J. Whibbs Jr. Community Maritime Park, until August 31, 2023 as well as allow for one 6-month extension at the Optionee's discretion.

Place on Regular Agenda.

9. [22-00077](#) PORT OF PENSACOLA - FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT NO. 445548-1-94-02, LANDSIDE IMPROVEMENTS

Recommendation: That City Council authorize the Mayor to execute Florida Seaport Transportation Economic Development (FSTED) Grant No. 445548-1-94-02 for Hurricane Sally-related landside improvements in the amount of \$453,131. Further, that City Council authorize the Mayor to take all actions necessary to accept, execute and administer the grant. Finally, that City Council adopt a supplemental budget resolution appropriating the grant funds.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

10. [2022-021](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-021 FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT NO. 445548-1-94-02, LANDSIDE IMPROVEMENTS

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2022-021

A RESOLUTION AUTHORIZING AND MAKING REVENUE REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

11. [22-00096](#) PORT OF PENSACOLA - FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT NO. 445549-1-94-03, WATERSIDE IMPROVEMENTS

Recommendation: That City Council authorize the Mayor to execute Florida Seaport Transportation Economic Development (FSTED) Grant No. 445549-1-94-03 for Hurricane Sally-related waterside improvements in the amount of \$628,581. Further, that City Council authorize the Mayor to take all actions necessary to accept, execute and administer the grant. Finally, that City Council adopt a supplemental budget resolution appropriating the grant funds.

Place on Regular Agenda.

12. [2022-024](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-024 FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT NO. 445549-1-94-03, WATERSIDE IMPROVEMENTS

Recommendation: That City Council adopt supplemental Budget Resolution 2022-024

A RESOLUTION AUTHORIZING AND MAKING REVENUE REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

13. [22-00044](#) PENSACOLA INTERNATIONAL AIRPORT - STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSPORTATION GRANT AGREEMENT NO. 435717-7-94-01

Recommendation: That City Council approve the acceptance of the Public Transportation Grant Agreement No. 435717-7-94-01 in the amount of \$275,000 to provide partial funding for the construction phase of the rehabilitation of the North half of Taxiway A at the Pensacola International Airport. Further, that City Council approve the grant resolution and authorize the Mayor to take all actions necessary relating to the acceptance and execution of the grant.

Place on Regular Agenda.

14. [2022-013](#) RESOLUTION NO. 2022-013 - STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSPORTATION AGREEMENT NO. 435717-7-94-01

Recommendation: That City Council adopt Resolution No. 2022-013.

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PENSACOLA TO EXECUTE THE PUBLIC TRANSPORTATION GRANT AGREEMENT NO. 435717-7-94-01 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR TAXIWAY A REHABILITATION - CONSTRUCTION AT THE PENSACOLA INTERNATIONAL AIRPORT; PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

15. [22-00084](#) TRANSFER OF FUNDS WITHIN THE AMERICAN RESCUE PLAN ACT (ARPA) FUND TO PROVIDE FUNDING FOR EXPENSES RELATED TO THE CLOSURE OF THE I-110 ENCAMPMENT

Recommendation: That City Council authorize the Mayor to transfer funds within the American Rescue Plan Act (ARPA) Fund to provide funding for expenses related to the closure of the I-110 encampment.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

16. [22-00094](#) PLAYGROUND EQUIPMENT PURCHASE AND INSTALLATION - BAYVIEW PARK

Recommendation: That City Council approve the purchase and installation of a playground structure for Bayview Park Playground from Kompan, Inc., through Omini Partners cooperative purchasing (Contract #2017001135) for \$301,818.54 plus a requested 10% contingency of \$30,181.85 for a total amount of \$332,000.39. Further, that City Council authorize the Mayor to take all actions necessary to execute the contract and complete the project.

Council Member Myers asked questions and expressed her concerns related to the design and accessibility of the playground equipment. Council Members Hill and Brahier also had brief comments/questions. Parks & Recreation Director Cooper responded accordingly.

Place on Regular Agenda.

17. [22-00132](#) WORKSHOP ON THE CLIMATE MITIGATION AND ADAPTATION TASK FORCE RECOMMENDATIONS

Recommendation: That City Council schedule a workshop to get a presentation on the Climate Mitigation and Adaptation Task Force report and recommendations. Further, that Council authorize the Council President and Council Executive to schedule the workshop.

Place on Regular Agenda.

18. [22-00055](#) DISPARITY STUDY REGARDING ON HIRING PRACTICES WITHIN THE CITY AND THE IMPACT ON WOMEN

Recommendation: That City Council allocate \$50,000 to hire a consultant to look at the hiring practices of the City of Pensacola and the impact of the practices on women.

Place on Regular Agenda.

19. [22-00135](#) FEASIBILITY STUDY FOR A SUMMIT BOULEVARD ROAD DIET

Recommendation: That City Council authorize the Mayor to transfer funds within the American Rescue Plan Act (ARPA) Fund to provide funding for expenses related to a Road Diet Feasibility Study on Summit Boulevard

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

20. [22-00146](#) RECOMMENDATION TO THE CHARTER REVIEW COMMISSION REGARDING A CITIZENS' BILL OF RIGHTS

Recommendation: That City Council send a recommendation to the Charter Review Commission to entertain adding a Citizens' Bill of Rights to the Pensacola City Charter, modeled after the City of Miami Citizens' Bill of Rights.

Place on Regular Agenda.

21. [2022-025](#) RESOLUTION NO. 2022-025 - SUPPORTING A MAINTENANCE AGREEMENT FOR US 90 OVER BAYOU TEXAR BRIDGE (FPID ID: 218608-4-52-01) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION

Recommendation: That City Council adopt Resolution No. 2022-025:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA SUPPORTING A MAINTENANCE AGREEMENT FOR US 90 OVER BAYOU TEXAR BRIDGE (FPID ID: 218608-4-52-01); PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

22. [2022-018](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-018 - APPROPRIATION OF FUNDING FOR ADDITIONAL PERSONNEL AND EQUIPMENT IN INSPECTIONS

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2022-018:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS TO BUDGET FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

23. [02-22](#) PROPOSED ORDINANCE NO. 02-22 - AMENDING SECTION 3-1-11 COUNCIL RESERVE (GENERAL FUND)

Recommendation: That City Council approve Proposed Ordinance No. 02-22 on first reading.

AN ORDINANCE AMENDING SECTION 3-1-11 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, COUNCIL RESERVE (GENERAL FUND) TO PROVIDE THE FINANCE DIRECTOR THE AUTHORITY TO DETERMINE IF ANNUAL INTEREST EARNINGS SHOULD BE APPLIED TO THE RESERVE BALANCE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

24. [01-22](#) REVISED: PROPOSED ORDINANCE NO. 01-22 - PROPOSED AMENDMENT TO CHAPTER 7-9 OF THE CODE OF THE CITY OF PENSACOLA - DOCKLESS SHARED MICROMOBILITY DEVICES PILOT PROGRAM

Recommendation: The City Council adopt Proposed Ordinance No. 01-22 as revised on second reading:

AN ORDINANCE OF THE CITY OF PENSACOLA, FLORIDA AMENDING CHAPTER 7-9 OF THE CODE OF THE CITY OF PENSACOLA TO REGULATE A DOCKLESS SHARED MICROMOBILITY DEVICE PILOT PROGRAM; PROVIDING FOR INDEMNIFICATION AND INSURANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

25. [03-22](#) PROPOSED ORDINANCE NO. 03-22 - AMENDMENT TO LAND DEVELOPMENT CODE SECTION 12-3-31 (6) AND TABLE 12-3-31.12 - COMMUNITY REDEVELOPMENT AREA (CRA) URBAN DESIGN OVERLAY

Recommendation: That City Council adopt Proposed Ordinance No. 03-22 on second reading:

AN ORDINANCE AMENDING SECTION 12-3-31 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, COMMUNITY REDEVELOPMENT AREA (CRA) URBAN DESIGN OVERLAY DISTRICT STANDARDS; REVISING SECTION 12-3-31 (6) MODIFICATIONS AND APPEALS AND TABLE 12-3-31.12 GLAZING REQUIREMENTS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

- 26. [05-22 PROPOSED ORDINANCE NO. 05-22 - AMENDING SECTION 11-4-182 OF THE CITY CODE - USE OF RIGHTS-OF-WAY BY WIRELESS COMMUNICATIONS FACILITIES](#)

Recommendation: That City Council adopt Proposed Ordinance No. 05-22 as revised on second reading:

AN ORDINANCE AMENDING SECTION 11-4-182 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; USE OF RIGHTS-OF-WAY BY WIRELESS COMMUNICATIONS FACILITIES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

CONSIDERATION OF ANY ADD-ON ITEMS

Council President Hill referenced hardcopies of an **add-on item for the February 10th Council meeting as follows:**

RESOLUTION NO. [2022-026](#) - EXPRESSING ITS OPPOSITION TO THE SENATE BILL 280 WHICH REQUIRES LOCAL GOVERNMENT TO PREPARE AND PUBLISH A "BUSINESS IMPACT STATEMENT" BEFORE ADOPTING AN ORDINANCE AFTER OCTOBER 1, 2022

City Attorney Pepler explained this item is coming forward as an add-on due to pending consideration of SB 280.

A motion to add-on was made by Council Member Brahier and seconded by Council Member Moore.

Some discussion took place with Mayor Robinson fielding comments and questions.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote

Yes: 6 Ann Hill, Jennifer Brahier, Casey Jones, Jared Moore, Sherri Myers, Teniade Broughton
No: 0 None

DISCUSSION

27. [22-00131](#) DISCUSSION - DEDICATED PARKING SPACES FOR MICROMOBILITY DEVICES

Council Member Myers (sponsor) addressed Council seeking input related to the possibility of created dedicated parking spaces or corrals for micromobility devices (as outlined in the background memorandum).

Discussion ensued among Council with Mayor Robinson fielding comments and questions, along with Deputy City Administrator Forte and Public Works & Facilities Director Tootle. **Mayor Robinson referenced Proposed Ordinance 01-22 which is schedule for final adoption on February 10th related to amendments regulating the pilot program for subject devices and suggested the next four (4) weeks will give staff time to analyze the impacts of the changes on the operations of the vehicles downtown. He indicted staff will present an update to Council in March.**

28. [22-00133](#) DISCUSSION - CITY COUNCIL'S BUDGET PROCESS

Council Member Myers (sponsor) addressed Council seeking input related to holding a Council Workshop in order to review all of the Department Head budget submittals before they are finalized in the budget. Further, this would be an opportunity for the Council to receive an overview of the Budget Preparation Manual (as outlined in the background memorandum). **She requested Council Executive Kraher send out the link for the manual to all Council Members.** Mayor Robinson provided input as to responsibilities of the executive branch and legislative branch stipulated in the City Charter related to development and adoption of the annual budget.

Wrapping up discussion, **Mayor Robinson indicated that he is agreeable to making staff available for a Council Workshop related to the budget.**

READING OF ITEMS FOR COUNCIL AGENDA

City Clerk Burnett read as presented above. *No objections.*

COMMUNICATIONS

CITY ADMINISTRATOR'S COMMUNICATION

Deputy City Administrator Forte advised Kris Stultz has been hired as the City's arborist.

CITY ATTORNEY'S COMMUNICATION

City Attorney Peppler advised he has prepared a memorandum he will be sending to all City Department Directors regarding point of contact within the City Attorney's Office for each department to assist with legal services and needs.

CITY COUNCIL COMMUNICATION

Council Member Brahier made comments regarding current movement on the state-level related to loosening restrictions on local governments to regulate tree removal.

ADJOURNMENT

6:18 P.M.