



City of Pensacola

CITY COUNCIL

Agenda Conference Minutes

September 7, 2021

3:30 P.M.

Hagler/Mason Conference Room

The agenda conference was called to order by Council President Moore at 3:35 P.M.

ROLL CALL

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

Council Members Absent: None

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.

PRESENTATION ITEMS

1. [21-00649 DEMONSTRATION REGARDING ADA ENHANCEMENTS AND IMPROVEMENTS](#)

Recommendation: That City Council receive a demonstration on ADA updates which have occurred on the City's various technical platforms from the City's ADA Coordinator, Jonathan Bilby and IT Director, Trudi Nichols.

Innovation & Technology Director Nichols introduced Inspections Services Director Bilby who serves as the City's ADA Coordinator, and he addressed Council briefly regarding the City's efforts to enhance and improve citizens' ADA access to City services. IT Director Nichols provided a live demonstration (on overhead projection) on updated ADA information on the City's website as well as closed captioning of live streamed/recorded meetings of the Council and boards. They responded accordingly to comments and questions.

REVIEW OF CONSENT AGENDA ITEMS

2. [21-00637](#) EXTEND TERMS OF ESCAMBIA PENSACOLA AFFORDABLE HOUSING ADVISORY COMMITTEE MEMBERS

Recommendation: That City Council approve to extend the terms of the Escambia Pensacola Affordable Housing Advisory Committee members to December 31, 2021.

Place on Consent Agenda.

3. [21-00648](#) APPOINTMENT OF MEMBERS TO THE CHARTER REVIEW COMMISSION

Recommendation: That City Council, in accordance with City Charter Section 8.01(b) and through joint agreement between the Mayor and City Council, appoint seven (7) members, one coming from each of the seven Council Districts, and (2) appointees from the Mayor for a total of nine (9) appointees to the Charter Review Commission.

Place on Consent Agenda.

4. [21-00669](#) AWARD OF CONTRACTS RFP #21-028 FIVE (5) YEAR CONTRACT FOR DEBRIS MONITORING SERVICES

Recommendation: That City Council approve the ranking of the selection committee for RFP #21-028 "Five (5) Year Contract for Debris Monitoring Services," with Tetra Tech, Inc. of Maitland, Florida submitting the best proposal. Further, that Council award the primary contract for the debris monitoring services to Tetra Tech, Inc., and that a secondary contract be awarded to Witt O'Brien's, LLC in the event Tetra Tech, Inc. is unable to perform the required services or in the event circumstances require more than one firm to adequately respond. Finally, that City Council authorize the Mayor to negotiate and the execute the contract with each named firm and take all related actions necessary to engage their services, as required.

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

5. [21-00701](#) FISCAL YEAR 2022 COMMUNITY POLICING INTERLOCAL AGREEMENT

Recommendation: That the City Council approve an interlocal agreement with the City of Pensacola and the Community Redevelopment Agency (CRA) for the purpose of providing Community Policing Innovations within the Urban Core Community Redevelopment Area for Fiscal Year 2022 in an amount not to exceed \$100,000.

Place on Consent Agenda.

6. [21-00719](#) SECOND ADDENDUM TO THE PARTIAL ASSIGNMENT TO INSPIRED COMMUNITIES OF FLORIDA, LLC OF THE OPTION AGREEMENT BETWEEN THE CITY OF PENSACOLA AND STUDER PROPERTIES, LLP

Recommendation: That City Council approve and authorize the Mayor to execute the Second Addendum to the Partial Assignment to Inspired Communities of Florida, LLC of the Option Agreement between the City of Pensacola and Studer Properties, LLP for the development of Parcels 3, 6, 8, and 9 of the Vince J. Whibbs Jr. Community Maritime Park, extending the agreement for twelve months through September 30, 2022.

Property Lease Manager Stallworth responded accordingly to questions and provided an update on the negotiation process for CMP Parcels 4 and 5.

Council Member Myers requested this item be placed on the regular agenda.

Place on Regular Agenda.

7. [21-00722](#) SECOND ADDENDUM TO THE PARTIAL ASSIGNMENT TO VALENCIA DEVELOPMENT CORPORATION OF THE OPTION AGREEMENT BETWEEN THE CITY OF PENSACOLA AND STUDER PROPERTIES, LLP

Recommendation: That City Council approve and authorize the Mayor to execute the Second Addendum to the Partial Assignment to Valencia Development Corporation of the Option Agreement between the City of Pensacola and Studer Properties, LLP for the development of Parcel 7 of the Vince J. Whibbs Jr. Community Maritime Park, extending the agreement for twelve months through September 30, 2022.

Place on Regular Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)8. [21-00723](#) PORT TARIFF REVISIONS

Recommendation: That City Council approve the proposed revisions to Port of Pensacola Tariff No. 5A. Further, that City Council authorize the Mayor to take all actions necessary to implement the changes.

Place on Consent Agenda.

REVIEW OF REGULAR AGENDA ITEMS9. [21-00690](#) PUBLIC HEARING: PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - RESIDENTIAL DENSITY TRANSFERS

Recommendation: That City Council conduct a public hearing on September 9, 2021 to consider a proposed amendment to Section 12-3-109 of the Land Development Code, pertaining to Residential Density Transfers.

Place on Regular Agenda.

Planning Services Director Morris responded accordingly to questions from Council Members Moore and Hill.

10. [35-21](#) PROPOSED ORDINANCE NO. 35-21 - AMENDMENT TO THE LAND DEVELOPMENT CODE - RESIDENTIAL DENSITY TRANSFERS

Recommendation: That City Council approve Proposed Ordinance No. 35-21 on first reading.

AN ORDINANCE AMENDING SECTION 12-3-109 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, ESTABLISHING A PROCESS FOR THE APPROVAL OF RESIDENTIAL DENSITY TRANSFERS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

11. [21-00694](#) PUBLIC HEARING: ZONING MAP AND FUTURE LAND USE MAP AMENDMENT - RECENTLY ANNEXED PROPERTY - AMR PENSACOLA, INC.

Recommendation: That City Council conduct a Public Hearing on September 9, 2021, to consider the request to amend the Zoning Map and Future Land Use Map for the parcel located on the southeast corner of the intersection of West Blount Street and North Pace Boulevard which was recently annexed into the city.

Place on Regular Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

12. [37-21](#) PROPOSED ORDINANCE NO. 37-21 - FUTURE LAND USE MAP AMENDMENT - RECENTLY ANNEXED PROPERTY - AMR PENSACOLA, INC

Recommendation: That City Council approve Proposed Ordinance No. 37-21 on first reading:

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

Place on Regular Agenda.

13. [36-21](#) PROPOSED ORDINANCE NO. 36-21 - ZONING MAP AMENDMENT - RECENTLY ANNEXED PROPERTY - AMR PENSACOLA, INC

Recommendation: That City Council approve Proposed Ordinance No. 36-21 on first reading:

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

Place on Regular Agenda.

14. [21-00689](#) REQUEST FOR LICENSE TO USE A 20' x 72' PORTION OF THE BRAINERD STREET USE RIGHT OF WAY - 1154 NORTH 12TH AVENUE

Recommendation: That City Council approve the request for a License to Use Right of Way a 20' x 72' portion of the Brainerd Street right of way adjacent to property located at 1154 North 12th Avenue for the purpose of providing parking within the right-of-way.

Council Executive Kraher noted hardcopies of a revised memorandum at Council's places correcting the requested right-of-way portion(s) included in the request indicating "...approval for a License to Use a 20' x 72' portion and a 20' x 27' portion of the Brainerd Street right of way...".

Place on Regular Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

15. [21-00741](#) FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT PROGRAM - JACKSON STREET TRANSPORTATION MASTER PLAN

Recommendation: That the City Council approve and authorize the CRA Chairperson to execute the acceptance of the Florida Department of Economic Opportunity Community Planning Assistance Grant in the amount of \$40,000 for development the Jackson Street Transportation Master Plan. Finally, City Council adopt a Supplemental Budget Resolution to appropriate the grant funds.

City Administrator Wilkins and Interim Public Works & Facilities Director Forte responded accordingly to questions from Council Members Moore and Myers.

Place on Regular Agenda.

16. [2021-64](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-64 - APPROPRIATING FUNDING IN RELATION TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT PROGRAM - JACKSON STREET TRANSPORTATION MASTER PLAN

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2021-64:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)17. [21-00753](#) MARKET PLACE STORMWATER POND

Recommendation: That City Council create a line item in the budget titled "Market Place Greenway". That \$30,000.00 from Sherri Myers' tree trust funds be transferred to the line item. Further, that \$50,000.00 from the tree trust fund, which is a portion of the funds allocated to District 2 for tornado tree canopy remediation, be transferred to the fund. Further, that the City Council determine the amount of funds paid into the tree trust fund from the Ascension Sacred Heart developments on Grande Street and the intersection of Summit and 12th Avenue and these funds be placed into the fund. Further, that any funds placed in the tree trust fund from the developers of the Grande Street developments be placed in the fund. Said total not to exceed \$100,000.00, but not inclusive of \$30,000.00 donated by Councilwoman Myers. Lastly, that \$100,000.00 from any unallocated funds from the general fund be allocated to the project for sidewalks, benches, irrigation and other vegetative improvements not covered by the tree trust fund. Total allocation \$230,000.00. Further that City Council approve a supplemental budget resolution.

Council President Moore inquired of the remaining balance in the Unassigned General Fund amount (frozen by Council during FY 2021, expiring 9/30/21) which Finance Director Lovoy indicated is approximately \$266,000.

Place on Regular Agenda.18. [2021-77](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-77 - MARKET PLACE STORMWATER POND

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2021-77:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.19. [21-00754](#) CITY OF PENSACOLA ACTIVE TRANSPORTATION PLAN

Recommendation: That City Council provide funding of \$166,000 for the creation of an Active Transportation Plan. Further that City Council approve a supplemental budget resolution.

Council President Moore and Interim Public Works & Facilities Director Forte fielded comments and questions from Council Member Myers.

Place on Regular Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

20. [2021-76](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-76 - CITY OF PENSACOLA ACTIVE TRANSPORTATION PLAN

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2021-76:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

21. [28-21](#) PROPOSED ORDINANCE NO. 28-21 AMENDMENT TO CITY CODE SECTION 4-3-97 - SANITATION COLLECTION FEE AND EQUIPMENT SURCHARGE

Recommendation: That City Council adopt Proposed Ordinance No. 28-21 on second reading:

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

Place on Regular Agenda.

22. [29-21](#) PROPOSED ORDINANCE NO. 29-21 - REQUEST FOR ZONING MAP AMENDMENT - 1301 PALAFOX STREET

Recommendation: That City Council adopt revised Proposed Ordinance No. 29-21 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; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

23. [33-21](#) PROPOSED ORDINANCE NO. 33-21 - AMENDING SECTION 6-2-3 - DUTIES [PARKS AND RECREATION BOARD] OF THE CITY CODE

Recommendation: That City Council adopt Proposed Ordinance No. 33-21 on second reading:

AN ORDINANCE AMENDING SECTION 6-2-3 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, PARKS AND RECREATION BOARD -- DUTIES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

24. [34-21](#) PROPOSED ORDINANCE NO. 34-21 - ELIMINATING PERMIT REQUIREMENTS FOR ADULT ENTERTAINMENT ESTABLISHMENT EMPLOYEES.

Recommendation: That City Council adopt Proposed Ordinance No. 34-21 on second reading.

AN ORDINANCE AMENDING SECTIONS 7-3-23 AND 7-3-119 AND REPEALING SECTION 7-3-45 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; ELIMINATING PERMIT REQUIREMENTS FOR ADULT ENTERTAINMENT EMPLOYEES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

CONSIDERATION OF ANY ADD-ON ITEMS

Council President Moore **referenced hardcopies of an add-on item:**

[21-00771](#) ENFORCEMENT OF CITY CODE SECTIONS 11-2-24 AND 12-3-65 - PARKING FOR CERTAIN USES PROHIBITED

Council Member Myers (sponsor) explained her intent for bringing this item forward for consideration of a moratorium on the enforcement of the referenced code sections regarding food trucks.

A motion to add-on was made by Council Member Myers and seconded by Council Member Jones.

CONSIDERATION OF ANY ADD-ON ITEMS (CONT'D.)

Discussion ensued among Council (**regarding whether to add-on Item 21-00771**) with Assistant City Attorney Moore responding accordingly to questions and indicating she was just made aware this afternoon of Council Member Myers' intent to bring forward this issue and will need to do further research for Thursday's 9/9 meeting if it is the will of Council to include this item on the agenda. During discussion, Council Member Jones indicated he has also been working with Council Executive Kraher and legal staff to address parking enforcement of food trucks. Council Executive Kraher and City Administrator Wilkins also provided input.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

Yes: 6 Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins
No: 0 Jared Moore

FOR DISCUSSION

None

READING OF ITEMS FOR COUNCIL AGENDA

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

COMMUNICATIONS**CITY ADMINISTRATOR'S COMMUNICATION**

City Administrator Wilkins referred to an email (recently) sent to Council regarding 2022 Legislative Priorities List and encouraged Council Members to contact him directly or through Council Executive Kraher by Friday, 9/10 to provide feedback. He also commented on a tropical wave in the Gulf of Mexico.

CITY ATTORNEY'S COMMUNICATION

None

QUARTERLY FINANCIAL REPORT**25. [21-00681](#) QUARTERLY FINANCIAL REPORT - NINE MONTHS ENDING JUNE 30, 2021 (UNAUDITED) - FINANCE DIRECTOR AMY LOVOY**

Finance Director Lovoy provided an overhead presentation to Council (on file with background materials). She responded accordingly to questions from Council Members Myers and Brahier.

CITY COUNCIL COMMUNICATION

Council Member Brahier commended the response and presence of the Pensacola Police Department this past weekend when a four-year-old boy was reported missing, who happens to be her grandnephew, but was found within an hour and had apparently fallen asleep playing “hide and seek”.

ADJOURNMENT

4:56 P.M.