



# City of Pensacola

## CITY COUNCIL

### Agenda Conference Minutes

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November 15, 2021

3:30 P.M.

Hagler/Mason Conference Room

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The agenda conference was called to order by Council President Moore at 3:32 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

**Also Present:** Mayor Grover C. Robinson, IV

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](http://cityofpensacola.com/428/Live-Meeting-Video).

#### PRESENTATION ITEMS

None

#### REVIEW OF CONSENT AGENDA ITEMS

1. [21-00982 CITY COUNCIL CONSENT TO THE MAYOR'S APPOINTMENT OF SHERRY MORRIS AS DEVELOPMENT SERVICES DEPARTMENT DIRECTOR FOR THE CITY OF PENSACOLA](#)

**Recommendation:** That City Council consent to the Mayor's appointment of Sherry Morris as Development Services Department Director of the City of Pensacola in accordance with the City Charter Section 4.01(a)(7).

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

Place on **Regular Agenda.**

**REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)**2. [21-00961](#) 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.**

3. [21-00941](#) WRITE-OFF OF UNCOLLECTIBLE PORT OF PENSACOLA ACCOUNTS RECEIVABLE

**Recommendation:** That City Council approve the write-off of \$10,132.88 in unpaid fees from Permawood, LLC and Atlantic Meridian Contracting retroactive to Sept. 30, 2021.

**Place on Consent Agenda.**

4. [21-00963](#) WRITE-OFF OF GOVERNMENTAL UNCOLLECTIBLE ACCOUNTS RECEIVABLE

**Recommendation:** That City Council approve the write-off of \$16,501.94 in unpaid lease option fees due from Silver Hills Development ("Silver Hills") and \$2,500.00 in unpaid Right of Way Leases with Will Call Sports and Grille and Old Hickory Bar retroactive to September 30, 2021.

**Place on Consent Agenda.**

5. [21-00995](#) LEASE - PENSACOLA FEDERATION OF GARDEN CLUBS INC. FOR THE GARDEN CENTER

**Recommendation:** That City Council approve the Lease Agreement between the City of Pensacola and Pensacola Federation of Garden Clubs Inc. for the Garden Center located at 1850 North 9th Avenue. Further, that City Council authorize the Mayor to take all necessary actions to execute and administer the Lease Agreement.

Mayor Robinson (sponsor) responded accordingly to questions from Council Member Broughton. Council Member Myers made comments.

**Place on Consent Agenda.**

**REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)**

6. [21-00984](#) AWARD OF CONTRACT FOR RFQ #21-033 DESIGN CRITERIA PROFESSIONAL AND PROGRAM MANAGEMENT SERVICES AT PENSACOLA INTERNATIONAL AIRPORT TO ATKINS NORTH AMERICA, INC. FOR ELEMENT 2 OF PROJECT TITAN

**Recommendation:** That City Council approve the selection committee ranking and the selection of Atkins North America, Inc. ("Atkins") as the best and most qualified firm under City of Pensacola Request for Qualifications, RFQ NO.: 21-033, Design Criteria Professional and Program Management Services at Pensacola International Airport (the "RFQ") and authorize the Mayor to negotiate a contract between the City and Atkins for design criteria professional and program management services for Element 2 of Project Titan. Further, that City Council authorize the Mayor to take all actions necessary related to the finalization, execution, and performance of such contract.

**Place on Consent Agenda.**

7. [21-00996](#) AWARD OF BID #21-044 - COMMUNITY MARITIME PARK HURRICANE SALLY RESTORATION PROJECT

**Recommendation:** That City Council award Bid #21-044 - Community Maritime Park (CMP) Hurricane Sally Restoration Project to Bear General Contractors, LLC of Pensacola, Florida with a base bid of \$934,201.04 plus a 20% contingency in the amount of \$186,840.21 for a total amount of \$1,121,041.25. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

Mayor Robinson (sponsor) provided an update on hurricane repair projects qualified under FEMA reimbursement. Deputy City Administrator Forte responded to questions from Council Member Hill regarding signage at the day marina.

**Place on Consent Agenda.**

**REVIEW OF REGULAR AGENDA ITEMS**

8. [21-00973](#) PUBLIC HEARING: PROPOSED AMENDMENTS TO THE LAND DEVELOPMENT CODE - ENGINEERING SECTIONS 12-3-121, 12-4-1, 12-4-3, 12-7, 12-8-6

**Recommendation:** That City Council conduct a public hearing on November 18, 2021 to consider proposed amendments to Land Development Code Sections 12-3-121, 12-4-1, 12-4-3, 12-7, 12-8-6 related to engineering.

Council Member Myers inquired if any of the proposed amendments pertain to removal of trees within City right-of-way with City Engineer Hinote responding they do not.

**Place on Regular Agenda.**

9. [49-21](#) PROPOSED ORDINANCE NO. 49-21: PROPOSED AMENDMENTS TO THE LAND DEVELOPMENT CODE - ENGINEERING SECTIONS 12-3-121, 12-4-1, 12-4-3, 12-7, 12-8-6

**Recommendation:** That City Council approve the Proposed Ordinance No. 49-21 on first reading:

AN ORDINANCE AMENDING TITLE XII OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE SECTION 12-3-121 DESIGN STANDARDS AND GUIDELINES; SECTION 12-4-1 OFF-STREET PARKING SPACES REQUIREMENTS; SECTION 12-4-3 PARKING LOTS; CHAPTER 12-7 SUBDIVISIONS; SECTION 12-8-6 DESIGN STANDARDS FOR STORMWATER MANAGEMENT SYSTEM; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**Place on Regular Agenda.**

**REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)**

10. [21-00834](#) LEASE OF REAL PROPERTY FOR REDEVELOPMENT - UPLAND AND SUBMERGED LAND IN BAYLEN SLIP SOUTH OF HARBOURVIEW ON THE BAY BUILDING

**Recommendation:** That City Council authorize the Mayor to negotiate and execute a lease with Gulf Marine Construction Inc. for the redevelopment of upland and submerged real property (portion of Parcel Ref. No. 000S009100001034) located in the Baylen Slip inland waterway directly south of the Harbourview on the Bay building at 25 West Cedar Street.

Mayor Robinson (sponsor) commented on the proposal and responded accordingly to questions from Council Members.

**Place on Regular Agenda.**

11. [21-01013](#) GOYA DRIVE STREET LIGHTING PROJECT

**Recommendation:** That City Council authorize the use of the \$200,920 appropriated in the Street Lighting project in the Local Option Sales Tax for the Goya Drive Street Lighting project.

**Place on Regular Agenda.**

12. [21-01000](#) FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION - GREEN STORMWATER INFRASTRUCTURE PROGRAM GRANT AGREEMENT - BARRANCAS AVENUE, "E" STREET TO "L" STREET STORMWATER TREATMENT ENHANCEMENT PROJECT

**Recommendation:** That City Council approve and authorize the Mayor to accept and execute the Florida Department of Environmental Protection (FDEP) - Green Stormwater Infrastructure Grant Agreement in the amount of \$500,000.00 for the design, construction, and construction administration of the Barrancas Avenue, "E" Street to L Street Stormwater Treatment Enhancement Project, earmarked for inclusion of stormwater treatment methodology in the form of bioretention cells. Further, that City Council authorize the Mayor to take all actions necessary to execute the grant. Finally, that City Council adopt a supplemental budget resolution to appropriate the grant funds.

**Place on Regular Agenda.**

**REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)**

13. [2021-99](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-99- APPROPRIATING FUNDING FOR THE BARRANCAS AVENUE, E STREET TO L STREET STORMWATER TREATMENT ENHANCEMENT PROJECT.

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2021-99

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

**Place on Regular Agenda.**

14. [21-00924](#) INTERLOCAL AGREEMENT - ESCAMBIA COUNTY- RENOVATIONS TO ROGER SCOTT TENNIS CENTER

**Recommendation:** That City Council approve and authorize the Mayor to take all actions necessary to execute the Interlocal Agreement between the Escambia County Board of County Commissioners and the City of Pensacola relating to the funding of the renovation of the Roger Scott Tennis Center.

Discussion ensued with Mayor Robinson and Parks & Recreation Director Cooper responding accordingly to questions. During discussion, Parks & Recreation Director Cooper provided copies of an aerial map (on file with background materials).

**Place on Regular Agenda.**

15. [2021-94](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-94 - ESCAMBIA COUNTY - RENOVATIONS TO ROGER SCOTT TENNIS CENTER

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2021-94:

A RESOLUTION AUTHORIZING AND MAKING 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.)**

16. [2021-95](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-95 U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2021-95.

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

**Place on Regular Agenda.**

17. [2021-96](#) RESOLUTION NO. 2021-96 - LANDSCAPE CONSTRUCTION AND MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION

**Recommendation:** That City Council adopt Resolution No. 2021-96:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA AUTHORIZING A LANDSCAPE CONSTRUCTION AND MAINTENANCE MEMORANDUM OF AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION IN SUPPORT OF THE LANDSCAPE PLAN FOR PALMILLA APARTMENTS, LLC.

Council Executive Kraher noted copies of updated plans are at Council's places (on file with background materials).

**Place on Regular Agenda.**

18. [2021-97](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-97 - FLORIDA STATE FRATERNAL ORDER OF POLICE, INC (FOP) AND THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES (AFSCME) COLLECTIVE BARGAINING AGREEMENT

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2021-97.

A RESOLUTION AUTHORIZING AND MAKING 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.)**

19. [2021-98](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-98 - APPROPRIATING FUNDING FOR THE "I" STREET PIPE REHABILITATION PROJECT

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2021-98

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

**Place on Regular Agenda.**

20. [2021-91](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-91 - LAW ENFORCEMENT TRUST FUND (LETF) PURCHASES FOR THE PENSACOLA POLICE DEPARTMENT

**Recommendation:** That the City Council adopt Supplemental Budget Resolution No. 2021-91.

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

**Place on Regular Agenda.**

21. [2021-92](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-92 - FINAL AMENDMENT TO THE FISCAL YEAR 2021 BUDGET

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2021-92.

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 REGULAR AGENDA ITEMS (CONT'D.)**

22. [2021-89](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-89 - FY 2022 ENCUMBRANCE CARRYOVER BUDGET RESOLUTION

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2021-89.

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

**Place on Regular Agenda.**

23. [2021-102](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-102 - APPROPRIATING FUNDING FOR PARKS AND RECREATION LOST IV PROJECTS

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2021-102.

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

**Place on Regular Agenda.**

24. [44-21](#) PROPOSED ORDINANCE NO. 44-21 - AMENDMENT TO CITY CODE SECTION 14-2-136 - DEMOLITION

**Recommendation:** That City Council approve Proposed Ordinance No. 44-21 on first reading:

AN ORDINANCE AMENDING SECTION 14-2-136 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, ENHANCING NOTICE REQUIREMENTS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**Place on Regular Agenda.**

**REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)**

25. [46-21](#) PROPOSED ORDINANCE NO. 46-21 - NAMING CITY PROPERTY - CREATING A PROCESS FOR THE NAMING OF STRUCTURES, STREETS AND OTHER PUBLIC PLACES WITHIN THE CITY

**Recommendation:** That City Council adopt Proposed Ordinance No. 46-21 on second reading:

AN ORDINANCE AMENDING SECTION 2-3-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, NAMING CITY PROPERTY; PROVIDING FOR A PROCESS IN THE NAMING OF STRUCTURES, STREETS OR OTHER PUBLIC PLACES WITHIN THE CITY; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Some discussion took place (under Item 28, 21-01004) regarding the proposed amendment related to the process outlined in the language. Mayor Robinson and Deputy City Administrator Forte responded to comments and questions. Council Members Broughton and Myers (each) indicated they may have additional amendment to bring forward for consideration at the Council meeting (on 11/18).

**Place on Regular Agenda.**

26. [38-21](#) PROPOSED ORDINANCE NO. 38-21 - AMENDING SECTION 11-2-24 - PARKING FOR CERTAIN USES PROHIBITED OF THE CODE OF THE CITY OF PENSACOLA

**Recommendation:** That City Council adopt Proposed Ordinance No. 38-21 on second reading:

AN ORDINANCE AMENDING SECTION 11-2-24 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, PARKING FOR CERTAIN USES PROHIBITED; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**Place on Regular Agenda.**

**REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)**

27. [47-21](#) PROPOSED ORDINANCE NO. 47-21 VACATING PORTIONS OF A UTILITY EASEMENT ALONG A VACATED PORTION OF BAYOU TEXAR BOULEVARD

**Recommendation:** That City Council adopt Proposed Ordinance No. 47-21 on second reading:

AN ORDINANCE VACATING PORTIONS OF A UTILITY EASEMENT ALONG A VACATED PORTION OF BAYOU TEXAR BOULEVARD IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**Place on Regular Agenda.**

28. [21-01004](#) RENAMING A PORTION ZARRAGOZA STREET IN HONOR OF FRED LEVIN

**Recommendation:** That City Council approve a request to rename a portion of East Zarragoza Street from Palafox to Baylen St. in honor of Fred Levin, by renaming this portion as Fred Levin Way.

Some discussion took place (related to Item 25, Proposed Ordinance No. 46-21 being presented for second reading and adoption) regarding the proposed amendment to City Code Section 2-3-2 related to the process for naming of streets. Mayor Robinson and Deputy City Administrator Forte responded to comments and questions. Council Members Broughton and Myers (each) indicated they may have additional amendment to bring forward for consideration at the Council meeting (on 11/18).

**Place on Regular Agenda.**

**CONSIDERATION OF ANY ADD-ON ITEMS**

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

[21-01024](#) TRANSFERRING FUNDING IN RELATION TO THE AMERICAN RESCUE PLAN ACT (ARPA) FOR PREMIUM PAY

**A motion to add-on the item was made by Council Member Brahier and seconded by Council Member Jones.**

Mayor Robinson (sponsor) explained the intent of the item with City Administrator Fiddler elaborating. Some discussion took place. It was clarified that the urgency for adding the item to this agenda is to provide for payment to eligible employees prior to the holidays.

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

Upon conclusion of discussion, the vote was called **(to add-on Item 21-01024)**.

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

Yes: 7            Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins  
No: 0            None

**Council President Moore suggested the add-on item be placed on the consent agenda. *No objections.***

**DISCUSSION****29. [21-01011 OPERATIONS OF ROGER SCOTT TENNIS CENTER BY GULF COAST TENNIS GROUP, LLC](#)**

**Council Member Myers (sponsor) indicated the intent of this discussion is to seek more information on the operations of the tennis center by a for-profit business and suggested that Council Strategic Budget Planner Kruszona analyze the related financial information and report back to the Council (as outlined in the memorandum related to fees, revenue sources, maintenance, expenses, etc).** She referenced an agreement and memorandum of understanding between the City and Gulf Coast Tennis Group (GCTG), LLC (on file with background materials) and indicated the terms expired in 2020. She also referenced email correspondence with Finance Director Lovoy requesting additional financial information related to lease fees paid to the City (hardcopies provided at Council's places - - on file with background materials.

Mayor Robinson and Parks & Recreation Director Cooper responded to Council Member Myers' comments and **advised of current month-to-month operations of the tennis center as managed by GCTG and current negotiations with the intent to bring a new agreement for Council's consideration in the near future. Council Member Myers thanked them for the update on operations and indicated she would like Council Strategic Budget Planner Kruszona to have all financial information for analyzing and reporting to Council prior to Council's consideration of new terms.**

Discussion ensued among Council with Mayor Robinson and Parks & Recreation Director Cooper fielding comments and questions. Brock Sakey, owner of GCTG was in attendance and addressed Council. He responded accordingly to questions.

**READING OF ITEMS FOR COUNCIL AGENDA**

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

## COMMUNICATIONS

### CITY ADMINISTRATOR'S COMMUNICATION

City Administrator Fiddler thanked Council for permitting the add-on item to go forward on this agenda. He also wished everyone a Happy Thanksgiving.

Mayor Robinson advised of recent communications with the State of Florida related to the electric franchise agreement with Gulf Power requesting information on pricing, resiliency, and renewable energy for further Council discussions in January. **Council President Moore clarified a Council workshop (on the issue of a preliminary feasibility study on electric utility) is scheduled for December 8<sup>th</sup>.**

### CITY ATTORNEY'S COMMUNICATION

None

### CITY COUNCIL COMMUNICATION

Council President Moore referred to the special meeting Council held on November 10<sup>th</sup> which action was postponed on Item 21-00989 *Homelessness Reduction Proposals for American Rescue Plan Act (ARPA) Funding* and indicated he would like to schedule a follow-up special meeting on December 1<sup>st</sup>. Discussion ensued regarding individual Council Members' availability and issues related to the homeless encampment under the I-110 bridge within Hollice T. Williams Greenway. Mayor Robinson and Neighborhoods Administrator Powell also provided input. **Consensus among Council was to schedule the follow-up special meeting on Wednesday, December, 1<sup>st</sup> beginning at 5:30 P.M.**

City Administrator Fiddler introduced newly appointed Public Works and Facilities Director Amy Tootle.

### ADJOURNMENT

5:01 P.M.