



City of Pensacola

CITY COUNCIL AGENDA CONFERENCE

Meeting Minutes

September 11, 2017

3:38 P.M.

Hagler-Mason Conference Room

The agenda conference was called to order by Council President Spencer at 3:38 P.M.

ROLL CALL

Council Members Present: Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, Sherri Myers, Andy Terhaar, P.C. Wu,

Council Members Absent: Gerald Wingate

PRESENTATION ITEMS

None.

REVIEW OF CONSENT AGENDA ITEMS

1. [17-00505 PATRONS' DOG PERMIT - NICK'S BOATHOUSE](#)

Recommendation: That City Council approve the permit request for Nick's Boathouse, 455 W. Main St., to allow patrons' dogs at permitted food service establishments in accordance with Section 12-12-8 of the City Code.

Place on Consent Agenda.

2. [17-00351 DECLARATION OF SURPLUS PROPERTY AND METHOD OF DISPOSITION FOR 300 BLOCK HILARY STREET](#)

Recommendation: That City Council declare the City-owned unimproved real property located at 300 Block Hilary Street, Parcel Identification Number 000S009070041055, Account Number 152240000 as surplus and authorize its disposition using the direct negotiation option.

Council Member Myers expressed concerns and indicated she would like this item placed on the regular agenda. She also referenced a copy of a photo she provided to Council at their places (on file with background materials).

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS

3. [17-00481](#) PUBLIC HEARING - REQUEST TO VACATE RIGHT-OF-WAY - 1000 BLOCK EAST AVERY STREET

Recommendation: That City Council conduct a public hearing on September 14, 2017 to consider the request to vacate a portion of the East Avery Street right of way adjacent to property located at 1011 Fairnie Avenue.

Place on Regular Agenda.

4. [38-17](#) PROPOSED ORDINANCE NO. 38-17 VACATION OF RIGHT-OF-WAY - 1000 BLOCK OF EAST AVERY STREET

Recommendation: That City Council approve Proposed Ordinance No. 38-17 on first reading.

AN ORDINANCE CLOSING, ABANDONING AND VACATING A PORTION OF THE AVERY STREET RIGHT OF WAY; IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

5. [17-00480](#) QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - GIRARD PLACE PHASE I

Recommendation: That City Council conduct a quasi-judicial hearing on September 14, 2017 to consider approval of the final subdivision plat- Girard Place - Phase I.

Place on Regular Agenda.

6. [17-00520](#) SCHEDULE WORKSHOP FOR TRIUMPH FUNDS

Recommendation: That City Council schedule a workshop to discuss Triumph Gulf Coast Project Solicitation.

Place on Regular Agenda.

Some discussion took place among Council. Council Executive Kraher and City Administrator Olson (each) responded accordingly to questions

REVIEW OF REGULAR AGENDA ITEMS (CONT'D)7. [17-00521](#) ROAD RESURFACING MORATORIUM

Recommendation: That City Council place a 60 - day moratorium on the current street resurfacing projects currently underway and that all resurfacing projects cease immediately until the City Council hires an inspector to inspect work completed and report back to City Council. Further, that the City Council authorize the Council President to obtain the services of a qualified inspector.

Place on Regular Agenda.

8. [17-00522](#) PORT WAREHOUSE #1 LEASE AGREEMENT WITH OFFSHORE INLAND MARINE & OILFIELD SERVICES, INC.

Recommendation: That City Council take action to respond to the request from Offshore Inland Marine & Oilfield Services, Inc. (OIMO) to continue to accept OIMO's monthly payment of \$10,000 after September 30, 2017, to be credited toward the principal and accruing interest due under Section 5(a) of the amended Lease Agreement.

Place on Regular Agenda.

9. [17-00466](#) FLORIDA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT - ACQUISITION AND DEMOLITION SERVICES AT AIRPORT COMMERCE PARK

Recommendation: That City Council approve and authorize the Mayor to execute the acceptance of the Florida Department of Transportation Grant No. 44149419401 in the amount of \$1,396,069 for acquisition and demolition services at Airport Commerce Park at the Pensacola International Airport and to take all actions necessary relating to the finalization of the grant. Further, that City Council approve a supplemental budget resolution appropriating the grant funds; and also approve a resolution in support of the grant agreement.

Place on Regular Agenda.

10. [17-50](#) RESOLUTION NO. 17-50 - FLORIDA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT - ACQUISITION AND DEMOLITION SERVICES AT AIR COMMERCE PARK

Recommendation: That City Council approve Resolution No. 17-50.

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF PENSACOLA TO EXECUTE A JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE ACQUISITION AND DEMOLITION SERVICES IN THE PENSACOLA INTERNATIONAL AIRPORT AIR COMMERCE PARK; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D)

11. 17-49 SUPPLEMENTAL BUDGET RESOLUTION NO. 17-49 - FLORIDA DEPARTMENT OF TRANSPORTATION GRANT AGREEMENT - ACQUISITION AND DEMOLITION SERVICES AT AIR COMMERCE PARK

Recommendation: That City Council approve Supplemental Budget Resolution No. 17-49.

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

Place on Regular Agenda

12. 17-00489 FY18 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM: LOCAL SOLICITATION

Recommendation: The City Council approve and authorize the Mayor to execute the acceptance of the 2017 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: Local Solicitation, between the City of Pensacola and the U.S. Department of Justice, Office of Justice Programs in the amount of \$27,730 upon award of grant. Further, that City Council approve the supplemental budget resolution appropriating the grant funds.

Place on Regular Agenda.

13. 17-57 SUPPLEMENTAL BUDGET RESOLUTION NO. 17-57 - FY18 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM: LOCAL SOLICITATION.

Recommendation: City Council adopt supplemental Budget Resolution No. 17-57

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

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D)

14. [17-00506](#) FY18 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM: STATE

Recommendation: That City Council approve and authorize the Mayor to execute the acceptance of the FY18 Edward Byrne Memorial Justice Assistance Grant (JAG) State agreement between the City of Pensacola and the State of Florida Department of Law Enforcement (FDLE), Office of Criminal Justice Grants in the amount of \$62,000, upon award of the grant. Further, that City Council authorize the Mayor to take all actions necessary relating to the finalization of the grant. Also, that City Council approve the supplemental budget resolution appropriating the grant funds.

Place on Regular Agenda.

15. [17-58](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-58 - FY 18 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM: STATE

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-58.

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

Place on Regular Agenda.

16. [17-00507](#) ADMINISTRATIVE SERVICES INTERLOCAL AGREEMENT BETWEEN THE CITY OF PENSACOLA AND THE COMMUNITY REDEVELOPMENT AGENCY

Recommendation: That City Council approve an Interlocal Agreement for Administrative Services with the Community Redevelopment Agency.

Brief discussion took place whether to place this item on the consent agenda which Council Member Myers objected.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D)

17. [17-00509](#) URBAN CORE LANDSCAPE MAINTENANCE INTERLOCAL AGREEMENT BETWEEN THE CITY OF PENSACOLA AND THE COMMUNITY REDEVELOPMENT AGENCY

Recommendation: That City Council approve an Interlocal Agreement for Landscape, Park, Public Space Enhancement and Accessibility Improvement Maintenance Services with the Community Redevelopment Agency.

Brief discussion took place whether to place this item on the consent agenda. It was noted that the item could be moved to the consent agenda on Thursday, as a motion to amend under "Agenda Approval".

Place on Regular Agenda.

18. [17-00530](#) AWARD OF CONTRACT FOR SALE OF 120 WEST GOVERNMENT STREET

Recommendation: That City Council approve the award of contract for sale of the surplus CRA- owned property at 120 West Government Street to Steven P. Grimes and Paul A. Grimes or their permitted assigns in the amount of \$670,000 and authorize the CRA Chairperson to execute all documents necessary for the transfer.

Council Member Cannada-Wynn, sponsor, referenced hard copies of a memorandum revising the recommendation (due to a new appraisal) for this item. **Council President Spencer read the revised recommendation as follows:**

That City Council approve the award of contract for sale of surplus property located at 120 West Government Street to Steven P. Grimes and Norma Moreno Grimes, as Co-Trustees of the Steven P. Grimes and Norma Moreno Grimes Family Trust and Paul A. Grimes or permitted assigns in the amount of \$720,000. Further, that the City Council authorize the CRA Chairperson to execute all documents necessary for the sale of the property.

Council Member Terhaar suggested this item be placed on the consent agenda.

No objections

Place on Consent Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D)

19. [17-48](#) RESOLUTION NO. 17-48 - AUTHORIZING THE ISSUANCE OF AN AIRPORT REFUNDING REVENUE NOTE, SERIES 2017, IN THE PRINCIPAL AMOUNT OF \$6,300,000 TO REFUND THE CITY'S OUTSTANDING AIRPORT REVENUE NOTE, SERIES 2012.

Recommendation: That City Council adopt Resolution No. 17-48.

A RESOLUTION AUTHORIZING THE ISSUANCE BY THE CITY OF PENSACOLA, FLORIDA OF AN AIRPORT REFUNDING REVENUE NOTE, SERIES 2017, IN THE PRINCIPAL AMOUNT OF \$6,300,000 TO REFUND THE CITY'S OUTSTANDING AIRPORT REVENUE NOTE, SERIES 2012, WHICH NOTE FINANCED CERTAIN CAPITAL IMPROVEMENTS AT THE PENSACOLA INTERNATIONAL AIRPORT; PROVIDING FOR THE RIGHTS OF THE HOLDERS OF SUCH NOTE; PROVIDING FOR THE PAYMENT THEREOF; FIXING THE MATURITY, INTEREST RATE, PREPAYMENT PROVISIONS, AND OTHER DETAILS WITH RESPECT TO SUCH NOTE; MAKING CERTAIN OTHER COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; AWARDING THE SERIES 2017 NOTE; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

20. [17-51](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-51 - AMENDING THE FISCAL YEAR 2017 BUDGET

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-51.

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

Place on Regular Agenda.

21. [17-52](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-52 - AMENDING THE FISCAL YEAR 2017 BUDGET FOR THE DOWNTOWN IMPROVEMENT BOARD

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-52.

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

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D)

22. [17-60](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-60 - STATE OF FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY COMMUNITY PLANNING TECHNICAL ASSISTANCE GRANT - COMMUNITY REDEVELOPMENT AREA OVERLAY

Recommendation: That the City Council adopt Supplemental Budget Resolution No. 17-60.

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

Place on Regular Agenda.

23. [17-00524](#) RECODIFICATION OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA

Recommendation: That the City Council review and approve the Recodification of the Code of the City of Pensacola, Florida, prior to or at its November 9, 2017 meeting and authorize the Mayor to direct the code publisher, Municode Corporation of Tallahassee, Florida, to prepare a finalized Code for adoption by ordinance of the City Council.

Discussion took place among Council with City Administrator Olson fielding comments and questions. Special Assistant to the City Administrator Wells also addressed Council regarding staff's work on this project.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D)

24. [40-17](#) PROPOSED ORDINANCE NO. 40-17 PROVIDING FOR A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS AND PERMITS FOR THE INSTALLATION OF WIRELESS FACILITIES IN CITY RIGHTS-OF-WAY IN ORDER TO ALLOW AN OPPORTUNITY FOR THE CITY TO DEVELOP REGULATIONS CONSISTENT WITH THE "ADVANCED WIRELESS INFRASTRUCTURE DEPLOYMENT ACT"

Recommendation: That City Council approve Proposed Ordinance No. 40-17 on first reading.

AN ORDINANCE DECLARING, ESTABLISHING AND IMPOSING A TEMPORARY MORATORIUM WITHIN THE CITY OF PENSACOLA, FLORIDA ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS, AND ISSUANCE OF ANY PERMITS PERTAINING TO COLLOCATION ON EXISTING OR THE INSTALLATION OF NEW UTILITY POLES AND OTHER WIRELESS SUPPORT STRUCTURES IN THE RIGHT-OF-WAY TO SUPPORT SMALL WIRELESS FACILITIES OR MICRO WIRELESS FACILITIES FOR A PERIOD OF 120 DAYS, IN ORDER TO ALLOW AN OPPORTUNITY FOR THE CITY TO DEVELOP REGULATIONS CONSISTENT WITH CHAPTER 2017-136, LAWS OF FLORIDA, WHICH BECAME EFFECTIVE JULY 1, 2017; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Place on Regular Agenda.

25. [24-17](#) PROPOSED ORDINANCE NO. 24-17 - REPEALING SECTION 8-1-28 - REGULATION OF CONDUCT IN THE DOWNTOWN VISITORS' DISTRICT

Recommendation: That City Council adopt Proposed Ordinance No. 24-17, repealing Section 8-1-28 of the City Code on second reading.

AN ORDINANCE REPEALING SECTION 8-1-28 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, REGULATION OF CONDUCT IN THE DOWNTOWN VISITORS' DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D)

26. [32-17](#) PROPOSED ORDINANCE NO. 32-17 - REQUEST FOR ZONING MAP AMENDMENT - 109 N. A STREET

Recommendation: That City Council adopt Proposed Ordinance No. 32-17 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; REPEALING CLAUSE AND EFFECTIVE DATE.

Place on Regular Agenda.

27. [33-17](#) PROPOSED ORDINANCE NO. 33-17 - REQUEST FOR FUTURE LAND USE MAP AMENDMENT - 109 N. A STREET

Recommendation: That City Council adopt Proposed Ordinance No. 33-17 on second 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.

28. [34-17](#) PROPOSED ORDINANCE NO. 34-17, AMENDMENT TO SECTION 10-4-19 - SCHEDULE OF GAS RATES AND CHARGES

Recommendation: That City Council adopt Proposed Ordinance No. 34-17 on second reading.

AN ORDINANCE AMENDING SECTION 10-4-19 OF THE CODE OF THE CITY OF PENSACOLA ENTITLED: "SCHEDULE OF RATES AND CHARGES"; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE

Place on Regular Agenda.

FOR DISCUSSION

29. [17-00496](#) DISCUSSION REGARDING ESTABLISHMENT, NAMING AND PRESERVATION OF HISTORICAL RESOURCES - SELECTION OF DATE FOR SPECIAL COUNCIL MEETING FOR PUBLIC INPUT (IF DESIRED)

Place for Discussion.

30. [17-00526](#) EMERALD COAST UTILITY AUTHORITY (ECUA) PROPOSED STORAGE TANKS

Place for Discussion.**INFORMATIONAL ITEMS**

None.

CONSIDERATION OF ANY ADD-ON ITEMS

City Administrator Olson presented (hardcopies) of the following items for Council to consider adding to the September 14th agenda:

[17-00511](#) AWARD OF CONTRACT - BID #17-045 - PENSACOLA FIRE STATION #3 PROJECT

Recommendation: That City Council award a contract for Invitation to Bid #17-045, construction of the Pensacola Fire Station #3 Project to A.E. New., Jr., Inc., of Pensacola, Florida, the lowest and most responsible bidder with a base bid of \$3,124,000, plus Additive Alternate #1 of \$70,000, plus a 5% contingency of \$159,700 for a total amount of \$3,353,700. Further, that City Council adopt a supplemental budget resolution.

City Administrator Olson indicated they were not able to make the agenda conference deadline due to waiting on the closing of bids.

A motion to add this item to the regular agenda was made by Council Member Terhaar and seconded by Council Member Cannada-Wynn.

Chief Financial Officer Barker responded accordingly to questions regarding funding.

The motion carried by the following vote:

Yes: 6 Brian Spencer, Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, P.C.
 Wu, Sherri Myers
No: 0 None

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

17-61 SUPPLEMENTAL BUDGET RESOLUTION NO. 17-61 - LOST IV - FIRE STATION #3

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-61.

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

A motion to add this item to the regular agenda was made by Council Member Terhaar and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 6 Brian Spencer, Andy Terhaar, Jewel Cannada-Wynn, Larry Johnson, P.C.
 Wu, Sherri Myers
No: 0 None

READING OF ITEMS FOR COUNCIL AGENDA

City Clerk Burnett read the items as presented above.

No objections.

COMMUNICATIONS**31. [17-00158 CITY ADMINISTRATOR COMMUNICATION](#)**

- David Penzone, City Consultant provided an overhead presentation (on file with background materials) updating Council on the VT/MAE Project at the Airport. He responded accordingly to questions of Council Members.
- Airport Director Flynn provided an overhead presentation on file with background materials) updating Council on Airport operations and revenues. He responded accordingly to questions of Council Members.
- City Administrator Olson provided a verbal update to Council advising of the City's response and correspondence for assistance in the wake since Hurricane Irma which impacted much of the state (except for Pensacola).

CITY ATTORNEY'S COMMUNICATION

None.

COMMUNICATIONS (CONT'D.)

33. [17-00149 MONTHLY FINANCIAL REPORT – AUGUST 2017 - CHIEF FINANCIAL OFFICER RICHARD BARKER, JR.](#)

Chief Financial Officer Barker provided an overhead presentation (on file with background materials) and responded accordingly to questions.

34. [17-00492 QUARTERLY FINANCIAL REPORT - NINE MONTHS ENDING JUNE 30, 2017 - CHIEF FINANCIAL OFFICER RICHARD BARKER, JR.](#)

Chief Financial Officer Barker provided an overhead (on file with background materials) presentation and responded accordingly to questions.

32. [17-00201 MONTHLY CRIME REPORT – AUGUST 2017 – POLICE CHIEF TOMMI LYTER](#)

Police Chief Lyter provided an overhead (on file with background materials) presentation and responded accordingly to questions.

CITY COUNCIL COMMUNICATION

None.

ADJOURNMENT

6:10 P.M.