



City of Pensacola

City Council

Agenda - Final

Thursday, January 19, 2023, 5:30 PM

Council Chambers, 1st Floor

The meeting can be watched via live stream at cityofpensacola.com/video.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

Council Member Jennifer Brahier

FIRST LEROY BOYD FORUM

AWARDS

APPROVAL OF MINUTES

1. [23-00083](#) APPROVAL OF MINUTES: REGULAR MEETING DATED DECEMBER 15, 2022

Attachments: [Draft: Regular Meeting Dated 12/15/2022](#)

APPROVAL OF AGENDA

CONSENT AGENDA

2. [23-00005](#) AWARD OF CONTRACT - BID #23-002 PORT OF PENSACOLA ASPHALT PAVING PROJECT
- Recommendation:** That City Council award a contract for ITB #23-002 Port of Pensacola Asphalt Paving Project to C.W. Roberts Contracting Inc. of Pensacola, Florida, the lowest and most responsible bidder, with a base bid of \$254,000 plus a 10% contingency of \$25,400 for a total of \$279,400.00. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer this contract and complete this work, consistent with the bid, contracting documents, and the Mayor's Executive Powers as granted in the City Charter.
- Sponsors:** D.C. Reeves
- Attachments:** [Bid Tabulation, Bid No. 23-002](#)
[Final Vendor Reference List, Bid No. 23-002](#)
3. [23-00021](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL PRESIDENT DELARIAN WIGGINS - DISTRICT 7
- Recommendation:** That City Council approve funding of \$500 to Project Empower of Northwest Florida and \$500 to the Leadership Pensacola Class of 2023 from the City Council Discretionary Funds for District 7.
- Sponsors:** Delarian Wiggins
4. [23-00050](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER CHARLES BARE - DISTRICT 2
- Recommendation:** That City Council approve funding of \$1,000 to the Veteran's Memorial Park Foundation for the Military War Dog Memorial, \$500 to the Bream Fisherman's Association, \$500 to ARC Gateway and \$500 to the Ronald McDonald House Charities of Northwest Florida from the City Council Discretionary Funds for District 2.
- Sponsors:** Charles Bare
5. [23-00052](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER ALLISON PATTON - DISTRICT 6
- Recommendation:** That City Council approve funding of \$300 to Opening Doors Northwest Florida to purchase items needed for the National Street and Shelter Point-In-Time Count Program from the City Council Discretionary Funds for District 6.
- Sponsors:** Allison Patton

6. [23-00022](#) APPOINTMENT - BOARD OF TRUSTEES-FIREFIGHTERS' RELIEF AND PENSION FUND
- Recommendation:** That City Council appoint one individual to the Board of Trustees-Firefighters' Relief and Pension Fund for a term of two years, expiring December 31, 2024.
- Sponsors:** Delarian Wiggins
- Attachments:** [Member List](#)
[Application of Interest - Veronica Dias](#)
[Resume - Veronica Dias](#)
[Ballot](#)

REGULAR AGENDA

7. [23-00038](#) FIRST AMENDMENT TO FLORIDA PUBLIC UTILITIES COMPANY GAS TRANSPORTATION SERVICE AGREEMENT
- Recommendation:** That City Council approve the First Amendment to Florida Public Utilities Company Gas Transportation Service Agreement between the City of Pensacola and Florida Public Utilities (FPU). Further, that City Council authorize the Mayor to take the actions necessary to execute and administer this First Amendment to Florida Public Utilities Company Gas Transportation Service Agreement, consistent with the terms of the agreement and the Mayor's Executive Powers as granted in the City Charter.
- Sponsors:** D.C. Reeves
- Attachments:** [First Amendment To FPU Gas Transportation Service Agreement](#)
8. [23-00030](#) SITE LEASE AND NATURAL GAS SUPPLY AGREEMENT WITH EMERALD COAST UTILITIES AUTHORITY
- Recommendation:** That City Council approve the Site Lease and Natural Gas Supply Agreement between the City of Pensacola and Emerald Coast Utilities Authority (ECUA). Further, that City Council authorize the Mayor to take actions necessary to execute and administer this Site Lease and Natural Gas Supply Agreement, consistent with the terms of the agreement and the Mayor's Executive Powers as granted in the City Charter.
- Sponsors:** D.C. Reeves
- Attachments:** [Site Lease and Natural Gas Supply Agreement](#)

9. [23-00014](#) CONSENT TO MAYOR'S APPOINTMENT OF DARRYL SINGLETON, DIRECTOR OF PENSACOLA ENERGY
- Recommendation:** That City Council consent to the Mayor's appointment of Darryl Singleton to the position of Director of Pensacola Energy.
- Sponsors:** D.C. Reeves
- Attachments:** [Darryl Singleton Resume](#)
10. [23-00019](#) QUASI-JUDICIAL HEARING - REQUEST FOR A CONDITIONAL USE PERMIT - UNITY CHURCH OF CHRISTIANITY - 716 NORTH 9TH AVENUE
- Recommendation:** That City Council conduct a Quasi-Judicial Hearing on January 19, 2023 to consider the request for a Conditional Use Permit to convert the existing structure at 716 North 9th Avenue into an event and meeting facility.
- Sponsors:** D.C. Reeves
- Attachments:** [Unity Church - 716 N 9th Ave Conditional Use Permit Application](#)
[Planning Board Minutes December 13 2022 DRAFT](#)
[Sec.12-3-107 Conditional Use Permit](#)
11. [23-00026](#) APPROVAL OF AMENDED AND RESTATED LEASE AGREEMENT MALCOLM YONGE GYMNASIUM - 900 EAST JACKSON STREET
- Recommendation:** That City Council approve the Amended and Restated Lease Agreement between the City of Pensacola and the Lighthouse Private Christian Academy, Inc. for the Malcolm Yonge Gymnasium at 900 East Jackson Street. Further, that City Council authorize the Mayor to take the action necessary to execute and administer this Amendment, consistent with the terms and of the agreement and the Mayor's Executive Powers as granted in the City Charter.
- Sponsors:** D.C. Reeves
- Attachments:** [Amended and Restated Lease Agreement of Malcolm Yonge Gymna](#)
[Map Location - 2022 Block 82](#)
[221223 Ex A Overall](#)
[221223 Ex A Overall with aerial](#)
[221223 Ex A-1 Lots 5 & 6](#)
[221223 Ex A-1 Lots 7-14](#)
[221223 Ex A-1 Lots 15-16](#)

12. [23-00010](#) APPROVAL TO USE TREE PLANTING TRUST FUNDING FOR THE REMOVAL OF TREES ON CITY RIGHTS-OF-WAY OR PUBLIC PROPERTY THAT HAVE BECOME HAZARDOUS TO PERSONS AND/OR PROPERTY AND INSTALLATION OF NEW PLANTINGS
- Recommendation:** That City Council authorize the Parks and Recreation Department the approval to use Tree Planting Trust Funding for the removal of trees that have become hazardous to persons and/or property, and installation of a new tree at or near the location of the removed tree.
- Sponsors:** D.C. Reeves
- Attachments:** [Parks and Recreation Tree Removal List](#)
13. [23-00013](#) APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH FIRST CITY FOOTBALL CLUB FOR THE USE OF THE PENSACOLA TECHNOLOGY PARK FIELD
- Recommendation:** That the City Council approve a Memorandum of Understanding (MOU) with the First City Football Club and the City of Pensacola Parks and Recreation Department to establish the terms and responsibilities of both parties as to the use of the Pensacola Technology Park Field for organized youth sports practice. Further, that City Council authorize the Mayor to take the action necessary to execute and administer this memorandum of understanding, consistent with the terms of the agreement and the Mayor's Executive Powers as granted in the City Charter.
- Sponsors:** D.C. Reeves
- Attachments:** [MOU - First City Football Club, Inc.](#)
14. [23-00015](#) APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH PURE PILATES
- Recommendation:** That the City council approve a Memorandum of Understanding (MOU) with Pure Pilates to establish terms and the responsibilities of both parties as to the use of City owned facilities by the provider. Further, that City Council authorize the Mayor to take the action necessary to execute and administer this MOU, consistent with the terms of the agreement and the Mayor's Executive Powers as granted in the City Charter.
- Sponsors:** D.C. Reeves
- Attachments:** [Memorandum of Understanding - Pure Pilates](#)
[UPDATED VERSION: Memorandum of Understanding - Pure Pilates](#)

15. [23-00025](#) APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH BREATHE YOGA AND WELLNESS CENTER, LLC.
- Recommendation:** That the City council approve a Memorandum of Understanding (MOU) with Breathe Yoga and Wellness Center, LLC., to establish the responsibilities of both parties and to establish clear terms as to the use of City owned facilities by the provider. Further, that City Council authorize the Mayor to take the action necessary to execute and administer this MOU, consistent with the terms of the agreement and the Mayor's Executive Powers as granted in the City Charter.
- Sponsors:** D.C. Reeves
- Attachments:** [MOU - Breathe Yoga and Wellness Center, LLC](#)
[UPDATED VERSION: MOU - Breathe Yoga and Wellness Center, Li](#)
16. [23-00057](#) AMENDMENT NO. 1 TO INTERLOCAL AGREEMENT FOR COMMUNITY POLICING FOR FISCAL YEAR 2023
- Recommendation:** That the City Council approve Amendment No. 1 to the Interlocal Agreement for Community Policing for the Fiscal Year 2023 with the City of Pensacola to increase the allocation to an amount not to exceed \$291,700 to increase police presence within the Urban Core Community Redevelopment Area, particularly during night and weekend hours
- Sponsors:** Teniade Broughton
- Attachments:** [FY2023 Interlocal Agreement for Community Policing](#)
[Amendment No. 1 to FY2023 Interlocal Agreement for Community P](#)
17. [23-00023](#) WORKSHOP REGARDING SHORT TERM RENTALS
- Recommendation:** That City Council schedule a workshop with the topic being Short Term Rentals. Further that the Council President and Council Executive schedule the workshop at the earliest possible convenience.
- Sponsors:** Charles Bare

18. [2023-008](#) RESOLUTION 2023-008 - PROVIDING FOR THE REMOVAL OF A BOARD MEMBER FROM THE WESTSIDE REDEVELOPMENT BOARD

Recommendation: That City Council adopt Resolution 2023-008.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA; PROVIDING FOR THE REMOVAL OF A BOARD MEMBER FROM THE WESTSIDE REDEVELOPMENT BOARD; PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Delarian Wiggins

Attachments: [Resolution No. 2023-008](#)
[Letter - Westside Redevelopment Board Absences](#)
[Letter of Notification - Removal from Westside Redevelopment Board](#)

19. [2023-004](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2023-004 - FY 2023 NON-ENCUMBERED CARRYOVER BUDGET RESOLUTION

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2023-004.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023; PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: D.C. Reeves

Attachments: [Supplemental Budget Resolution No. 2023-004](#)
[Supplemental Budget Explanation No. 2023-004](#)
[Jan CO items - Breakdown No. 2023-004](#)

20. [2023-003](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2023-003 - LAW ENFORCEMENT TRUST FUND (LETF) PURCHASES FOR THE PENSACOLA POLICE DEPARTMENT

Recommendation: That the City Council adopt Supplemental Budget Resolution No. 2023-003.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023; PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: D.C. Reeves

Attachments: [Supplemental Budget Resolution No. 2023-003](#)
[Supplemental Budget Explanation No. 2023-003](#)
[Letter of Certification](#)

21. [2023-002](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2023-002 - PROCEEDS FROM AMENDED INTERLOCAL AGREEMENT WITH ESCAMBIA COUNTY FOR LIBRARY SERVICES

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2023-002:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023; PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: D.C. Reeves

Attachments: [Supplemental Budget Resolution No. 2023-002.pdf](#)
[Supplemental Budget Explanation No. 2023-002.pdf](#)

22. [23-00035](#) AWARD CONTRACT TO REPLACE (5) HVAC UNITS AT THE TRYON BRANCH LIBRARY.

Recommendation: That City Council award this contract to the Wright Company the lowest and best responsible respondent, for a base quote of \$72,680.00 plus 10 % contingency in the amount of \$7,268.00 for a total contract price of \$79,948.00. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer this contract and complete this work, consistent with the bid, contracting documents, and the Mayor's Executive Powers as granted in the City Charter.

Sponsors: D.C. Reeves

Attachments: [Library Interlocal Agreement](#)
[Amendment to Interlocal Agreement - West Florida Public Library System](#)
[The Write Company - Tryon Library -Proposal to replace 5 HVAC systems](#)

23. [56-22](#) PROPOSED ORDINANCE NO. 56-22 AMENDING SECTION 6-3-2 OF THE CITY CODE - PROHIBITING SMOKING AND USE OF VAPOR-GENERATING DEVICES WITHIN PUBLIC PARKS
- Recommendation:* That City Council adopt Proposed Ordinance No. 56-22 on second reading.
- AN ORDINANCE AMENDING SECTION 6-3-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROHIBITING SMOKING AND USE OF VAPOR-GENERATING DEVICES WITHIN CITY OF PENSACOLA PUBLIC PARKS; PROVIDING GRAMMATICAL AMENDMENT CLARIFYING (a); PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
- Sponsors:* D.C. Reeves, Casey Jones
- Attachments:* [Proposed Ordinance No. 56-22](#)
[Part II of Chapter 386, Florida Statutes](#)
[Amendment Proposed by Council Member Bare on first reading](#)
[REVISED Proposed Ordinance No. 56-22](#)
[LETTER OF SUPPORT ON BEHALF OF EAB](#)
[PROOF OF PUBLICATION ORD 2ND READING](#)
24. [57-22](#) PROPOSED ORDINANCE NO. 57-22 - AMENDING SECTION 9-3-3 - RELATED TO ADDING JUNETEENTH AND PRESIDENTS' DAY TO THE OFFICIAL HOLIDAYS OBSERVED BY THE CITY
- Recommendation:* That City Council adopt Proposed Ordinance No. 57-22 on second reading.
- AN ORDINANCE AMENDING SECTION 9-3-3 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; ADDING JUNETEENTH AND PRESIDENTS' DAY TO THE OFFICIAL HOLIDAYS OBSERVED BY THE CITY; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
- Sponsors:* D.C. Reeves
- Attachments:* [Proposed Ordinance No. 57-22](#)
[Tentative Agreement - AFSCME](#)
[Memorandum of Agreement - Police Sergeants](#)
[Memorandum of Agreement - Police Lieutenants](#)
[PROOF OF PUBLICATION ORD 2ND READING](#)

COUNCIL EXECUTIVE'S REPORT

MAYOR'S COMMUNICATION

COUNCIL COMMUNICATIONS & CIVIC ANNOUNCEMENTS**SECOND LEROY BOYD FORUM****ADJOURNMENT**

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

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.