



City of Pensacola

Agenda Conference

Agenda - Final

Monday, July 16, 2018, 3:30 PM

Hagler-Mason Conference Room,
2nd Floor

ROLL CALL

PRESENTATION ITEMS

1. [18-27](#) RESOLUTION NO. 18-27 - A RESOLUTION RECOGNIZING THE 28TH ANNIVERSARY OF THE PASSAGE OF THE AMERICANS WITH DISABILITIES ACT AND THE CONTRIBUTIONS OF PEOPLE WITH DISABILITIES IN THE CITY OF PENSACOLA

Recommendation: That City Council adopt Resolution No. 18-27.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA, RECOGNIZING THE 28TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT AND THE CONTRIBUTIONS OF PEOPLE WITH DISABILITIES IN THE CITY OF PENSACOLA AND DESIGNATING JULY 26, 2018, AMERICANS WITH DISABILITIES ACT AWARENESS DAY.

Sponsors: Sherri Myers

Attachments: [Resolution No. 18-27](#)

REVIEW OF CONSENT AGENDA ITEMS

2. [18-00178](#) AWARD OF BID #18-018 WOODCLIFF DRIVE AT LIVINGSTON
OUTFALL STORMWATER TREATMENT ENHANCEMENT PROJECT

Recommendation: That City Council award Bid #18-018 Woodcliff Drive at Livingston Outfall Stormwater Treatment Enhancement Project to B&W Utilities Inc., of Pensacola, Florida, the lowest and most responsible bidder with a base bid of \$354,556.20, plus alternate #1 of \$8,730.00, plus 10% contingency of \$36,328.62 for a total amount of \$399,614.82. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

Sponsors: Ashton J. Hayward, III

Attachments: [Bid Tabulation, Bid No. 18-018](#)
[Final Vendor Reference List, Bid No. 18-018](#)
[Map, Woodcliff Drive at Livingston Outfall Stormwater Treatment Enhance](#)

3. [18-00215](#) ASSIGNMENT OF LEASE FROM SUMMIT GOLF, INC. TO FLIGHTLINE
GOLF, LLC AND AMEMDMENT TO LEASE AND OPERATING
AGREEMENT

Recommendation: That City Council consent to the assignment of the lease and operating agreement for the driving range at the Pensacola International Airport from Summit Golf, Inc. to Flightline Golf, LLC. Further, that City Council consent to the amendment to the lease and operating agreement. Finally, that Council authorize the Mayor to take all actions necessary to execute the Consent Agreement and the Lease Amendment.

Sponsors: Ashton J. Hayward, III, Andy Terhaar

Attachments: [Consent By Lessor](#)
[First Amendment to Lease and Operating Agreement, Flight Line Golf, LLC](#)

4. [18-00247](#) CITY OF PENSACOLA FY 2018-2019 COMMUNITY DEVELOPMENT
BLOCK GRANT (CDBG) ANNUAL ACTION PLAN AND HOME
INVESTMENT PARTNERSHIPS ACT (HOME) PROGRAM BUDGET AND
ACTIVITIY SUMMARY

Recommendation: That City Council approve the FY 2018-2019 CDBG Annual Action Plan for the period October 1, 2018 through September 30, 2019, for submission to U. S. Department of Housing and Urban Development, and the City of Pensacola 2018-2019 CDBG and HOME Programs Proposed Budgets and Activities Summary. Further, that City Council authorize the Mayor to execute all documents relating to the programs' administration.

Sponsors: Ashton J. Hayward, III

Attachments: [City of Pensacola FY 2018-2019 CDBG Annual Action Plan](#)
[City of Pensacola FY 2018-2019 CDBG and HOME Programs Proposed Bu](#)

5. [18-00250](#) APPOINTMENTS - ZONING BOARD OF ADJUSTMENT
- Recommendation:** That City Council appoint two (2) individuals that are residents or property owners of the City to the Zoning Board of Adjustments for a term of three (3) years, expiring July 14, 2021.
- Sponsors:** Gerald Wingate
- Attachments:** [Member List](#)
[Nomination Form - Steven Sebold](#)
[Application of Interest - Steven Sebold](#)
[Application of Interest - Troy Stepherson](#)
[Ballot](#)
6. [18-00248](#) RE-APPOINTMENT TO THE DOWNTOWN IMPROVEMENT BOARD (DIB)
- Recommendation:** That the City Council affirm the Mayor's re-appointment of John Peacock to the Downtown Improvement Board (DIB) for a term of three years expiring June 30, 2021.
- Sponsors:** Ashton J. Hayward, III
- Attachments:** [Mayoral Letter Reappointing John Peacock to DIB](#)
7. [18-00256](#) AWARD OF CONTRACT TO AE NEW, JR., INC. FOR INVITATION TO BID (ITB) #18-022 BAYVIEW SENIOR CENTER REPAIRS AND RENOVATIONS
- Recommendation:** That City Council award a contract to AE New, Jr., Inc. for Bayview Senior Center Repairs and Renovations for \$252,000.00 plus a 10% contingency of \$25,200.00 for a total amount of \$277,200.00. Further, that City Council authorize the Mayor to execute all contracts, related documents, and take all related actions necessary to complete the project.
- Sponsors:** Ashton J. Hayward, III
- Attachments:** [Bid No. 18-022 Tabulation of Bids](#)
[Bid No. 18-022 Vendor Reference List](#)

8. [18-00259](#) AWARD OF BID #18-017 - BROWNFIELDS CLEANUP OF SUBMERGED LANDS FOR THE CITY OF PENSACOLA
- Recommendation:** That City Council award a contract for Brownsfield Cleanup of Submerged Land for the City of Pensacola to H.G. Harders & Son, Inc. of Panama City, Florida, the lowest and most responsible bidder with a base bid of \$394,552, calculated at a daily rate of \$11,796 for a 18 days, plus mobilization of \$40,672 with a not to exceed cost of \$253,000 for piling debris removal in Pensacola Bay south of Community Maritime Park, contingent upon receipt of all required permits. Further, that City Council authorize the Mayor to execute the contract and take all action necessary to complete the project.
- Sponsors:** Ashton J. Hayward, III
- Attachments:** [Bid Tabulation Bid No. 18-017](#)
[Final Vendor Reference List Bid No. 18-017](#)
9. [18-00261](#) AWARD OF CONTRACTS RFP #18-012 THREE (3) YEAR PREPOSITION CONTRACT FOR DISASTER DEBRIS MANAGEMENT SERVICES
- Recommendation:** That City Council approve the ranking of the selection committee for RFP #18-012 “Three (3) Year Prepositioned Contract for Disaster Debris Management Services,” with D & J Enterprises, Inc. of Auburn, Alabama submitting the best proposal. Further, that Council award the primary contract for the disaster debris management services to D & J Enterprises Inc., and that secondary contracts be awarded to Crowder Gulf Joint Venture, Inc. and Phillips & Jordan, Inc. in the event D & J Enterprises is unable to perform the required services or in the event circumstances require more than one firm to adequately respond to a disaster. Finally, that City Council authorize the Mayor to execute a contract with each named firm and take all related actions necessary to respond to any disaster or emergency.
- Sponsors:** Ashton J. Hayward, III
- Attachments:** [Selection Committee Scoring Matrix](#)
[RFP Pricing Tab](#)
[Final Vendor Reference List](#)

REVIEW OF REGULAR AGENDA ITEMS (Sponsor)

10. [18-00267](#) APPOINTMENT OF DIRECTOR OF SANITATION SERVICES/FLEET MANAGEMENT
- Recommendation:** That City Council consent to the appointment of Dennis Fleming as Director of Sanitation Services/Fleet Management.
- Sponsors:** Ashton J. Hayward, III
- Attachments:** [Resume for Dennis Fleming Dated June 2018](#)

11. [18-00182](#) PUBLIC HEARING: PROPOSED AMENDMENT TO LAND DEVELOPMENT CODE SECTION 12-2-10 (C)(4)(B) HISTORIC AND PRESERVATION LAND USE DISTRICT ; OLD EAST HILL PRESERVATION ZONING DISTRICT; USES PERMITTED; OEHC-1 NEIGHBORHOOD COMMERCIAL DISTRICT.

Recommendation: That City Council conduct the second of two required public hearings on July 19, 2018 to consider the proposed amendment to the Land Development Code Section 12-2-10 (C)(4)(b) Historic and Preservation Land Use District; Old East Hill Preservation Zoning District; Uses Permitted; OEHC-1, Neighborhood Commercial District.

Sponsors: Ashton J. Hayward, III

Attachments: [Applicant's Request, LDC Amendment 12-2-10, Dr. Laura Hall](#)
[GIS Map of Impacted Commercial Districts in Old East Hill](#)
[Correspondence from Citizens, LDC Amendment 12-2-10, Dr. Laura Hall](#)
[Ruling from Code Enforcement Authority, 805 E. Gadsden, Dr. Laura Hall](#)
[April 10, 2018 Planning Board Minutes](#)
[Proposed Ordinance](#)
[1st PROOF OF PUBLICATION FOR INITIAL 1ST PUBLIC HEARING WH](#)
[EMAILING CORRESPONDENCE AND INFO PACKET - OEH NEIGHBOH](#)
[EMAIL CORRESPONDENCE FROM SUSAN AND DANNY AGNEW](#)
[EMAIL CORRESPONDENCE AND INFO PACKET FROM AMBER HOVE](#)
[EMAIL CORRESPONDENCE FROM BARRY GOODSON](#)
[EMAIL CORRESPONDENCE FROM DAVID G KELLEY](#)
[EMAIL CORRESPONDENCE FROM DIANNE KRUMEL](#)
[EMAIL FROM DIANA BARNES](#)
[EMAIL FROM JEANNE HAGAN](#)
[EMAIL FROM RICHARD BAILEY](#)
[EMAIL FROM TIMOTHY WILSON](#)
[LETTER FROM MATTHEW AHEARN](#)
[2nd PROOF OF PUBLICATION FOR PUBLIC HEARING.pdf](#)
[ADDITIONAL EMAIL FROM DIANA BARNES - 2ND HEARING](#)
[ADDITIONAL EMAIL FROM LOU COURTNEY - 2ND HEARING](#)
[ADDITIONAL EMAIL FROM MICHAEL COURTNEY - 2ND HEARING](#)
[EMAIL FROM MARIA HANELL - 2ND HEARING](#)
[EMAIL FROM MILES SAMPSON - 2ND HEARING](#)
[EMAIL FROM PATRICIA MCGRATH - 2ND HEARING](#)
[LETTERS TO EACH CC MEMBER FROM JERRY GILL](#)
[ADDITIONAL EMAIL FROM AMBER HOVERSON - 2ND HEARING](#)
[3rd PROOF OF PUBLICATION](#)

12. [11-18](#) PROPOSED ORDINANCE NO. 11-18 - AMENDING LAND DEVELOPMENT CODE SECTION 12-2-10 (C)(4)(B) HISTORIC AND PRESERVATION LAND USE DISTRICT; OLD EAST HILL PRESERVATION ZONING DISTRICT; USES PERMITTED; OEHC-1 NEIGHBORHOOD COMMERCIAL DISTRICT

Recommendation: That City Council approve Proposed Ordinance No. 11-18 on first reading.

AN ORDINANCE AMENDING SECTION 12-2-10 (C)(4)(b) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE HISTORIC AND PRESERVATION LAND USE DISTRICT; OLD EAST HILL PRESERVATION ZONING DISTRICT; USES PERMITTED; OEHC-1 NEIGHBORHOOD COMMERCIAL DISTRICT PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Proposed Ordinance No. 11-18](#)
[Applicant's Request, LDC Amendment 12-2-10, Dr. Laura Hall](#)
[GIS Map of Impacted Commercial Districts in Old East Hill](#)
[Coorespondence from Citizens, LDC Amendment 12-2-10, Dr. Laura Hall](#)
[Ruling from Code Enforcement Authority, 805 E. Gadsden, Dr. Laura Hall](#)
[April 10, 2018 Planning Board Minutes](#)

13. [18-00251](#) PUBLIC HEARING: REQUEST TO VACATE RIGHT-OF-WAY - 1600 BLOCK OF NORTH 18TH AVENUE

Recommendation: That City Council conduct a public hearing on July 19, 2018 to consider the request to vacate a portion of the 1600 Block of North 18th Avenue between Moreno and Mallory Streets.

Sponsors: Ashton J. Hayward, III

Attachments: [Vacation of Right-of-Way Application, 18th Avenue, dated May 11, 2018](#)
[Right-of-Way Map, 18th Avenue Right-of-Way Vacation Request](#)
[June 12, 2018 Planning Board Minutes](#)
[Technical Comments, 18th Avenue Right-of-Way Vacation Request](#)
[Citizen Comments, 18th Avenue Right-of-Way Vacation Request](#)
[Neighbor Petition, 18th Avenue Right-of-Way Vacation Request](#)
[Proposed Ordinance](#)
[PROOF OF PUBLICATION](#)

14. [12-18](#) PROPOSED ORDINANCE NO. 12-18 - VACATION OF RIGHT-OF-WAY
1600 BLOCK OF NORTH 18TH AVENUE

Recommendation: That City Council approve Proposed Ordinance No. 12-18 on first reading.

AN ORDINANCE CLOSING, ABANDONING AND VACATING A PORTION OF THE 1600 BLOCK OF NORTH 18TH AVENUE RIGHT OF WAY; IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Proposed Ordinance No. 12-18](#)
[Vacation of Right-of-Way Application, 18th Avenue, dated May 11, 2018](#)
[Right-of-Way Map, 18th Avenue Right-of-Way Vacation Request](#)
[June 12, 2018 Planning Board Minutes](#)
[Technical Comments, 18th Avenue Right-of-Way Vacation Request](#)
[Citizen Comments, 18th Avenue Right-of-Way Vacation Request](#)
[Neighbor Petition, 18th Avenue Right-of-Way Vacation Request](#)

15. [18-00270](#) LEASE AGREEMENT FOR PORT WAREHOUE #9 AND #10

Recommendation: That City Council authorize the Mayor to negotiate and execute a lease agreement for Port Warehouse #9 and #10 and approximately 6.5 acres of immediately adjacent undeveloped land with Incoa Performance Minerals, LLC.

Sponsors: Gerald Wingate

Attachments: [Deal Points Overview - Indigo](#)

16. [18-00277](#) LETTER SUPPORTING FAST TRACKING CONSTRUCTION OF SHORT TERM SAFETY IMPROVEMENTS TO THE WEST CERVANTES STREET CORRIDOR

Recommendation: That City Council authorize the Council President to send a letter to Phillip Gainer, Secretary of the Florida Department of Transportation, supporting fast tracking construction of the short term safety improvements identified in FDOT’s West Cervantes Street Corridor Management Plan (CMP).

Sponsors: Jewel Cannada-Wynn

Attachments: [W. Cervantes St info and letter to FDOT](#)

17. [13-18](#) PROPOSED ORDINANCE NO. 13-18 - AMENDING SECTION 3-3-2 - REGULATING CONTRACTING AND PURCHASE OF COMMODITIES AND SERVICES

Recommendation: That City Council approve Proposed Ordinance No. 13-18 - Amending Section 3-3-2 of the Code - Regulating contracting and purchase of commodities and services adding language to cover purchase of legal services, on first reading.

AN ORDINANCE AMENDING SECTION 3-3-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; CONTRACTS FOR PUBLIC WORK AND PURCHASES OF OTHER COMMODITIES AND SERVICES; LOWEST AND BEST RESPONSIBLE BIDDER; REJECTION OF BIDS; APPROVAL OF COUNCIL AND MAYOR; EMERGENCY PURCHASES; REGULATING CONTRACTING AND PURCHASE OF LEGAL SERVICES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Sponsors: Sherri Myers

Attachments: [Proposed Ordinance No. 13-18](#)

18. [14-18](#) PROPOSED ORDINANCE NO. 14-18 - AMENDING SECTION 2-6-3 CODE OF ETHICS - PROHIBITIONS

Recommendation: That City Council approved Proposed Ordinance No. 14-18 on first reading:

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

Sponsors: Sherri Myers

Attachments: [Proposed Ordinance No. 14-18](#)

19. [18-00269](#) ANALYSIS OF GENTRIFICATION DUE TO URBAN REVITALIZATION

Recommendation: That City Council allocate \$200,000 to hire a consultant to perform an analysis of the impact of urban revitalization in the CRA urban core on the African American population in the city limits and that the consultant provide Council with recommendations to mitigate the dislocation, displacement, economic loss of affordable housing, and community resources in historically African American and low income communities.

Sponsors: Sherri Myers

Attachments: [Demographic for CRA Urban Core Population for 2000](#)

20. [18-24](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 18-24 - APPROPRIATING FUNDING IN CONNECTION WITH THE SALE OF 113 NORTH "C" STREET - FORMER BLOUNT SCHOOL PROPERTY.

Recommendation: That City Council adopt Supplemental Budget Resolution No. 18-24.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018; PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Supplemental Budget Resolution No. 18-24](#)
[Supplemental Budget Explanation No. 18-24](#)

21. [18-00275](#) REQUEST FOR LEGAL OPINION REGARDING TAXING CIGARETTES, INCLUDING E-CIGARETTES

Recommendation: That City Council request a legal opinion from the City Attorney regarding the City's ability to impose a tax on cigarettes, including e-cigarettes, and that the opinion be delivered to City Council no later than Friday July 27, 2018.

Sponsors: Sherri Myers

22. [18-00253](#) FY17 HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) - DRUG ENFORCEMENT ADMINISTRATION (DEA) FEDERAL GRANT AWARD #G17GC0007A

Recommendation: That City Council approve and authorize the Mayor to execute the acceptance of the FY 17 High Intensity Drug Trafficking Area (HIDTA) between the Santa Rosa County Sheriff's Office (SRCO) being the fiscal agent on behalf of the Gulf Coast High Intensity Drug Trafficking Area for the Drug Enforcement Administration in the amount of \$26,153. Further, that City Council authorize the Mayor to take all actions necessary relating to the finalization of the grant. Finally, that City Council approve a supplemental budget resolution appropriating the grant funds

Sponsors: Ashton J. Hayward, III

Attachments: [Santa Rosa County Sheriff's Office Letter for MOA](#)
[Sub-grantee Memorandum of Agreement - Santa Rosa County Sheriff's Office](#)
[Supplemental Budget Resolution](#)
[Supplemental Budget Explanation](#)

23. [18-25](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 18-25- APPROPRIATING FUNDING IN CONNECTION WITH THE FY17 HIGH INTENSITY DRUG TRAFFICKING AREA (HIDTA) - DRUG ENFORCEMENT ADMINISTRATION (DEA) FEDERAL GRANT AWARD #G17GC0007A

Recommendation: That City Council adopt Supplemental Budget Resolution No. 18-25.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018; PROVIDING FOR AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Supplemental Budget Resolution No. 18-25](#)
[Supplemental Budget Explanation No. 18-25](#)

24. [18-00260](#) TENTATIVE MILLAGE RATE - FISCAL YEAR 2019

Recommendation: That City Council set the tentative fiscal year 2019 millage rate for the City of Pensacola at 4.2895 mils and for the Downtown Improvement District at 2.0000 mils and authorize the Mayor to set final levies in compliance with the new property tax reform regulations. Further that the Mayor may administratively adjust the final adopted millage rate upon receipt of the final valuation if the City's final current year gross taxable value is reduced by more than 1%. Finally, that the first public hearing on fiscal year 2019 millage rates be held on September 12, 2018 at 5:30 p.m. in Council Chambers.

Sponsors: Ashton J. Hayward, III

Attachments: [Taxable Value Estimates](#)

FOR DISCUSSION

25. [18-00233](#) HISTORIC PRESERVATION BOARD

Sponsors: Jewel Cannada-Wynn

Attachments: [MODEL HISTORIC PRESERVATION ORDINANCE FOR CRYSTAL RIVER](#)

26. [18-00281](#) ARCHAEOLOGICAL REVIEW PROCEDURE AND CONSTRUCTION ON CITY OWNED PROPERTY

Sponsors: Brian Spencer

Attachments: [Archaeological Review Procedure - City Council Policy](#)
[Pensacola Historic Preservation Officer Proposal](#)

INFORMATIONAL ITEMS

CONSIDERATION OF ANY ADD-ON ITEMS**READING OF ITEMS FOR COUNCIL AGENDA****COMMUNICATIONS****City Administrator's Communication**

27. [18-00226](#) CITY ADMINISTRATOR COMMUNICATION

Sponsors: Ashton J. Hayward, III

City Attorney's Communication**Monthly Financial Report - Chief Financial Officer Richard Barker, Jr.**

28. [18-00030](#) MONTHLY FINANCIAL REPORT - CHIEF FINANCIAL OFFICER
RICHARD BARKER, JR.
FISCAL YEAR 2019 BUDGET PRESENTATION

Sponsors: Ashton J. Hayward, III

Attachments: [FY 2018 - June Monthly Financial Report](#)
[FY 2019 - Budget Presentation - July 16 2018](#)

City Council Communication**ADJOURNMENT**

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.