



City of Pensacola

City Council

Agenda - Final

Thursday, March 9, 2017, 5:30 PM

Council Chambers, 1st Floor

ROLL CALL

INVOCATION

Rev. Franklin J. Gore, St. Paul Evangelical Lutheran Church

PLEDGE OF ALLEGIANCE

Council Member Andy Terhaar

FIRST LEROY BOYD FORUM

(Public comment upon any subject not on the agenda unless waived by a majority of the existing membership of Council.)

PRESENTATION

1. [17-00140](#) PRESENTATION FROM FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) BRIEFING THE CITY COUNCIL ON THE FDOT PROJECT IN PENSACOLA - GREGORY STREET AND BAYFRONT PARKWAY AT 17TH AVE INTERSECTION IMPROVEMENT PD&E STUDY.

Recommendation: That City Council have a presentation at the March 9, 2017 City Council meeting from FDOT, briefing the City Council on the Gregory Street and Bayfront Parkway at 17th Ave intersection improvement PD&E Study.

Sponsors: Brian Spencer

Attachments: [Pensacola 17th Ave Crowne Plaza Project Map FINAL](#)
[FDOT PRESENTATION](#)

AWARDS

APPROVAL OF MINUTES

2. [17-00206](#) REGULAR MINUTES DATED FEBRUARY 9, 2017

Attachments: [Draft Minutes - February 9, 2017](#)

APPROVAL OF AGENDA

CONSENT AGENDA

3. [16-00284](#) AWARD OF CONTRACT - BID #17-002 GABERONNE SWAMP
STORMWATER PENSACOLA BAY WATERSHED IMPROVEMENTS
- SPANISH TRAIL RETENTION POND PROJECT

Recommendation:

That City Council award a contract for construction of the Gaberonne Swamp Stormwater Pensacola Bay Watershed Improvements Spanish Trail Retention Pond Project to BKW, Inc., of Pensacola, Florida, the lowest and most responsible bidder with a base bid of \$966,865.55 plus a 10% contingency of \$96,686.56 for a total amount of \$1,063,552.11.

Sponsors: Ashton J. Hayward, III

Attachments: [Bid Tabulation, Bid No. 17-002](#)
[Final Vendor Reference List, Bid No. 17-002](#)
[Gaberonne Swamp Stormwater Pensacola Bay Watershed Improvements Sp](#)
[FDEP Grant Acceptance 2-13-14](#)

4. [17-00054](#) AIRPORT - APPROVAL OF AMENDMENT NO. 4 TO THE LEASE
AND OPERATING AGREEMENT WITH ECKO AIR LLC

Recommendation: That City Council authorize the Mayor to execute Amendment No. 4 to the Lease and Operating Agreement between the City of Pensacola and ECKO Air LLC at the Pensacola International Airport. Further that City Council authorize the Mayor to take all necessary actions to execute Amendment No. 4.

Sponsors: Ashton J. Hayward, III

Attachments: [Airport Amendment No. 4 - ECKO Air LLC](#)

5. [17-00070](#) TRANSFER OF SURPLUS VEHICLES - GEORGE STONE
TECHNICAL CENTER

Recommendation: That City Council declare four (4) City Police Vehicles (Unit Numbers SO9006, S31906, S35406, and S82906 2006 Ford Crown Victoria marked patrol vehicles) surplus and authorize the transfer of these vehicles to George Stone Technical Center.

Sponsors: Ashton J. Hayward, III

6. [17-00163](#) APPOINTMENT - WEST FLORIDA PUBLIC LIBRARY BOARD OF GOVERNANCE
- Recommendation:** That City Council appoint one individual, who is an elector of Escambia County, to the West Florida Public Library Board of Governance for a term of two years, expiring February 28, 2019.
- Sponsors:** Brian Spencer
- Attachments:** [Application of Interest - David J. Bryant.pdf](#)
[Resume - David J. Bryant.pdf](#)
[Ballot.docx](#)
7. [17-00187](#) ADDITIONAL APPOINTMENTS TO THE CLIMATE MITIGATION AND ADAPTATION TASK FORCE
- Recommendation:** That City Council appoint Dr. Haris Alibasic and Ms. Carrie Stevenson to the Climate Mitigation and Adaptation Task Force.
- Sponsors:** Sherri Myers
- Attachments:** [2017 bio -- Carrie Stevenson](#)
[Dr. Haris Alibasic - Bio](#)
8. [17-00125](#) APPOINTMENT TO THE POLICE OFFICERS' RETIREMENT FUND BOARD OF TRUSTEES
- Recommendation:** That City Council ratify the appointment of Rodney Randle as the fifth member trustee of the Police Officers' Retirement Fund.
- Sponsors:** Ashton J. Hayward, III

REGULAR AGENDA

9. [17-00107](#) FY 2016 COMPREHENSIVE ANNUAL FINANCIAL (CAFR)
- Recommendation:** That City Council accept the City of Pensacola Comprehensive Annual Financial Report for the year ended September 30, 2016 as prepared by the Financial Services Department and the Independent Auditors Report issued thereupon.
- Sponsors:** Ashton J. Hayward, III
- Attachments:** [FY2016 CAFR](#)
[SAS 114 Auditor Letter](#)
[Financial Condition Assessment](#)
[PRESENTATION](#)

10. [17-00177](#) SIX-CENT LOCAL OPTION FUEL (GASOLINE) TAX SETTLEMENT
- Recommendation:** That City Council authorize the Mayor to take all actions necessary to settle the Six-Cent Local Option Fuel (Gasoline) Tax Appeal with Escambia County.
- Sponsors:** Ashton J. Hayward, III
11. [17-00189](#) MORATORIUM ON ENCUMBERING ANY FURTHER LOCAL OPTION SALES TAX (LOST) IV FUNDS
- Recommendation:** That City Council place a moratorium on encumbering any further LOST IV funds until the City Council and the Mayor have set priorities for expenditures and/or projects for these funds.
- Sponsors:** Jewel Cannada-Wynn
12. [17-00138](#) PRESENTATION FROM THE CHAIRMAN OF THE COMMUNITY MARITIME PARK ASSOCIATES (CMPA)
- Recommendation:** That City Council request a presentation be given at the April 13, 2017 City Council meeting by the Chairman of the Board of Trustees of the CMPA to update the Council on the financial and maintenance aspects of the park as well as an update on the marketing of the private parcels within the park.
- Sponsors:** Sherri Myers
13. [17-00190](#) REQUEST FOR LEGAL OPINION REGARDING ENFORCEMENT OF ANIMAL CONTROL ORDINANCES
- Recommendation:** That City Council request a legal opinion from the City Attorney to the following question:
- Are Escambia County's animal control ordinances enforceable within the City of Pensacola minus an interlocal agreement or an agreement of some type?
- Sponsors:** Sherri Myers
14. [04-17](#) PROPOSED ORDINANCE NO. 04-17 - REPEALING SECTION 10-4-16(C) OF THE CITY CODE - INSTALLATION OF SERVICES
- Recommendation:** That City Council adopt Proposed Ordinance No. 04-17 repealing Section 10-4-16(c) of the city code on second reading.
- AN ORDINANCE REPEALING SECTION 10-4-16(c) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, INSTALLATION OF SERVICES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE
- Sponsors:** Ashton J. Hayward, III, Sherri Myers
- Attachments:** [Proposed Ordinance No. 04-17](#)

15. [17-00175](#) CREATION OF SECTION 8-1-28 OF THE CITY CODE - PROHIBITING SOLICITATION OF DONATIONS UPON PUBLIC SIDEWALKS AND RIGHTS-OF-WAY IN THE DOWNTOWN VISITORS' DISTRICT

Recommendation: That City Council adopt an ordinance creating Section 8-1-28 of the City Code - Prohibiting solicitation of donations upon public sidewalks and rights-of-way in the Downtown Visitors' District.

Sponsors: Ashton J. Hayward, III, Brian Spencer

Attachments: [Letter from John Peacock, DIB Chair, dated February 21, 2017 with Ordinance Proposed Ordinance](#)
[EMAIL FROM CITY ATTORNEY](#)
[PETITION FROM RESIDENT/PROPERTY OWNERS WITHIN ON PALAF](#)

16. [09-17](#) PROPOSED ORDINANCE NO. 09-17 - CREATING SEC. 8-1-28 OF THE CITY CODE - PROHIBITING SOLICITATION OF DONATIONS UPON PUBLIC SIDEWALKS AND RIGHTS-OF-WAY IN THE DOWNTOWN VISITORS' DISTRICT

Recommendation: That City Council approve Proposed Ordinance No. 09-17 on first reading.

AN ORDINANCE CREATING SECTION 8-1-28 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; DEFINING THE DOWNTOWN VISITORS' DISTRICT AND REGULATING THE CONDUCT OF CITIZENS ON SIDEWALKS AND PUBLIC RIGHTS-OF-WAY THEREIN; PROVIDING DEFINITIONS; PROHIBITING SOLICITATION OF DONATIONS; PROVIDING PENALTIES THEREFOR; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III, Brian Spencer

Attachments: [Proposed Ordinance No. 09-17](#)
[Letter from John Peacock, DIB Chairman](#)
[DIB Panhandling Ordinance Boundary Map](#)

17. [17-00114](#) AMENDMENT TO CITY COUNCIL RULES AND PROCEDURES; SECTION 2.07 - CONSENT AGENDA

Recommendation: That City Council amend Section 2.07 - Consent Agenda - of the City Council Rules and Procedures to allow the movement of items from the Regular Agenda to the Consent Agenda at the Agenda Conference.

Sponsors: Brian Spencer

Attachments: [Proposed Amendment to Section 2.07 - City Council Rules and Procedures -](#)

18. [17-00186](#) BUDGET ANALYST TO THE CITY COUNCIL
- Recommendation:** That City Council begin the process of hiring a Budget Analyst in accordance with Section 4.02(6) of the City Charter.
- Sponsors:** Jewel Cannada-Wynn
- Attachments:** [Proposal--Budget Analyst Rev \(002\)](#)
[Job Description--Budget Analyst](#)
[City Attorney Opinion - Council Budget Analyst](#)
[EMAIL TRANSMITTAL_MAYORAL VETO](#)
19. [17-00184](#) SCHEDULE A WORKSHOP REGARDING A PROPOSED ORDINANCE ESTABLISHING A BUSINESS LICENSING PROCESS FOR PERMITTING OF ALL RENTAL PROPERTY.
- Recommendation:** That City Council schedule a workshop for June 2017 for the purpose of establishing an ordinance allowing for establishing a business licensing process for permitting of all rental property within the city limits. The Council also authorizes the Council staff to provide assistance in the research of this topic.
- Sponsors:** Jewel Cannada-Wynn
- Attachments:** [STATEMENT FROM DIANNE ROBINSON](#)
20. [17-00185](#) SCHEDULE WORKSHOP REGARDING THE REVIEW OF ORDINANCES AND POLICIES GOVERNING ABANDONED DWELLINGS, VACANT LOTS AND UNKEPT PROPERTIES.
- Recommendation:** That City Council schedule a workshop for June 2017 to review all ordinances and policies that govern abandoned dwellings, vacant lots and unkempt properties within the city limits. The review would include state statutes that protect the property rights of citizens.
- Sponsors:** Jewel Cannada-Wynn
21. [17-00143](#) SOUTH PALAFOX RESIDENTIAL CONDOMINIUM BUILDING DEVELOPMENT PLAN
- Recommendation:** That the City Council conceptually approve a proposed South Palafox residential condominium building development plan and authorize the Mayor to enter into negotiations for a long term lease for such development.
- Sponsors:** Ashton J. Hayward, III
- Attachments:** [Proposed Building Site dated 2 February 2017](#)
[Proposed Building Plans dated 2 February 2017](#)

22. [17-17](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-17 -
APPROPRIATING FUNDING FOR ADDITIONAL PARKING AT
CHAPPIE JAMES PROJECT

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-17 appropriating funding for additional parking at the General Daniel “Chappie” James Jr., Museum & Youth Flight Academy.

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

Sponsors: Ashton J. Hayward, III

Attachments: [Supplemental Budget Resolution No. 17-17](#)
[Supplemental Budget Explanation No. 17-17](#)

23. [17-00011](#) AWARD OF CONTRACT FOR INVITATION TO BID (ITB) #17-015
OSCEOLA CLUBHOUSE RENOVATION PROJECT

Recommendation: That City Council award a contract to Joy Gordon Construction, LLC for ITB #17-015 Osceola Clubhouse, for \$590,652.00 plus a 15% contingency of \$88,597.80 for a total amount of \$679,249.80. Further that City Council approve the supplemental budget resolution appropriating LOST IV funding for this project. Finally 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: [Tabulation Sheet](#)
[Final Vendor Reference List](#)
[Supplemental Budget Resolution](#)
[Supplemental Budget Explanation](#)

24. [17-18](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-18 - OSCEOLA CLUB HOUSE RENOVATION PROJECT

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-18.

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

Sponsors: Ashton J. Hayward, III

Attachments: [Supplemental Budget Resolution No. 17-18](#)
[Supplemental Budget Explanation No. 17-18](#)

25. [05-17](#) PROPOSED ORDINANCE NO. 05-17 - AMENDMENT TO THE LAND DEVELOPMENT CODE - SECTION 12-2-10 - HISTORIC & PRESERVATION LAND USE DISTRICT, (A)(4) PROCEDURE FOR REVIEW

Recommendation: That City Council approve proposed Ordinance No. 05-17 on second reading.

AN ORDINANCE AMENDING SECTION 12-2-10 (A) (4) (f) OF THE CODE OF THE CITY OF PENSACOLA; AMENDING THE LAND DEVELOPMENT CODE, HISTORIC & PRESERVATION LAND USE DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Sponsors: Brian Spencer

Attachments: [Proposed Ordinance No. 05-17](#)
[PROOF OF PUBLICATION - PNJ](#)

26. [06-17](#) PROPOSED ORDINANCE NO. 06-17 - PROPOSED AMENDMENT TO SECTION 12-2-8 (B) (1) OF THE LAND DEVELOPMENT CODE - ADDITION OF MEDICAL MARIJUANA DISPENSARY

Recommendation: That City Council approve Proposed Ordinance No. 06-17 on second reading.

AN ORDINANCE AMENDING SECTION 12-2-8(B) (1) OF THE CODE OF THE CITY OF PENSACOLA; AMENDING THE LAND DEVELOPMENT CODE, ADDITION OF MEDICAL MARIJUANA DISPENSARY; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Sponsors: Andy Terhaar

Attachments: [Proposed Ordinance No. 06-17](#)
[PROOF OF PUBLICATION - PNJ](#)
[EMAIL EXPLAINING ELIMINATION OF RC ZONING](#)

27. [07-17](#) PROPOSED ORDINANCE NO. 07-17 - PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - SECTION 12-14-1 DEFINITIONS - BUILDING HEIGHT

Recommendation: That City Council adopt Proposed Ordinance No. 07-17 on second reading.

AN ORDINANCE AMENDING SECTION 12-14-1 DEFINITIONS OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Proposed Ordinance No. 07-17](#)
[PROOF OF PUBLICATION - PNJ](#)

28. [03-17](#) PROPOSED ORDINANCE NO. 03-17 - AMENDMENT TO SECTION 3-1-13, COUNCIL RESERVE (GENERAL FUND) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA

Recommendation: That City Council approve Proposed Ordinance No. 03-17 on second reading.

AN ORDINANCE AMENDING SECTION 3-1-13 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE COUNCIL RESERVE POLICY (GENERAL FUND); SEVERABILITY CLAUSE; REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Proposed Ordinance No. 03-17](#)
[PROOF OF PUBLICATION - PNJ](#)

DISCUSSION

29. [17-00188](#) DISCUSSION OF REQUEST FOR LETTER OF SUPPORT FOR HB 6019 AND SB 214 REGARDING PRESERVATION OF ARCHAEOLOGICAL SITES.

Recommendation: That City Council have a discussion regarding the submission of a letter of support for HB 6019 and SB 214 regarding the preservation of archeological sites.

Sponsors: Brian Spencer

Attachments: [Pensacola Res04_16](#)
[FAPAFAASt. Aug Talking Points for SB 214 and HB 6019final per glen \(3\)](#)

COUNCIL EXECUTIVE'S REPORT

MAYOR'S COMMUNICATION

COUNCIL COMMUNICATIONS

CIVIC ANNOUNCEMENTS

SECOND LEROY BOYD FORUM

(Public comment upon any subject not on the agenda unless waived by a majority of the existing membership of Council.)

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.