



City of Pensacola

CITY COUNCIL

Regular Meeting Minutes

August 8, 2019

5:30 P.M.

Council Chambers

Council President Terhaar called the meeting to order at 5:32 P.M.

ROLL CALL

Council Members Present: Andy Terhaar, P.C. Wu, Jewel Cannada-Wynn, Ann Hill, Jared Moore

Council Members Absent: Sherri Myers, Gerald Wingate

Also Present: Mayor Grover C. Robinson, IV

INVOCATION

Council Member Jewel Cannada-Wynn

PLEDGE OF ALLEGIANCE

St. Paul Catholic Church Boy Scout Troop 425

FIRST LEROY BOYD FORUM

The following individuals addressed Council regarding renewable energy and urged the passage and implementation of the recommendation from the final report of the Climate Mitigation Task Force:

Christian Wagley

Haley Matherly

FIRST LEROY BOYD FORUM (CONT'D.)

The following individuals addressed Council regarding the police officer involved shooting and death of an African-American man, Tymar Crawford, during a traffic stop (just) over one month ago, with several relaying a list a demands for the City of Pensacola to provide by a date certain:

Ieshia Williams
Jamil Davis
Sarah Brommet
Rodney Hightower
Andrew Baldwin
Ryan Foust
James Larry Hughes, Jr.

Haley Morrissette
Keegan Anderson
Allison Ferreira
Willie Williams
Rodney Jones
Charles Williams
Mike Kilmer

Mayor Robinson made follow-up remarks.

AWARDS

None.

APPROVAL OF MINUTES

1. [19-00385](#) APPROVAL OF MINUTES: REGULAR MEETING DATED JULY 18, 2019

A motion to approve was made by Council Member Moore and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn
No: 0 None

APPROVAL OF AGENDA

Council President Terhaar indicated he will entertain a motion to approve the agenda as presented.

A motion to approve was made by Council Member Moore and seconded by Council Member Cannada-Wynn.

APPROVAL OF AGENDA (CONT'D.)

The motion (to approve the agenda as presented) carried by the following vote:

Yes: 5 Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn
No: 0 None

CONSENT AGENDA

2. [19-00138](#) SANDSPUR DEVELOPMENT, LLC GROUND LEASE AND DEVELOPMENT AGREEMENT AMENDMENT NUMBER 1

Recommendation: That City Council authorize the Mayor to execute Amendment Number 1 of the Ground Lease and Development Agreement with Sandspur Development, LLC and execute both the associated Easement Agreement and the Memorandum of Ground Lease to reduce the Sandspur leasehold area, in substantially similar form as appropriate to carry out the purpose of the transaction. Further, that City Council authorize the Mayor to take all necessary actions to execute Amendment Number 1, the Easement Agreement, and the Memorandum of Ground Lease.

3. [19-00371](#) FEDERAL AVIATION ADMINISTRATION GRANT AGREEMENT 3-12-0063-043-2019

Recommendation: That City Council approve and authorize the Mayor to execute the acceptance of the Federal Aviation Administration Airport Improvement Program (AIP) Grant 3-12-0063-043-2019 in the amount of \$2,072,525 for the acquisition of two replacement Aircraft Rescue and Firefighting Vehicles, design services for the improvements to airfield drainage, design services for the development of a General Aviation Customs and Border Protection Facility, and land acquisition at the Pensacola International Airport. Further, that City Council authorize the Mayor to take all actions necessary relating to the finalization of the grant.

4. [19-00370](#) TRANSFER OF SURPLUS VEHICLES - USMC RACING

Recommendation: That City Council declare two (2) City Police Vehicles (Unit Number S03508 - 2008 and Unit Number S32507 - 2007, Ford Crown Victoria marked patrol vehicles) surplus and authorize the transfer of these vehicles to USMC Racing.

CONSENT AGENDA (CONT'D.)

5. [19-00380](#) MAYORAL APPOINTMENT TO THE DOWNTOWN IMPROVEMENT BOARD (DIB)

Recommendation: That City Council affirm the Mayor's appointment of Patti Sonnen to the Downtown Improvement Board (DIB) to fill the unexpired term of Teri Levin, expiring June 30, 2020.

A motion to approve consent agenda Items 2 through 5 was made by Council Member Moore and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn
No: 0 None

REGULAR AGENDA

6. [19-00355](#) PUBLIC HEARING FOR THE ANNUAL ASSESSMENT RESOLUTION IMPOSING STORMWATER SERVICE ASSESSMENTS AND APPROVAL OF 2019 STORMWATER ASSESSMENT ROLL

Recommendation: That City Council conduct a public hearing on August 8, 2019 to adopt the final assessment resolution imposing stormwater service assessments and approving the 2019 Stormwater Assessment Roll.

City Administrator Holley read (as required by state law) the purpose of the hearing and indicated there are no rate changes from last year.

Reference was made to two (2) letters of objections received (hard copies provided to Council Members and on file with background materials). City Administrator Holley indicated the appropriate staff will follow-up with the property owners.

A motion to approve was made by Council Member Hill and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn
No: 0 None

REGULAR AGENDA (CONT'D.)

7. [2019-42](#) RESOLUTION NO. 2019-42 - IMPOSING STORMWATER SERVICE ASSESSMENTS AND APPROVAL OF 2019 STORMWATER ASSESSMENT ROLL

Recommendation: That City Council adopt Resolution No. 2019-42.

A RESOLUTION OF THE CITY OF PENSACOLA, FLORIDA, RELATING TO THE PROVISION OF STORMWATER MANAGEMENT SERVICES PROVIDED BY THE CITY'S STORMWATER UTILITY; REIMPOSING STORMWATER SERVICE ASSESSMENTS AGAINST DEVELOPED PROPERTY LOCATED WITHIN THE STORMWATER SERVICE AREA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; AND PROVIDING AN EFFECTIVE DATE.

A motion to adopt was made by Council Member Moore and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn
No: 0 None

8. [19-00359](#) PUBLIC HEARING: PROPOSED AMENDMENT TO THE CODE OF THE CITY OF PENSACOLA - LAND DEVELOPMENT CODE SECTION 12-13-2 (PLANNING BOARD) ADDING PROCEDURE FOR SUBMISSION AND REVIEW OF PLANS WITHIN THE GATEWAY REDEVELOPMENT DISTRICT; AND REPEALING SECTION 12-13-4 - (GATEWAY REVIEW BOARD); ALONG WITH OTHER RELATED REFERENCES IN SECTIONS 12-2-12 (REDEVELOPMENT LAND USE DISTRICT), 12-2-45 (ROOFTOP ANTENNAS) AND 12-2-81 (DEVELOPMENT PLAN GUIDELINES)

Recommendation: That City Council conduct a Public Hearing on August 8, 2019 to consider a proposed amendment to the Land Development Code Section 12-13-2 (Planning Board) adding procedure for submission and review of plans within the Gateway Redevelopment District; and repealing Section 12-13-4 - (Gateway Review Board); along with other related references in Sections 12-2-12 (Redevelopment Land Use District), 12-2-45 (Rooftop Antennas) and 12-2-81 (Development Plan Guidelines).

Council Member Cannada-Wynn inquired of the intent of the amendment with Planning Services Administrator Morris responding accordingly as outlined in the memorandum provided with the agenda package.

REGULAR AGENDA (CONT'D.)

A motion to approve (Public Hearing Item 8, 19-00359) was made by Council Member Cannada-Wynn and seconded by Council Member Moore.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn
No: 0 None

9. [19-00358](#) JOINT MEETINGS BETWEEN THE CITY COUNCIL, MAYOR AND THE ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS

Recommendation: That City Council direct the Council Executive to coordinate with the City Council, the Mayor's Office and the Escambia County Board of County Commissioners setting up two (2) joint meetings of the City Council, the Mayor and Escambia County Board of County Commissioners per year.

A motion was made by Council Member Hill. No second.

Fails due to lack of a second.

10. [19-00294](#) U.S. DEPARTMENT OF COMMERCE - FINANCIAL ASSISTANCE AWARD NO. 04-79-07378

Recommendation: That City Council authorize the Mayor to accept and execute Financial Assistance Award No. 04-79-07378 from the U.S. Department of Commerce, Economic Development Administration in the amount of \$12,250,000 related to the expansion of the Maintenance, Repair, and Overhaul (MRO) facility at Pensacola International Airport. Further, that City Council approve the grant resolution and authorize the Mayor or his designee to take all actions necessary related to the finalization of the grant.

A motion to approve was made by Council Member Cannada-Wynn and seconded by Council Member Moore.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn
No: 0 None

REGULAR AGENDA (CONT'D.)

11. [2019-37 RESOLUTION NO. 2019-37 - U.S. DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION FINANCIAL ASSISTANCE AWARD](#)

Recommendation: That City Council adopt Resolution No. 2019-37.

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PENSACOLA TO EXECUTE FINANCIAL ASSISTANCE AWARD NO. 04-79-07378 WITH THE U.S. DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION FOR THE CONSTRUCTION OF A MAINTENANCE, REPAIR, AND OVERHAUL FACILITY AT PENSACOLA INTERNATIONAL AIRPORT; PROVIDING AN EFFECTIVE DATE.

A motion to adopt was made by Council Member Hill and seconded by Council Member Moore.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn
No: 0 None

12. [19-00360 AIRPORT - STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AMENDMENT TO THE PUBLIC TRANSPORTATION AGREEMENT](#)

Recommendation: That City Council authorize the Mayor to accept and execute the State of Florida Department of Transportation Amendment to the Public Transportation Grant Agreement Financial Project 441494-2-94-01 in the amount of \$8,000,000 for Pensacola International Airport Facilities Development related to MRO expansion. Further, that City Council approve the grant resolution and authorize the Mayor or his designee to take all actions necessary related to the finalization of the grant amendment.

A motion to approve was made by Council Member Cannada-Wynn and seconded by Council Member Hill.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn
No: 0 None

REGULAR AGENDA (CONT'D.)

13. [2019-40](#) RESOLUTION NO. 2019-40 - STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AMENDMENT TO THE PUBLIC TRANSPORTATION GRANT AGREEMENT

Recommendation: That City Council adopt Resolution No. 2019-40.

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PENSACOLA TO EXECUTE AN AMENDMENT TO PUBLIC TRANSPORTATION GRANT AGREEMENT FINANCIAL PROJECT 441494-2-94-01 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR FACILITIES DEVELOPMENT AT THE PENSACOLA INTERNATIONAL AIRPORT AIR COMMERCE PARK; PROVIDING AN EFFECTIVE DATE.

A motion to adopt was made by Council Member Moore and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn
No: 0 None

14. [26-19](#) PROPOSED ORDINANCE NO. 26-19 CREATING SECTION 7-12 OF THE CODE OF THE CITY OF PENSACOLA - DOCKLESS SHARED MICROMOBILITY DEVICES PILOT PROGRAM ORDINANCE

Recommendation: That City Council approve Proposed Ordinance No. 26-19 on first reading.

AN ORDINANCE OF THE CITY OF PENSACOLA, FLORIDA CREATING CHAPTER 7-12 OF THE CODE OF THE CITY OF PENSACOLA TO REGULATE A DOCKLESS SHARED MICROMOBILITY DEVICE PILOT PROGRAM; PROVIDING FOR PURPOSE AND APPLICABILITY; PROVIDING FOR DEFINITIONS; PROVIDING FOR A PILOT PROGRAM FOR SHARED MICROMOBILITY DEVICES ON PUBLIC RIGHTS-OF-WAYS; PROVIDING FOR THE VENDORS' RESPONSIBILITIES AND OBLIGATIONS IN OPERATING A SHARED MICROMOBILITY DEVICE SYSTEM; PROVIDING FOR SHARED MICROMOBILITY DEVICE SPECIFICATIONS; PROVIDING FOR THE OPERATION AND PARKING OF A SHARED MICROMOBILITY DEVICE; PROVIDING FOR IMPOUNDMENT OR REMOVAL OR RELOCATING BY THE CITY; PROVIDING FOR ENFORCEMENT, FEES AND PENALTIES; PROVIDING APPELLATE RIGHTS; PROVIDING FOR INDEMNIFICATION AND INSURANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

REGULAR AGENDA (CONT'D.)

A motion to approve (P.O. No. 26-19) on first reading was made by Council Member Terhaar and seconded by Council Member Cannada-Wynn.

Public input was heard from the following individuals:

Lloyd Cole
Anita Cole

Ron Helms
Akeem Brown

Discussion ensued among Council and **reference was made to a revised draft of P.O. No. 26-19** based on comments made during agenda conference. (No objections were made regarding the revised language.) Assistant City Attorney Moore responded accordingly; and City Attorney Woolf made clarifying statements. Input was also heard from Mayor Robinson.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn
No: 0 None

15. [05-19 PROPOSED ORDINANCE NO. 05-19 - AMENDMENT TO LAND DEVELOPMENT CODE CHAPTER 12-10 FLOODPLAIN MANAGEMENT AND CREATING SECTION 14-1-133 LOCAL GOVERNMENT AMENDMENTS TO FLORIDA CODE \(Ordinance No. 16-19\)](#)

Recommendation: That City Council adopt Proposed Ordinance No. 05-19 on second reading.

AN ORDINANCE REPEALING AND REPLACING SECTION 12-10-1 THROUGH SECTION 12-10-6 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR FLOODPLAIN MANAGEMENT REGULATIONS, DEVELOPMENT STANDARDS AND PROCEDURES FOR CONSTRUCTION IN AREAS SUBJECT TO FLOODING; CREATING SECTION 12-10-7 THROUGH SECTION 12-10-17 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR INSPECTION OF FLOODPLAIN CONSTRUCTION; VARIANCES AND APPEALS; DEFINITIONS; REGULATING CONSTRUCTION AND SITING OF BUILDINGS, SUBDIVISIONS, MANUFACTURED HOMES, RECREATIONAL VEHICLES AND TRAILERS, TANKS AND OTHER DEVELOPMENTS; CREATING SECTION 14-1-133 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FLOODPLAIN AMENDMENTS SUPPLEMENTAL TO THE FLORIDA BUILDING CODE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

REGULAR AGENDA (CONT'D.)

A motion to adopt (P.O. No. 05-19) was made by Council Member Cannada-Wynn and seconded by Council Member Hill.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, P.C. Wu, Ann Hill, Jared Moore, Jewel Cannada-Wynn
No: 0 None

COUNCIL EXECUTIVE'S REPORT

None.

MAYOR'S COMMUNICATION

Mayor Robinson indicated he is working to schedule town hall meetings. He also reported on his meeting with FDOT on future opportunities which he feels optimistic. Further, he provided updates on current local initiatives related to complete streets projects. Finally, he commented on City Administrator Holley's retirement in December.

COUNCIL COMMUNICATIONS

Council Member Hill made follow-up comments regarding Item 9, (19-00358) *Joint Meetings between the City Council, Mayor and the Escambia County Board of Commissioners*, indicating she hopes a meeting can be scheduled with a limited agenda. Council President Terhaar indicated he will follow-up with Council Executive Kraher and the Mayor to see if it is possible.

Council Member Cannada-Wynn announced an upcoming public meeting FDOT is conducting at the Fricker Center regarding West Cervantes Street safety improvements. She also provided an update regarding the establishment of a housing task force.

Council Member Wu made follow-up remarks regarding comments made during the first segment of the LeRoy Boyd Forum.

CIVIC ANNOUNCEMENTS

None.

SECOND LEROY BOYD FORUM

The following individuals (again) addressed Council regarding the police officer involved shooting and death of an African-American man, Tymar Crawford, during a traffic stop (just) over one month ago, with several reiterating a list a demands for the City of Pensacola to provide by a date certain; as well as general issues regarding the conduct of the Pensacola Police Department:

Durrell Palmer
Jonathan Green
Ieshia Williams

Kay Joyce
Ilan Cosmos

ADJOURNMENT

WHEREUPON the meeting was adjourned at 7:30 P.M.

Adopted: _____

Approved: _____
R. Andy Terhaar, President of City Council

Attest:

Ericka L. Burnett, City Clerk