



# City of Pensacola

## *CITY COUNCIL*

### Meeting Minutes

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October 11, 2018

5:30 P.M.

Council Chambers

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Council President Wingate called the meeting to order at 5:35 P.M.

#### **ROLL CALL**

**Council Members Present:** Gerald Wingate, Sherri Myers, Jewel Cannada-Wynn, Larry Johnson (left 8:37), Brian Spencer, Andy Terhaar (arrived 6:25; left 8:41), P.C. Wu

**Council Members Absent:** None

**Also Present:** Mayor Ashton J. Hayward, III (arrived 6:32; left 8:31)

#### **INVOCATION**

Pastor Jim Locke, Hillcrest Baptist Church

#### **PLEDGE OF ALLEGIANCE**

Council Member Larry B. Johnson

#### **FIRST LEROY BOYD FORUM**

**Colvin Rancifer:** Addressed Council regarding Mayor Hayward's efforts to reopen Bruce Beach; and the timeline for improvements to the park at Morris Court.

**Sorna Khakzad:** Informed Council and provided regarding *Florida Panhandle National Heritage Area – 4<sup>th</sup> Planning Meeting and Feasibility Study* to be held on October 22<sup>nd</sup>.

**Jack Berglund:** Provided Council with an update on Offshore Inland Marine and Oilfield Services operations at the Port.

**Gloria Horning:** Addressed Council regarding: 1) a letter of violation she received from City Code Enforcement related to a retention wall which she constructed, without proper permitting, in order to protect her property from flooding; 2) identified herself as chairperson of an environmental committee for NAACP and advised of an upcoming campaign to *Adopt a Drain*; and 3) complained of recent flooding on her street for 2 days after a recent minor rain event.

## PRESENTATIONS

**\*\*\*THE FOLLOWING ITEM WAS WITHDRAWN BY THE SPONSOR\*\*\***

1. 18-00388 PRESENTATION REGARDING THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT)'S 2015 COMPLETE STREET GUIDE BOOK AND DESIGN MANUAL ALONG WITH THE POSSIBLE ADOPTION BY REFERENCE INTO THE CITY CODE.

**Recommendation:** That City Council be presented information regarding FDOT's 2015 Complete Street Guide Book and Design Manual, with a discussion of the advantage to adopting by reference the same into the City Code. This presentation will take place at the Thursday October 11, 2018 Council Meeting.

*Withdrawn - - Council Member Spencer indicated this presentation will be rescheduled.*

2. 18-00376 PRESENTATION - SAFE ROUTE BIKE MAPS

**Recommendation:** That City Council receive a presentation from Christian Wagley regarding safe route bike maps. Further that this presentation be given at the City Council meeting, October 11, 2018.

Christian Wagley provided a presentation with overhead slides (on file with background materials). Some Council Members made follow-up remarks.

**\*\*\*THE FOLLOWING ITEM WAS WITHDRAWN BY THE SPONSOR\*\*\***

3. 18-00378 PRESENTATION - ESCAMBIA COUNTY ANIMAL SHELTER

**Recommendation:** That City Council receive a presentation from John Robinson, Director of the Escambia County Animal Control Shelter. Further that this presentation be given at the City Council meeting on October 11, 2018.

*Withdrawn - - Council Member Myers indicated this presentation will be rescheduled.*

That concluded presentations.

## AWARDS

None.

**APPROVAL OF MINUTES**

4. 18-00390 APPROVAL OF MINUTES: SPECIAL MEETINGS DATED 9/12/18 & 9/19/18; AND REGULAR MEETING DATED 9/13/18

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

**The motion carried by the following vote (with Council Member Terhaar not yet in attendance):**

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

**APPROVAL OF AGENDA**

Council Member Wu (as sponsor) **pulled Items 8 and 9, Public Hearing and Proposed Ordinance No. 27-18 – Proposed Community Redevelopment Agency (CRA) Urban Design Overlay District.**

**A motion to approve as amended was made by Council Member Cannada-Wynn and seconded by Council Member Johnson.**

**The motion carried by the following vote (with Council Member Terhaar not yet in attendance):**

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

**CONSENT AGENDA**

5. 18-00283 AWARD OF BID #18-033 RAINTREE STOW MENENDEZ OUTFALLS AT BAYOU TEXAR STORMWATER TREATMENT ENHANCEMENT PROJECT

**Recommendation:** That City Council award Bid #18-033 Raintree Stow Menendez Outfalls at Bayou Texar Stormwater Treatment Enhancement Project to Brown Construction of Northwest FL., Inc., of Pensacola Florida, the lowest and most responsible bidder with a base bid of \$218,988.72, plus 10% contingency of \$21,898.87 for a total amount of \$240,887.59. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

**CONSENT AGENDA (CONT'D.)**

6. 18-00381 COMMUNITY POLICING INTERLOCAL AGREEMENT BETWEEN THE CITY OF PENSACOLA AND THE COMMUNITY REDEVELOPMENT AGENCY - FY 2019

**Recommendation:** That the City Council approve an Interlocal Agreement with the Community Redevelopment Agency for the purpose of providing Community Policing Innovations within the Urban Core Community Redevelopment Area of the CRA for Fiscal Year 2019 in an amount not to exceed \$100,000.

**A motion to approve consent agenda Items 5 and 6 was made by Council Member Spencer and seconded by Council Member Cannada-Wynn.**

**The motion carried by the following vote (with Council Member Terhaar not yet in attendance):**

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

**REGULAR AGENDA**

7. 18-00361 PUBLIC HEARING - ANNEXATION OF PROPERTY - CAMPUS HEIGHTS PHASE II

**Recommendation:** That City Council conduct the first of two required Public Hearings to consider the annexation of fifty-two (52) parcels in the Campus Heights area, which are all owned by the Pensacola International Airport.

Airport Director Flynn described the issue before Council as outlined in the agenda package dated 10/11/18.

There was no public input or discussion among Council.

**Council President Wingate reiterated this is the first of two (2) required hearings, therefore there will be no action by Council at this time. The second public hearing is scheduled for November 8<sup>th</sup>.**

**REGULAR AGENDA (CONT'D.)**

**\*\*\*THE FOLLOWING ITEM WAS WITHDRAWN BY THE SPONSOR\*\*\***

8. 18-00382 PUBLIC HEARING - PROPOSED COMMUNITY REDEVELOPMENT AGENCY (CRA) URBAN DESIGN OVERLAY DISTRICT

**Recommendation:** That City Council conduct a public hearing, on October 11, 2018, regarding a Proposed Community Redevelopment Agency (CRA) Urban Design Overlay District.

**Withdrawn.**

**\*\*\*THE FOLLOWING ITEM WAS WITHDRAWN BY THE SPONSOR\*\*\***

9. 27-18 PROPOSED ORDINANCE NO. 27-18 - PROPOSED COMMUNITY REDEVELOPMENT AGENCY (CRA) URBAN DESIGN OVERLAY DISTRICT

**Recommendation:** That City Council approve Proposed Ordinance No. 27-18 on first reading:

**AN ORDINANCE CREATING SECTION 12-2-25 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR THE COMMUNITY REDEVELOPMENT AREA (CRA) URBAN DESIGN OVERLAY DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.**

**Withdrawn.**

10. 18-00366 QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - GABRIEL ESTATES

**Recommendation:** That City Council conduct a quasi-judicial hearing on October 11, 2018 to consider approval of the final subdivision plat - Gabriel Estates.

Council President Wingate read into the record describing how a quasi-judicial proceeding differs from legislative action. He then called on City staff as to whether or not this issue is contested. **Planning Services Administrator Morris indicated she is not aware of any formal contest in opposition.** Council President Wingate indicated they may dispense of formalities and called for evidence to be entered into the record by City staff.

Planning Services Administrator Morris presented evidence into the record on behalf of the City describing the issue and referencing all background materials provided in the agenda package dated 10/11/18, as well as overhead slides of the subject plat.

*There was no additional evidence presented on behalf of the applicant.*

Planning Services Administrator Morris responded accordingly to questions from Council Members.

**REGULAR AGENDA (CONT'D.)**

**A motion to approve Item 10 was made by Council Member Cannada-Wynn and seconded by Council Member Johnson.**

**The motion carried by the following vote (with Council Member Terhaar not yet in attendance):**

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

**11. 18-00372 APPOINTMENT - PLANNING BOARD**

**Recommendation:** That City Council appoint an individual who is a resident of the city or owner of property in the city, to the Planning Board to fill the unexpired term of Victor L. Jordan, ending July 14, 2019.

Council President Wingate provided an opportunity for Council Members and incumbents/nominees to make comments.

Patrick Boudreaux (not present)  
Linda Gray (not present)  
Laurie Murphy

Kirwan Price  
Ryan N. Wiggins

Following discussion, **Council President Wingate called for a ballot vote.**

*Balloting and tallying takes place.*

**Council President announced the appointment of Ryan N. Wiggins.**

**12. 28-18 PROPOSED ORDINANCE NO. 28-18 - AMENDING SECTION 2-3-4 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; EXCLUDING PARCELS I, IA AND III INCLUDED IN THE SEVILLE HARBOR LEASE**

**Recommendation:** That City Council approve Proposed Ordinance No. 28-18 on first reading.

**AN ORDINANCE AMENDING SECTION 2-3-4 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; EXCLUDING PARCELS I, IA AND III INCLUDED IN THE SEVILLE HARBOR LEASE PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.**

**A motion to approve was made by Council Member Terhaar and seconded by Council Member Johnson.**

**REGULAR AGENDA (CONT'D.)**

Outside legal counselor for the City, John Daniels of Beggs & Lane explained the issues related to the parcels (specified for Item 12, Proposed Ordinance No. 28-18) which is why the proposed code amendment is being brought forward. Mayor Hayward also provided input.

**Council Member Spencer stated he will abstain from discussion and voting on this item due to his conflict of interest.**

Council Member Myers made comments.

**A substitute motion was made by Council Member Myers and seconded by Council Member Johnson That based on the history of the property, City Council finds that an exigent circumstance exists on Parcels I, IA and III included in the Seville Harbor Lease" (rather than amend the ordinance).**

Council Members Cannada-Wynn and Wingate made comments indicating they do not support the substitute motion.

There being no other comments, **the vote on the substitute motion was called.**

**The substitute motion failed by the following vote (with Council Member Spencer abstaining from the vote):**

Yes: 3            Sherri Myers, Andy Terhaar, Larry Johnson  
No: 3            Gerald Wingate, Jewel Cannada-Wynn, P.C. Wu

Council President Wingate indicated the **original motion is back on the floor**. There being no further discussion, the vote was called.

**The (original) motion failed by the following vote (with Council Member Spencer abstaining from the vote):**

Yes: 2            Andy Terhaar, Larry Johnson  
No: 4            Gerald Wingate, Sherri Myers, Jewel Cannada-Wynn, P.C. Wu

14. 18-00387 12TH AVENUE TREE TUNNEL, SIGNAGE RE: PARKING AND DRIVING ON RIGHT OF WAY - RECOMMENDATION FROM ENVIRONMENTAL ADVISORY BOARD

**Recommendation:** That City Council request the placement of signage along the 12th Avenue tree tunnel prohibiting the driving and parking on the right of way, which is damaging the root systems of the trees.

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

Discussion took place among Council. Mayor Hayward also provided input.

**REGULAR AGENDA (CONT'D.)**

Public input was heard from Neil Richards (regarding Item 14).

Upon conclusion of discussion, the vote was called.

**The motion (to approve Item 14) carried by the following vote:**

Yes: 7	Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0	None

**City Attorney Bowling interjected and suggested Council go back and take up Item 13. Mayor Hayward questioned why Council did not take up Item 13 for consideration. Council President Wingate explained since it was tied to Item 12, Proposed Ordinance No. 28-18 which failed, there was no reason to consider Item 13. Mayor Hayward objected and requested Council explain their position regarding the subject property.**

**Council President Wingate read Item 13 into the record as follows:**

13. 18-00384 PROPOSED PURCHASE AND SALE AGREEMENT PARCELS I, IA AND III INCLUDED IN THE SEVILLE HARBOUR LEASE

**Recommendation:** That City Council approve the Purchase and Sale Agreement submitted by Seville Harbour, Inc. to the City for the purchase of Parcels I, IA and III included in the Seville Harbour lease subject to City Council adoption of Proposed Ordinance 28-18 on final reading. Further, that City Council authorize the Mayor to execute all agreements and take all action necessary to complete the transaction.

Council Member Cannada-Wynn made comments as to her position related to this matter.

Council President Wingate indicated without a motion and second, there would be no further discussion.

**A motion to approve was made by Council Member Johnson but there was no second.**

***Motion dies due to lack of a second.***

**REGULAR AGENDA (CONT'D.)****15. 18-00385 HISTORIC PRESERVATION COMMISSION -- REFERRAL TO THE PLANNING BOARD FOR REVIEW AND RECOMMENDATION**

**Recommendation:** That City Council refer to the Planning Board the proposed amendments to the Land Development Code to establish a Historic Preservation Commission for the City of Pensacola.

**A motion to approve was made by Council Member Johnson and seconded by Council Member Myers.**

**The motion carried by the following vote:**

Yes: 6	Gerald Wingate, Sherri Myers, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 1	Andy Terhaar

**16. 18-46 SUPPLEMENTAL BUDGET RESOLUTION NO. 18-46 - AMENDING THE FISCAL YEAR 2019 BUDGET - SKATEBOARD PARK FUNDING**

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 18-46.

**A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR 2019 BUDGET, ENDING SEPTEMBER 30, 2019; PROVIDING FOR AN EFFECTIVE DATE.**

**A motion to adopt was made by Council Member Myers and seconded by Council Member Terhaar.**

Public input was heard from LeAnn Zeitouni.

Discussion ensued among Council.

During discussion, Council Member asked questions of former (now retired) Inspections Services Administrator William Weeks who was in attendance. Mr. Weeks responded accordingly to questions from Council Member Spencer regarding permitting process.

Further public input was heard from Nova Phillips and Jon Shell.

Upon conclusion of discussion, the vote was called.

**The motion carried by the following vote:**

Yes: 4	Sherri Myers, Andy Terhaar, Brian Spencer, P.C. Wu
No: 3	Gerald Wingate, Jewel Cannada-Wynn, Larry Johnson

**REGULAR AGENDA (CONT'D.)**

17. 18-00364 AWARD OF CONTRACT- Bid #18-035 BAYVIEW COMMUNITY RESOURCE CENTER

**Recommendation:** That City Council award a contract for Bid # 18-035 Bayview Community Resource Center to Hewes & Company, LLC., the lowest and most responsible bidder for construction of the new Bayview Community Resource Center, with a base bid of \$5,991,000, plus Additive Alternates #1 - #7 of \$364,000 plus a 6.42% contingency of \$407,784 for a total amount of \$6,762,784. Further, that Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

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

**The motion carried by the following vote:**

Yes: 7            Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu  
No: 0            None

18. 18-00368 PORT OF PENSACOLA - FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMET (FSTED) GRANT #44102729401 - BERTHS 3 AND 5 DREDGING

**Recommendation:** That City Council authorize the Mayor to accept the State of Florida, Florida Seaport Transportation Economic Development (FSTED) grant # 44102729401 in the total amount of \$147,600 comprised of \$110,700 in FSTED funds and \$36,900 in local match. Further, that City Council authorize the Mayor to take all actions necessary for the acceptance of the grant. Finally, that City Council approve the supplemental budget resolution appropriating the grant funds.

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

**The motion carried by the following vote:**

Yes: 7            Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu  
No: 0            None

**REGULAR AGENDA (CONT'D.)**

19. 18-45 SUPPLEMENTAL BUDGET RESOLUTION NO. 18-45 - FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT DREDGING PORT BERTHS 3 AND 5

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 18-45.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019; PROVIDING FOR AN EFFECTIVE DATE.

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

**The motion carried by the following vote:**

Yes: 7            Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu  
No: 0            None

20. 18-00369 HAZARD MITIGATION GRANT PROGRAM (HMGP) GRANT - ACQUISITION OF PROPERTIES LOCATED AT 925, 927, AND 975 WEST LEE STREET

**Recommendation:** That City Council authorize the purchase of 925 West Lee Street Parcel ID# 00-0S-00-9050-130-053 for \$58,000; 927 West Lee Street Parcel ID# 00-0S-00-9050-110-053 for \$110,000 and 975 West Lee Street Parcel ID# 00-0S-00-9050-090-053 for \$140,000 for a total sale amount of \$308,000 plus purchase additives and closing costs of \$5,764 for a total amount of \$313,764. Further, that the City Council authorize the Mayor to take all actions necessary to complete transaction.

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

**The motion carried by the following vote:**

Yes: 7            Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu  
No: 0            None

**REGULAR AGENDA (CONT'D.)**

21. 18-44 SUPPLEMENTAL BUDGET RESOLUTION NO. 18-44 - APPROPRIATING FUNDING IN CONNECTION WITH THE PAYOFF OF THE AIRPORT FACILITIES GRANT ANTICIPATION NOTE, SERIES 2016.

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 18-44.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019; PROVIDING FOR AN EFFECTIVE DATE.

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

Council Member Cannada-Wynn asked for clarification with Chief Financial Officer Barker responding accordingly.

**The motion carried by the following vote:**

Yes: 7	Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, Jewel Cannada-Wynn, Larry Johnson, P.C. Wu
No: 0	None

22. 18-47 RESOLUTION NO. 18-47 - SUPPORT FOR MARSY'S LAW - A VICTIMS' RIGHTS AMENDMENT TO THE FLORIDA CONSTITUTION.

**Recommendation:** That City Council adopt Resolution No. 18-47:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA IN SUPPORT OF MARSY'S LAW - A VICTIMS' RIGHTS AMENDMENT TO THE CONSTITUTION OF THE STATE OF FLORIDA

**A motion to adopt was made by Council Member Terhaar and seconded by Council Member Wingate.**

Public input was heard from Stephen Terry. (Amanda Johnson was also signed-up to speak but was no longer in attendance.)

Council Members Cannada-Wynn and Myers made comments and asked questions. Mr. Terry was provided an opportunity to respond to Council Member Cannada-Wynn's questions.

There being no further discussion, the vote was called.

**REGULAR AGENDA (CONT'D.)**

**The motion (to adopt Res. No. 18-47) carried by the following vote:**

Yes: 5                    Gerald Wingate, Sherri Myers, Andy Terhaar, Brian Spencer, P.C. Wu  
No: 2                    Jewel Cannada-Wynn, Larry Johnson

**DISCUSSION**

**23. 18-00379 TREATMENT OF CITIZENS BY CERTAIN MEMBERS OF THE PLANNING BOARD DURING THE DISCUSSION OF THE COMMUNITY REDEVELOPMENT AGENCY (CRA) URBAN DESIGN OVERLAY DISTRICT AT THE SEPTEMBER 18, 2018 PLANNING BOARD MEETING**

Based on her review of the audio from the Planning Board meeting (on 9/18/18), indicated she is considering bringing an action item forward for Council to consider the removal of a certain board member, whose comments she found shocking and disturbing. She also indicated she was not pleased with the chairman's handling of the meeting.

Council Member Myers further indicated she would like an opinion from City Attorney Bowling as to the proper process for removal of board member(s). City Attorney Bowling responded accordingly indicating she will look into the Planning Board's rules for due process, in addition to causes defined by state statute(s) and case law.

Council Member Cannada-Wynn made follow-up remarks.

**COUNCIL EXECUTIVE'S REPORT**

Council Executive Kraher indicated he will be reaching out (individually) to Council Members regarding the scheduling of a special City Council meeting to consider an appeal of a decision of the Architectural Review Board.

**MAYOR'S COMMUNICATION**

City Administrator Wilkins briefly provided updates on various projects and mutual aid being provided to the communities to the east which were devastatingly affected by Hurricane Michael.

**COUNCIL COMMUNICATIONS**

Council Member Cannada-Wynn informed that October is *Bullying Prevention Month* and made comments indicating she hopes it is something Parks and Recreation staff is addressing in all City-programmed youth activities and facilities.

**CIVIC ANNOUNCEMENTS**

Council Member Myers announced her upcoming town hall meeting for District 2.

**SECOND LEROY BOYD FORUM**

**Beverly Perry:** Addressed her support of Items 8 and 9, which were pulled regarding *Public Hearing and Proposed Ordinance No. 27-18 – Proposed Community Redevelopment Agency (CRA) Urban Design Overlay District.*

**ADJOURNMENT**

WHEREUPON the meeting was adjourned at 8:56 P.M.

\*\*\*\*\*

Adopted: November 8, 2018

Approved: Gerald C. Wingate  
Gerald C. Wingate, President of City Council

Attest:

Ericka L. Burnett  
Ericka L. Burnett, City Clerk

# FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME <i>SPENCER BRIAN K</i>	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE <i>PENSACOLA CITY COUNCIL</i>
MAILING ADDRESS <i>3 E ZARAGOZA</i>	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF: <input checked="" type="checkbox"/> CITY <input type="checkbox"/> COUNTY <input type="checkbox"/> OTHER LOCAL AGENCY
CITY <i>PENSACOLA</i>	COUNTY <i>ESCAMBIA</i>
DATE ON WHICH VOTE OCCURRED <i>10/11/18</i>	NAME OF POLITICAL SUBDIVISION:  MY POSITION IS <input checked="" type="checkbox"/> ELECTIVE <input type="checkbox"/> APPOINTIVE

## WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

## INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office MUST ABSTAIN from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also MUST ABSTAIN from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

### ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes.

### APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

## APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting, who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency, and the form must be read publicly at the next meeting after the form is filed.

## DISCLOSURE OF LOCAL OFFICER'S INTEREST

*BRIAN SPENCER*

hereby disclose that on

*10/11/18*, 20 *18*

(a) A measure came or will come before my agency which (check one or more)

inured to my special private gain or loss;

inured to the special gain or loss of my business associate, \_\_\_\_\_;

inured to the special gain or loss of my relative, \_\_\_\_\_;

inured to the special gain or loss of \_\_\_\_\_, by whom I am retained; or

inured to the special gain or loss of \_\_\_\_\_, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

*28-18 PROPOSED ORDINANCE*  
*28-18*

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

*10/11/18*  
Date Filed

*B. Spencer*  
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.

**LEROY BOYD FORUM** is an opportunity for the public to comment on any subject NOT on the Agenda. Please note Rules of Conduct on the back of card. I understand that my comments are limited to three (3) minutes, unless determined otherwise by the President (Chair) and my time may not be given to another.

Name: Calvin Rancifer

Address: 1611 West Lakeview Av

Phone: 850 4383220

Email: Rancifer1950@Gmail.com

City Resident:  Yes  No

City Property Owner:  Yes  No

City Business Owner:  Yes  No

Present to City Clerk prior to the begining of the Leroy Boyd Forum.

**LEROY BOYD FORUM** is an opportunity for the public to comment on any subject NOT on the Agenda. Please note Rules of Conduct on the back of card. I understand that my comments are limited to three (3) minutes, unless determined otherwise by the President (Chair) and my time may not be given to another.

Name: Dr. Sorna Khakzad

Address: UWF 207 E Main St. PNCI

Phone: 2505952050

Email: s.khakzad@uwf.edu

City Resident:  Yes  No

City Property Owner:  Yes  No

City Business Owner:  Yes  No

Present to City Clerk prior to the begining of the Leroy Boyd Forum.

**LEROY BOYD FORUM** is an opportunity for the public to comment on any subject NOT on the Agenda. Please note Rules of Conduct on the back of card. I understand that my comments are limited to three (3) minutes, unless determined otherwise by the President (Chair) and my time may not be given to another.

Name: JACK BERGLUND

Address: 640 S. Barack St. P'cola

Phone: 251 463 5280

Email: jack@offshoreisland.com

City Resident:  Yes  No

City Property Owner:  Yes  No

City Business Owner:  Yes  No

Present to City Clerk prior to the begining of the Leroy Boyd Forum.

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Name: GLORIA HORNINS

Address: 310 S. De Villiers St

Phone: 450 933 8555

Email: GLORIA HORNINS

City Resident:  Yes  No

City Property Owner:  Yes  No

City Business Owner:  Yes  No

Present to City Clerk prior to the begining of the Leroy Boyd Forum.

## PUBLIC INPUT ON CITY COUNCIL AGENDA ITEM

Meeting Date: 10/11/18

A member of the public may address any action or discussion item on Council's agenda by delivering this completed card to the City Clerk prior to the item being considered. All comments shall be directed to the President (Chair) and no comments or actions should be of a personal nature or disruptive nature. Please note Rules of Conduct on back of card.

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Subject: Appointment Planning Board Item# 11  
Name: Laurie Murphy *(If I could speak,*  
Address: 10015 Scenic Hwy *I would like to*  
Phone: 850-292-5940 *Thank you*  
Email: laurie@emeraldcoastrept.org  
City Resident:  Yes  No      City Business Owner:  
City Property Owner:  Yes  No  Yes  No

## PUBLIC INPUT ON CITY COUNCIL AGENDA ITEM

Meeting Date: 10-11-18

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Subject: Skate park Item# 16

Name: LeANN Zeitouni

Address: 2701 Bangsos Tz1

Phone: 850-261-0200

Email: CZeitouni@live.com

City Resident:  Yes  No

City Business Owner:

City Property Owner:  Yes  No

Yes  No

## PUBLIC INPUT ON CITY COUNCIL AGENDA ITEM

Meeting Date: 10-11-18

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Subject: \_\_\_\_\_ Item# 16

Name: Natalie Phillips

Address: 3869 Benway

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

City Resident:  Yes  No

City Business Owner:

City Property Owner:  Yes  No

Yes  No

## PUBLIC INPUT ON CITY COUNCIL AGENDA ITEM

Meeting Date: 10/11/2018

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Subject: Skatepark Item#                   

Name: Jon Snell

Address: 1208 E Gonzalez St

Phone: 850-572-0488

Email: jonsnell88@gmail.com

City Resident:  Yes  No City Business Owner:

City Property Owner:  Yes  No  Yes  No

## PUBLIC INPUT ON CITY COUNCIL AGENDA ITEM

Meeting Date: 10-11-18

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Subject: MARCY'S LAW Item# 22

Name: AMANDA Johnson

Address: 4812 Auburn Rd

Phone: 850 377 8195

Email: ARselbo@yahoo.com

City Resident:  Yes  No

City Business Owner:

City Property Owner:  Yes  No

Yes  No

## PUBLIC INPUT ON CITY COUNCIL AGENDA ITEM

Meeting Date: 10-17-18

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Subject: Item 13 Item# \_\_\_\_\_

Name: Ray Reesener

Address: 7155 S. Palatex

Phone: 850 375 8225

Email: \_\_\_\_\_

City Resident:  Yes  No

City Business Owner: \_\_\_\_\_

City Property Owner:  Yes  No

Yes  No

## PUBLIC INPUT ON CITY COUNCIL AGENDA ITEM

Meeting Date: 10-17-18

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Subject: 50 #13 Item# \_\_\_\_\_

Name: EJ Flenney

Address: 719 S. Palatka St.

Phone: 850 375 8225

Email: \_\_\_\_\_

City Resident:  Yes  No

City Business Owner:

City Property Owner:  Yes  No

Yes  No

## PUBLIC INPUT ON CITY COUNCIL AGENDA ITEM

Meeting Date: 10.11.2018

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Subject: Seville Harbor Item# 13

Name: Dorothy H. Dubuisson

Address: 1308 N Barcelma

Phone: 904-864-4648

Email: dohorganizes@gmail.com

City Resident:  Yes  No City Business Owner:

City Property Owner:  Yes  No  Yes  No

## PUBLIC INPUT ON CITY COUNCIL AGENDA ITEM

Meeting Date: 10/11/18

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Subject: Marsy's Law Item# 22,10-17

Name: Stephen Tony

Address: 101 King St. Dr.

Phone: 850 572 5337

Email: stephen.tony@live.com

City Resident:  Yes  No

City Business Owner:

City Property Owner:  Yes  No

Yes  No

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Name: Severin Perry

Address: 622 W. Belmont St.

Phone: 853-341-1128

Email: sperry99@gmail.com

City Resident:  Yes  No

City Property Owner:  Yes  No

City Business Owner:  Yes  No

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