



City of Pensacola

CITY COUNCIL

Agenda Conference Minutes

January 13, 2020

3:30 P.M.

Hagler/Mason Conference Room

The agenda conference was called to order by Council President Cannada-Wynn at 4:22 P.M. (immediately following the 3:30 Community Redevelopment Agency (CRA) Board meeting.

ROLL CALL

Council Members Present: Jewel Cannada-Wynn, Jared Moore, Ann Hill, Sherri Myers, Andy Terhaar (left 5:11)

Council Members Absent: John Jerrals, P.C. Wu

Also Present: Mayor Grover C. Robinson, IV

PRESENTATION ITEMS

None

REVIEW OF CONSENT AGENDA ITEMS

1. [20-00002 CITY OF PENSACOLA/ST. PAUL CATHOLIC CHURCH AGREEMENT - REAL PROPERTY EXCHANGE AT EXCHANGE PARK](#)

Recommendation: That City Council declare a small, defined portion of the Michael J. DeSorbo Exchange Park as surplus and authorize the Mayor to execute a deed and all other necessary documents to transfer ownership of the property for the benefit of St. Paul Catholic Church for stormwater construction purposes in exchange for the execution and recording of a reasonable access easement from the Church to the City across Church property to allow City and City lessee access to the park and to the cell towers located in the Michael J. DeSorbo Exchange Park.

Council Member Myers inquired of the reason for declaring the property surplus, as she could not find it in the legislative text and referenced City Council's Policy which requires such an explanation. Mayor Robinson and Director of Parks and Recreation Cooper responded accordingly. **City Attorney Woolf indicated the memorandum (dated 1/16/20) will be corrected adding the explanation.**

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

Additional discussion took place (regarding Item 1, 20-00002) with questions from Council Member Cannada-Wynn asking about possibility of overflow from the stormwater improvements proposed for construction by St. Paul Catholic Church which Director of Parks and Recreation Cooper indicated the plan has been approved by the City's Engineering Division.

2. [20-00003](#) PROJECT TITAN AT PENSACOLA INTERNATIONAL AIRPORT - CONSTRUCTION MANAGER AT-RISK SERVICES FOR MRO CAMPUS PROJECT

Recommendation: That City Council approve the selection of Brasfield & Gorrie, LLC under Request for Qualifications No. 19-022 for the Construction Manager At-Risk services for the MRO Campus Project at the Pensacola International Airport. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

Place on Consent Agenda.

3. [20-00029](#) AIRPORT - AIR METHODS CORPORATION LEASE AGREEMENT

Recommendation: That City Council authorize the Mayor to execute the Lease Agreement with Air Methods Corporation to provide for office, hangar, and aircraft ramp space at the Pensacola International Airport for an air ambulance service. Further, that City Council authorize the Mayor to take all actions necessary to execute the Lease Agreement.

Place on Consent Agenda.

4. [20-00027](#) AIRPORT - EXECUTIVE CAR RENTAL, INC. RENTAL CAR CONCESSION AGREEMENT AND REAL PROPERTY LEASE

Recommendation: That City Council authorize the Mayor to execute the Rental Car Concession Agreement and Real Property Lease with Executive Car Rental, Inc. Further, that City Council authorize the Mayor to take all actions necessary to execute the Rental Car Concession Agreement and Real Property Lease.

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)5. [20-00028](#) APPOINTMENTS TO AFFORDABLE HOUSING TASK FORCE

Recommendation: That City Council approve the following 13 appointees to the Affordable Housing Task Force:

1. Douglas Brown, Executive Director, Community Action Program Committee, Inc.
2. George Ed Brown, Jr., Vice President, United Bank
3. Rick Byars, Regional Manager, Corporate External Affairs, Gulf Power Company
4. Timothy Evans, Executive Director, Pensacola Habitat for Humanity
5. Frederick Gant, Attorney
6. Laura Gilmore, Branch Manager, Senior Loan Officer, Fairway Independent Mortgage Corporation
7. Percy Goodman, Executive Director, Community Enterprise Investment, Inc.
8. Carolyn Grawi, Executive Director, Center for Independent Living of Northwest Florida, Inc.
9. Shirley Henderson, Deputy Executive Director, Area Housing Commission
10. Patricia Lott, Executive Director, Escambia County Housing Finance Authority
11. John Rickmon, Real Estate Broker
12. Paul Ritz, Architect, Bullock Tice Associates
13. Renee' Wilhoit, Market Sales Leader, Synovus Mortgage Corporation

Place on Consent Agenda.

6. [20-00033](#) PORT TARIFF REVISIONS

Recommendation: That City Council approve the proposed revisions to Port of Pensacola Tariff No. 5A. Further, that City Council authorize the Mayor take all actions necessary to implement the changes.

Place on Consent Agenda.

7. [20-00012](#) AWARD OF BID #20-001 GABERONNE SWAMP STORMWATER PENSACOLA BAY WATERSHED IMPROVEMENTS -LANGLEY AVENUE DIVERSION

Recommendation: That City Council award Bid #20-001 Gaberonne Swamp Stormwater Pensacola Bay Watershed Improvements Langley Avenue Diversion Project to J Miller Construction, Inc., of Pensacola Florida, the lowest and most responsible bidder with a base bid of \$974,248.76 plus a 10% contingency in the amount of \$97,424.88 for a total amount of \$1,071,673.64. Further that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

8. [20-00038](#) REFERRAL TO PLANNING BOARD - PROPOSED AMENDMENT TO SECTION 12-14 (DEFINITIONS) OF THE LAND DEVELOPMENT CODE (LDC)

Recommendation: That City Council refer to the Planning Board a proposed amendment to Section 12-14 (Definitions) of the Land Development Code (LDC). Specifically, within the definition of "Kennel" including the words, "or unlicensed."

During discussion of Item 28 (20-00042) Council Member Myers (sponsor) withdrew this item.

Withdrawn.

9. [20-00045](#) ASSIGNMENT OF COUNCIL MEMBER JOHN JERRALDS TO THE TRANSPORTATION PLANNING ORGANIZATION

Recommendation: That City Council approve the assignment of Council Member John Jerrals to the Transportation Planning Organization.

Some discussion took place, not related to the assignment of Council Member Jerrals, rather general comments about the City's interests in getting projects before the TPO and that City staff is available to review projects (individually) with Council Members serving on the TPO prior to attending meetings in order to best represent City projects for funding consideration.

REVIEW OF REGULAR AGENDA ITEMS

10. [20-00006](#) QUASI-JUDICIAL HEARING - SOUTH PALAFOX BUSINESS DISTRICT - SITE PLAN APPROVAL FOR ADMIRAL'S ROW, LLC, 700-800 BLOCK SOUTH PALAFOX STREET

Recommendation: That City Council conduct a quasi-judicial hearing on January 16, 2020 to consider the request for a South Palafox Business District Site Plan Approval for Admirals Row, LLC, 700-800 Block of South Palafox Street.

Place on Regular Agenda.

11. [20-00007](#) REQUEST FOR LICENSE TO USE RIGHT OF WAY - SOUTH PALAFOX BUSINESS DISTRICT - ADMIRAL'S ROW, LLC, 700-800 BLOCK SOUTH PALAFOX STREET

Recommendation: That City Council approve the request for a License to Use Right of Way for improvements in the 700-800 Block of South Palafox Street.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

12. [37-19](#) PROPOSED ORDINANCE NO. 37-19 - REQUEST FOR VOLUNTARY ANNEXATION - BAPTIST HOSPITAL OWNED PROPERTIES

Recommendation: That City Council adopt Proposed Ordinance No. 37-19 on second reading.

AN ORDINANCE INCORPORATING AND ANNEXING A CERTAIN AREA CONTIGUOUS AND ADJACENT TO THE CITY OF PENSACOLA INTO THE CITY OF PENSACOLA, AND DECLARING SAID AREA TO BE A PART OF THE CITY OF PENSACOLA; REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

Council Member Myers inquired of the value of annexing and incorporating a large not-for-profit entity into City limits. Mayor Robinson responded that it is highly valuable to have a large employer such as a hospital within City limits. Council Member Myers made follow-up remarks indicating she is supportive, just inquired due to questions from constituents.

Place on Regular Agenda.

13. [20-00019](#) PUBLIC HEARING: ZONING MAP AND FUTURE LAND USE MAP AMENDMENT - BAPTIST ANNEXATION AREA

Recommendation: That City Council conduct a Public Hearing on January 16, 2020 to amend the Zoning Map and Future Land Use Map for recently annexed properties owned by Baptist Hospital.

Council Member Cannada-Wynn asked for an explanation regarding the necessity of the proposed amendment(s). Planning Services Administrator Morris responded accordingly referencing the statutory requirements.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

14. [03-20](#) PROPOSED ORDINANCE NO. 03-20 - FUTURE LAND USE MAP AMENDMENT - RECENTLY ANNEXED PROPERTIES - BAPTIST ANNEXATION AREA

Recommendation: That City Council approve Proposed Ordinance No. 03-20 on first reading:

AN ORDINANCE AMENDING THE FUTURE LAND USE CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE FUTURE LAND USE MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE.

Place on Regular Agenda.

15. [04-20](#) PROPOSED ORDINANCE NO. 04-20 - ZONING MAP AMENDMENT-RECENTLY ANNEXED PROPERTIES - BAPTIST ANNEXATION AREA

Recommendation: That City Council approve Proposed Ordinance No. 04-20 on first reading:

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE ZONING MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE.

Place on Regular Agenda.

16. [20-00022](#) PUBLIC HEARING: REQUEST TO VACATE RIGHT OF WAY - BAPTIST ANNEXATION AREA

Recommendation: That City Council conduct a Public Hearing on January 16, 2020 to consider the request to vacate certain rights of way located within the Baptist Annexation Area.

Council Member Terhaar expressed concern regarding truck access for the surrounding distribution warehouse businesses related to ingress and egress if the proposed area is vacated. Discussion took place with Mayor Robinson and City Attorney Woolf responding accordingly. Council Member Myers indicated she shares the same concerns as Council Member Terhaar.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

17. [05-20](#) PROPOSED ORDINANCE NO. 05-20 - VACATION OF RIGHT OF WAY - BAPTIST ANNEXATION AREA

Recommendation: That City Council approve Proposed Ordinance No. 05-20 on first reading.

AN ORDINANCE VACATING THE RIGHT OF WAY OF A CERTAIN AREA CONTIGUOUS AND ADJACENT TO THE CITY OF PENSACOLA , AND DECLARING SAID AREA TO BE IN A FULL WIDTH EASEMENT TO THE CITY OF PENSACOLA; REPEALING CLAUSE, AND PROVIDNG AN EFFECTIVE DATE.

Place on Regular Agenda.

18. [20-00024](#) PUBLIC HEARING: PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - CITY CODE SECTION 12-2-25 (B) COMMUNITY REDEVELOPMENT AGENCY URBAN OVERLAY DISTRICT BOUNDARY

Recommendation: That City Council conduct a Public Hearing on January 16, 2020 to consider a proposed amendment to the Land Development Code, redefining the boundary of the Community Redevelopment Agency (CRA) Urban Overlay District.

Council Member Moore referenced the legislative text and asked for clarification as it appears to effect not only Industrial zoning but also Commercial (C-2) and (C-3). Planning Services Administrator Morris responded that the intent is to address the industrial characterization of the (specific) parcels which are proposed for exclusion from the boundaries of the overlay district.

Place on Regular Agenda.

19. [06-20](#) PROPOSED ORDINANCE NO. 06-20 - PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE - CITY CODE SECTION 12-2-25 (B) COMMUNITY REDEVELOPMENT AGENCY URBAN OVERALY DISTRICT BOUNDARY

Recommendation: That City Council approve Proposed Ordinance No. 06-20 on first reading.

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

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

20. [20-00032](#) CITY COUNCIL CONSENT TO THE MAYOR'S APPOINTMENT OF AMY LOVOY AS FINANCE DIRECTOR

Recommendation: That City Council consent to the Mayor's appointment of Amy Lovoy as Finance Director in accordance with City Charter Section 4.01(a)(7).

Mayor Robinson made comments highlighting Ms. Lovoy's qualifications and experience.

Place on Regular Agenda.

21. [2020-01](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2020-01 - LAW ENFORCEMENT TRUST FUND (LETF) PURCHASES FOR THE PENSACOLA POLICE DEPARTMENT

Recommendation: That the City Council adopt Supplemental Budget Resolution No. 2020-01.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

22. [20-00026](#) PORT OF PENSACOLA - FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT #422354-3-94-02 - SEAPORT SECURITY GRANT

Recommendation: That City Council authorize the Mayor to accept the State of Florida, Florida Seaport Transportation Economic Development (FSTED) Grant #422354-3-94-02 in the amount of \$46,703 comprised of \$35,027 in FSTED funds and \$11,676 in Port of Pensacola matching funds. Further, that City Council authorize the mayor to take all actions necessary for the acceptance of the grant. Finally, that City Council approve a supplemental budget resolution appropriating the grant funds.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

23. 2020-02 SUPPLEMENTAL BUDGET RESOLUTION NO. 2020-02 - PORT OF PENSACOLA - FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT #422354-3-94-02 - SEAPORT SECURITY GRANT

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2020-02.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

24. 20-00041 WORKSHOP PERTAINING TO THE WEST CERVANTES STREET ROAD DIET BEING PLACED ON THE TRANSPORTATION PLANNING ORGANIZATION (TPO) LONG-TERM PLAN.

Recommendation: That City Council conduct a workshop on Monday, February 3, 2020 at 4:00 p.m. to discuss Phase II of the West Cervantes Street project, the Road Diet.

Council Member Hill (sponsor) explained her intent in requesting a workshop on this issue. Mayor Robinson made follow-up remarks indicating he welcomes the workshop for public discussion.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

25. [01-20 PROPOSED ORDINANCE NO. 01-20 AMENDING SECTION 3-3-11 \(4\) OF THE CODE OF THE CITY EXTENDING THE SUNSET DATE OF THE MINORITY AND WOMEN OWNED BUSINESS ENTERPRISE PROGRAM TO MARCH 1, 2025.](#)

Recommendation: That City Council approve Proposed Ordinance No. 01-20 on first reading.

AN ORDINANCE AMENDING SECTION 3-3-11 (4) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA EXTENDING THE SUNSET DATE OF THE MINORITY AND WOMEN OWNED BUSINESS ENTERPRISE PURCHASING PROGRAM BY MARCH 1, 2020 TO MARCH 1, 2025; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING FOR AN EFFECTIVE DATE.

Council Member Myers requested reporting information on the program. Mayor Robinson explained the intent for extending the sunset date. **Council Member Cannada-Wynn indicated she has also requested data on the program for Thursday's Council Meeting (on 1/16/20).** Mayor Robinson made follow-up remarks. City Attorney Woolf clarified the code (currently) requires annual reporting of the participating businesses.

Place on Regular Agenda.

DISCUSSION

26. [20-00037 TRANSPORTATION ALTERNATIVES SET-ASIDE APPLICATION - FLORIDA-ALABAMA TRANSPORTATION PLANNING ORGANIZATION \(TPO\)](#)

Council Member Myers (sponsor) indicated her main concern is for the entire City not just the Community Redevelopment Area District(s). **Mayor Robinson assured that the entire City is being looked at for priority areas.** **Deputy City Administrator of Community Development Fiddler concurred that is the strategy from staff's perspective.**

DISCUSSION (CONT'D.)**27. [20-00039](#) DISCUSSION OF THE CITY'S UNSAFE AND SUBSTANDARD HOUSING CODES AND THE POSSIBLE INCORPORATION OF ESCAMBIA COUNTY'S UNSAFE BUILDING ABATEMENT CODE.**

Council Member Myers (sponsor) indicated she is concerned with the preservation of low-income housing stock. She referenced hardcopies she provided of Escambia County's (current) Unsafe Building Abatement Code under Article VI, Section 30-200 through 30-207 (on file with background materials). She indicated she is inclined to propose adoption of such language which is specific rather than the City's current Code under the International Standards.

Discussion ensued among Council with Deputy City Administrator of Community Development Fiddler responding to comments. **Mayor Robinson indicated he would like Inspections Services Administrator Bilby and the City Attorney's office to review this issue and provide a briefing possibly in mid-February or early-March.** Council Members Hill, Cannada-Wynn and Myers made follow-up remarks.

28. [20-00042](#) REPEAL OF SOME OF THE CITY'S ANIMAL WELFARE CODES, WITH INCORPORATION OF RELEVANT ESCAMBIA COUNTY ANIMAL CONTROL AND WELFARE CODES.

Council Member Myers (sponsor) expressed concerns regarding the enforcement of the current code since the City and Escambia County are no longer under an interlocal agreement for the County to provide enforcement services. She described the confusion due to inconsistency between City and County codes. **Mayor Robinson made comments indicating he agrees, and he would like the opportunity to address the issue. City Attorney Woolf recommended, for the time being, to pull consent agenda Item 8 (20-00038) Referral to Planning Board – Proposed Amendment to Section 12-14 (Definitions) of the Land Development Code (LDC). Council Member Myers (sponsor) agreed).**

CONSIDERATION OF ANY ADD-ON ITEMS

None

READING OF ITEMS FOR COUNCIL AGENDA

City Clerk Burnett read the items as presented above.

No objections.

COMMUNICATIONS

CITY ADMINISTRATOR'S COMMUNICATION

Mayor Robinson provided an update on the City's recovery from the cyber attack on the City's network which occurred in December and related expenditures.

CITY ATTORNEY'S COMMUNICATION

None

29. [20-00004 MONTHLY FINANCIAL REPORT – DECEMBER 2019 - CHIEF FINANCIAL OFFICER RICHARD BARKER, JR.](#)

Chief Financial Officer Barker provided an overhead presentation (on file with background materials). He responded accordingly to Council Member Myers' question related to the Tree Trust Fund.

CITY COUNCIL COMMUNICATION

None

ADJOURNMENT

5:56 P.M.