



City of Pensacola

CITY COUNCIL

Regular Meeting Minutes

April 13, 2017

5:36 P. M.

Council Chambers

ROLL CALL

Council Members Present: Brian Spencer, Gerald Wingate, Jewel Cannada-Wynn, Larry B. Johnson (left at 10:15), Sherri Myers, Andy Terhaar, P.C. Wu,

Council Members Absent: None

Other: Mayor Ashton J. Hayward, III (arrived 6:30, left 9:13)

INVOCATION

Given by Council Member Wingate.

PLEDGE OF ALLEGIANCE

Lead by Council Member Wingate.

FIRST LEROY BOYD FORUM

The following individuals addressed Council expressing disapproval of the idea to remove the park/playground from Morris Court (as was proposed under Item 18, but has been withdrawn from the agenda by the sponsor):

Ellison Bennett

Whilheminia Ladd-Gadson

Colvin Rancifer

Gloria Horning: Addressed Council relaying the continued negative impacts on the neighborhood and on her (residence) property, such as flooding, due to the construction of the Corinne Jones Stormwater Pond. She provided a hand-out to Council of a map of the area (on file) and indicated no City official has come out to see the situation except for Council Member Myers. She also expressed her disapproval of the idea to remove the park/playground from Morris Court.

Anthony Sutton: Addressed Council indicating he continues to face prejudice as a minority business owner in trying to bid/provide quotes for City contracts, but expressed his frustration also with his past treatment under City contract in that in comparing public records he found instances where his work was docked while other contractors providing the same services do not have the same issues.

FIRST LEROY BOYD FORUM (CONT'D.)

The following individuals addressed Council regarding homelessness and the need for the City and the County to come together to provide resources for solutions instead of continuing to talk around the issues:

Cheryl Poister

Nathan Monk

Barbara Mayall: Addressed Council to spread awareness of the issues related to “human trafficking” especially in an area with close access to I-10.

Bill Fetke: Addressed Council urging the repeal of City code which regulates and requires permitting of restaurants wishing to allow patron’s dogs on the premises. He indicated it is allowed under Florida law and should not have to be locally regulated but, rather let the free market decide.

The following individuals addressed Council expressing support of Police Chief David Alexander, III as an exceptional leader and members of the community desire for his tenure to continue past his retirement date:

Priscilla Sapp

Bishop C. Hackworth

The following individuals addressed Council regarding various local issues:

Gary Sansing

Gayelynn Dilek Brewer

That concluded the first segment of LeRoy Boyd Forum

PRESENTATION

1. [17-00240](#) PRESENTATION FROM THE CHAIRMAN OF THE BOARD OF TRUSTEES- COMMUNITY MARITIME PARK ASSOCIATES (CMPA)

Recommendation: Presentation from CMPA Board of Trustees Chairman to be given at the April 13, 2017 City Council Meeting; updating 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.

Mr. James Reeves, Chairman of the Board of Trustees - Community Maritime Park Associates, Inc. (CMPA) addressed Council with an overhead presentation (on file with background materials) providing an update of the Park related to operations, revenues, expenditures, fund balance, loans/annual debt service, and ad valorem taxes.

Council Members Myers and Spencer made follow-up remarks.

AWARDS

None.

APPROVAL OF MINUTES**2. [17-00264](#) APPROVAL OF REGULAR MEETING MINUTES DATED MARCH 9, 2017**

A motion to approve the minutes was made by Council Member Wingate and seconded by Council Member Johnson.

The motion carried by the following vote:

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

APPROVAL OF AGENDA

Council President Spencer: Referenced an add-on item sponsored by Mayor Hayward - *Award of Contract for Sale of 150 South Baylen Street*, and indicated he will entertain a motion.

A motion to approve the item as an add-on to the regular agenda was made by Council Member Cannada-Wynn and seconded by Council Member Wingate.

The motion carried by the following vote:

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

Council Member Cannada-Wynn: *Pulled Item 18, Return Conveyance of Morris Court Park to the Area Housing Commission.*

City Administrator Olson: *Pulled Public Hearing Item 10, Annexation of Property – Campus Heights and (related) Item 11, P.O. No. 10-17 (on first reading).*

Council President Spencer: Indicated he will entertain a motion to approve the revised agenda.

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

APPROVAL OF AGENDA (CONT'D.)

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

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

CONSENT AGENDA

3. 17-00012 AWARD OF CONTRACT - BID #17-006 BAYOU CHICO "R" STREET AT MAGGIE'S DITCH STORMWATER TREATMENT ENHANCEMENT PROJECT

Recommendation: That City Council award a contract for construction of the Bayou Chico "R" Street at Maggie's Ditch Stormwater Treatment Project to Williams Industrial & Marine, Inc., of Westville, Florida, the lowest and most responsible bidder with a base bid of \$597,719.00, plus 10% contingency of \$59,771.90 for a total amount of \$657,490.90.

4. 17-00221 AIRPORT - AWARD OF BID #17-018, PENSACOLA INTERNATIONAL AIRPORT FUEL FARM ROAD RECONSTRUCTION

Recommendation: That City Council award Bid # 17-018, Pensacola International Airport Fuel Farm Road Reconstruction to J. Miller Construction, Inc., the lowest and most responsible bidder in the amount of \$125,684.00 for roadway repairs as outlined in the bid specifications plus a 10% contingency of \$12,568.40 for a total amount of \$138,252.40. Further, that City Council authorize the Mayor to execute a contract and take all actions necessary to complete the project.

5. 17-00208 APPOINTMENT TO THE FIREFIGHTERS' RELIEF AND PENSION FUND BOARD OF TRUSTEES

Recommendation: That City Council ratify the appointment of Jerri Barnes as the fifth member trustee of the Firefighters' Relief and Pension Fund.

6. 17-00247 APPOINTMENTS - PARKS AND RECREATION BOARD

Recommendation: That City Council appoint Barrett Breedlove; and reappoint Paul Epstein to serve on the Parks and Recreation Board for a term of three (3) years, expiring March 31, 2020.

CONSENT AGENDA (CONT'D.)

7. [17-00260 OVERRIDE MAYOR ASHTON HAYWARD'S VETO OF MARCH 14, 2017 OF THE CITY COUNCIL ACTION ITEM #17-00186, BEGIN THE PROCESS FOR HIRING A BUDGET ANALYST, PASSED BY CITY COUNCIL ON MARCH 9, 2017.](#)

Recommendation: That City Council vote to override Mayor Ashton Hayward's Veto, dated March 14, 2017, of City Council legislative action item #17-00186 pertaining to the City Council beginning the process of hiring a Budget Analyst, which City Council passed on March 9, 2017.

A motion to approve consent agenda items 3 – 7 was made by Council Member Wingate and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

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

REGULAR AGENDA

8. [11-17 PROPOSED ORDINANCE NO. 11-17 - AMENDMENT TO SECTION 4-3-97, PROVIDING SANITATION COLLECTION FEE AND CREATING A SANITATION EQUIPMENT SURCHARGE.](#)

Recommendation: That City Council approve Proposed Ordinance No. 11-17 on first reading.

[AN ORDINANCE AMENDING SECTION 4-3-97 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR INCREASE IN SANITATION FEES; PROVIDING FOR SANITATION EQUIPMENT SURCHARGE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.](#)

A motion to pass on first reading was made by Council Member Terhaar and seconded by Council Member Cannada-Wynn.

Council Member Myers: Made comments indicating she cannot support increasing fees at this time and **made a substitute motion to table this item (until Council has a budget analyst on staff.)**

Substitute motion dies due to lack of a second.

REGULAR AGENDA (CONT'D.)

Discussion ensued among Council (regarding P.O. No. 11-17) with City Administrator Olson and Sanitation Services & Fleet Management Director Moore responding accordingly to questions, as well as referencing the presentation which was made to Council last month regarding the rate study. Marc Rogoff, Project Director and National Expert in Solid Waste Rate Studies of SCS Consultants was available and elaborated on the details of the study.

Upon conclusion of discussion the vote was called.

The motion (to approve P.O. No. 11-17 on 1st reading) carried by the following vote:

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

9. [17-00222 QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - JUNCTION AT WEST HILL](#)

Recommendation: That City Council conduct a quasi-judicial hearing on April 13, 2017 to consider **approval of the final subdivision plat - Junction at West Hill.**

Council President Spencer explained, by reading into the record, a summary of how a quasi-judicial process differs from Council's legislative process. He then asked staff if this issue has been contested. Planning Services Administrator Morris indicated she is not aware of any opposition. Council President Spencer indicated since this issued is not contested they may dispense with the formalities.

Planning Services Administrator Morris presented evidence on behalf of the City, as outlined in the memorandum dated April 13, 2017 and provided overhead graphic of the proposed final subdivision plat.

David Lamar, representative for the applicant had no rebuttal and indicated he is available to answer questions.

Deliberation took place among Council with Planning Services Administrator Morris responding accordingly to questions.

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

Mayor Hayward made comments in support of this development.

Public input was heard from Robin Reshard.

Council Members Myers and Spencer made follow-up remarks.

REGULAR AGENDA (CONT'D.)

The motion (to approve Item 9) carried by the following vote:

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

*****THE FOLLOWING ITEM AND PROPOSED ORDINANCE WERE PULLED BY
THE SPONSOR*****

10. [17-00057 ANNEXATION OF PROPERTY - CAMPUS HEIGHTS](#)

***Recommendation:** That City Council conduct the first of two required Public Hearings to consider the annexation of seventy-seven (77) parcels in the Campus Heights area, sixty-one (61) of which are owned by the Pensacola International Airport.*

Withdrawn by sponsor.

11. [10-17 PROPOSED ORDINANCE NO. 10-17 - ANNEXATION OF PROPERTY - CAMPUS HEIGHTS](#)

***Recommendation:** That City Council approve Proposed Ordinance No. 10-17 on first 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.

Withdrawn by sponsor.

REGULAR AGENDA (CONT'D.)

12. [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.

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

Public input was heard from the following individuals:

Stephen Embry	Mack Smith (no longer in attendance)
Cheryl Poister (no longer in attendance)	Corbett Davis, Jr.
Larry Downs, Jr.	Todd Thompson
Rick Frye	Jordan Mitchell
Jeff Walton	Britt McGowan
Samuel Laster	Michael Kimberl
Gayelynn Dilek Brewster	Curt Morse
Sara Latshaw	John Peacock
Nathan Monk	Nathan Marona
Michael Guilday	Barbara Mayall

Some discussion took place among Council. Council Executive Kraher advised Council it was recently brought to his attention that the **proposed ordinance draft attached to this item is not the correct version, but the following item recommending approval of P.O. No. 9-17 on first reading is the correct version. He indicated Council may move forward on the next item with the correct language. City Attorney Bowling concurred with Council Executive Kraher.**

Both sponsors of this item (Council President Spencer and Mayor Hayward) agreed to pull this item.

The above item was withdrawn.

REGULAR AGENDA (CONT'D.)

13. [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 INDIVIDUALS 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.

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

Council Members Terhaar and Myers made comments and asked for clarification regarding the language contained in the current draft of P.O. No. 09-17 with City Attorney Bowling responding accordingly.

Public input was heard from the following individuals:

Nathan Monk	Alan Gray
John Peacock	Barbara Mayall
Larry Downs, Jr.	Sara Ousley
Michael Kimberl	Sara Latshaw
Nathan Marona	Tracy Goodson
Amanda Martins	

Additional discussion took place among Council Members with City Attorney Bowling responding accordingly explaining the ordinance language was constructed to uphold constitutional scrubbing.

Council President Spencer and Mayor Hayward made follow-up remarks. There being no further discussion, the vote was called.

The motion carried by the following vote:

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

REGULAR AGENDA (CONT'D.)

14. [17-00227 PENSACOLA ENERGY - AWARD OF BID #17-012, NATURAL GAS PIPELINE CONSTRUCTION EAST PENSACOLA LOW PRESSURE AREA UPGRADES](#)

Recommendation: That City Council award Bid #17-012 Natural Gas Pipeline Construction to R.A.W. Construction, LLC., the lowest and most responsible bidder in the amount of \$2,477,265 for seven (7) natural gas infrastructure replacement projects, \$581,835 for the miscellaneous work option as outlined in the bid specifications plus a 10% contingency of \$305,910 for a total amount of \$3,365,010 for a period of one year. Further, that City Council approve the supplemental budget resolution appropriating the additional amount needed from the Florida Gas System Revenue Note, Series 2016. Finally, that City Council authorize the Mayor to execute a 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 Terhaar.

Public input was heard from Larry Downs, Jr.

Mayor Hayward made follow-up comments.

Discussion took place among Council with City Administrator Olson and Pensacola Energy Director Suarez responding accordingly to questions.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

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

15. [17-20 SUPPLEMENTAL BUDGET RESOLUTION NO. 17-20 - PENSACOLA ENERGY - AWARD OF BID #17-012, NATURAL GAS PIPELINE CONSTRUCTION EAST PENSACOLA LOW PRESSURE AREA UPGRADES](#)

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-20

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

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

REGULAR AGENDA (CONT'D.)**The motion (to adopt Res. No. 17-20) carried by the following vote:**

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

16. [12-17 PROPOSED ORDINANCE NO. 12-17 - AMENDING SECTION 6-2-3 OF THE CITY CODE--PARKS AND RECREATION BOARD - DUTIES](#)

Recommendation: That City Council approve Proposed Ordinance 12-17 on first reading.

AN ORDINANCE AMENDING SECTION 6-2-3 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, PARKS AND RECREATION BOARD - DUTIES; TO PROVIDE FOR THE INCLUSION WITHIN THE DUTIES LANGUAGE STATING, "AND RECREATIONAL ACTIVITIES"; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE

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

The motion carried by the following vote:

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

17. [13-17 PROPOSED ORDINANCE NO. 13-17 - AMENDING SECTION 8-3 OF THE CITY CODE - CREATING SECTION 8-3-4 NO WAKE ZONE FOR THE PORTION OF THE WATERS NORTH OF THE HARBOR CHANNEL ADJACENT TO THE RED BUOY MARKER KNOWN AS "PMT2" LOCATED IN PENSACOLA BAY TO THE ENTRANCE OF PALAFOX PIER BASIN AND FROM THE WEST END OF THE PORT OF PENSACOLA TO THE WEST END OF THE HARBOR CHANNEL](#)

Recommendation: That City Council approve Proposed Ordinance 13-17 on first Reading.

AN ORDINANCE AMENDING SECTION 8-3 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, OFFENSES UPON WATERS; CREATING SECTION 8-3-4 TO PROVIDE FOR A NO WAKE ZONE FOR THE PORTION OF THE WATERS NORTH OF THE HARBOR CHANNEL ADJACENT TO THE RED BUOY MARKER KNOWN AS "PMT2" LOCATED IN PENSACOLA BAY TO THE ENTRANCE OF PALAFOX PIER BASIN AND FROM THE WEST END OF THE PORT OF PENSACOLA TO THE WEST END OF THE HARBOR CHANNEL; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

REGULAR AGENDA (CONT'D.)

A motion to (approve P.O. No. 13-17 on first reading) was made by Council Member Johnson and seconded by Council Member Terhaar.

The motion carried by the following vote:

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

*****THE FOLLOWING ITEM WAS PULLED BY THE SPONSOR*****

18. 17-00228 RETURN CONVEYANCE OF MORRIS COURT PARK TO THE AREA HOUSING COMMISSION

Recommendation: That City Council authorize the Mayor to execute all documents necessary to return the property located at North "J" and West Lloyd Streets, known as Morris Court Park, to the Area Housing Commission for use as planned affordable housing.

Withdrawn by sponsor.

19. 17-00251 REIMBURSEMENT TO CDBG FUND - PURCHASE OF 113 NORTH "C" STREET (FORMER BLOUNT SCHOOL PROPERTY)

Recommendation: That City Council approve reimbursing the CDBG Fund \$295,937 based on CDBG program requirements for the purchase of the property located at 113 North "C" Street (former Blount School). Further that City Council approve the supplemental budget resolution appropriating funding for the reimbursement.

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

The motion carried by the following vote:

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

REGULAR AGENDA (CONT'D.)

20. [17-22 SUPPLEMENTAL BUDGET RESOLUTION NO. 17-22 - APPROPRIATING FUNDING FOR REIMBURSEMENT TO THE CDBG FUND - PURCHASE OF 113 NORTH "C" STREET \(FORMER BLOUNT SCHOOL PROPERTY\)](#)

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-22.

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

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

The motion carried by the following vote:

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

21. [17-00245 PORT WAREHOUSE #9 TERMINATION OF LEASE AND WAREHOUSE #1 LEASE AMENDMENT WITH OFFSHORE INLAND MARINE & OILFIELD SERVICES, INC.](#)

Recommendation: That City Council authorize the Mayor to take all action necessary to terminate the Lease Agreement for Port Warehouse #9 and to amend the Lease Agreement for Port Warehouse #1 with Offshore Inland Marine & Oilfield Services, Inc.

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

Input was heard from the following individuals:

Jeff Blake	Scott Luth
Jack Berglund	Matthew Pate
Buddy McCormick	Robin Roberts

Council Members asked questions throughout input with City Administrator Olson and speakers responding accordingly to questions. Chief Financial Officer Barker also fielded comments and questions related to financial aspects.

A substitute motion to postpone this item was made by Council Member Myers and seconded by Council Member Cannada-Wynn.

REGULAR AGENDA (CONT'D.)

Discussion took place among Council **regarding the substitute motion to postpone (Item 21)** with City Administrator Olson and Chief Financial Officer Barker given opportunities to provide input.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

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

22. [17-00254 NEW MARKET TAX CREDIT UNWIND](#)

Recommendation: That City Council authorize the Mayor to execute all documents and take all action necessary associated with unwinding the New Market Tax Credit transaction. This includes but is not limited to executing an Interlocal Agreement with the Community Maritime Park Associates, Inc. (CMPA) and the Community Redevelopment Agency (CRA) to terminate the Project Support Payments to the CMPA. Further, as provided in the CMPA Articles of Incorporation, that the City accept the CMPA's distributed assets. In addition, that upon NMTC unwind, when the City owns the CTA Investment Fund that City Council authorize the Mayor to forgive the loans made to the CMPA.

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 Johnson no longer in attendance):

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

REGULAR AGENDA (CONT'D.)

23. [17-00241](#) JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) - VIDEO DETECTION EQUIPMENT

Recommendation: That City Council authorize the Mayor to execute and implement a Joint Participation Agreement (JPA) with FDOT for the purchase of Video Detection Equipment to be installed at certain state-owned intersections within the City. Further, that City Council adopt a supplemental budget resolution appropriating the funds from the FDOT. Finally that City Council authorize the Mayor to take any and all actions necessary to execute and implement the JPA with the FDOT.

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

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

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

24. [17-21](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-21 - JOINT PARTICIPATION AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION - VIDEO DETECTION EQUIPMENT

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-21.

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

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

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

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

REGULAR AGENDA (CONT'D.)25. [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

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

Public input was heard from Larry Downs, Jr.

There being no further discussion, the vote was called.

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

Yes: 5	Brian Spencer, Gerald Wingate, Andy Terhaar, Jewel Cannada-Wynn, Sherri Myers
No: 1	P.C. Wu

26. [17-00266 AWARD OF CONTRACT FOR SALE OF 150 SOUTH BAYLEN STREET](#)

Recommendation: That the City Council approve the recommendation of the Community Redevelopment Agency to award the contract for sale of the surplus property at 150 South Baylen Street to Studer Properties in the amount of \$510,000.00 and authorize the CRA Chairperson to execute all necessary documents.

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

The motion carried by the following vote (with Council Member Johnson no longer in attendance):

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

DISCUSSION

None.

COUNCIL EXECUTIVE'S REPORT

Council Executive Kraher provided the following information:

- Advised he is working with the County for tentative dates of availability to schedule the next joint meeting. Then he will work with Council Members to confirm a date.
- Made follow-up remarks regarding the issues with Item 12.

MAYOR'S COMMUNICATION

None.

COUNCIL COMMUNICATIONS

Council Member Wu made follow-up remarks to Mr. Downs (who was still in the audience) indicating he admires his passion even when he doesn't agree with him.

CIVIC ANNOUNCEMENTS

None.

SECOND LEROY BOYD FORUM

Cory Hirsch: Addressed Council regarding his positive experiences (recently) while visiting City Hall and making inquiries. He suggested Council consider implementing a permitting process for "busking" in order to appeal to endeavors of citizens.

Council President Spencer made follow-up remarks.

Anthony Sutton: Again addressed Council indicating continuing his comments from this evening's first LeRoy Boyd Forum regarding prejudice he faces as a minority business owner in trying to bid/provide quotes for City contracts.

ADJOURNMENT

There being no additional speakers, the meeting was adjourned.

WHEREUPON the meeting was adjourned at 10:36 P.M.

Adopted: _____

Approved: _____
Brian K. Spencer, President of City Council

Attest:

Ericka L. Burnett, City Clerk