



City of Pensacola

CITY COUNCIL

Regular Meeting Minutes

April 25, 2019

5:30 P.M.

Council Chambers

Council President Terhaar called the meeting to order at 5:30 P.M.

ROLL CALL

Council Members Present: Andy Terhaar, Jewel Cannada-Wynn, Ann Hill, Jared Moore, Sherri Myers

Council Members Absent: P.C. Wu, Gerald Wingate

Also Present: Mayor Grover C. Robinson, IV

INVOCATION

Council President Andy Terhaar

PLEDGE OF ALLEGIANCE

Council Member Jewel Cannada-Wynn

FIRST LEROY BOYD FORUM

The following individuals addressed Council regarding the downtown operations of Blue Duck Scooters (which were halted by the City to address various criteria for operating):

Donna Meeks

Joe Meeks

Jeffrey Mangold
(representing Blue Duck Scooters)

Mayor Robinson made follow-up remarks indicating he welcomes working with Blue Duck Scooters to get their business qualified for operating in the City of Pensacola.

Ashley Kostelac: Addressed Council regarding *National Sexual Assault Awareness Month* speaking of its mission and inviting all to attend the march on May 1st.

AWARDS

None.

APPROVAL OF MINUTES

1. [19-00223](#) APPROVAL OF MINUTES: REGULAR MEETING DATED APRIL 11, 2019

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, Ann Hill, Jared Moore, Jewel Cannada-Wynn, Sherri Myers
No: 0 None

APPROVAL OF AGENDA

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

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

The motion carried by the following vote:

Yes: 5 Andy Terhaar, Ann Hill, Jared Moore, Jewel Cannada-Wynn, Sherri Myers
No: 0 None

CONSENT AGENDA

2. [19-00090](#) AIRPORT - ASSIGNMENT AND ASSUMPTION OF LEASE WITH CONSENTS, ECKO AIR, LLC TO BLUE AIR TRAINING LLC

Recommendation: That City Council authorize the Mayor to execute the Assignment and Assumption of Lease with Consents to provide for the assignment of the ECKO Air, LLC Lease and Operating Agreement to Blue Air Training LLC. Further that City Council authorize the Mayor to take all necessary actions to execute the assignment.

CONSENT AGENDA (CONT'D.)

3. [19-00091](#) AWARD OF BID #19-012 TEXAR DRIVE 17TH AND 18TH AVENUE OUTFALLS AT BAYOU TEXAR PROJECT

Recommendation: That City Council award Bid #19-012 Texar Drive 17th and 18th Avenue Outfalls at Bayou Texar Project to B & W Utilities, Inc., of Pensacola Florida, the lowest and most responsible bidder with a base bid of \$299,235.80, plus a 10% contingency in the amount of \$29,923.58 for a total amount of \$329,159.38. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

4. [19-00184](#) PENSACOLA INTERNATIONAL AIRPORT - PARKING RATE ADJUSTMENT

Recommendation: That City Council approve an increase to the daily parking rate in Economy Lot 1 and Economy Lot 2 from \$6.00 to \$8.00 at the Pensacola International Airport.

A motion to approve consent agenda Items 2, 3, and 4 was made by Council Member Moore and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 5	Andy Terhaar, Ann Hill, Jared Moore, Jewel Cannada-Wynn, Sherri Myers
No: 0	None

REGULAR AGENDA

5. [19-00163](#) PUBLIC HEARING - AMENDMENT TO SECTION 12-2-8 OF THE LAND DEVELOPMENT CODE - COMMERCIAL LAND USE DISTRICT - RECREATION OR AMUSEMENT PLACES OPERATED FOR PROFIT

Recommendation: That City Council conduct the second of two (2) Public Hearings on April 25, 2019 **regarding an amendment to Section 12-2-8 of the Land Development Code - Commercial Land Use District - Recreation or Amusement Places Operated for a Profit.**

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

Council Member Cannada-Wynn asked about a specified definition for such uses which Planning Services Administrator Morris responded that currently it is not specifically defined, but would apply general language for a common/best fit definition; further, Council may propose adoption of another ordinance to specify a definition for such uses.

REGULAR AGENDA (CONT'D.)

Public input was heard (regarding P.O. No. 15-19 on first reading) by the following individuals:

Joe Hammons

Charles Fairchild

Sonia Mason

Council Member Hill (sponsor) explained the reason and issues for bringing this forward. Police Chief Lyter addressed Council regarding law enforcement issues and provided an overhead presentation (on file with background materials) of videos of various activities.

Some discussion took place among Council with input from Mayor Robinson as well.

Public input continued:

Andrew Rothfeder

Celeste Taylor

Glen Hill

Tim McEvoy

Travis Peterson

Rachael Johnson

Input was also heard from City Attorney Woolf addressing the language in the proposed ordinance. She responded accordingly to questions during continued discussion among Council with further input from Mayor Robinson.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

Yes: 4 Andy Terhaar, Ann Hill, Jared Moore, Jewel Cannada-Wynn

No: 1 Sherri Myers

8. [19-00175 FY 19 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT \(JAG\) PROGRAM: STATE](#)

Recommendation: That City Council approve and authorize the Mayor to execute the acceptance the FY 19 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: State, agreement between the City of Pensacola and the State of Florida Department of Law Enforcement, Office of Criminal Justice Grants in the amount of \$34,348, upon award of the grant. Further, 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 Hill.

REGULAR AGENDA (CONT'D.)

The motion (to approve Item 8) carried by the following vote:

Yes: 5 Andy Terhaar, Ann Hill, Jared Moore, Jewel Cannada-Wynn, Sherri Myers
No: 0 None

9. [2019-21 SUPPLEMENTAL BUDGET RESOLUTION NO. 2019-21 - FY19 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT \(JAG\) PROGRAM: STATE](#)

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2019-21

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 Moore and seconded by Council Member Cannada-Wynn.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, Ann Hill, Jared Moore, Jewel Cannada-Wynn, Sherri Myers
No: 0 None

10. [14-19 PROPOSED ORDINANCE NO. 14-19 - AUTHORIZING A SPECIAL ASSESSMENT UPON HOSPITAL PROPERTY TO GENERATE FUNDS FOR INDIGENT HEALTH CARE](#)

Recommendation: That City Council adopt Proposed Ordinance No. 14-19 on second reading.

AN ORDINANCE RELATING TO FUNDING FOR THE PROVISION OF INDIGENT CARE SERVICES BY HOSPITALS LOCATED WITHIN THE CITY OF PENSACOLA; PROVIDING A SPECIAL NON-AD VALOREM ASSESSMENT AGAINST THE PROPERTY OF SUCH HOSPITALS FOR THE PURPOSE OF INCREASING FUNDING AVAILABLE FOR THE PROVISION OF SUCH SERVICES; PROVIDING DEFINITIONS; PROVIDING PROCEDURES FOR THE IMPLEMENTATION AND COLLECTION OF SPECIAL ASSESSMENTS CONFORMING TO THEIR REQUIREMENTS OF LAW; PROVIDING FOR SEVERABILITY; PROVIDING A REPEALER; AND PROVIDING AN EFFECTIVE DATE. **(Ordinance No. 10-19)**

REGULAR AGENDA (CONT'D.)

A motion to adopt (P.O. No. 14-19) was made by Council Member Cannada-Wynn and seconded by Council Member Moore.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, Ann Hill, Jared Moore, Jewel Cannada-Wynn, Sherri Myers
No: 0 None

11. 2019-24 RESOLUTION NO. 2019-24 - INDIGENT HEALTH CARE SPECIAL ASSESSMENT

Recommendation: That City Council adopt Resolution No. 2019-24.

AN ASSESSMENT RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA, AUTHORIZING, LEVYING, AND IMPOSING A NON-AD VALOREM ASSESSMENT WITHIN THE AREAS OF THE CITY LIMITS DESCRIBED HEREIN FOR THE PURPOSE OF SUPPORTING THE PROVISION OF CHARITY HEALTH CARE BY THE CITY'S HOSPITALS TO INDIGENT MEMBERS OF THE NORTHWEST FLORIDA COMMUNITY; FINDING AND DETERMINING THAT CERTAIN REAL PROPERTY IS SPECIALLY BENEFITED BY THE INCREASED SUPPORT FOR CHARITY CARE; MAKING CERTAIN OTHER FINDINGS IN RELATION THERETO; ESTABLISHING THE METHOD OF ASSESSING AND COLLECTING THE ASSESSMENT AGAINST THE REAL PROPERTY; SPECIFYING THE MAXIMUM ANNUAL ASSESSMENT AMOUNT AND THE MAXIMUM ASSESSMENT LIEN TO BE LEVIED AGAINST THE SPECIALLY BENEFITED REAL PROPERTY; CONFIRMING THE ASSESSMENT RESOLUTION; PROVIDING FOR CERTAIN OTHER AUTHORIZATIONS AND DELEGATIONS OF AUTHORITY IN RELATION THERETO; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

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

City Attorney Woolf addressed a correction made removing a listed facility (which is outside City limits) the same as was revised for agenda conference, but found on an additional page.

There being no further discussion, the vote was called.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, Ann Hill, Jared Moore, Jewel Cannada-Wynn, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)

12. [2019-22 SUPPLEMENTAL BUDGET RESOLUTION NO. 2019-22 - INDIGENT HEALTH CARE SPECIAL ASSESSMENT](#)

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2019-22.

[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 Moore.

Mayor Robinson made remarks.

The motion carried by the following vote:

Yes: 5 Andy Terhaar, Ann Hill, Jared Moore, Jewel Cannada-Wynn, Sherri Myers
No: 0 None

13. [13-19 PROPOSED ORDINANCE NO. 13-19 - AN ORDINANCE OF THE CITY OF PENSACOLA PROVIDING FOR THE APPOINTMENT OF AN EX OFFICIO MEMBER TO THE ESCAMBIA-PENSACOLA HUMAN RELATIONS COMMISSION](#)

Recommendation: That City Council approve Proposed Ordinance No. 13-19 on second and final reading:

[AN ORDINANCE OF THE CITY OF PENSACOLA, FLORIDA PROVIDING FOR THE APPOINTMENT OF AN EX OFFICIO MEMBER OF THE CITY COUNCIL TO THE ESCAMBIA-PENSACOLA HUMAN RELATIONS COMMISSION, RESTRUCTURED BY ESCAMBIA COUNTY, FLORIDA BY THE ENACTMENT OF ORDINANCE 2019-13; SETTING FORTH THE COMPOSITION AND TERMS OF OFFICE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE. \(Ordinance No. 09-19\)](#)

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

The motion carried by the following vote:

Yes: 5 Andy Terhaar, Ann Hill, Jared Moore, Jewel Cannada-Wynn, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)**14. 11-19 PROPOSED ORDINANCE NO. 11-19 - AMENDING SECTION 7-9-17 OF THE CODE OF THE CITY OF PENSACOLA - RESTRICTED HOURS**

Recommendation: That City Council adopt Proposed Ordinance No. 11-19 on its second and final reading:

AN ORDINANCE AMENDING SECTION 7-9-17 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, RESTRICTED HOURS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

The motion carried by the following vote:

Yes: 5 Andy Terhaar, Ann Hill, Jared Moore, Jewel Cannada-Wynn, Sherri Myers
No: 0 None

COUNCIL EXECUTIVE'S REPORT

Council Executive Kraher addressed Council regarding the following:

- Reminder of May 9th Council and Mayor workshop regarding Strategic Planning and Priority Setting with facilitator John Streitmatter.
- Update on hiring of Council Strategic Budget Planner.
- Following up on discussion from the workshop on April 22nd regarding upcoming budget for Office of the City Council, he is working with Council Budget Consultant Hansen and Chief Financial Officer Barker to draft a policy regarding Council's discretionary funds.
- Thanks for cooperative effort among City staff to work with him on issues brought forth by (individual) Council Members for agenda items.

MAYOR'S COMMUNICATION

Mayor Robinson made follow-up remarks regarding the upcoming workshop on May 9th (mentioned above). He also provided updates on various initiatives the administration is working on and upcoming town hall meeting.

Council Member Myers made follow-up remarks.

COUNCIL COMMUNICATIONS

Some Council Members made announcements regarding upcoming events and meetings.

CIVIC ANNOUNCEMENTS

SECOND LEROY BOYD FORUM

Scott Mayo: Read an excerpt from a narrative on his family’s Confederate history.

Rand Hicks: Announced an upcoming *Slow Ride* biking event.

Council Member Myers made follow-up remarks.

Dorothy Dubuisson: Addressed Council referencing her attendance at the last International Relations Advisory Board meeting and announced an upcoming event celebrating *Galvez Day* on May 8th.

ADJOURNMENT

WHEREUPON the meeting was adjourned at 7:24 P.M.

Adopted: _____

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

Attest:

Ericka L. Burnett, City Clerk