



City of Pensacola

CITY COUNCIL

Regular Meeting Minutes

February 27, 2020

5:30 P.M.

Council Chambers

Council President Cannada-Wynn called the meeting to order at 5:30 P.M.

ROLL CALL

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

Council Members Absent: None

Also Present: Mayor Grover C. Robinson, IV

INVOCATION

Rev. Lonnie D. Wesley, III, Pastor - Greater Little Rock Baptist Church

PLEDGE OF ALLEGIANCE

Council Member Sherri Myers

FIRST LEROY BOYD FORUM

Gloria Horning: Addressed Council regarding her concerns related to water and air quality in the vicinity of the Government Street stormwater pond; advised she has resigned from the City's Environmental Advisory Board; and indicated continued building on the bayfront is overwhelming the infrastructure.

The following individuals expressed concerns regarding installation of 5G cell towers:

Donald Knapp

John Herron (provided hand-out to Council Members - - on file)

Mayor Robinson and several Council Members made follow-up remarks.

AWARDS

None

APPROVAL OF MINUTES

1. [20-00115 APPROVAL OF MINUTES: REGULAR MEETING DATED FEBRUARY 13, 2020](#)

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

The motion carried by the following vote:

Yes: 7 Jewel Cannada-Wynn, Jared Moore, Andy Terhaar, Ann Hill, John Jerrals, P.C. Wu, Sherri Myers
No: 0 None

APPROVAL OF AGENDA

A motion to approve the agenda as presented was made by Council Member Terhaar and seconded by Council Moore.

The motion carried by the following vote:

Yes: 7 Jewel Cannada-Wynn, Jared Moore, Andy Terhaar, Ann Hill, John Jerrals, P.C. Wu, Sherri Myers
No: 0 None

CONSENT AGENDA

2. [20-00030 AWARD OF BID #20-008 DAVIS HIGHWAY AT CARPENTER'S CREEK \(NORTHSIDE\) STORMWATER TREATMENT ENHANCEMENT PROJECT](#)

Recommendation: That City Council award Bid #20-008 Davis Highway at Carpenter's Creek (Northside) Stormwater Treatment Enhancement Project to Site and Utility, LLC of Pensacola Florida, the lowest and most responsible bidder with a base bid of \$445,111.00 plus a 10% contingency in the amount of \$44,511.10 for a total amount of \$489,622.10. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

CONSENT AGENDA (CONT'D.)

3. [20-00070](#) AWARD OF RFP NO. 19-033, PENSACOLA INTERNATIONAL AIRPORT PERIMETER INTRUSION DETECTION SYSTEM

Recommendation: That City Council award RFP No. 19-033, Perimeter Intrusion Detection System, to Security Engineering of Pensacola, Inc., the only responsible proponent, with a base proposal of \$242,181.67, plus a 10% contingency in the amount of \$24,218 for a total amount of \$266,399.67. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

4. [20-00094](#) FEDERAL COURTHOUSE PARKING LEASE - NORTH PALAFOX LOT

Recommendation: That the City Council approve a lease with the United States Government for Federal Courthouse parking at the North Palafox Parking Lot. Further that City Council authorize the Mayor, if necessary, to execute all necessary documents.

5. [20-00095](#) APPOINTMENTS - ENVIRONMENTAL ADVISORY BOARD

Recommendation: That City Council reappoint Calvin Avant, William "Blase" Butts, Katie Fox, Michael Lynch, and Neil Richards, who are employed or retired environmental professionals, or members of local environmental organizations, or a business with an interest in City environmental issues; and reappoint Kyle Kopytchak and appoint Alexander Kozmon, who are residents or property owners of the City as at large members for a term of two (2) years, expiring March 1, 2022.

6. [20-00108](#) MEMORANDUM OF UNDERSTANDING BETWEEN THE ESCAMBIA COUNTY PROPERTY APPRAISER, ESCAMBIA COUNTY TAX COLLECTOR, AND THE CITY OF PENSACOLA FOR COLLECTION OF FRAUDULENTLY CLAIMED HOMESTEAD EXEMPTIONS LEADING TO UNPAID TAXES

Recommendation: That City Council approve the Memorandum of Understanding between the Escambia County Property Appraiser, Escambia County Tax Collector, and the City of Pensacola. Further, that City Council authorize the Mayor to execute all documents related to the Memorandum of Understanding.

A motion to approve consent agenda Items 2, 3, 4, 5, and 6, by Council Member Terhaar and seconded by Council Member Moore.

The motion carried by the following vote:

Yes: 7	Jewel Cannada-Wynn, Jared Moore, Andy Terhaar, Ann Hill, John Jerrals, P.C. Wu, Sherri Myers
No: 0	None

REGULAR AGENDA**7. [20-00079](#) AWARD OF CONTRACT FOR ITB 20-024 - STREET LIGHT FOUNDATION AND CONDUIT REPLACEMENT**

Recommendation: That City Council award a contract for ITB 20-024 Street Light Foundations and Conduit Replacement to Ingram Signalization Inc., the lowest and most responsible bidder with a base bid amount of \$448,560, plus a 5% contingency of \$22,428, plus \$24,700 for miscellaneous construction items for a total amount of \$495,688.

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

Council Member Myers made comments indicating she will not support this project due to the funding coming from Local Option Sales Tax (LOST).

Mayor Robinson responded to Council Member Myers' comments.

Public input was heard from John Herron.

The motion carried by the following vote:

Yes: 5 Jewel Cannada-Wynn, Jared Moore, Andy Terhaar, Ann Hill, P.C. Wu
No: 2 John Jerralds, Sherri Myers

8. [20-00080](#) AWARD OF CONTRACT FOR ITB 20-021- FY 2020 STREET REHABILITATION

Recommendation: That City Council award a contract for ITB 20-021 Fiscal Year 2020 Street Rehabilitation Bid. 20-021 Project to Midsouth Paving Inc. the lowest and most responsible bidder with a base bid amount of \$1,071,649.00 and Alternate 1 bid amount of \$133,814.50 for a total bid amount of \$1,205,463.50 plus a 5% contingency of \$60,273.18 plus \$6,000.00 for miscellaneous construction items for a total amount of \$1,271,736.68.

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

Council Member Myers made comments indicating she will not support this project.

The motion carried by the following vote:

Yes: 5 Jewel Cannada-Wynn, Jared Moore, Andy Terhaar, Ann Hill, P.C. Wu
No: 2 John Jerralds, Sherri Myers

REGULAR AGENDA (CONT'D.)9. [20-00046](#) FY 2019 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR)

Recommendation: That City Council accept the City of Pensacola Comprehensive Annual Financial Report for the year ended September 30, 2019 as prepared by the Financial Services Department and the Independent Auditors Report issued thereupon.

Kristen McAllister, CPA and Senior Manager of the Audit Division for Warren Averett CPA & Advisors briefly addressed Council.

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

The motion carried by the following vote:

Yes: 7 Jewel Cannada-Wynn, Jared Moore, Andy Terhaar, Ann Hill, John Jerrals, P.C. Wu, Sherri Myers
No: 0 None

10. [20-00099](#) WORKSHOP FOR CITY COUNCIL TO DISCUSS THEIR PRIORITIES WITHIN THE STRATEGIC PLAN, THE COUNCIL'S BUDGET AND COUNCIL'S PRIORITIES FOR THE FY21 BUDGET

Recommendation: That City Council conduct a workshop to discuss their priorities within the City's Strategic Plan, discuss the City Council's Budget and Priorities for the FY21 Budget. Further, that Council authorize the Council President to schedule the workshop to be held within the month of March.

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

The motion carried by the following vote:

Yes: 7 Jewel Cannada-Wynn, Jared Moore, Andy Terhaar, Ann Hill, John Jerrals, P.C. Wu, Sherri Myers
No: 0 None

REGULAR AGENDA (CONT'D.)

11. [02-20 PROPOSED ORDINANCE NO. 02-20 - REQUEST FOR ZONING MAP AMENDMENT - COMMUNITY MARTITIME PARK PARCELS](#)

Recommendation: That City Council adopt Proposed Ordinance No. 02-20 on second 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. **(Ordinance No. 06-20)**

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

The motion carried by the following vote:

Yes: 7 Jewel Cannada-Wynn, Jared Moore, Andy Terhaar, Ann Hill, John Jerrals, P.C. Wu, Sherri Myers
No: 0 None

12. [05-20 REVISED: PROPOSED ORDINANCE NO. 05-20 - VACATION OF RIGHT OF WAY - BAPTIST ANNEXATION AREA](#)

Recommendation: That City Council adopt Proposed Ordinance No. 05-20 on second reading.

AN ORDINANCE CLOSING, ABANDONING AND VACATING RAWSON LANE FROM BRENT LANE TO CORDAY STREET, CORDAY STREET FROM DIXIE DRIVE TO I-110, AND JOE ELLIOTT WAY IN ITS ENTIRETY; IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE. **(Ordinance No. 07-20)**

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

The motion carried by the following vote:

Yes: 6 Jewel Cannada-Wynn, Jared Moore, Ann Hill, John Jerrals, P.C. Wu, Sherri Myers
No: 0 None
Abstain: Andy Terhaar

REGULAR AGENDA (CONT'D.)**13. [13-20 PROPOSED ORDINANCE NO. 13-20 - ESTABLISHING THE URBAN CORE REDEVELOPMENT BOARD](#)**

Recommendation: That City Council adopt Proposed Ordinance No. 13-20 on second reading:

AN ORDINANCE ESTABLISHING AN URBAN CORE REDEVELOPMENT BOARD; REPEALING CLAUSE; SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE. ([Ordinance No. 08-20](#))

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

The motion carried by the following vote:

Yes: 7 Jewel Cannada-Wynn, Jared Moore, Andy Terhaar, Ann Hill, John Jerrals, P.C. Wu, Sherri Myers
No: 0 None

COUNCIL EXECUTIVE'S REPORT

Council Executive Kraher addressed Council regarding the following:

- Working on scheduling workshops and town hall meetings for March.
- Coordinating with the Mayor's office regarding the Unity Project Committee.

MAYOR'S COMMUNICATION

Mayor Robinson advised he will be in Tallahassee next week addressing legislators and then to Washington D.C. (missing the 3/9 Agenda Conference). He made comments commending the Florida League of Cities (FLC) work assisting local government throughout the State. He indicated he is looking forward to upcoming town hall meetings.

COUNCIL COMMUNICATIONS

Council Member Wu made follow-up remarks on comments expressed during LeRoy Boyd Forum.

Council Member Myers commented she appreciates bi-weekly meeting with Mayor Robinson. She also clarified statements she made at the last Council meeting (on 2/13/20) concerning about a call she received from a constituent related to animal control issues and did not intend to stereotype any breed of animal.

CIVIC ANNOUNCEMENTS

None

SECOND LEROY BOYD FORUM

None

ADJOURNMENT

WHEREUPON the meeting was adjourned at 6:28 P.M.

Adopted: March 12, 2020

Approved: Jewel Cannada-Wynn
Jewel Cannada-Wynn, President of City Council

Attest:

Erika L. Burnett
Erika L. Burnett, City Clerk

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

LAST NAME—FIRST NAME—MIDDLE NAME TERHAAR RICHARD ANDREW	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE PENSACOLA CITY COUNCIL
MAILING ADDRESS 3142 OXFORD CIR	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 COUNTY PENSACOLA FL ESCAMBIA	NAME OF POLITICAL SUBDIVISION: DISTRICT 3
DATE ON WHICH VOTE OCCURRED 2/27/2020	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

I, RICHARD TERHAAR, hereby disclose that on 2/27/2020, 20 :

(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.

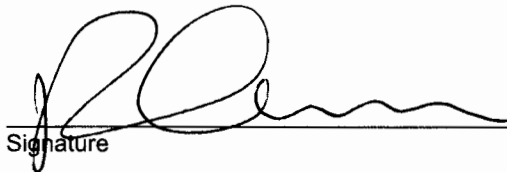
(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

AN AGREEMENT WAS SIGNED BETWEEN A COMPANY I HAVE OWNERSHIP IN (CTPROPERTIES) AND BAPTIST HOSPITAL. THE AGREEMENT WAS MADE SO THAT BAYS COULD BE VACATED TO BAPTIST.

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.

2/27/2020

Date Filed



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.