



City of Pensacola

CITY COUNCIL AGENDA CONFERENCE

Meeting Minutes

October 9, 2017

3:38 P.M.

Hagler-Mason Conference Room

The agenda conference was called to order by Council President Spencer at 3:38 P.M.

ROLL CALL

Council Members Present: Brian Spencer, Gerald Wingate, Jewel Cannada-Wynn, Larry Johnson, Sherri Myers, P.C. Wu

Council Members Absent: Andy Terhaar

PRESENTATION ITEMS

1. [17-00574](#) PRESENTATION OF RESOLUTION REGARDING MENTAL HEALTH AWARENESS DAY

Recommendation: That City Council be presented with a resolution on behalf of the University of West Florida in congruence with the Student Government Association, requesting January 12, 2018 be proclaimed as Mental Health Awareness Day. This presentation is to take place at the City Council meeting.

Place for presentation.

REVIEW OF CONSENT AGENDA ITEMS

2. [17-00557](#) APPOINTMENTS - ARCHITECTURAL REVIEW BOARD

Recommendation: That City Council appoint a planning board member or resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District; a Property or Business Owner in the Palafox Historic Business District; and a resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District, for a term of two years, expiring September 30, 2019

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

3. [17-00558](#) APPOINTMENTS - ESCAMBIA-PENSACOLA HUMAN RELATIONS COMMISSION

Recommendation: That City Council appoint two (2) individuals to the Escambia-Pensacola Human Relations Commission for a term of two years expiring September 30, 2019.

Place on Consent Agenda.

4. [17-00370](#) AWARD OF BID #17-035 19TH AVENUE AND BLACKSHEAR AVENUE OUTFALL AT BAYOU TEXAR PROJECT

Recommendation: That City Council award Bid #17-035 19th Avenue and Blackshear Avenue Outfall at Bayou Texar Project to J. Miller Construction, Inc., of Pensacola, Florida, the lowest and most responsible bidder with a base bid of \$894,870.00, plus 10% contingency of \$89,487.00 for a total amount of \$984,357.00. Further, that City Council authorize the Mayor to execute the contract and take all action necessary to complete the project.

Place on Consent Agenda.

5. [17-00371](#) AWARD OF BID #17-037 CLEMATIS STREET AT CARPENTER CREEK STORMWATER TREATMENT ENHANCEMENT PROJECT

Recommendation: That City Council award Bid # 17-037 Clematis Street at Carpenter Creek Stormwater Treatment Enhancement to BKW, Inc., of Pensacola, Florida, the lowest and most responsible bidder with a base bid of \$416,173.45, plus 10% contingency of \$41,617.35 for a total amount of \$457,790.80. Further, that City Council authorize the Mayor to execute the contract and take all action necessary to complete the project.

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

6. [17-00527](#) AWARD OF BID# 17-033 - PORT OF PENSACOLA WAREHOUSE #1 MODIFICATION PROJECT

Recommendation: That City Council award ITB # 17-033 Port of Pensacola Warehouse #1 Modification to Emerald Coast Constructors Inc., the sole bidder with a base bid of \$1,495,383.90 plus a 5% contingency of \$74,769.20 for a total amount of \$1,570,153.10 Further, that Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

City Administrator Olson requested this item be moved to the regular agenda, after Item 17, [17-00522](#) Port Warehouse #1 Lease Agreement With Offshore Inland Marine & Oilfield Services, Inc. as the items are related. He also responded accordingly to questions from Council Member Cannada-Wynn.

Place on Regular Agenda.

7. [17-00514](#) URBAN INFILL HOUSING DEVELOPMENT INITIATIVES INTERLOCAL AGREEMENT WITH ESCAMBIA COUNTY HOUSING FINANCE AUTHORITY

Recommendation: That City Council approve the Urban Infill Housing Development Initiatives Interlocal Agreement with Escambia County Housing Finance Authority. Further, that City Council authorize the Mayor to execute all documents relating to the initiative's implementation and administration.

Place on Consent Agenda.

8. [17-00525](#) AIRPORT - APPROVAL OF TERMINAL BUILDING LEASE AGREEMENT WITH AVIONICS SOLUTIONS LLC

Recommendation: That City Council authorize the Mayor to execute a Terminal Building Lease Agreement with Avionics Solutions LLC at Pensacola International Airport. Further, that City Council authorize the Mayor to take all necessary actions to execute the Lease Agreement.

Place on Consent Agenda.

9. [17-00538](#) AIRPORT COMMERCE PARK - PROPERTY ACQUISITION N6116 - COLLEGE HEIGHTS

Recommendation: That City Council authorize the purchase of N6116 (Parcel ID#141S292102000001) from Holly D. Terrell for \$93,000, closing costs of \$1,900, a 5% contingency in the amount of \$4,745, moving costs of \$5,000, for a total amount of \$104,645.

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

10. [17-00539](#) AIRPORT COMMERCE PARK - PROPERTY ACQUISITION E2416 - COLLEGE HEIGHTS

Recommendation: That City Council authorize the purchase of E2416 (Parcel ID#141S292100200001) from Mark L. Comeau for \$97,000, relocation assistance of \$35,000, closing costs of \$1,900, a 5% contingency in the amount of \$6,695, moving costs of \$5,000, and reestablishment benefits of \$25,000, for a total amount of \$170,595.

Place on Consent Agenda.

11. [17-00540](#) AIRPORT COMMERCE PARK - PROPERTY ACQUISITION N6200 - COLLEGE HEIGHTS

Recommendation: That City Council authorize the purchase of N6200 (Parcel ID#141S292100001002) from Owen E. Farley and Clara Moonean for \$120,000 along with a purchase additive of \$6,000, closing costs of \$1,900, a 5% contingency in the amount of \$6,395, and moving costs of \$5,000, for a total amount of \$139,295.

City Administrator Olson responded accordingly to questions from Council Member Cannada-Wynn related to the final acquisition of property.

Place on Consent Agenda.

12. [17-00552](#) DISPOSITION OF SURPLUS PROPERTY - 900 BLOCK WEST BELMONT (FORMERLY IDENTIFIED AS 400 BLOCK WEST BELMONT)

Recommendation: That City Council approve the sale of 900 Block West Belmont Street (formerly identified as 400 Block West Belmont), Parcel Identification Number 000S009060030022, Account Number 150263000 to the only responsive bidder, Philip Krupp, in the amount of \$16,000. Further that City Council authorize the Mayor to negotiate and execute all necessary documents related to the sale of the property. Finally, that 50 percent of the proceeds, after costs associated with the final transaction, are allocated to the Housing Initiatives Fund.

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)**13. [17-00564](#) SALE OF SURPLUS PROPERTY TO ADSYNC PROPERTIES - WEST INTENDENCIA**

Recommendation: That City Council approve the sale of West Intendencia Street, parcel identification number 000S009080014094, account number 153145000 to the second highest and most responsive bidder, Adam Adkinson, ADSYNC Properties, LLC, in the amount of \$19,250. Further that City Council authorize the Mayor to negotiate and execute all necessary documents related to the sale of the property. Finally, that 50 percent of the proceeds, after costs associated with the final transaction, are allocated to the Housing Initiatives Fund.

City Administrator Olson responded accordingly to questions from Council Member Wingate as to why the Council is being asked to consider the second highest and most responsive bidder, rather than the first.

Place on Consent Agenda.

14. [17-00567](#) RESCHEDULING OF PUBLIC HEARING REGARDING THE SALE OF THE HAWKSHAW PROPERTY

Recommendation: That City Council reschedule the public hearing regarding the sale of the Hawkshaw property at 9th Ave and Romana Street, from October 12, 2017 to the November 9, 2017 City Council Meeting.

Brief discussion took place with Council Member Cannada-Wynn fielding comments and questions indicating this delay is not due to problems with the negotiations, rather just need to ensure proper process being followed for the hearing.

Place on Consent Agenda.

REVIEW OF REGULAR AGENDA ITEMS**15. [17-00569](#) VOTE OF CONFIDENCE FOR COUNCIL PRESIDENT**

Recommendation: That City Council express, by vote, a Vote of Confidence for the Council President in reference to the September 20, 2017 Special City Council Meeting.

Some discussion took place among Council. In response to discussion, Council Member Myers indicated she is not inclined to pull this item.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)16. [17-00570](#) HIRING CITY COUNCIL ATTORNEY

Recommendation: That City Council direct the Council Executive to contact the top three (3) candidates identified in July of 2016 for the position of City Council Attorney and determine the continued interest of any of the candidates.

Brief discussion took place, with Council Members Cannada-Wynn and Johnson expressing concerns regarding the recommendation.

Place on Regular Agenda.

17. [17-00522](#) PORT WAREHOUSE #1 LEASE AGREEMENT WITH OFFSHORE INLAND MARINE & OILFIELD SERVICES, INC.

Recommendation: That City Council take action to respond to the request from Offshore Inland Marine & Oilfield Services, Inc. (OIMO) to continue to accept OIMO's monthly payment of \$10,000 after September 30, 2017, to be credited toward the principal and accruing interest due under Section 5(a) of the amended Lease Agreement.

City Administrator Olson responded accordingly to questions from Council Members providing clarification.

Place on Regular Agenda.

18. [28-17](#) PROPOSED ORDINANCE NO. 28-17 AMENDING CHAPTER 7-10 OF THE CITY CODE - VEHICLES FOR RENT TO THE PUBLIC

Recommendation: That City Council approve Ordinance No. 28-17 on first reading.

AN ORDINANCE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING CHAPTER 7-10, PERTAINING TO VEHICLES FOR RENT; AMENDING SEC. 7-10-134 TO PROVIDE FOR AN AIRPORT TAXI CAB PICKUP FEE; AMENDING SEC. 7-10-17, PROVIDING DEFINITIONS; REPEALING AND REPLACING SEC. 7-10-177, PROVING FOR PERMITS AND FEES; PROVIDING FOR SEVERABILITY, REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)19. [17-00572](#) COUNCIL EXECUTIVE SALARY INCREASE

Recommendation: That City Council approve a salary increase for the Council Executive, in an amount to be determined by the City Council and such increase to become effective as of October 9, 2017.

Council Member Myers referenced Council's Rules and Procedures, indicating it provides the process for the Council President to supervise staff and provide an evaluation on performance, but this item is being sponsored by Council Vice President Wingate and does not provide an evaluation of Council Executive Kraher's performance which is required to be included.

Council President Spencer offered to take sponsorship of this item and will provide an evaluation of Council Executive Kraher's performance which will be provided in the agenda package for 10/12 (being posted on 10/10). Council Vice President Wingate conceded sponsorship.

No Council Members expressed objection.

Place on Regular Agenda.

20. [17-00554](#) U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) CLEAN-UP GRANT AGREEMENT

Recommendation: That City Council authorize the Mayor to accept and execute the U.S. Environmental Protection Agency Grant Agreement number 00D59017 in the amount of \$200,000 to clean-up hazardous substances and petroleum contaminants at the Community Maritime Park. Further, that City Council authorize the Mayor to take all actions necessary related to the finalization of the grant. Finally, that City Council approve the supplemental budget resolution appropriating the grant funds.

Place on Regular Agenda.

21. [17-69](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-69 - U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA) CLEAN-UP GRANT AGREEMENT

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-69.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

22. 17-65 RESOLUTION NO. 17-65 - AUTHORIZING A FINANCING IN THE PRINCIPAL AMOUNT OF \$25,000,000 TO FINANCE CAPITAL IMPROVEMENTS ELIGIBLE TO BE FINANCED FROM THE LOCAL GOVERNMENT INFRASTRUCTURE SURTAX.

Recommendation: That City Council adopt Resolution No. 17-65.

A RESOLUTION AUTHORIZING THE ISSUANCE BY THE CITY OF PENSACOLA, FLORIDA OF AN INFRASTRUCTURE SALES SURTAX REVENUE BOND, SERIES 2017, IN THE PRINCIPAL AMOUNT OF \$25,000,000 TO FINANCE INFRASTRUCTURE CAPITAL IMPROVEMENTS WITHIN THE CITY; PLEDGING THE PLEDGED REVENUES FOR THE PAYMENT OF SAID SERIES 2017 BOND; PROVIDING FOR THE PAYMENT OF THE SERIES 2017 BOND AND THE EXECUTION OF THE RELATED FINANCING DOCUMENTS IN CONNECTION THEREWITH; AUTHORIZING THE AWARD OF THE SALE OF THE SERIES 2017 BOND; AUTHORIZING FURTHER OFFICIAL ACTION IN CONNECTION WITH THE DELIVERY OF THE SERIES 2017 BOND; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF INCONSISTENT PROVISIONS; AND PROVIDING AN EFFECTIVE DATE.

Discussion ensued among Council regarding the purpose of the proposed financing and how/when those funds will be expended as it relates to FY 2018 LOST IV Projects, with Chief Financial Officer Barker fielding comments and questions.

Place on Regular Agenda.

23. 17-68 SUPPLEMENTAL BUDGET RESOLUTION NO. 17-68 - APPROPRIATING FUNDING IN CONNECTION WITH THE INFRASTRUCTURE SALES SURTAX REVENUE BOND, SERIES 2017.

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-68.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018; PROVIDING FOR AN EFFECTIVE DATE

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

24. 17-70 RESOLUTION NO. 17-70 - IN SUPPORT OF ACCESS AND USE OF PROPERTY ASSESSED CLEAN ENERGY (PACE) FINANCING WITHIN THE CITY OF PENSACOLA

Recommendation: That City Council adopt Resolution 17-70.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA, ADOPTING A PROPERTY ASSESSED CLEAN ENERGY ("PACE") PROGRAM WITHIN THE CITY OF PENSACOLA AND JOINING THE FLORIDA GREEN FINANCE AUTHORITY, FLORIDA PACE FUNDING AGENCY, GREEN CORRIDOR AND FLORIDA RESILIENCY AND ENERGY DISTRICT IN ACCORDANCE WITH SECTION 163.08, FLORIDA STATUTES; AUTHORIZING THE MAYOR OF THE CITY OF PENSACOLA TO EXECUTE AGREEMENTS WITH THE FLORIDA GREEN FINANCE AUTHORITY, FLORIDA PACE FUNDING AGENCY, GREEN CORRIDOR AND FLORIDA RESILIENCY AND ENERGY DISTRICT FOR ADMINISTRATION OF THE PACE PROGRAM WITHIN THE CITY OF PENSACOLA; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Assistant City Administrator Wilkins responded accordingly to questions from Council Member Cannada-Wynn providing clarification.

Place on Regular Agenda.

25. 17-72 SUPPLEMENTAL BUDGET RESOLUTION NO. 17-72 - APPROPRIATION OF FUNDS FROM THE SALE OF SURPLUS CRA PROPERTY AT 150 S BAYLEN STREET

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-72.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2018, PROVIDING FOR AN EFFECTIVE DATE.

Council President Spencer noted hardcopies at Council's places, providing for a corrected version of the drafted resolution and explanation. Chief Financial Officer explained the corrections accordingly. (Revised draft resolution replaced on file with background materials.)

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

26. [38-17 PROPOSED ORDINANCE NO. 38-17 VACATION OF RIGHT-OF-WAY - 1000 BLOCK OF EAST AVERY STREET](#)

Recommendation: That City Council adopt Proposed Ordinance No. 38-17 on second reading.

AN ORDINANCE CLOSING, ABANDONING AND VACATING A PORTION OF THE AVERY STREET RIGHT OF WAY; IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

27. [40-17 PROPOSED ORDINANCE NO. 40-17 PROVIDING FOR A TEMPORARY MORATORIUM ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS AND PERMITS FOR THE INSTALLATION OF WIRELESS FACILITIES IN CITY RIGHTS-OF-WAY IN ORDER TO ALLOW AN OPPORTUNITY FOR THE CITY TO DEVELOP REGULATIONS CONSISTENT WITH THE "ADVANCED WIRELESS INFRASTRUCTURE DEPLOYMENT ACT"](#)

Recommendation: That City Council adopt Proposed Ordinance No. 40-17 on second reading.

AN ORDINANCE DECLARING, ESTABLISHING AND IMPOSING A TEMPORARY MORATORIUM WITHIN THE CITY OF PENSACOLA, FLORIDA ON THE ACCEPTANCE AND PROCESSING OF APPLICATIONS, AND ISSUANCE OF ANY PERMITS PERTAINING TO COLLOCATION ON EXISTING OR THE INSTALLATION OF NEW UTILITY POLES AND OTHER WIRELESS SUPPORT STRUCTURES IN THE RIGHT-OF-WAY TO SUPPORT SMALL WIRELESS FACILITIES OR MICRO WIRELESS FACILITIES FOR A PERIOD OF 120 DAYS, IN ORDER TO ALLOW AN OPPORTUNITY FOR THE CITY TO DEVELOP REGULATIONS CONSISTENT WITH CHAPTER 2017-136, LAWS OF FLORIDA, WHICH BECAME EFFECTIVE JULY 1, 2017; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; PROVIDING AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

Place on Regular Agenda.

FOR DISCUSSION

28. 17-00571 EVALUATION PROCESS FOR CITY COUNCIL STAFF

Place for Discussion.

29. 17-00573 CITY COUNCIL ISSUANCE OF PROCLAMATIONS

Place for Discussion.

INFORMATIONAL ITEMS

None.

CONSIDERATION OF ANY ADD-ON ITEMS

Council President Spencer referenced (hardcopies) of an item being sponsored by Council Vice President Wingate to be add-on to the October 12th agenda as follow:

17-00581 TRIUMPH GULF COAST PROJECT SOLICITATION

Recommendation: That City Council approve a list of projects/programs submitted by the City Council, the Mayor's Office and the CRA to be transmitted to the Escambia County Board of County Commissioners under the Triumph Gulf Coast Project Solicitation.

A motion to add this item to the regular agenda was made by Council Vice President Wingate and seconded by Council Member Myers.

Discussion took place with Assistant City Administrator Wilkins explaining the deadline process and County Attorney's opinion on the Triumph Gulf Coast Act related to submittals to a county board of commissioners on behalf of municipalities should be endorsed by the governing body.

The motion carried by the following vote:

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

Discussion continued regarding the Triumph Gulf Coast Project Solicitation process and timeframe with the Escambia County Board of County Commissioners scheduled to consider submittals by all entities at their Committee of the Whole meeting at 9:00 A.M. on October 12th (which is prior to the Council's regular meeting the same date at 5:30 P.M.).

Input was heard from Council Executive Kraher urging a unified endorsement of City projects being submitted for funding consideration; and City Administrator Olson encouraged the Council to identify the top five (5) projects which should be prioritized.

CONSIDERATION OF ANY ADD-ON ITEMS (CONT'D.)

Assistant City Administrator Wilkins went through each of the submittals from the Office of the Mayor and fielded comments and questions from Council Members regarding the Triumph Gulf Coast Project Solicitation process and ranking of City projects.

A motion was made by Council Member Cannada-Wynn and seconded by Council President Spencer that City Council conduct a straw vote conveying to Escambia County Board of County Commissioners its endorsement of the following twenty (20) projects submitted by the Office of the Mayor, the City Council, and the Community Redevelopment Agency (see attached letter dated 10/11/17 which was submitted to the BOCC). Five (5) projects are submitted with priority status and are ranked accordingly (see attached letter dated 10/11/17 which was submitted to the BOCC). Further submitted for consideration to the BOCC are fifteen (15) projects without prioritization or ranking (see attached letter dated 10/11/17 which was submitted to the BOCC).

Discussion continued among Council.

Public input was heard from Dorothy Dubuisson.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

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

READING OF ITEMS FOR COUNCIL AGENDA

City Clerk Burnett read the items as presented above.

No objections.

COMMUNICATIONS**30. 17-00159 CITY ADMINISTRATOR COMMUNICATION**

- Housing Administrator Whitaker provided an overhead presentation (on file with background materials) updating Council on Housing Division operations and details on the Housing Initiatives Program. She responded accordingly to questions of Council Members.
- City Administrator Olson provided a verbal update to Council advising of the City's response and correspondence related to Hurricane Nate which affected the northern Gulf Coast with minimal impacts, but provided a good working exercise.

CITY ATTORNEY'S COMMUNICATION

None.

31. 17-00202 MONTHLY CRIME REPORT – SEPTEMBER 2017 – POLICE CHIEF TOMMI LYTER

Police Chief Lyter provided an overhead (on file with background materials) presentation and responded accordingly to questions.

MONTHLY FINANCIAL REPORT - CHIEF FINANCIAL OFFICER RICHARD BARKER, JR.

32. 17-00150 MONTHLY FINANCIAL REPORT – SEPTEMBER 2017 - CHIEF FINANCIAL OFFICER RICHARD BARKER, JR.

Chief Financial Officer Barker provided an overhead (on file with background materials) presentation and responded accordingly to questions.

CITY COUNCIL COMMUNICATION

None.

ADJOURNMENT

6:10 P.M.