



City of Pensacola

CITY COUNCIL

Agenda Conference Minutes

January 19, 2021

3:30 P.M.

Council Chambers

The agenda conference was called to order by Council President Moore 3:30 P.M.

ROLL CALL

Council Members Present: Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers (attended by teleconference), Delarian Wiggins

Council Members Absent: None

Also Present: Mayor Grover C. Robinson, IV (left 5:20)

PRESENTATION ITEMS

1. [21-00052](#) PRESENTATION FROM KIMBERLY KRUPA, EXECUTIVE DIRECTOR, ACHIEVE ESCAMBIA

Recommendation: That City Council receive a presentation from Kimberly Krupa, Executive Director of Achieve Escambia.

Executive Director Dr. Kimberly Krupa, Ph.D, of Achieve Escambia provided an overhead presentation regarding 2020 community analysis and referred to an executive summary (on file with background materials). Mayor Robinson made follow-up remarks. Dr. Krupa responded accordingly to questions.

2. [21-00078](#) PRESENTATION FROM RICK BYARS, REGIONAL MANAGER EXTERNAL AFFAIRS - GULF POWER COMPANY.

Recommendation: That City Council receive a presentation from Rick Byars, Regional Manager External Affairs with Gulf Power Company.

Regional Manager of External Affairs Rick Byars addressed Council regarding an update on the last two years since acquiring Gulf Power from Southern Power and merging with Florida Power and Light and the direction the utility is headed. He responded accordingly to questions.

PRESENTATION ITEMS (CONT'D.)

3. [21-00086](#) PRESENTATION FROM GARY PETERSON, CEO PUBLIC SECTOR SEARCH & CONSULTING, INC. REGARDING THE POLICE CHIEF SEARCH AND PROCESS.

Recommendation: That City Council accept a presentation from Gary Peterson, CEO of Public Sector Search & Consulting, Inc. regarding the Police Chief search and process.

Chief Executive Officer Gary Peterson provided an overhead presentation regarding the selection and hiring process for a new police chief (on file with background materials). He responded accordingly to questions. City Administrator Wilkins also responded to questions related to the process and upcoming public forums.

4. [21-00054](#) PRESENTATION - CLIMATE MITIGATION AND ADAPTATION TASK FORCE RECOMMENDATIONS

Recommendation: That City Council receive a presentation from a member of the Climate Mitigation and Adaptation Task Force discussing the recommendations made by the Task Force.

Elaine Sargent member and chairperson of the Climate Mitigation and Adaptation Task Force provided an overhead presentation (on file with background materials along with final report) discussing the recommendations made by the Task Force in its final report in 2018. Mayor Robinson remarks indicating what initiatives the City has already undertaken, as well as move forward with in the immediate future.

Mayor Robinson indicated he needs to leave early and requested Discussion Item 19, 21-00057 ST Aerospace - Project Titan Funding and Metrics for Success, be postponed until the next agenda conference (on 2/8/21). Council Member Myers (sponsor) agreed.

REVIEW OF CONSENT AGENDA ITEMS

5. [21-00033](#) 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 to take all actions necessary to implement the changes.

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)6. [21-00047](#) SPRING STREET PIPE REHABILITATION

Recommendation: That City Council award a contract to Vortex Companies of Houston for stormwater system rehabilitation utilizing Houston Galveston Area Co-Operative (HGAC) Contract#TPO7-18 in the amount of \$231,284.25 plus a 10% contingency of \$23,128.43 for a total amount of \$254,412.68. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

Place on Consent Agenda.

7. [21-00079](#) APPROVING THE EAST GARDEN DISTRICT STREETSCAPE PROJECT SCHEDULE

Recommendation: That the City Council approve the attached project schedule for the East Garden District Streetscape project.

Place on Consent Agenda.

8. [21-00088](#) TREE PLANTING AND MEMORIAL PLAQUE AT MALLORY HEIGHTS PARK # 3 IN MEMORY OF FRANK CUTRONE

Recommendation: That City Council approve the Scenic Highway Foundation's request to plant a tree and place a plaque in Mallory Heights Park #3 in memory of Frank Cutrone. Further that the tree and plaque will be purchased by the Foundation. This request was approved by the Parks & Recreation Board 6-0 with 3 absent.

Place on Consent Agenda.

9. [21-00061](#) APPOINTMENTS - BOARD OF TRUSTEES - POLICE OFFICERS' RETIREMENT FUND

Recommendation: That City Council appoint two (2) individuals to the Board of Trustees - Police Officers' Retirement Fund for a term of two (2) years, expiring December 31, 2022.

Place on Consent Agenda.

REVIEW OF REGULAR AGENDA ITEMS10. [21-00059](#) APPOINTMENTS - ENVIRONMENTAL ADVISORY BOARD

Recommendation: That City Council appoint two (2) individuals who are employed or retired environmental professionals, or members of local environmental organizations or businesses with an interest in City environmental issues to fill two (2) unexpired terms ending March 1, 2022; and appoint one individual to fill an unexpired at large term ending March 1, 2022.

Place on Regular Agenda.

11. [21-00060](#) APPOINTMENT - ESCAMBIA-PENSACOLA HUMAN RELATIONS COMMISSION

Recommendation: That City Council appoint one individual to the Escambia-Pensacola Human Relations Commission to fill an unexpired term ending June 1, 2021.

Place on Regular Agenda.

12. [21-00089](#) GUN BUY BACK INITIATIVE AND PROGRAM

Recommendation: That City Council authorize the establishment of a Gun Buy Back initiative / program for the City of Pensacola. Further that the City Council direct the Council Executive to develop the program in conjunction with the Pensacola Police Department and that the Council Executive bring back a supplemental budget resolution at a subsequent meeting regarding the funding for this initiative.

Some discussion took place among Council with Council Member Wiggins (sponsor) and Council Executive Kraher responding accordingly.

Place on Regular Agenda.

13. [2021-01](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-01 LAW ENFORCEMENT TRUST FUND (LETF) PURCHASES FOR THE PENSACOLA POLICE DEPARTMENT

Recommendation: That the City Council adopt Supplemental Budget Resolution No. 2021-01.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

14. [2021-05 SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-05 - "FOLDING PLANES SCULPTURE" DONATION FOR BARTRAM PARK](#)

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2021-05.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021; PROVIDING FOR AN EFFECTIVE DATE.

Council President Moore referenced hardcopies at Council's places outlining revisions. Council Executive explained the cost for the artwork increased due to added work, therefore, the donation amount increased.

Place on Regular Agenda.

15. [2021-06 RESOLUTION NO. 2021-06 SUPPORTING AN APPLICATION FOR TRANSPORTATION ALTERNATIVES PROGRAM FUNDING](#)

Recommendation: That City Council adopt Resolution No. 2021-06:

A RESOLUTION OF THE CITY OF PENSACOLA SUPPORTING AN APPLICATION FOR TRANSPORTATION ALTERNATIVES PROGRAM FUNDING TO DESIGN AND CONSTRUCT MULTI-MODAL FACILITIES ALONG SEVERAL CITY ROADS; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

16. [03-21 PROPOSED ORDINANCE NO. 03-21 - REMOTE VEHICLE SALES](#)

Recommendation: That City Council approve Proposed Ordinance No. 03-21 on first reading:

AN ORDINANCE CREATING ARTICLE V OF CHAPTER 7-9, SECTION 7-9-56 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROHIBITING REMOTE MOTOR VEHICLE SALES; PROVIDING DEFINITIONS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

17. [05-21](#) PROPOSED ORDINANCE NO. 05-21 - AMENDING SECTION 4-2-7 AND 4-2-42 OF CITY CODE PROVIDING EXCEPTIONS AND ADDITIONS FOR LIVESTOCK AND HOUSEHOLD PETS. KEEPING OF MINIATURE GOATS ADDED.

Recommendation: That City Council approve Proposed Ordinance No. 05-21 on first reading:

AN ORDINANCE AMENDING SECTION 4-2-7 AND SECTION 4-2-42 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING EXCEPTIONS AND ADDITIONS FOR LIVESTOCK AND HOUSEHOLD PETS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Council Member Myers (sponsor) explained the intent of the proposed amendments.

Place on Regular Agenda.

18. [49-20](#) **REVISED** PROPOSED ORDINANCE NO. 49-20 AMENDING SECTION 9-5-72 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA FIREFIGHTERS' DEFERRED COMPENSATION PROHIBITING ADDITIONAL FUNDING

Recommendation: That City Council adopt the revised Proposed Ordinance No. 49-20 on second reading.

AN ORDINANCE AMENDING SECTION 9-5-72 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROHIBITING ADDITIONAL FUNDING OF THE FIREFIGHTERS DEFERRED COMPENSATION PLAN; PROVIDING FOR APPLICABILITY OF ORDINANCE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

DISCUSSION ITEMS

*****POSTPONED BY THE SPONSOR AT THE REQUEST OF THE MAYOR*****

19. [21-00057](#) ST AEROSPACE - PROJECT TITAN FUNDING AND METRICS FOR SUCCESS

Postponed.

DISCUSSION ITEMS CONT'D.)**20. [21-00032](#) DISCUSSION - FUTURE OF THE TECHNOLOGY PARK PROPERTY**

Council Member Myers (sponsor) indicated the inception of this property as a technology park been at least a decade ago. The most recent attempt in 2020 for soliciting businesses was not successful. As a member of the Pensacola-Escambia Development Commission (PEDC) she wants to ensure she is taking position of the City and has brought this item for discussion to see if anyone on Council or the body has any thoughts or directives for her. Other suggested uses of the property which she has heard have been affordable housing.

At Council Member Myers' request, Council President Moore who is also a member of the PEDC provided an update from their last meeting which was recently held. He pointed out that if incentive criteria cannot be met then there is the issue of the federal grant funding which is tied to such incentives as being in jeopardy of re-payment.

Discussion took place among Council Members with Council President Moore responding accordingly to questions. **He indicated he will keep the Council apprised of ongoing discussion of the PEDC.**

21. [21-00056](#) NOTIFICATION TO THE CITY COUNCIL OF LAWSUITS INVOLVING THE CITY

Council Member Myers (sponsor) indicated she would like to bring forward a policy to require the City Attorney to inform the Council of all lawsuits brought against or filed by the City. She indicated she feels they have not been kept current of such issues which have monetary consequences for the City. Upon inquiry by Council President Moore, Council Member Myers clarified she is not suggesting Council be informed of mundane and routine lawsuits, but those that are out of the ordinary which she believes in drafting of such policy City Attorney Woolf could provide classifications of lawsuits to inform Council. **Council President Moore indicated he is willing to work with City Attorney Woolf on the issue.**

City Attorney Woolf addressing Council indicated she has been forthcoming with briefing Council on lawsuits but recalled last February she may have overlooked providing more specific detail regarding litigation related to PFAS. Although City Administrator Wilkins did provide some information at the time due to her being out of town, she apologized for not following up. Related to drafting of a policy she expressed some concerns with informing and notifying Council of such legal issues due to the Sunshine and Public Records Laws, not that there is a problem with such laws but that the information would be made known and open to the public. As such there could be detrimental impacts for the City related to litigation. **She indicated she is quite willing to work with Council President Moore but would want to be cautious in development of a policy for informing Council of such legal issues.**

CONSIDERATION OF ANY ADD-ON ITEMS

Council Executive Kraher indicated there will be an add-on item to be considered for the agenda on Thursday. The item is related to Council providing reassign of Council Member appointment to the Transportation Planning Organization (TPO).

READING OF ITEMS FOR COUNCIL AGENDA

City Clerk Burnett read the items as presented above.

No objections.

COMMUNICATIONS

Council Member Brahier addressed Council correcting and clarifying statement she made during Council's Budget Workshop on 1/13/21 regarding funding amounts for related projects regarding the Hitzman-Optimist Soccer Complex, YMCA property swap, and construction of Langley Avenue roundabout.

CITY ADMINISTRATOR'S COMMUNICATION

City Administrator Wilkins made follow-up remarks regarding the search and selection process for hiring of a police chief (discussed earlier under Presentation Item 3, 21-00086) and upcoming public forums. Some discussion took place.

CITY ATTORNEY'S COMMUNICATION

City Attorney Woolf addressed Council regarding references she made during Discussion Item 21, 21-00056 regarding litigation related to PFAS which is a chemical found in common household items, as well as firefighting foam. She advised this is national issue part of a multi-district lawsuit and an issue requested by the local legislative delegation to our local representatives to be proposed as a bill in the upcoming 2021 session. Some discussion took place.

CITY COUNCIL COMMUNICATION

None

ADJOURNMENT

6:10 P.M.