



# City of Pensacola

## Agenda Conference

### Agenda - Final

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Monday, November 11, 2019, 3:30 PM

Hagler-Mason Conference Room,  
2nd Floor

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IMMEDIATELY FOLLOWING 3:30 PM CRA MEETING

#### ROLL CALL

#### PRESENTATION ITEMS

1. [19-00492](#) PRESENTATION - BEACH ACCESS FOR THOSE WITH DISABILITIES

*Recommendation:* That City Council hear a presentation from Karen and Mike Deming related to beach access for those with disabilities. This presentation will take place at the Agenda Conference on November 12, 2019.

*Sponsors:* Sherri Myers
2. [19-00491](#) PRESENTATION - UPDATE ON ESCAMBIA COUNTY AREA TRANSIT (ECAT)

*Recommendation:* That City Council hear a presentation from Tonya Ellis, providing an update on Escambia County Area Transit (ECAT). This presentation will take place at the Agenda Conference on November 12, 2019.

*Sponsors:* Jewel Cannada-Wynn
3. [19-00494](#) PRESENTATION - SHEPHERD'S PLACE FOUNDATION INC, 90WORKS, VOLUNTEERS OF AMERICA

*Recommendation:* That City Council hear a presentation from Ms. Shirley Stone of Shepherd's Place Foundation Inc, and representatives from 90Works and Volunteers of America regarding Transitional Services. This presentation will take place at the Agenda Conference on November 12, 2019.

*Sponsors:* Ann Hill

*Attachments:* [SPF Pensacola City Council Collaborative partnership ltr](#)

#### REVIEW OF CONSENT AGENDA ITEMS

4. [19-00130](#) AWARD OF BID #19-015 LEE STREET AREA-A HMGP STORMWATER IMPROVEMENT PROJECT
- Recommendation:** That City Council award Bid #19-015 Lee Street Area-A HMGP Stormwater Improvement Project to Site & Utility, LLC., of Pensacola Florida, the lowest and most responsible bidder with a base bid of \$717,936.00 plus a 10% contingency in the amount of \$71,793.60 for a total amount of \$789,729.60. Further that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Bid Tabulation, Bid No. 19-015](#)  
[Final Vendor Reference List, Bid No. 19-015](#)  
[Map-Lee Street Area A HMGP Stormwater Improvement Project](#)
5. [19-00443](#) INTERLOCAL AGREEMENT BETWEEN ESCAMBIA COUNTY AND THE CITY OF PENSACOLA RELATING TO FLASHING SCHOOL BEACONS
- Recommendation:** That City Council approve the Interlocal Agreement between Escambia County and City of Pensacola relating to Flashing School Beacons
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Interlocal Agreement](#)
6. [19-00382](#) INTERLOCAL AGREEMENT FOR GRANT ADMINISTRATION SERVICES FOR ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) GRANT #04-79-07378 BETWEEN THE EMERALD COAST REGIONAL PLANNING COUNCIL AND THE CITY OF PENSACOLA
- Recommendation:** That City Council authorize the Mayor to take all necessary action to execute an Interlocal Agreement for Grant Administration Services for the Economic Development Administration (EDA) Grant #04-79-07378 between the Emerald Coast Regional Planning Council and the City of Pensacola.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Resolution No 2019-37](#)  
[Interlocal Agreement Emerald Coast Regional Council EDA Grant 04-79-07378](#)

7. [19-00493](#) TRANSFER OF SURPLUS FIREFIGHTING BUNKER GEAR AND RELATED EQUIPMENT - TREASURE CAY COMMUNITY FOUNDATION
- Recommendation:** That City Council declare one (1) Halligan-type tool, one (1) 36" pry bar, six (6) 1 ¾ fog nozzles, twenty three (23) pairs of firefighting gloves, twelve (12) firefighting helmets, eighteen (18) turnout trousers and nine (9) turnout coats surplus and authorize the transfer of bunker gear and related equipment to the Treasure Cay Community Foundation.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Letter of Request](#)

### REVIEW OF REGULAR AGENDA ITEMS (Sponsor)

8. [19-00479](#) PUBLIC HEARING - REQUEST FOR VOLUNTARY ANNEXATION - BAPTIST HOSPITAL OWNED PROPERTIES
- Recommendation:** That City Council conduct the first of two (2) required public hearings on November 14, 2019 to consider the voluntary annexation of thirty-four (34) parcels owned by Baptist Hospital.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Letter from Baptist Hospital requesting annexation of parcels dated 10/17/19](#)  
[Map of Annexation Area - Baptist Hospital Properties and Adjacent Property](#)  
[Proposed Ordinance Draft](#)
9. [19-00473](#) PUBLIC HEARING: REQUEST FOR ZONING MAP AND FUTURE LAND USE MAP AMENDMENT- 14 W. JORDAN STREET
- Recommendation:** That City Council conduct a Public Hearing on November 14, 2019, to consider the request to amend the Zoning Map and Future Land Use Map for the property located at 14 W. Jordan Street.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [14 W. Jordan St. Planning Board Rezoning Application - 08/10/19](#)  
[Planning Board Minutes - 10/08/19 \(DRAFT\)](#)  
[Zoning Map, dated October 2019](#)  
[Future Land Use Map, dated October 2019](#)  
[Proposed Ordinance No. 35-19 - 14 W Jordan St. - Zoning Map Amendment](#)  
[Proposed Ordinance No. 36-19 - 14 W. Jordan St. Future Land Use Amendm](#)

10. [35-19](#) PROPOSED ORDINANCE NO. 35-19 - REQUEST FOR ZONING MAP AMENDMENT - 14 WEST JORDAN STREET

**Recommendation:** That City Council approve Proposed Ordinance No. 35-19 on first 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.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [Proposed Ordinance No. 35-19](#)  
[14 W. Jordan St. Planning Board Zoning Map Amendment Application - 08/](#)  
[Planning Board Minutes - 10/08/19 \(DRAFT\)](#)  
[Zoning Map dated October 2019](#)

11. [36-19](#) PROPOSED ORDINANCE NO. 36-19 - REQUEST FOR FUTURE LAND USE AMENDMENT - 14 WEST JORDAN STREET

**Recommendation:** That City Council approve Proposed Ordinance No. 36-19 on first reading:

AN ORDINANCE AMENDING THE FUTURE LAND USE 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.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [Proposed Ordinance No. 36-19](#)  
[14 W. Jordan St. Planning Board Rezoning Application - 08/10/19](#)  
[Planning Board Minutes - 10/08/19 \(DRAFT\)](#)  
[Future Land Use Map, dated October 2019](#)

12. [19-00439](#) PUBLIC HEARING FOR THE ADOPTION OF A RESOLUTION OF INTENT TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS FOR CAPITAL STORMWATER INFRASTRUCTURE IMPROVEMENTS

**Recommendation:** That City Council conduct a public hearing on November 14, 2019 for the adoption of a non-binding resolution of intent to use the uniform method of collecting non-ad valorem special assessments for capital stormwater infrastructure improvements beginning in the year 2020.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [Resolution of Intent for Capital Assessment](#)  
[October 7, 2019 GSG Presentation](#)

13. [2019-54](#) RESOLUTION NO. 2019-54 - ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS

**Recommendation:** That City Council adopt Resolution No. 2019-54:

A RESOLUTION OF THE CITY OF PENSACOLA, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [Resolution No. 2019-54](#)

14. [19-00462](#) PORT OF PENSACOLA - DEPARTMENT OF HOMELAND SECURITY (DHS) GRANT NO. EMW-2019-PU-00016 - PORT SECURITY GRANT PROGRAM FY 2019

**Recommendation:** That City Council authorize the Mayor to accept Department of Homeland Security (DHS) Grant No. EMW-2019-PU-00016 in the total amount of \$433,651 comprised of \$325,238 in DHS funds and \$108,413 in Port of Pensacola/Pensacola Fire Department match. Further, that the City Council authorize the Mayor to take all actions necessary for the acceptance of the grant. Finally, that City Council approve the supplemental budget resolution appropriating the grant funds.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [Award Letter](#)  
[Port of Pensacola's Investment Justification](#)  
[Pensacola Fire Department's Investment Justification](#)  
[Supplemental Budget Resolution](#)  
[Supplemental Budget Explanation](#)

15. [2019-62](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2019-62 - DEPARTMENT OF HOMELAND SECURITY (DHS) GRANT NO. EMW-2019-PU-00016 - PORT SECURITY GRANT PROGRAM FY 2019

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2019-19

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING AN EFFECTIVE DATE.

**Sponsors:** Grover C. Robinson, IV

**Attachments:** [Supplemental Budget Resolution No. 2019-62](#)  
[Supplemental Budget Explanation No. 2019-62](#)

16. [19-00483](#) TREE PLANTING AND MANAGEMENT PLAN - FY 2020

**Recommendation:** That Council approve the Proposed Tree Planting and Management Plan - FY 2020. Further, that City Council authorize the Mayor to execute all necessary documents associated with the implementation of the Proposed Tree Planting and Management Plan. Finally, that City Council adopt a supplemental budget resolution appropriating \$100,000 from the Tree Planting Trust Fund.

**Sponsors:** Grover C. Robinson, IV, Ann Hill, Sherri Myers

**Attachments:** [DRAFT Tree Planting and Management Plan - FY 2020](#)  
[Supplemental Budget Resolution](#)  
[Supplemental Budget Explanation](#)

17. [2019-64](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2019-64 - TREE PLANTING AND MANAGEMENT PLAN - FY 2020  
*Recommendation:* That City Council adopt Supplemental Budget Resolution No. 2019-64  
  
 A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.  
*Sponsors:* Grover C. Robinson, IV  
*Attachments:* [Supplemental Budget Resolution No. 2019-64](#)  
[Supplemental Budget Explanation No. 2019-64](#)
18. [2019-61](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2019-61 - FY 2020 ENCUMBRANCE CARRYOVER BUDGET RESOLUTION  
*Recommendation:* That City Council adopt Supplemental Budget Resolution No. 2019-61.  
  
 A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.  
*Sponsors:* Grover C. Robinson, IV  
*Attachments:* [Supplemental Budget Resolution No. 2019-61](#)  
[Supplemental Budget Explanation No. 2019-61](#)
19. [2019-63](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2019-63 - FINAL AMENDMENT TO THE FISCAL YEAR 2019 BUDGET  
*Recommendation:* That City Council adopt Supplemental Budget Resolution No. 2019-63.  
  
 A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019; PROVIDING FOR AN EFFECTIVE DATE.  
*Sponsors:* Grover C. Robinson, IV  
*Attachments:* [Supplemental Budget Resolution No. 2019-63](#)  
[Supplemental Budget Explanation No. 2019-63](#)

20. [2019-67](#) RESOLUTION NO. 2019-67 - CORRECTING SCRIVENER’S ERRORS OF ORDINANCE NO. 23-19 AND TRANSMITTING PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

*Recommendation:* That City Council adopt Resolution 2019-67:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA; CORRECTING SCRIVENER’S ERRORS OF ORDINANCE NO. 23-19 WHICH PROPOSED AMENDMENTS TO THE LAND USE MAP OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

*Sponsors:* Grover C. Robinson, IV

*Attachments:* [Resolution No. 2019-67](#)

21. [34-19](#) PROPOSED ORDINANCE NO. 34-19 - PROPOSED AMENDMENT TO THE CODE OF THE CITY OF PENSACOLA - LAND DEVELOPMENT CODE - SECTION 12-2-12 - WATERFRONT REDEVELOPMENT DISTRICT

*Recommendation:* That City Council adopt Proposed Ordinance No. 34-19 on second reading.

AN ORDINANCE AMENDING SECTION 12-2-12 REDEVELOPMENT LAND USE DISTRICT; CREATING SECTION (D) WATERFRONT REDEVELOPMENT DISTRICT-1 (WRD-1) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

*Sponsors:* Grover C. Robinson, IV

*Attachments:* [Proposed Ordinance No. 34-19](#)  
[WRD-1 Staff Memo Packet - 10.08.2019](#)  
[Planning Board Minutes - 10.08.2019 \(DRAFT\)](#)

**FOR DISCUSSION**

22. [19-00240](#) MONTHLY FINANCIAL REPORT - CHIEF FINANCIAL OFFICER RICHARD BARKER, JR.

*Sponsors:* Grover C. Robinson, IV

*Attachments:* [2019 - September](#)

**CONSIDERATION OF ANY ADD-ON ITEMS**

**READING OF ITEMS FOR COUNCIL AGENDA**

**COMMUNICATIONS**

**City Administrator's Communication**

**City Attorney's Communication**

**Monthly Financial Report - Chief Financial Officer Richard Barker, Jr.**

**City Council Communication**

**ADJOURNMENT**

*If any person decides to appeal any decision made with respect to any matter considered at such meeting, he will need a record of the proceedings, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*

*The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 435-1606 (or TDD 435-1666) for further information. Request must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.*



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 19-00492

City Council

11/14/2019

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### **PRESENTATION ITEM**

**FROM:** City Council Member Sherri Myers

**SUBJECT:**

PRESENTATION - BEACH ACCESS FOR THOSE WITH DISABILITIES

**REQUEST:**

That City Council hear a presentation from Karen and Mike Deming related to beach access for those with disabilities. This presentation will take place at the Agenda Conference on November 12, 2019.

**SUMMARY:**

In 1990, 8 months after Mike and Karen Deming were married; a car accident left Karen a quadriplegic. Mike was determined to make sure that Karen enjoyed life to the fullest after the accident. Karen's need for special seating requirements led to the creation of the first beach wheelchair prototype in 1994. From the initial prototype to present, the designs have come a long way.

This presentation will allow for an introduction to what is available for those beach goers with disabilities, with the hope of incorporating this knowledge to the improvements at Bruce Beach.

**PRIOR ACTION:**

None

**STAFF CONTACT:**

Don Kraher, Council Executive

**ATTACHMENTS:**

None.

**PRESENTATION:** Yes



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 19-00491

City Council

11/14/2019

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### **PRESENTATION ITEM**

**FROM:** City Council Member Jewel Cannada-Wynn

**SUBJECT:**

PRESENTATION - UPDATE ON ESCAMBIA COUNTY AREA TRANSIT (ECAT)

**REQUEST:**

That City Council hear a presentation from Tonya Ellis, providing an update on Escambia County Area Transit (ECAT). This presentation will take place at the Agenda Conference on November 12, 2019.

**SUMMARY:**

Due to some recent changes undertaken by the Escambia County Board of County Commissioners, City Council requests a presentation from the Acting ECAT Director, Tonya Ellis. The purpose of this update is to explain the impact, if any, of the changes made by the Board of County Commissioners, discuss any increase or reduction in routes and/or stops and to give an overview of the state of ECAT.

**PRIOR ACTION:**

None

**STAFF CONTACT:**

Don Kraher, Council Executive

**ATTACHMENTS:**

None.

**PRESENTATION:** Yes



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 19-00494

City Council

11/14/2019

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### **PRESENTATION ITEM**

**FROM:** City Council Member Ann Hill

**SUBJECT:**

PRESENTATION - SHEPHERD'S PLACE FOUNDATION INC, 90WORKS, VOLUNTEERS OF AMERICA

**REQUEST:**

That City Council hear a presentation from Ms. Shirley Stone of Shepherd's Place Foundation Inc, and representatives from 90Works and Volunteers of America regarding Transitional Services. This presentation will take place at the Agenda Conference on November 12, 2019.

**SUMMARY:**

Shepherd's Place Foundation Inc. is a Florida based, non-profit organization that operates as a portal for Transitional Services to assist displaced men, women, children, and our military veterans. The mission of Shepherd's Place Foundation Inc. is to provide assistance for needy men, women, and children of all races, colors, and creeds to be empowered to meet personal needs and resolve issues of homelessness, domestic violence, education, recidivism, counseling, and science.

Along with 90Works of Florida and Volunteers of America, information will be provided regarding transitional services that are offered through their organizations.

**PRIOR ACTION:**

None

**STAFF CONTACT:**

Don Kraher, Council Executive

**ATTACHMENTS:**

1) Shepherd's Place Foundation Inc., Letter

**PRESENTATION:** Yes



## SHEPHERDS PLACE FOUNDATION INC.

“Laying a Foundation where Faith Works to give you a Fresh Start”

Shepherd’s Place Foundation Inc.; is a Florida based non-profit organization that operates as a portal for Transitional Services to assist displaced men, women, children, and our military veterans. Our mission is to provide assistance for needy men, women, and children of all races, colors, and creeds to be empowered to meet personal needs and resolve issues of homelessness, domestic violence, education, recidivism, counseling, and science.

Shepherd's Place Foundation Inc. is not a shelter but is a ninety-day (90) up to a two (2) year transitional program servicing Escambia County, Century and Pensacola, FL. We are a one-stop resource to help bridge the individual back to healthy lifestyles and serve the wholeness of those in need through services, education and counseling with a life-changing impact from the experience that caused a hardship. Collaborative partnerships are essential to helping gain the skills and resources one may need to make a successful transition to long term self-sufficiency while utilizing social science and analytics to implement advocacy and public awareness which allows us to be resourceful for future preparedness.

We are asking The City Of Pensacola City Council to consider a donation from your discretionary funds to support Transitional Services and Hotel Home Stay Programs serving individuals living in the City Of Pensacola, that are so needed to lower the recidivism rate and resolve homelessness amongst disable veterans and non-veterans, families, women, children and men in Pensacola, FL

### Established Collaborative Partnerships:

- Volunteers OF America (veteran transitional housing) - Roger Coleman
- 90Works of FL (VA permanent housing programs) - Michael Wilcox
- City of Century – Mayor Henry Hawkins
- Pensacola - City Neighborhoods Administrator - Lawrence Powell
- Palm Court - Hotel Home Stay (a transitional program)
- Youth Development of Saginaw Michigan – Eric Eggleston

Shirley Stone,  
850-454-6125 – cell

Shepherd’s Place Foundation Inc.  
Email: [shepherdsplacere3@att.net](mailto:shepherdsplacere3@att.net)



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 19-00130

City Council

11/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

AWARD OF BID #19-015 LEE STREET AREA-A HMGP STORMWATER IMPROVEMENT PROJECT

**RECOMMENDATION:**

That City Council award Bid #19-015 Lee Street Area-A HMGP Stormwater Improvement Project to Site & Utility, LLC., of Pensacola Florida, the lowest and most responsible bidder with a base bid of \$717,936.00 plus a 10% contingency in the amount of \$71,793.60 for a total amount of \$789,729.60. Further that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

This project will serve as the second construction area (Area A) of the FEMA Hazard Mitigation Grant Program (HMGP) project to provide stormwater drainage improvements at the intersection of West Lee Street and North 'F' Street that has been impacted by historical repetitive flooding issues. More specifically, this final project phase consists of demolishing the three (3) recently purchased residential dwellings along Lee Street and constructing a new stormwater retention pond in the vacated area, along with new underground drainage infrastructure. The completion of the project will significantly reduce roadway and private property flooding in the local area as a result of high intensity rainfall events.

**PRIOR ACTION:**

October 11, 2018 - Hazard Mitigation Grant Program (HMGP) Grant - Acquisition of Properties Located at 925, 927, and 975 West Lee Street.

April 14, 2016 - Award of Contract - Bid #16-022 L Street and Zaragossa Street Stormwater Treatment Enhancement Project.

**FUNDING:**

Budget:	\$ 1,567,485.00	HMGP Grant Award - Natural Disaster Fund
	<u>322,000.00</u>	Additional Anticipated HMGP Award
	\$ 1,889,485.00	Total
Actual:	\$ 717,936.00	Construction Contract
	71,793.60	10% Contingency
	25,964.45	Engineering Design (Completed)
	713,540.08	L Street and Zaragossa Street (Completed)
	312,235.88	Acquisition of Properties (Completed)
	25,000.00	Engineering Management/Inspection (Estimate)
	<u>5,000.00</u>	Construction Testing and Misc. (Estimate)
	\$ 1,871,470.01	Total

**FINANCIAL IMPACT:**

Funding for this HMGP Grant Project is appropriated in the Natural Disaster Fund (Areas A and B). Additional HMGP funding in the amount of \$322,000.00 is anticipated to become available once the HMGP Grant Program approves a request to increase the budget due to the bids received being higher than projected in the grant agreement for Phase II of the Construction/Demolition portion of the project for a total amount of \$1,889,485.00. Should the additional anticipated HMGP funding not become available, sufficient funds are available in the Stormwater Capital Projects Fund Stormwater Vaults City-Wide to complete this project. To date, \$1,051,740.41 has been expended for completed items related to Engineering Design, construction of the 'L' Street and Zaragossa Street Project (Area B) and the Acquisition of Property located at West Lee Street (Area B) leaving a budgeted balance of \$837,744.59. The remaining budget balance is sufficient to cover the remaining items have yet to be completed/expended. The additional anticipated HMGP funds will be appropriated on the unencumbered carry forward budget resolution in December.

**CITY ATTORNEY REVIEW:** Yes

10/31/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
L. Derrik Owens, Director of Public Works and Facilities/City Engineer

**ATTACHMENTS:**

- 1) Bid Tabulation, Bid No. 19-015
- 2) Final Vendor Reference List, Bid No. 19-015
- 3) Map - Lee Street Area-A HMGP Stormwater Improvement Project

**PRESENTATION:** No

TABULATION OF BIDS

BID NO: 19-015

TITLE: HMGP STORMWATER IMPROVEMENT PROJECT

FEMA PROJECT NUMBER 4177-04-R -- LEE STREET AREA-A

OPENING DATE: March 29, 2019 OPENING TIME: 2:30 P.M.  DEPARTMENT: Engineering	SITE & UTILITY, LLC Pensacola, FL	B&W UTILITIES, INC. Pensacola, FL	GULF ATLANTIC CONSTRUCTORS, INC. Pensacola, FL
Base Bid	\$717,936.00	\$763,300.15	\$831,091.50
Attended Prebid	Yes	Yes	Yes

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**FINAL VENDOR REFERENCE LIST  
HMGP STORMWATER IMPROVEMENT PROJECT  
FEMA PROJECT NUMBER 4177-04-R -- LEE STREET AREA-A  
ENGINEERING**

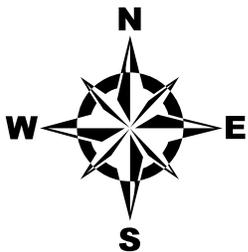
Vendor	Name	Address	City	St	Zip Code	SMWBE
004632	A E NEW JR INC	460 VAN PELT LANE	PENSACOLA	FL	32505	
067544	AFFORDABLE CONCRETE & CONSTRUCTION LLC	4089 E JOHNSON AVE	PENSACOLA	FL	32515	Y
044957	ALL SEASONS CONSTRUCTION LLC	6161 BLUE ANGEL PARKWAY	PENSACOLA	FL	32526	
068571	B&W UTILITIES INC	1610 SUCCESS DRIVE	CANTONMENT	FL	32533	
002504	BARNES FEED STORE INC	8650 NORTH PALAFOX HWY	PENSACOLA	FL	32534	Y
069786	BEAR GENERAL CONTRACTORS LLC	2803 E CERVANTES ST STE C	PENSACOLA	FL	32503	
036997	BELLVIEW SITE CONTRACTORS INC	3300 GODWIN LANE	PENSACOLA	FL	32526	Y
073772	BIGGS CONSTRUCTION COMPANY INC	PO BOX 1552	PENSACOLA	FL	32591	Y
053457	BIRKSHIRE JOHNSTONE LLC	507 E FAIRFIELD DR	PENSACOLA	FL	32503	Y
065013	BKW INC	8132 PITTMAN AVE	PENSACOLA	FL	32534	Y
070527	BLOWERS, BENJAMIN DBA INNOVIS USA LLC	5540 LEESWAY BLVD	PENSACOLA	FL	32504	
022856	BROWN CONSTRUCTION OF NW FL INC	10200 COVE AVE	PENSACOLA	FL	32534	Y
041503	BROWN, AMOS P JR DBA P BROWN BUILDERS LLC	4231 CHERRY LAUREL DRIVE	PENSACOLA	FL	32504	Y
050107	CANTONMENT BUILDING MATERIALS INC	990 HIGHWAY 29 N	CANTONMENT	FL	32533	
042045	CHAVERS CONSTRUCTION INC	1795 WEST DETROIT BLVD	PENSACOLA	FL	32534	Y
049653	CHRISTOPHER C BARGAINEER CONCRETE CONSTRUCTION INC	6550 BUD JOHNSON ROAD	PENSACOLA	FL	32505	Y
045454	COASTLINE STRIPING INC	8840 FOWLER AVENUE	PENSACOLA	FL	32534	
071766	CONSTRUCTION MANAGEMENT ADVISORS LLC	4547 LASSASSIER	PENSACOLA	FL	32504	
036146	CRONIN CONSTRUCTION INC	99 S ALCANIZ ST SUITE A	PENSACOLA	FL	32502	Y
070475	CRUZ, SHAWN C DBA COASTAL PROPERTY PREPARATION LLC	5700 ALMAX COURT	PENSACOLA	FL	32506	
033554	D K E MARINE SERVICES	P O BOX 2395	PENSACOLA	FL	32513	Y
070603	D+B BUILDERS	670 MOLINO ROAD	MOLINO	FL	32577	
007055	DAVIS MARINE CONSTRUCTION INC	8160 ASHLAND AVENUE	PENSACOLA	FL	32534	Y
065871	ECSC LLC	8400 LITTLE JOHN JUNCTION	NAVARRE	FL	32566	Y
072705	EVAN CHASE CONSTRUCTION INC	2991 SOUTH HIGHWAY 29	CANTONMENT	FL	32533	Y
032038	EVANS CONTRACTING INC	400 NEAL ROAD	CANTONMENT	FL	32533	
039109	FRANK KELLY INDUSTRIAL SALES	744 E BURGESS RD A105	PENSACOLA	FL	32504	Y
074355	GANNETT MHC MEDIA INC DBA PENSACOLA NEWS JOURNAL	2 NORTH PALAFOX ST	PENSACOLA	FL	32502	
032792	GATOR BORING & TRENCHING INC	1800 BLACKBIRD LANE	PENSACOLA	FL	32534	Y
050495	GB GREEN CONSTRUCTION MANAGEMENT & CONSULTING INC	303 MAN'O'WAR CIRCLE	CANTONMENT	FL	32533	Y
053862	GFD CONSTRUCTION INC	8771 ASHLAND AVE	PENSACOLA	FL	32514	
058714	GREG ALLEN CONSTRUCTION INC	5006 PERSIMMON HOLLOW ROAD	MILTON	FL	32583	Y
000591	GULF ATLANTIC CONSTRUCTORS INC	650 WEST OAKFIELD RD	PENSACOLA	FL	32503	Y
044100	GULF BEACH CONSTRUCTION	1308 UPLAND CREST COURT	GULF BREEZE	FL	32563	Y
069565	GULF COAST INDUSTRIAL CONSTRUCTION LLC	12196 HWY 89	JAY	FL	32565	Y
074827	GULF COAST MINORITY CHAMBER OF COMMERCE INC	321 N DEVILLERS ST STE 104	PENSACOLA	FL	32501	
017352	GULF COAST TRAFFIC ENGINEERS	8203 KIPLING STREET	PENSACOLA	FL	32514	
036662	H H H CONSTRUCTION OF NWF INC	8190 BELLE PINES LANE	PENSACOLA	FL	32526	
070385	HANTO & CLARKE GENERAL CONTRACTORS LLC	1401 EAST BELMONT STREET	PENSACOLA	FL	32501	
056716	HOWELL, KENNETH C, JR DBA KEN JR CONSTRUCTION LLC	1102 WEBSTER DRIVE	PENSACOLA	FL	32505	
022978	INGRAM SIGNALIZATION INC	4522 N DAVIS HWY	PENSACOLA	FL	32503	Y

**FINAL VENDOR REFERENCE LIST  
HMGP STORMWATER IMPROVEMENT PROJECT  
FEMA PROJECT NUMBER 4177-04-R -- LEE STREET AREA-A  
ENGINEERING**

Vendor	Name	Address	City	St	Zip Code	SMWBE
053163	J2 ENGINEERING INC	2101 WEST GARDEN STREET	PENSACOLA	FL	32502	
071564	JOSEPH BRIDGES DBA JOE'S LINE UP	222 EHRMANN ST	PENSACOLA	FL	32507	
043857	KBI CONSTRUCTION CO INC	9214 WARING RD	PENSACOLA	FL	32534	
068161	LEA, DOUGLAS C DBA L&L CONSTRUCTION SERVICES LLC	9655 SOUTH TRACE ROAD	MILTON	FL	32583	Y
058332	LEIDNER BUILDERS INC	409 N PACE BLVD	PENSACOLA	FL	32505	Y
058801	M & H CONSTRUCTION SERVICES INC	1161 W 9 1/2 MILE RD	PENSACOLA	FL	32534	Y
053467	MIDSOUTH PAVING INC	PO BOX 198495	ATLANTA	GA	30384	
016210	NORD, STEVE DBA SEA HORSE GENERAL CONTRACTORS INC	4238 GULF BREEZE PKWY	GULF BREEZE	FL	32563	Y
059552	NOVA ENGINEERING AND ENVIRONMENTAL LLC	3900 KENNESAW 75 PKWY STE 100	KENNESAW	GA	30144	
002720	PANHANDLE GRADING & PAVING INC	P O BOX 3717	PENSACOLA	FL	32516	
058953	PARSCO LLC	714 NORTH DEVILLIERS STREET	PENSACOLA	FL	32501	Y
060344	PENSACOLA BAY AREA CHAMBER OF COMMERCE DBA GREATER PENSACOLA CHAMBER	117 W GARDEN ST	PENSACOLA	FL	32502	
003956	PENSACOLA CONCRETE CONSTRUCTION CO INC	P O BOX 2787	PENSACOLA	FL	32513	
055028	PERDIDO GRADING & PAVING	PO BOX 3333	PENSACOLA	FL	32516	Y
073174	PERRITT, CHRIS LLC	5340 BRIGHT MEADOWS ROAD	MILTON	FL	32570	Y
066152	PRINCIPLE PROPERTIES INC	3773 HIGHWAY 87 S	NAVARRE BEACH	FL	32566	Y
051133	PUGH, KEVIN D DBA KEVIN D PUGH SITE & DOZER WORKS LLC	5731 STEWART ROAD	WALNUT HILL	FL	32568	Y
021834	R & L PRODUCTS INC	9492 PENSACOLA BLVD	PENSACOLA	FL	32534	
018305	R D WARD CONSTRUCTION CO INC	15 EAST HERMAN STREET	PENSACOLA	FL	32505	
049671	RADFORD & NIX CONSTRUCTION LLC	7014 PINE FOREST ROAD	PENSACOLA	FL	32526	Y
001681	RANDALL, HENRY DBA RANDALL CONSTRUCTION	1045 S FAIRFIELD DRIVE	PENSACOLA	FL	32506	
031881	ROADS INC OF NWF	106 STONE BLVD	CANTONMENT	FL	32533	
017634	ROBERSON EXCAVATION INC	6013 SOUTHRIDGE ROAD	MILTON	FL	32570	Y
067564	ROBERSON UNDERGROUND UTILITY LLC	9790 ROBERSON WAY	MILTON	FL	32570	Y
055499	ROCKWELL CORPORATION	3309 LINGER COURT	PENSACOLA	FL	32526	Y
042044	SALTER/3C'S CONSTRUCTION CO	4512 TRICE RD	MILTON	FL	32571	
065450	SITE AND UTILITY LLC	PO BOX 30136	PENSACOLA	FL	32503	Y
068159	SOUTHERN DRILL SUPPLY INC	1822 BLACKBIRD LANE	PENSACOLA	FL	32534	
011457	SOUTHERN UTILITY CO INC	P O BOX 2055	PENSACOLA	FL	32513	Y
028060	THE GREEN SIMMONS COMPANY INC	3407 NORTH W STREET	PENSACOLA	FL	32505	Y
062939	THREE TRADE CONSULTANTS	5690 JEFF ATES RD	MILTON	FL	32583	Y
069066	UNDERGROUND SOLUTIONS LLC	3070 GODWIN LN	PENSACOLA	FL	32526	Y
002482	UTILITY SERVICE COMPANY INC	4326 GULF BREEZE PARKWAY	GULF BREEZE	FL	32563	
030317	W P R INC	4175 BRIARGLEN RD	MILTON	FL	32583	Y
030448	WARRINGTON UTILITY & EXCAVATING INC	8401 UNTREINER AVE	PENSACOLA	FL	32534	Y
021725	WHITESSELL-GREEN INC	P O BOX 2849	PENSACOLA	FL	32513	
069212	YERKES SOUTH INC	634 LAKEWOOD RD	PENSACOLA	FL	32507	Y

Vendors: 78
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# WEST LEE STREET



# PENSACOLA

THE UPSIDE of FLORIDA

**DEPARTMENT OF PUBLIC WORKS AND FACILITIES  
ENGINEERING AND CONSTRUCTION SERVICES DIVISION**



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 19-00443

City Council

11/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

INTERLOCAL AGREEMENT BETWEEN ESCAMBIA COUNTY AND THE CITY OF PENSACOLA  
RELATING TO FLASHING SCHOOL BEACONS

**RECOMMENDATION:**

That City Council approve the Interlocal Agreement between Escambia County and City of Pensacola relating to Flashing School Beacons

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

This agreement is between Escambia County and the City of Pensacola in relation to the Flashing School Beacons at four (4) public schools zones, four (4) private schools zones, and two (2) school zones on State roadways. The City agreed with the Escambia County School Board to upgrade the school zones flashing beacons to a solar and automated system. This allowed for the minor relocation of some school zones to facilitate safety and the ability to program/diagnose issues from a central office location.

In development of this system the City approached Escambia County about taking over the school flashers once the upgrades were completed by the City. The County was receptive to taking over the task from the City and the City utilized the same equipment to automate the system that Escambia County IS currently implementing and using. Reimbursement to the County for the private and public flashers will be at a rate that matches the Florida Department of Transportation (FDOT) rate of reimbursement state-wide. That reimbursement is \$340 per flasher for the first year with yearly increases to match FDOT, provided that reimbursement per beacon shall not exceed \$500 annually.

**PRIOR ACTION:**

None

**FUNDING:**

Budget: \$4,760

Actual: \$4,760

**FINANCIAL IMPACT:**

Funds are available within the Public Works Fiscal Year 2020 General Fund Budget.

**CITY ATTORNEY REVIEW:** Yes

10/18/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
L. Derrik Owens, P.E., Director of Public Works/City Engineer

**ATTACHMENTS:**

- 1) Interlocal Agreement

**PRESENTATION:** No

**INTERLOCAL AGREEMENT BETWEEN ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS AND THE CITY OF PENSACOLA RELATING TO FLASHING SCHOOL BEACONS**

**THIS AGREEMENT** is made by and between Escambia County, a political subdivision of the State of Florida (hereinafter referred to as the "County") with administrative offices located at 221 Palafox Place, Pensacola, Florida 32502, and the City of Pensacola, a municipal corporation created and existing under the laws of the State of Florida, (hereinafter referred to as "City") with administrative offices at 222 West Main Street, Pensacola, Florida 32502 (each being at times referred to as "party" or "parties").

**WITNESSETH:**

**WHEREAS**, the County and City have legal authority to perform general governmental services within their respective jurisdictions; and

**WHEREAS**, the County and City are authorized by §163.01, Florida Statutes, to enter into Interlocal Agreements and thereby cooperatively utilize their governmental powers and available resources in the most efficient manner possible; and

**WHEREAS**, the City is responsible for the general maintenance of all flashing school beacons servicing school zones located within the City's jurisdictional limits; and

**WHEREAS**, the County has agreed to assume responsibility for the general maintenance of eighteen (18) flashing school beacons servicing school zones located within the City's jurisdictional limits as provided herein.

**NOW, THEREFORE**, in consideration of the mutual terms and conditions, promises, covenants and payment hereinafter set forth, the receipt and sufficiency of which is hereby acknowledged, the County and the City agree as follows:

**ARTICLE 1**

**Purpose**

1.1 The recitals contained in the preamble of this Agreement are declared to be true and correct and are hereby incorporated into this Agreement.

1.2 The purpose of this Agreement is to set forth the responsibilities of the parties with respect to the maintenance of eighteen (18) flashing school beacons located within the City's jurisdictional boundaries as provided herein.

**ARTICLE 2**

**Responsibilities of Parties**

2.1 The County agrees to assume responsibility for the general maintenance of seven (7) flashing school beacons in school zones servicing the following four private schools located within the City's jurisdictional boundaries (hereinafter the "Private School Beacons"):

- (2) Creative Learning Academy ("CLA"), 3151 Hyde Park Road;
- (2) Saint Paul's Catholic School ("SPCS"), 3121 Hyde Park Road;
- (1) Episcopal Day School, 223 North Palafox Street; and

- (2) Sacred Heart Cathedral School, 1603 North 12<sup>th</sup> Avenue.

2.2 The County agrees to assume responsibility for the general maintenance of seven (7) flashing school beacons in school zones servicing the following four public schools located within the City's jurisdictional boundaries (hereinafter the "Public School Beacons"):

- (2) Scenic Heights Elementary, 3801 Cherry Laurel Drive;
- (1) Pensacola High School, 500 West Maxwell Street;
- (2) O.J. Semmes Elementary, 1250 East Texar Drive; and
- (2) N.B. Cook Elementary, 1310 North 12<sup>th</sup> Avenue.

2.3 The County agrees to assume responsibility for the general maintenance of four (4) flashing school beacons servicing the following schools on state roadways located within the City's jurisdictional boundaries (hereinafter the "State Road Beacons"):

- (2) CLA and SPCS, intersection of Bayou Boulevard and Hyde Park Road; and
- (2) A.K. Suter Elementary, 501 Pickens Avenue.

2.4 The County's assumption of responsibility for said duties for State Road Beacons as provided in paragraph 2.3 above will be contingent upon an assignment of the City's right of reimbursement from the Florida Department of Transportation (FDOT) in an amount not less than One Thousand Three Hundred Sixty Dollars (\$1,360.00). Within thirty days of the Effective Date of this Agreement, the City will provide written notice of said assignment from the FDOT.

2.5 Prior to the Effective Date of this Agreement, the City agrees to install or otherwise upgrade all Private School Beacons, Public School Beacons, and State Road Beacons, as described in paragraphs 2.1-2.3 above (collectively referred to as the "School Beacons"), with ground mounted, solar powered signage and cloud-based monitoring technology.

2.6 On the Effective Date of this Agreement, the City agrees to convey ownership of the School Beacons to the County. The County will have the right to inspect the School Beacons, including all equipment and related materials, prior to acceptance.

### **ARTICLE 3** **Effective Date and Term**

3.1 **Effective Date.** This Agreement, after being properly executed by the parties named herein, shall become effective upon its filing with the Clerk of the Circuit Court of Escambia County, Florida. Escambia County shall be responsible for filing the document upon receipt of the fully executed Agreement from the City.

3.2 **Term.** The term of this Agreement will commence upon the Effective Date and automatically renew for successive twelve-month terms unless otherwise terminated as provided in paragraph 8.2.

### **ARTICLE 4** **Compensation and Method of Payment**

4.1 City agrees to reimburse the County for the cost to maintain the seven (7) Private School Beacons referenced in paragraph 2.1 above and the seven (7) Public School Beacons referenced in paragraph 2.2 above in an amount not to exceed the FDOT reimbursement rate per beacon, which is currently Three Hundred Forty Dollars (\$340) per beacon. If the FDOT reimbursement

rate per beacon should increase, the City's reimbursement rate to the County shall increase accordingly; provided, however, that the reimbursement rate per beacon shall not exceed Five Hundred Dollars (\$500). In the event the FDOT reimbursement rate should exceed \$500 then either party may terminate this Agreement as provided in paragraph 9.1.

4.2 Invoices and other requests will be sent to:  
Ryan Novota, P. E., City Traffic Engineer  
City of Pensacola  
Public Works and Facilities  
2757 North Palafox Street  
Pensacola, Florida 32501

4.3 Payments and other requests will be sent to:  
David Forte, Division Manager  
Escambia County, FL Engineering Department  
3363 West Park Place  
Pensacola, Florida 32505

#### **ARTICLE 5** **Warranty**

5.1 The City shall obtain and shall assign to the County all express warranties given to the City regarding the equipment and related materials installed by the City.

5.2 If within one (1) year, the equipment or its installation is found to be defective or not in conformance with applicable standard practice for installation, the City shall reasonably cooperate with the County regarding the enforcement of any warranty referenced in paragraph 6.1, above. These warranties are in addition to those implied warranties, if any, to which the County may be entitled as a matter of law.

#### **ARTICLE 6** **Easements**

The County shall cooperate with the City in obtaining such other easements and rights of way as may be required for the installation, maintenance, and operation of the School Beacons.

#### **ARTICLE 7** **Force Majeure**

In the event that performance by the County or the City of any of its obligations under this Agreement shall be interrupted, delayed, or prevented by any occurrence not occasioned by the conduct of such party, whether such occurrence be an act of God or any other occurrence whatsoever that is beyond the reasonable control of such party, including a change in environmental law or regulation rendering performance impractical or impossible, then such party shall be excused from such performance for such period of time as is reasonably necessary after the occurrence to remedy the effects thereof, or until such performance is no longer impractical or impossible.

#### **ARTICLE 8** **General Provisions**

8.1 Termination: This Agreement may be terminated by either party for cause, or for

convenience, upon thirty (30) days written notice by the terminating party to the other party of such termination, in which event the County shall be paid compensation for all work performed by both it and its contractor(s) prior to the termination date, including all reimbursable expenses then due or incurred prior to the date of termination. On the effective date of termination, the County shall transfer ownership of such School Beacons to the City.

8.2 Public Records: The parties acknowledge that this Agreement and any related financial records, audits, reports, plans, correspondence, and other documents may be subject to disclosure to members of the public pursuant to Chapter 119, Florida Statutes, as amended. In the event a party fails to abide by the provisions of Chapter 119, Florida Statutes, the other party may, without prejudice to any right or remedy and after giving that party, seven (7) calendar days written notice, during which period the party fails to allow access to such documents, terminate this Agreement.

8.3 Assignment: This Agreement or any interest herein, shall not be assigned, transferred, or otherwise encumbered, under any circumstances, by the parties, without the prior written consent of the other party. However, the Agreement shall run with the Escambia County Board of County Commissioners and its successors and the City of Pensacola and its successors.

8.4 All Prior Agreements Superseded: This document incorporates and includes all prior negotiations, correspondence, conversations, agreements, or understandings applicable to the matters contained herein, and the parties agree that there are no commitments, agreements, or understandings concerning the subject matter of this Agreement that are not contained in this document. Accordingly, it is agreed that no deviation from the terms hereof shall be predicated upon any prior representations or Agreements whether oral or written. It is further agreed that no modification, amendment, or alteration in the terms and conditions contained herein shall be effective unless contained in a written document executed with the same formality and of equal dignity herewith.

8.5 Headings: Headings and subtitles used throughout this Agreement are for the purpose of convenience only, and no heading or subtitle shall modify or be used to interpret the text of any section.

8.6 Governing Law: This Agreement shall be governed by and construed in accordance with the laws of the State of Florida, and the parties stipulate that venue, for any matter, which is the subject of this Agreement shall be in the County of Escambia.

8.7 Interpretation: For the purpose of this Agreement, the singular includes the plural and the plural shall include the singular. References to statutes or regulations include all statutory or regulatory provisions consolidating, amending, or replacing the statute or regulation referred to. Words not otherwise defined that have well-known technical or industry meanings are used in accordance with such recognized meanings. References to persons include their respective permitted successors and assigns and, in the case of governmental persons, persons succeeding to their respective functions and capacities.

- (a) If either party discovers any material discrepancy, deficiency, ambiguity, error, or omission in this Agreement, or is otherwise in doubt as to the meaning of any provision of the Agreement, said party shall immediately notify the other party and request clarification of the interpretation of this Agreement.
- (b) This Agreement shall not be more strictly construed against either party hereto by

reason of the fact that one party may have drafted or prepared any or all of the terms and provisions hereof.

8.8 Severability: The invalidity or non-enforceability of any portion or provision of this Agreement shall not affect the validity or enforceability of any other portion or provision. Any invalid or unenforceable portion or provision shall be deemed severed from this Agreement and the balance hereof shall be construed and enforced as if it did not contain such invalid or unenforceable portion or provision.

8.9 Further Documents: The parties shall execute and deliver all documents and perform further actions that may reasonably be necessary to effectuate the provisions of this Agreement.

8.10 No Waiver: The failure of a party to insist upon the strict performance of the terms and conditions hereof shall not constitute or be construed as a waiver or relinquishment of any other provision or of either party's right to thereafter enforce the same in accordance with this Agreement.

**IN WITNESS WHEREOF**, the parties hereto have made and executed this Agreement on the respective dates, under each signature:

**ESCAMBIA COUNTY, FLORIDA**, a political subdivision of the State of Florida acting by and through its duly authorized Board of County Commissioners.

By: \_\_\_\_\_  
Lumon J. May, Chairman

Date: \_\_\_\_\_

BCC Approved: \_\_\_\_\_

**CITY OF PENSACOLA**, a Florida Municipal Corporation acting by and through its duly authorized City Council

By: \_\_\_\_\_  
Grover C. Robinson, IV, Mayor

Date: \_\_\_\_\_

ATTEST: Pam Childers  
Clerk of the Circuit Court

By: \_\_\_\_\_  
Deputy Clerk

ATTEST:

By: \_\_\_\_\_  
City Clerk



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 19-00382

City Council

11/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

INTERLOCAL AGREEMENT FOR GRANT ADMINISTRATION SERVICES FOR ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) GRANT #04-79-07378 BETWEEN THE EMERALD COAST REGIONAL PLANNING COUNCIL AND THE CITY OF PENSACOLA

**RECOMMENDATION:**

That City Council authorize the Mayor to take all necessary action to execute an Interlocal Agreement for Grant Administration Services for the Economic Development Administration (EDA) Grant #04-79-07378 between the Emerald Coast Regional Planning Council and the City of Pensacola.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

The Emerald Coast Regional Planning Council assisted the City in developing a FY 2018 Public Works and Economic Adjustment Assistance Disaster Supplemental grant application submitted to the U.S. Department of Commerce Economic Development Administration (EDA) during the FY 2018 grant cycle to help fund the construction of Hangar 2 at the Pensacola International Airport.

The City was notified on July 18, 2019 that in response to this application, it had been awarded a grant from EDA in the amount of \$12,250,000 assigned investment number 04-79-07378 by EDA.

The maximum amount of compensation and reimbursement for Emerald Coast Regional Planning Council (ECRC) to render certain project management, reporting and support services in connection with the EDA grant is \$35,000 based upon milestones depicting percentage completion of the scope of work. Payments to ECRC will be made from funds provided by EDA.

**PRIOR ACTION:**

June 13, 2013 - City Council adopted a resolution to support the acceptance of a grant offered by the Florida Department of Transportation as a Joint Participation Agreement # 43360229401 in the amount of \$11,090,000 for Air Commerce Park Phases I and IA - Infrastructure Development.

February 13, 2014 - City Council Discussion Item and Presentation on the ST Aerospace Economic Development Project at the Pensacola International Airport.

February 27, 2014 - City Council approved the Interlocal Agreement with Escambia County and the City of Pensacola for Funding of Economic Development Project - ST Aerospace of Mobile, Inc.

September 9, 2014 - City Council approved the lease with VT Mobile Aerospace Engineering.

July 16, 2015 - City Council approved the selection of Greenhut Construction and authorized the Mayor to execute the contract.

September 17, 2015 - City Council authorized the Mayor to execute acceptance of the Florida Department of Transportation Joint Participation Agreement # 43571729401 in the amount of \$1,531,546 for construction funding to expand the cargo apron and construct a taxiway connector at the Pensacola International Airport of which \$1,121,242 will be used towards taxiway connecting future VT MAE facility to runway 17-35.

March 17, 2016 - City Council authorized the Mayor to execute acceptance of the Florida Department of Transportation Joint Participation Agreements # 42030029401, # 42960929401, and # 42960939401 in the amount of \$2,975,305 for construction of a taxiway connector at the Pensacola International Airport.

April 14, 2016 - City Council authorized the Mayor to execute acceptance of the Florida Department of Transportation Joint Participation Agreement # 43571769401 in the amount of \$8,599,600 for construction of a hangar at the Pensacola International Airport.

September 22, 2016 - City Council authorized the Mayor to execute Amendment No. 1 to the lease the VT Mobile Aerospace Engineering.

September 22, 2016 - City Council authorized the Mayor to execute Amendment No. 1 to the contract with Atkins North America.

February 8, 2017 - City Council authorized the Mayor to execute Amendment No. 2 and Amendment No. 3 to the contract with Atkins North America.

June 13, 2013 - City Council adopted a resolution to support the acceptance of a grant offered by the Florida Department of Transportation as a Joint Participation Agreement #43360229401 in the amount of \$11,090,000 for air commerce park phases 1 and 1A - Infrastructure Development.

February 13, 2014 - City Council Discussion Item and Presentation on the ST Aerospace Economic Development Project at the Pensacola International Airport.

September 9, 2014 - City Council approved the lease with VT Mobile Aerospace Engineering.

July 16, 2015 - City Council approved the selection of Greenhut Construction and authorized the Mayor to execute the contract.

September 17, 2015 - City Council authorized the Mayor to execute the acceptance of the Florida Department of Transportation Joint Participation Agreement # 43571729401 in the amount of \$1,531,546 for construction funding to expand the cargo apron and construct a taxiway connector at the Pensacola International Airport of which \$1,121,242 will be used towards taxiway connecting future VTMAE facility to runway 17-35.

March 17, 2016 - City Council authorized the Mayor to execute acceptance of the Florida Department of Transportation Joint Participation Agreements # 42030029401, # 42960929401, and # 42960939401 in the amount of \$2,975,305 for construction of a taxiway connector at the Pensacola International Airport.

April 14, 2016 - City Council authorized the Mayor to execute acceptance of the Florida Department of Transportation Joint Participation Agreement # 43571769401 in the amount of \$8,599,600 for construction of a hangar at the Pensacola International Airport.

September 22, 2016 - City Council authorized the Mayor to execute Amendment No. 1 to the lease the VT Mobile Aerospace Engineering.

September 22, 2016 - City Council authorized the Mayor to execute Amendment No. 1 to the contract with Atkins North America.

February 8, 2017 - City Council authorized the Mayor to execute Amendment No. 2 and Amendment No. 3 to the contract with Atkins North America.

March 8, 2018 - City Council authorized the Mayor to execute acceptance of the State of Florida Department of Economic Opportunity Grant Agreement G0009 in the amount of \$4,000,000 for construction of infrastructure related to MRO expansion.

September 13, 2018 - City Council authorized the Mayor to accept and execute the State of Florida Department of Transportation Public Transportation Grant Agreement Financial Project 441494-2-94-01 in the amount of \$3,000,000 for Pensacola International Airport Facilities Development related to MRO expansion.

September 13, 2018 - City Council committed funding in the amount of \$10 million from Local Option Sales Tax Series IV in support of the aerospace maintenance repair and overhaul (MRO) campus expansion.

February 6, 2019 - City Council approved the amended Interlocal Agreement between the Escambia County Board of County Commissioners and the City of Pensacola related to additional funding requirements for the aerospace maintenance, repair and overhaul (MRO) campus expansion at the Pensacola International Airport, and approved additional Local Option Sales Tax IV funding of \$5 million for the City's share of the aerospace maintenance, repair and overhaul (MRO) campus expansion at the Pensacola International Airport.

March 28, 2019 - City Council authorized the Mayor to accept and execute the Project Development 29

Agreement, the Master Lease of Real Property, and the Triumph Grant Award Agreement.

August 8, 2019 - City Council adopted Resolution No. 2019-37 and authorized the Mayor to accept and execute Financial Assistance Award No. 04-79-07378 from the U.S. Department of Commerce Economic Development Administration in the amount of \$12,250,000 related to the expansion of the Maintenance, Repair and Overhaul (MRO) facility at Pensacola International Airport. City Council authorized the Mayor or his designee to take all actions necessary related to the finalization of the grant.

August 8, 2019 - City Council adopted Resolution No. 2019-40 and authorized the Mayor to accept and execute the State of Florida Department of Transportation Amendment to the Public Transportation Grant Agreement Financial Project 441494-2-94-01 in the amount of \$8,000,000 for Pensacola International Airport Facilities Development related to MRO expansion. City Council authorized the Mayor or his designee to take all actions necessary related to the finalization of the grand amendment.

**FUNDING:**

Budget:	\$ 35,000,000	ST Aerospace Engineering
	3,000,000	State Legislature
	14,000,000	Governor's Job Growth
	45,000,000	FDOT Grant
	15,000,000	Escambia County
	15,000,000	City Local Option Sales Tax Series IV
	12,250,000	Federal - U.S. Economic Development Administration
	66,000,000	Triumph Gulf Coast
	<u>4,875,000</u>	Anticipated Additional Funding (City Responsibility)
	<u>\$ 210,125,000</u>	

Actual: \$ 210,125,000 Estimated

**FINANCIAL IMPACT:**

Payments to ECRC will be made from funds provided by EDA. The funds for the project were appropriated in the Airport Fund on Supplemental Budget Resolution No. 2019-13 at the March 28, 2019 City Council Meeting.

**CITY ATTORNEY REVIEW:** Yes

10/27/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Daniel E. Flynn, Airport Director  
Rebecca Ferguson, Waterfront Development Project Coordinator

**ATTACHMENTS:**

- 1) Resolution No 2019-37
- 2) Interlocal Agreement Emerald Coast Regional Council EDA Grant 04-79-07378 Management - FINAL

**PRESENTATION:** No

RESOLUTION  
NO. 2019-37

A RESOLUTION  
TO BE ENTITLED:

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PENSACOLA TO EXECUTE FINANCIAL ASSISTANCE AWARD NO. 04-79-07378 WITH THE U.S. DEPARTMENT OF COMMERCE, ECONOMIC DEVELOPMENT ADMINISTRATION FOR THE CONSTRUCTION OF A MAINTENANCE, REPAIR, AND OVERHAUL FACILITY AT THE PENSACOLA INTERNATIONAL AIRPORT; PROVIDING AN EFFECTIVE DATE.

WHEREAS, The City of Pensacola uses the airport management as a tool for scheduling and planning projects at the Pensacola International Airport; and

WHEREAS, The City of Pensacola and airport management are planning the expansion of aircraft maintenance, repair, and overhaul facilities at Pensacola International Airport; and

WHEREAS, the expanded facilities will involve the design and construction of three additional hangars and associated aprons and taxiways, a support services center, an administrative office building, and necessary automotive parking; and

WHEREAS, the U.S. Department of Commerce, Economic Development Administration has approved the project and offered a Financial Assistance Award in the amount of \$12,250,000 to support the design and construction efforts for the second hangar;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA AS FOLLOWS:

SECTION 1. That the City of Pensacola shall enter into the Financial Assistance Award for the purpose of obtaining federal aid for the Airport's construction of a maintenance, repair, and overhaul facility.

SECTION 2. The Mayor is hereby empowered to take all actions necessary relating to this Resolution, the duties hereunder, and any agreements or documents related hereto.

SECTION 3. This resolution shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03 (d) of the City Charter of the City of Pensacola.

Adopted: August 8, 2019

Approved:   
\_\_\_\_\_  
President of City Council

Attest:   
\_\_\_\_\_  
City Clerk

I, DO HEREBY CERTIFY THAT THE ABOVE AND FOREGOING IS A TRUE AND CORRECT COPY OF THE ORIGINAL THEREOF ON FILE IN MY OFFICE. WITNESS MY HAND AND THE CORPORATE SEAL OF THE CITY OF PENSACOLA, FLORIDA THIS THE 14<sup>th</sup> DAY OF August, 2019  
Trisha L. Burnett  
\_\_\_\_\_  
CITY CLERK  
CITY OF PENSACOLA, FLORIDA

**INTERLOCAL AGREEMENT BETWEEN THE EMERALD COAST REGIONAL  
COUNCIL AND THE CITY OF PENSACOLA RELATING TO PROJECT  
MANAGEMENT FOR THE DEPARTMENT OF COMMERCE ECONOMIC  
DEVELOPMENT ADMINISTRATION INVESTMENT  
NUMBER 04-79-07378 GRANT**

**THIS AGREEMENT** is made and entered into by and between EMERALD COAST REGIONAL COUNCIL, a multi-purpose special district of the State of Florida (hereinafter referred to as "ECRC"), and the CITY OF PENSACOLA, a municipal corporation created and existing under the laws of the State of Florida (hereinafter referred to as "City").

**WITNESSETH:**

**WHEREAS**, the parties have legal authority to perform general governmental services within their respective jurisdictions; and

**WHEREAS**, the parties are public agencies authorized by §163.01, Florida Statutes, to enter into Interlocal Agreements and thereby cooperatively utilize their powers and resources in the most efficient manner possible; and

**WHEREAS**, ECRC assisted the City in developing the FY 2018 Public Works and Economic Adjustment Assistance Disaster Supplemental Grant Application to the U.S. Economic Development Administration ("EDA") to provide funding for the design and construction of Hangar 2 at the Pensacola International Airport; and

**WHEREAS**, the City was notified on July 18, 2019, that it had been awarded a grant from EDA of twelve million two hundred fifty thousand dollars and 00/100 (\$12,250,000.00) bearing Investment Number 04-79-07378 (hereinafter referred to as "the Investment"); and

**WHEREAS**, on August 8, 2019, City Council voted to accept the Investment related to the expansion of the Maintenance, Repair, and Overhaul facility at Pensacola International Airport and authorized the Mayor or his designee to take all actions necessary related to the finalization of the grant; and

**WHEREAS**, the City has determined that the Investment can efficiently and effectively be managed through an interlocal agreement.

**NOW THEREFORE**, for and in consideration of the mutual covenants herein and the mutual benefits each unto the other, and for other good and valuable consideration, the parties to this Agreement hereby agree as follows:

## **ARTICLE 1 – PURPOSE AND SCOPE OF SERVICES**

- 1.1 The recitals contained in the Preamble of this Agreement are declared to be true and correct and are hereby incorporated into this Agreement.
- 1.2 Pursuant to §163.01, Florida Statutes, this Agreement establishes the conditions, extent, and mechanism whereby the parties will establish a framework for management of the Investment and for payment of certain costs for grant management.
- 1.3 The Scope of Services are as described in *Exhibit 1–Scope of Services* and is hereby incorporated herein by reference.

## **ARTICLE 2 – RESPONSIBILITIES OF PARTIES**

- 2.1 ECRC agrees that it will manage compliance and award conditions for the Investment.
- 2.2 ECRC agrees to provide the City with quarterly reports on the status of the EDA award and shall notify the City in writing immediately of any compliance issues.
- 2.3 ECRC agrees to meet reporting requirements, including frequency and special conditions, as set forth by the Investment and pertinent sections of the Code of Federal Regulations.
- 2.4 ECRC agrees to participate in the Investment’s project closeout phase through completion, ensuring that all reporting requirements are met for the City to receive disbursement of all funds under this award.
- 2.5 ECRC agrees to participate in required compliance training to meet standard terms and conditions at no additional cost to the City.
- 2.6 ECRC agrees to report waste, fraud and abuse consistent with 2 C.F.R. §200.113.
- 2.7 ECRC agrees to provide grant management services for this award at no cost to the City and to seek reimbursement for administrative costs incurred not to exceed the maximum allowed by EDA.
- 2.8 The City agrees to reimburse ECRC for grant administration services provided for completion of the scope of work up to the amount of \$35,000 based upon milestones depicting percentage completion of the scope of work. Payments to ECRC will be made from funds provided by EDA and in accordance with milestones established in *Exhibit 2-Payment Schedule*.
- 2.9 The City agrees that all information, data, reports and records and/or other information as is existing, available, and necessary for carrying out the work

outlined above shall be furnished to ECRC by the City and its agents. No charge will be made to ECRC for such information and the City and its agents will cooperate with ECRC to facilitate the performance of the work described in the contract.

2.10 The City agrees to comply with the Scope of Services as provided in Exhibit 1.

### **ARTICLE 3 – GENERAL PROVISIONS**

- 3.1 **Term**: This Agreement shall commence on July 18, 2019. The services required and performed shall be completed no later than April 15, 2022 unless otherwise terminated as provided herein. No less than (90) days before the expiration of this Agreement, the Parties shall review the progress and analyze the success of the Agreement for consideration to extend the term by written amendment to the Agreement.
- 3.2 **Termination**: This Agreement may be terminated by either party for cause or for convenience. Either party may exercise its right of termination for convenience by furnishing to the other party written notice of its election to do so. The termination of convenience shall be effective (30) days following the date of the receipt of such notice.
- 3.3 **Liability**: The parties hereto, their respective elected officials, officers, and employees shall not be deemed to assume any liability for the acts, omissions, or negligence of the other party.
- 3.4 **Insurance**: Each party shall insure its own interests through appropriate insurance policies or through a self-insurance program. This provision shall not be construed to prevent any claim or action that either party may have against the other.
- 3.5 **Records**: The parties acknowledge that this Agreement and any related financial records, audits, reports, plans, correspondence, and other documents may be subject to disclosure to members of the public pursuant to Chapter 119, Florida Statutes, as amended. In the event a party fails to abide by the provisions of Chapter 119, Florida Statutes, the other party may, without prejudice to any right or remedy and after giving that party seven (7) days written notice, during which period the party fails to allow access to such documents, terminate this Agreement.
- 3.6 **Assignment**: This Agreement or any interest herein shall not be assigned, transferred, or otherwise encumbered under any circumstances by the parties without the prior written consent of the other party.

- 3.7 Headings: Headings and subtitles used throughout this Agreement are for the purpose of convenience only, and no heading or subtitle shall modify or be used to interpret the text of any section.
- 3.8 Survival: All other provisions, which by their inherent character, sense, and context are intended to survive termination of this Agreement, shall survive the termination of this Agreement.
- 3.9 Interpretation: For the purpose of this Agreement, the singular includes the plural and the plural shall include the singular. References to statutes or regulations shall include all statutory or regulatory provisions consolidating, amending, or replacing the statute or regulation referred to. Words not otherwise defined that have well-known technical or industry meanings, are used in accordance with such recognized meanings. References to persons include their respective permitted successors and assigns and, in the case of governmental persons, persons succeeding to their respective functions and capacities.
- a. If either party discovers any material discrepancy, deficiency, ambiguity, error, or omission in this Agreement, or is otherwise in doubt as to the meaning of any provision of the Agreement, it shall immediately notify the other party and request clarification of the interpretation of this Agreement.
  - b. This Agreement shall not be more strictly construed against either party hereto by reason of the fact that one party may have drafted or prepared any or all of the terms and provisions hereof.
- 3.10 Severability: The invalidity or non-enforceability of any portion or provision of this Agreement shall not affect the validity or enforceability of any other portion or provision. Any invalid or unenforceable portion or provision shall be deemed severed from this Agreement and the balance hereof shall be construed to be enforced as if this Agreement did not contain such invalid or unenforceable portion of provision.
- 3.11 Further Documents: The parties shall execute and deliver all documents and perform further actions that may be reasonably necessary to effectuate the provisions of this Agreement.
- 3.12 Governing Law: This Agreement shall be governed by and construed in accordance with the laws of the State of Florida, and the parties stipulate that venue, for any matter, which is the subject of this Agreement shall be in the County of Escambia.
- 3.13 Notices: All notices required or made pursuant to this Agreement by either party to the other shall be in writing and delivered by hand or by United States Postal Service, first class mail, postage prepaid, return receipt requested, addressed to the following:

TO THE ECRC:

Emerald Coast Regional Council  
Attention: Mr. Austin Mount, Executive Director  
36474A Emerald Coast Parkway, Suite 1201  
Destin, Florida 32541

TO THE CITY:

City of Pensacola  
Attention: Airport Director  
Pensacola International Airport  
2430 Airport Blvd. Ste 225  
Pensacola, Florida 32504

City of Pensacola  
Attention: City Administrator  
222 W. Main Street  
Pensacola, Florida 32502

Either party may change its above noted address by giving written notice to the other party in accordance with the requirements of this section.

- 3.14 No Waiver: The failure of a party to insist upon the strict performance of the terms and conditions hereof shall not constitute or be construed as a waiver or relinquishment of any other provision or of either party's right to thereafter enforce the same in accordance with this Agreement.
- 3.15 Effective Date: This agreement shall become effective, after being properly executed by the parties, when filed in the Office of the Clerk of the Circuit Court of Escambia County, Florida. ECRC shall be responsible for such filing.

**IN WITNESS WHEREOF**, the parties hereto have made and executed this Agreement on the respective dates under each signature: Emerald Coast Regional Council through its Board of Directors, signing by and through its duly authorized Chairman, and the City of Pensacola, signing by and through its Mayor in accordance with City Council approved action on August 8, 2019.

**EMERALD COAST REGIONAL COUNCIL,**  
a multi-purpose special district of the State of Florida

By: \_\_\_\_\_  
Austin Mount, Executive Director

Date: \_\_\_\_\_

Attest:  
Dawn Schwartz, Chief Financial Officer  
Emerald Coast Regional Council

\_\_\_\_\_  
Dawn Schwartz, Chief Financial Officer

**CITY OF PENSACOLA,**  
a municipal corporation chartered in the State of Florida

By: \_\_\_\_\_  
Grover C. Robinson, IV, Mayor

Date: \_\_\_\_\_

ATTEST:

\_\_\_\_\_  
Ericka L. Burnett, City Clerk

(SEAL)

APPROVED AS TO CONTENT:

\_\_\_\_\_  
Airport Director

LEGAL IN FORM AND VALID AS  
DRAWN:

\_\_\_\_\_  
City Attorney

## EXHIBIT I SCOPE OF SERVICES

### Introduction

The Emerald Coast Regional Council ("Council") will administer this Public Works and Economic Development Facilities Disaster Supplemental grant on behalf of the City of Pensacola ("City"). The roles of the project partners are documented below:

- 1- Emerald Coast Regional Council - Project and grant administration.
- 2- City of Pensacola - Construction administration; Administrative record/ Government Performance and Results Act (GPRA) reporting.

### Kick-Off Meeting

Council and City representatives will convene a project kick-off meeting to discuss the roles and responsibilities of the project partners and to meet with EDA's Civil Engineer/Project Manager to review EDA's post-approval process. This meeting will serve to orient all the partners to project expectations, respective roles and responsibilities, and project schedules.

Council shall provide the following scope of services:

### **I. Project Management**

1. Develop and maintain a recordkeeping system consistent with program guidelines, including the establishment of a filing system.
2. Provide general advice and technical assistance to City personnel on implementation of the EDA project and regulatory matters pertaining thereto.
3. Davis-Bacon Act requirements/Procurement.
4. Furnish the City with necessary completed forms and reporting required for implementation of the EDA project.
5. Assist the City in meeting all special conditions requirements that may be stipulated in the contract between the City and U. S. Department of Commerce, Economic Development Administration, Atlanta Regional Office.
6. Prepare and submit all required project reporting required by EDA Project Number 04-79-07378 including, but not limited to progress reports, quarterly reports, and other reports included in the EDA Project Agreement between the City and the EDA Atlanta Regional Office.

## **Quarterly Reporting**

Quarterly progress reports will be submitted for each calendar quarter to the EDA Project Officer on the following yearly schedule:

<u>Performance Period</u>	<u>Reports Due</u>
January-March	April 15
April- June	July 15
July- September	October 15
October - December	January 15

7. Establish internal procedures to document expenditures associated with local administration of the project.
8. Provide technical assistance to the City on meeting all necessary requirements of the Davis- Bacon Act during the construction process.
9. Serve as liaison for the City during the implementation and completion of the EDA project with any monitoring visit by EDA staff representatives.

## **II. Financial Management**

1. Assist the City in managing and reporting progress and use of funds from federal sources.
2. Assist the City in compliance with all EDA rules, regulations, specifications; or other directives pertinent to the identified project, including, Davis Bacon interviews and administration.
3. Prepare and submit all reporting forms for funded and scheduled drawdowns of project funds on behalf of the City, to ensure orderly, timely allocation and disbursement of funds within the period of this Agreement.
4. Review invoices received for payment and file backup documentation.
5. Assist the City in interpreting and complying with established procedures for the EDA project and reporting to the Atlanta Regional Office.
6. Provide general advice and technical assistance to the City and its agents on implementation of the EDA project and associated regulatory matters.

## **Financial Status Report**

Council will assist the City in completing semi-annual Financial Status Reports, Standard Form 425 for the periods ending March 31 and September 30. Council will assist the City in completing a final Financial Status Report no later than 90-days after the project or grant period end date.

EXHIBIT 2  
PAYMENT SCHEDULE

The City shall reimburse Council for grant administration services provided for completion of the scope of work in the amount of Thirty-Five Thousand and 00/100 Dollars (U.S. \$35,000.00), based upon milestones depicting percentage completion of the scope of work. The payments to Council will be made from funds provided by the EDA. Milestones established for payment and the amounts paid are as follows:

Payment Schedule

<b>Payment</b>	<b>Amount</b>	<b>Basis of Payment</b>
I.	\$8,750.00	Completion of twenty-five percent (25%) of the Project's Scope of Work.
II.	\$8,750.00	Completion of fifty percent (50%) of the Project's Scope of Work.
III.	\$8,750.00	Completion of seventy-five percent (75%) of the Project's Scope of Work.
IV.	\$8,750.00	Completion of one-hundred percent (100%) of the Project's Scope of Work and coincident with 100% completion of the Council's Scope of Work.

All payments shall be determined by the City from its estimates of completion of the entire EDA project. Payment to Council shall be made from those estimates and in the amounts prescribed above.



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 19-00493

City Council

11/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

TRANSFER OF SURPLUS FIREFIGHTING BUNKER GEAR AND RELATED EQUIPMENT -  
TREASURE CAY COMMUNITY FOUNDATION

**RECOMMENDATION:**

That City Council declare one (1) Halligan-type tool, one (1) 36" pry bar, six (6) 1 ¾ fog nozzles, twenty three (23) pairs of firefighting gloves, twelve (12) firefighting helmets, eighteen (18) turnout trousers and nine (9) turnout coats surplus and authorize the transfer of bunker gear and related equipment to the Treasure Cay Community Foundation.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

Pursuant to the Code of the City of Pensacola Title II, Section 2-3-2, "Disposal of surplus tangible personal property", the Pensacola Fire Department has determined that the following firefighting equipment: one (1) Halligan-type tool, one (1) 36" pry bar, six (6) 1 ¾ fog nozzles, twenty three (23) pairs of firefighting gloves, twelve (12) firefighting helmets, eighteen (18) turnout trousers and nine (9) turnout coats have no substantial value to the Fire Department or the City.

Hurricane Dorian struck the Bahamas during the 2019 Labor Day weekend and has been regarded the worst natural disaster in the country's history. The local fire departments were completely destroyed and the communities are in need of various equipment and gear. The Treasure Cay Community Foundation is a 501(c)(3) non-profit organization which coordinates private rescue, relief and recovery efforts. The Foundation has requested from various Florida governmental agencies donations of surplus firefighting bunker gear and related equipment for the purposes of training new volunteer firefighters. The donation of this gear and equipment would greatly benefit this organization in rebuilding their Fire Departments.

**PRIOR ACTION:**

None

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

10/31/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Ginny Cranor, Fire Chief

**ATTACHMENTS:**

- 1) Letter of Request

**PRESENTATION:** No

October 24, 2019

The Honorable Melissa McKinlay  
Commissioner, Palm Beach County  
President-Elect, Florida Association of Counties  
301 N. Olive Avenue, 12<sup>th</sup> Floor  
West Palm Beach, Florida 33401

Re: Firefighter Bunker Gear & Equipment Donation

Dear Commissioner McKinlay,

On behalf of the Treasure Cay Community Foundation, please accept this letter as a formal request for immediate assistance. As you know, the Bahamas was struck by the devastating power of Hurricane Dorian over Labor Day Weekend earlier this year. Communities were completely demolished and recovery will be excruciating and long. We want to thank our sister communities in Florida for the outpouring of support and hope that you, in your leadership role with the Florida Association of Counties, will share our gratitude with all Florida counties.

Treasure Cay Community Foundation is a Florida not for profit corporation recognized as a community foundation under the 501(c)(3) Section of the U.S. Internal Revenue Service Code. TCCF's mailing address is 990 Old Dixie Highway, Suite 14, Lake Park, FL 33403-2325.

Our request to Florida's counties today is dire. Our local fire departments were completely destroyed, and we must rebuild not only the physical departments but also the workforce. To that end, we are seeking a donation of surplus firefighting bunker gear and related equipment for the purposes of training new volunteer firefighters.

The immediate needs we have are as follows:

Fully equipped Pumper apparatus, Ambulance, Support or other Emergency Response Vehicles, Bunker gear (boots, pants, suspenders, coat, gloves, Nomex hood and helmet), hand equipment (including axes, sledgehammers, Halligan bar, pike pole, flashlights, 2-way radios, etc.) Extrication Equipment (jaws of life, power source, spreaders, etc.) Any and all clean up gear (brooms, shovels, rakes, etc.) Flood lights and generators.

We are very grateful for your consideration of our request and your commitment to sharing this with all of Florida's 67 counties. The fire departments in the Bahamas we are hoping to help are all volunteers who are in great need of training and the equipment to conduct such. I look forward to hearing from you.

Sincerely,



**Victor Strimbu, Jr., Interim Acting Chair**



Memorandum

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File #: 19-00479

City Council

11/14/2019

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**LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

PUBLIC HEARING - REQUEST FOR VOLUNTARY ANNEXATION - BAPTIST HOSPITAL OWNED PROPERTIES

**RECOMMENDATION:**

That City Council conduct the first of two (2) required public hearings on November 14, 2019 to consider the voluntary annexation of thirty-four (34) parcels owned by Baptist Hospital.

**HEARING REQUIRED:** Public

**SUMMARY:**

Baptist Health Care officially requested Annexation into the City of Pensacola on October 17, 2019. The requested parcels are located in the southwest quadrant of I-110 and Brent Lane which is in an unincorporated portion of Escambia County. The proposed area for annexation is on the west border of the City and is referred to as "Baptist Annexation Area."

The Baptist Annexation Area is contiguous to the City and encompasses approximately fifty-three (53) acres. When added to the City's current area of 16,057 acres, the new proposed City area would be 16,110 acres.

Approval of the annexation request will necessitate a subsequent amendment to the City's Zoning and Future Land Use Maps to include the subject properties. The recommended designation of C-3 is consistent with the adjacent industrially and commercially zoned properties currently located within the City limits. Additionally, Baptist Health Care will request the vacation of the following rights-of-way within the annexed area subject to City Council approval: Rawson lane from Brent Lane to Corday Street, Corday Street from Dixie Drive to I-110 and Joe Elliot Way in its entirety.

F.S. 171.0413 provides that:

Annexation procedures.-Any municipality may annex contiguous, compact, unincorporated territory in the following manner:

(1) An ordinance proposing to annex an area of contiguous, compact, unincorporated territory shall be adopted by the governing body of the annexing municipality pursuant to the procedure for the adoption of a nonemergency ordinance established by s. 166.041. Prior to the adoption of the ordinance of annexation, the local governing body shall hold at least two advertised public hearings. The first public hearing shall be on a weekday at least 7 days after the day that the first advertisement is published. The second public hearing shall be held on a weekday at least 5 days after the day that the second advertisement is published. Each such ordinance shall propose only one reasonably compact area to be annexed. However, prior to the ordinance of annexation becoming effective, a referendum on annexation shall be held as set out below, and, if approved by the referendum, the ordinance shall become effective 10 days after the referendum or as otherwise provided in the ordinance, but not more than 1 year following the date of the referendum.

(6) Notwithstanding subsections (1) and (2), if the area proposed to be annexed does not have any registered electors on the date the ordinance is finally adopted, a vote of electors of the area proposed to be annexed is not required. In addition to the requirements of subsection (5), the area may not be annexed unless the owners of more than 50 percent of the parcels of land in the area proposed to be annexed consent to the annexation. If the governing body does not choose to hold a referendum of the annexing municipality pursuant to subsection (2), then the property owner consents required pursuant to subsection (5) shall be obtained by the parties proposing the annexation prior to the final adoption of the ordinance, and the annexation ordinance shall be effective upon becoming a law or as otherwise provided in the ordinance.

Therefore, in accordance with paragraph (6) of F.S. 171.0413, a referendum is not required as there are no registered electors on the parcels in the proposed annexation area. Pursuant to F.S. 171.044, no referendum is required for a voluntary annexation request.

**PRIOR ACTION:**

None

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

The City would receive stormwater and franchise fees and where applicable, ad valorem and public service tax revenues from the subject parcels as well as from any future improvements.

**CITY ATTORNEY REVIEW:** Yes

10/27/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Keith Wilkins, Deputy City Administrator - Administration & Enterprise

Kerrith Fiddler, Deputy City Administrator - Community Development  
Sherry H. Morris, Planning Services Administrator

**ATTACHMENTS:**

- 1) Letter from Baptist Hospital requesting annexation of parcels dated 10/17/19
- 2) Map of Annexation Area - Baptist Hospital Properties and Adjacent Properties
- 3) Proposed Ordinance Draft

**PRESENTATION:** No



1717 North "E" Street  
Suite 320  
Post Office Box 17500  
Pensacola, Florida 32522-7500  
Phone 850 434 4011

October 17, 2019

Mrs. Sherry H. Morris, AICP  
Planning Services Administrator  
City of Pensacola  
P.O. Box 12910  
Pensacola, FL 32521

RE: Baptist Hospital – Brent Lane  
City Annexation

Dear Sherry:

Baptist Health Care would like to officially request Annexation into The City of Pensacola. The requested parcels are located in the southwest quadrant of I-110 and Brent Lane which is in an unincorporated portion of Escambia County. The parcels requested for annexation are as follows and as described on the attached description and sketch (Exhibit "A") which indicates the boundary of the parcels to be annexed.

48-1S-30-3100-000-002, 48-1S-30-3119-000-001, 48-1S-30-3120-000-000,  
48-1S-30-3122-000-000, 48-1S-30-3103-005-002, 48-1S-30-3103-000-002,  
48-1S-30-3103-004-002, 48-1S-30-3100-000-004, 48-1S-30-3100-000-005,  
48-1S-30-3100-004-001, 48-1S-30-3100-009-001, 48-1S-30-3100-009-002,  
48-1S-30-3100-005-001, 48-1S-30-3100-000-001, 48-1S-30-3100-002-001,  
48-1S-30-3100-011-001, 48-1S-30-3100-010-001, 48-1S-30-3100-012-001,  
48-1S-30-3100-007-001, 48-1S-30-3100-008-001, 48-1S-30-3100-003-001,  
48-1S-30-3100-001-001, 48-1S-30-3100-015-001, 48-1S-30-3100-013-001,  
48-1S-30-3100-014-001, 48-1S-30-3100-006-001, 48-1S-30-3103-001-004,  
48-1S-30-3103-000-004, 48-1S-30-3104-000-004, 48-1S-30-3111-000-000,  
48-1S-30-3112-000-000, 48-1S-30-3100-000-003, 48-1S-30-3115-000-000,  
48-1S-30-3115-000-002.

Baptist Health Care is requesting a zoning designation of C-3 for all annexed parcels which will allow the most flexibility for the future hospital and supporting facilities. Additionally, Baptist Health Care is requesting the vacation of the following rights-of-way within the property limits. Rawson Lane from Brent Lane to Corday Street, Corday Street from Dixie Drive to I-110 and Joe Elliott Way in its entirety as indicated on the attached Exhibit "B".

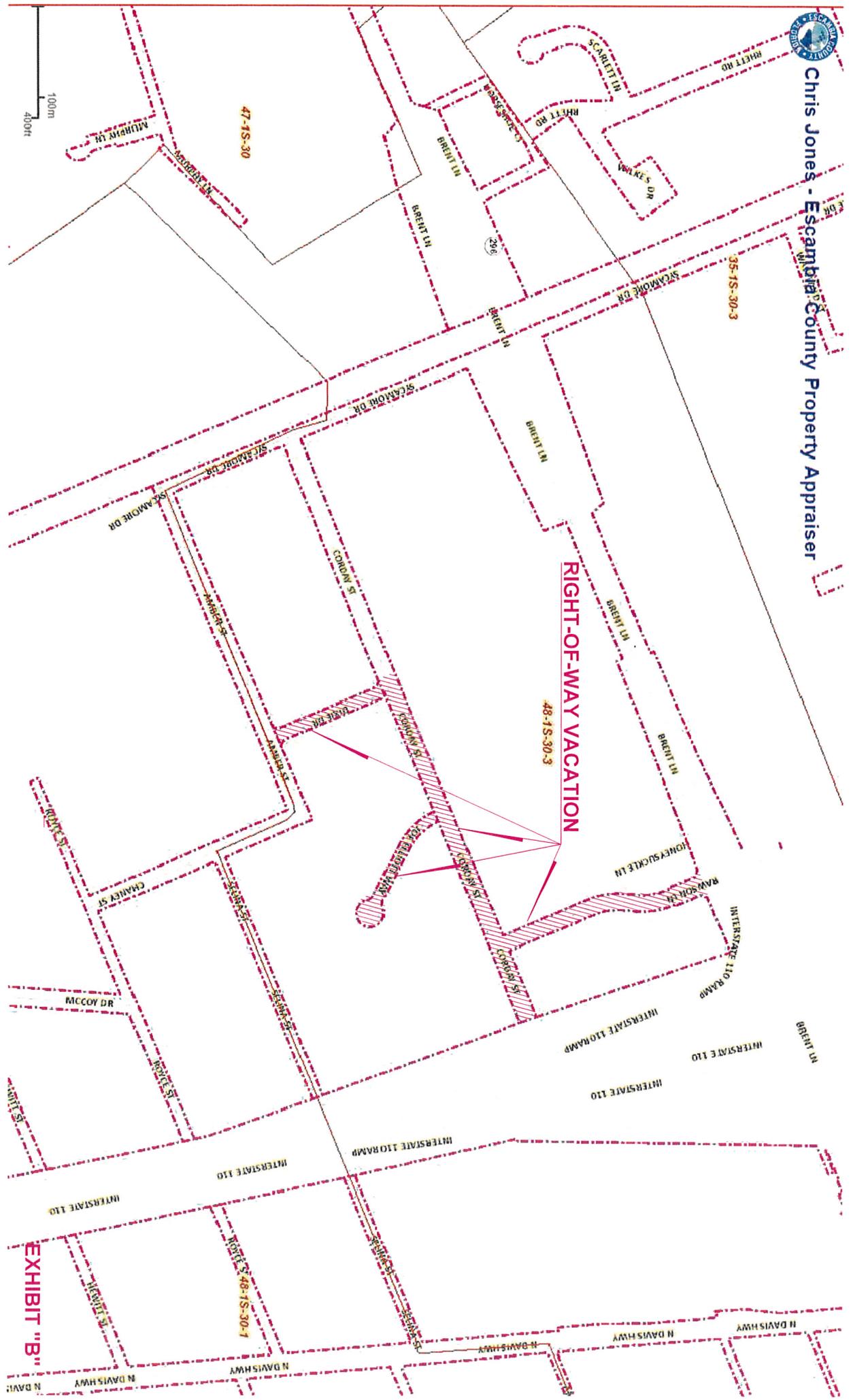
Sincerely,

John T. Porter  
Vice President, Baptist Health Care

Enclosure



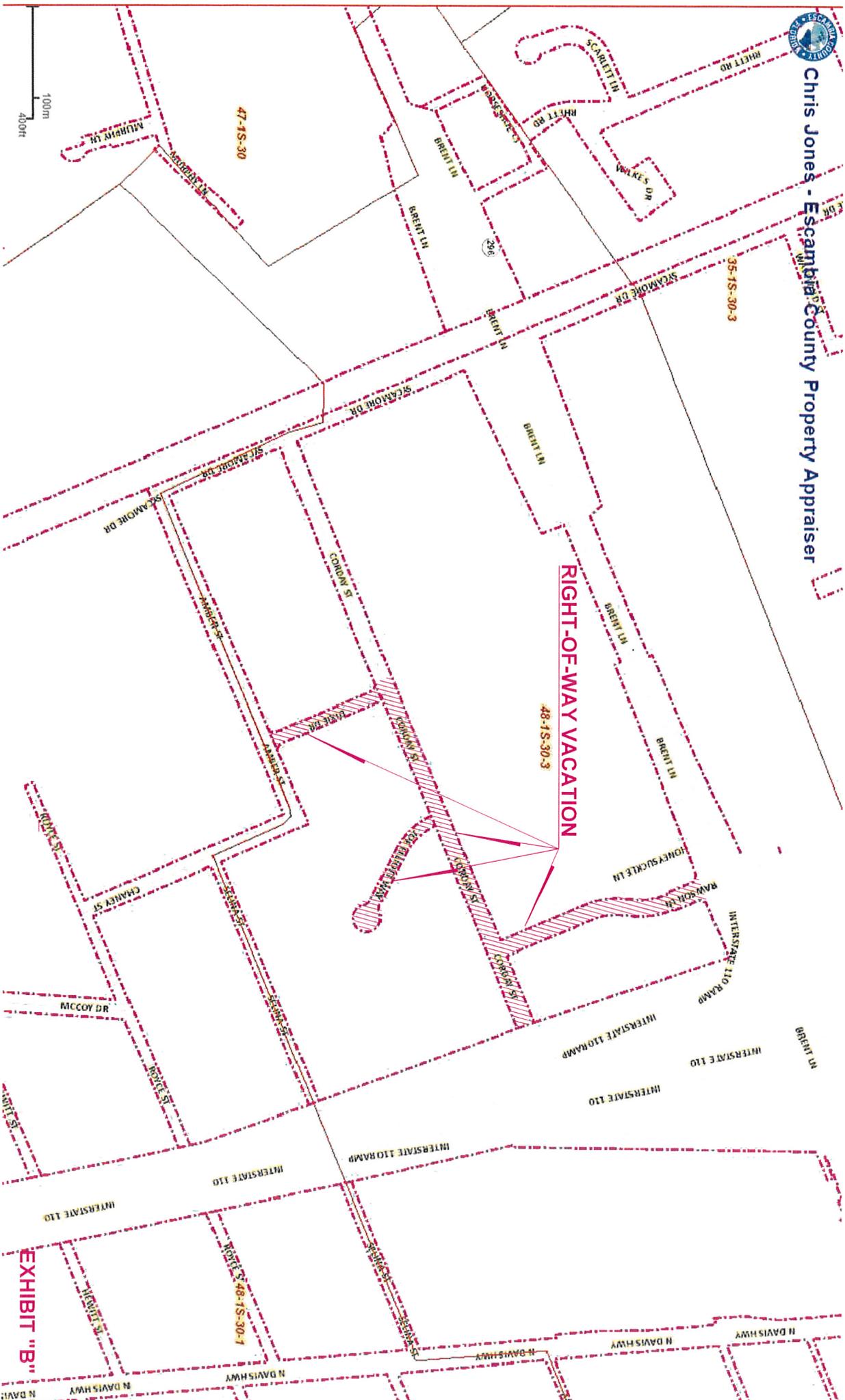
Chris Jones - Escambia County Property Appraiser







Chris Jones - Escambia County Property Appraiser





PROPOSED  
ORDINANCE NO. \_\_\_\_\_

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

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.

WHEREAS, the City Council of the City of Pensacola has found that the property described below is contiguous to the City of Pensacola and reasonably compact in nature; and meets the requirements of Section 171.043, Florida Statutes.

WHEREAS, the City Council of the City of Pensacola has determined that the area described below does not have any registered voters and that the owners of more than 50 percent of the parcels of land in such area consent to such area being annexed into the City of Pensacola as provided by Section 171.0413(6), Florida Statutes; and

WHEREAS, the City Council has caused to be prepared a report setting forth the plans to provide urban services to the area described below, which report is in conformance with the requirements of Section 171.042, Florida Statutes and said report has been distributed in accordance with said act; NOW THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the City of Pensacola hereby finds and declares that all requirements of law provided by Chapter 171, Florida Statutes, have been met, for the purpose of integrating and annexing said area into the City of Pensacola, the hereafter described area, and that the City of Pensacola does hereby accept into the City of Pensacola the following described properties which are being integrated and annexed by the City of Pensacola and made a part and portion of the City of Pensacola, lying within and hereby incorporated into the City of Pensacola, to-wit:

COMMENCE AT THE INTERSECTION OF THE CENTERLINE OF BRENT LANE (S.R. #296, R/W VARIES) AND THE EASTERLY RIGHT OF WAY (R/W) LINE OF LOUISVILLE AND NASHVILLE RAILROAD (100' R/W), SAID POINT ALSO KNOWN AS THE J.E. SPOON'S NORTHWEST CORNER; THENCE PROCEED SOUTH 22°53'30" EAST ALONG SAID EASTERLY R/W LINE FOR A DISTANCE OF 627.69 FEET; THENCE DEPARTING SAID EASTERLY R/W LINE, PROCEED NORTH 67°03'42" EAST FOR A DISTANCE OF 50.00 FEET TO A POINT ON THE EASTERLY R/W LINE OF SYCAMORE STREET (50' PUBLIC R/W); THENCE PROCEED SOUTH 22°53'30" EAST ALONG SAID EASTERLY R/W LINE FOR A DISTANCE OF 261.02 FEET TO THE INTERSECTION OF SAID EASTERLY R/W LINE AND THE SOUTHERLY R/W LINE OF CORDAY STREET (66' PUBLIC R/W) FOR THE POINT OF BEGINNING; THENCE DEPARTING SAID EASTERLY R/W LINE PROCEED NORTH 67°19'37" EAST ALONG SAID SOUTHERLY R/W LINE FOR A DISTANCE OF 960.37 FEET TO THE EXTENSION OF THE WESTERLY LINE OF THAT PARCEL AS DESCRIBED IN O.R. BOOK 7653 AT PAGE 674 OF THE PUBLIC RECORDS OF THE AFORESAID ESCAMBIA COUNTY; THENCE DEPARTING SAID SOUTHERLY R/W LINE, PROCEED NORTH 23°03'24" WEST ALONG SAID EXTENSION AND WESTERLY LINE FOR A DISTANCE OF 460.54 FEET TO THE NORTHERLY LINE OF SAID O.R. BOOK 7653 PAGE 674; THENCE DEPARTING SAID EXTENSION AND WESTERLY LINE, PROCEED NORTH 67°04'47" EAST ALONG SAID NORTHERLY LINE FOR A DISTANCE OF 33.56 FEET TO THE WESTERLY LINE OF SAID O.R. BOOK 7653, PAGE 674; THENCE DEPARTING SAID NORTHERLY LINE, PROCEED NORTH 23°04'55" WEST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 395.34 FEET TO THE SOUTHERLY R/W LINE OF BRENT LANE (STATE ROAD No. 296 - PUBLIC R/W VARIES); THENCE DEPARTING SAID WESTERLY LINE, PROCEED NORTH 66°54'12" EAST ALONG SAID SOUTHERLY R/W LINE FOR A DISTANCE OF 208.38 FEET; THENCE PROCEED SOUTH 23°02'21" EAST ALONG SAID SOUTHERLY R/W LINE FOR A DISTANCE OF 21.03 FEET; THENCE PROCEED NORTH 68°40'34" EAST ALONG SAID SOUTHERLY R/W LINE FOR A DISTANCE OF 711.08 FEET; THENCE PROCEED NORTH 66°39'56" EAST ALONG SAID SOUTHERLY R/W LINE FOR A DISTANCE OF 22.10 FEET; THENCE PROCEED NORTH 66°55'52" EAST ALONG SAID SOUTHERLY R/W LINE FOR A DISTANCE OF 79.63 FEET; THENCE PROCEED NORTH 71°47'52" EAST ALONG SAID SOUTHERLY R/W LINE FOR A DISTANCE OF 110.56 FEET; THENCE PROCEED NORTH 66°55'52" EAST ALONG SAID SOUTHERLY R/W LINE FOR A DISTANCE OF 218.15 FEET TO THE WESTERLY RIGHT OF WAY LINE OF INTERSTATE I-110 (STATE ROAD 8A - PUBLIC R/W VARIES); THENCE DEPARTING SAID SOUTHERLY R/W LINE PROCEED SOUTH 19°18'50" EAST ALONG SAID WESTERLY

R/W LINE FOR A DISTANCE OF 1589.52 FEET TO THE NORTHERLY R/W LINE OF SELINA STREET (40' PUBLIC R/W); THENCE DEPARTING SAID WESTERLY R/W, PROCEED SOUTH 67°05'49" WEST ALONG SAID NORTHERLY R/W LINE FOR DISTANCE OF 944.63 FEET TO THE EASTERLY R/W LINE OF CHANEY STREET (66' PUBLIC R/W); THENCE DEPARTING SAID NORTHERLY R/W LINE, PROCEED NORTH 22°55'14" WEST ALONG SAID EASTERLY R/W LINE FOR A DISTANCE OF 354.55 FEET TO THE NORTHERLY R/W LINE OF AMBER STREET (66' PUBLIC R/W); THENCE DEPARTING SAID EASTERLY R/W PROCEED SOUTH 67°04'53" WEST ALONG SAID NORTHERLY R/W LINE FOR A DISTANCE OF 506.47 FEET TO THE WESTERLY LINE OF THAT PARCEL AS DESCRIBED IN O.R. BOOK 8072 AT PAGE 158 OF THE PUBLIC RECORDS OF THE AFORESAID ESCAMBIA COUNTY, FLORIDA; THENCE DEPARTING SAID NORTHERLY R/W LINE PROCEED NORTH 22°54'01" WEST ALONG SAID WESTERLY LINE FOR A DISTANCE OF 104.93 FEET TO THE SOUTHERLY LINE OF THAT PARCEL AS DESCRIBED IN O.R. BOOK 8029 AT PAGE 812 OF THE PUBLIC RECORDS OF THE AFORESAID ESCAMBIA COUNTY, FLORIDA; THENCE DEPARTING SAID WESTERLY LINE, PROCEED SOUTH 67°03'22" WEST ALONG SAID SOUTHERLY LINE FOR A DISTANCE OF 790.16 FEET TO THE AFORESAID EASTERLY R/W LINE OF SYCAMORE STREET; THENCE DEPARTING SAID SOUTHERLY LINE, PROCEED NORTH 22°53'30" WEST ALONG SAID EASTERLY R/W LINE FOR A DISTANCE OF 323.54 FEET TO THE POINT OF BEGINNING. LYING IN AND BEING A PORTION OF SECTION 48, TOWNSHIP 1 SOUTH, RANGE 30 WEST, ESCAMBIA COUNTY, FLORIDA AND CONTAINING 53.52 ACRES MORE OR LESS.

A map depicting the area to be annexed is attached hereto as Exhibit A.

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

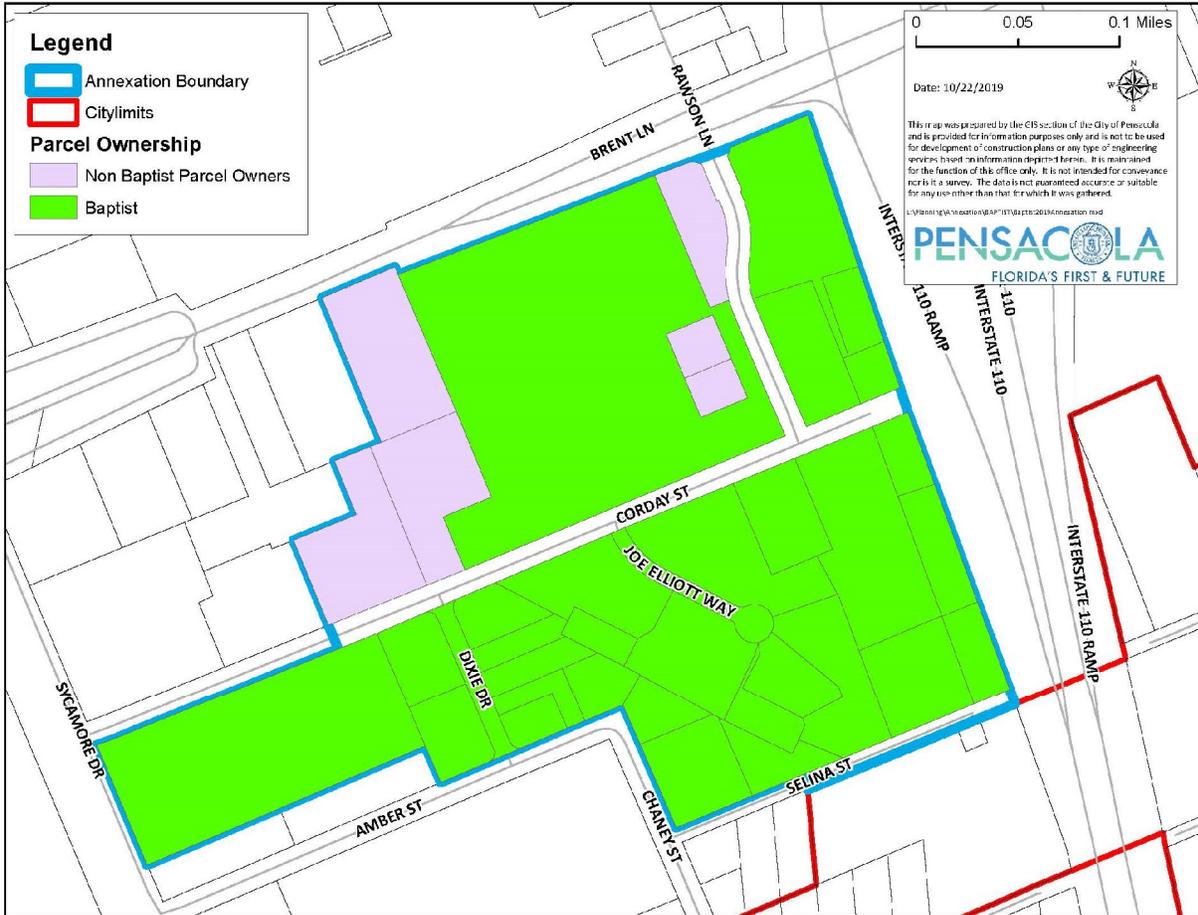
SECTION 4. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk





# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 19-00473

City Council

11/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

PUBLIC HEARING: REQUEST FOR ZONING MAP AND FUTURE LAND USE MAP AMENDMENT-14 W. JORDAN STREET

**RECOMMENDATION:**

That City Council conduct a Public Hearing on November 14, 2019, to consider the request to amend the Zoning Map and Future Land Use Map for the property located at 14 W. Jordan Street.

**HEARING REQUIRED:** Public

**SUMMARY:**

The City has received a request from Millwood Terrace, Inc. to amend the City's Future Land Use Map from Office (O) to Commercial (C), and the City's Zoning Map from R-2 (Residential Office) and C-2 (Commercial) to C-1 (Retail Commercial).

The property currently has split zoning with a more intense commercial zoning designation of C-2 on the southeastern portion and R-2 on the western portion; the Future Land Use Map (FLUM) is consistent with Commercial and Office designations. This request will provide the parcel with a singular zoning district category of C-1 and a singular FLUM designation of Commercial.

Although the C-1 zoning district currently does not lie within the immediate area, the proposed district will appropriately serve as a transition area between the more-intensive C-2 zoning abutting the subject property to the east and the more-restrictive R-1AAA zoning district directly across North Baylen Street to the west. Additionally, it will serve as a transition to the properties located directly to the south across W. Jordan and north across W. Maxwell Streets which are located within the R-2 zoning district.

On October 10, 2019, the Planning Board unanimously recommended approval of the request.

**PRIOR ACTION:**

None

60

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

10/24/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Keith Wilkins, Deputy City Administrator - Administration & Enterprise  
Kerrith Fiddler, Deputy City Administrator - Community Development  
Sherry H. Morris, Planning Services Administrator

**ATTACHMENTS:**

- 1) 14 W. Jordan St. Planning Board Rezoning Application - 08/10/19
- 2) Planning Board Minutes - 08/10/19 (DRAFT)
- 3) Zoning Map, dated October 2019
- 4) Future Land Use Map, dated October 2019
- 5) Proposed Ordinance No. 35-19 - 14 W. Jordan St. Zoning Map Amendment
- 6) Proposed Ordinance No. 36-19 - 14 W. Jordan St. Future Land Use Amendment

**PRESENTATION:** No

PLANNING SERVICES

**MEMORANDUM**

**TO:** Planning Board Members

**FROM:** Cynthia R. Cannon, AICP, Assistant Planning Services Administrator 

**DATE:** September 27, 2019

**SUBJECT:** Request for Zoning Map and Future Land Use Map Amendment  
14 W. Jordan Street

Millwood Terrace, Inc. is requesting a Zoning Map and Future Land Use Map (FLUM) Amendment for the property located at 14 W. Jordan Street and identified by parcel number 00-05-00-9010-001-124. The property currently has split zoning with C-2 on the southeastern portion and R-2 on the western portion; the Future Land Use Map (FLUM) is consistent with Commercial and Office designations. The applicants are proposing to amend the zoning district to C-1 Commercial zoning district and the FLUM to Commercial.

Existing Zoning	Proposed Zoning	Existing FLUM	Proposed FLUM	Lot Size
R-2 & C-2	C-1	Office & Commercial	Commercial	1.69 acres

- R-2 (existing) provides a mixture housing types and office uses, in some cases the R-2 district is also intended as a transition area between commercial and residential uses.
- C-1 (*PROPOSED*) is intended to provide a transitional buffer between mixed-use neighborhood commercial areas and more intense commercial zoning.
- C-2 (existing) is intended to provide for major commercial areas intended primarily for retail sales and service establishments oriented to a general community and/or market.

Although the C-1 zoning district currently does not lie within the immediate area, the proposed district will appropriately serve as a transition area between the more-intensive C-2 zoning abutting the subject property to the east and the more-restrictive R-1AAA zoning district directly across N. Baylen Street to the west. Additionally, it will serve as a transition to the properties located directly to the south across W. Jordan and north across W. Maxwell Streets which are located within the R-2 zoning district.

This request has been routed through the various City departments and utility providers. Those comments are attached for your review.

Review Routing  
Project: 14 W Jordon

Meeting: October 8, 2019  
Comments Due: September 24, 2019

Department:	Comments:	Date Rec'd
FIRE	No comments.	9/18/2019
PW/E	No objections.	9/23/2019
Insp Svcs	None received.	
ESP	No comments.	9/11/2019
ECUA	No comments.	9/11/2019
GPW	None received.	
ATT	No comments.	9/6/2019



**REZONING**

Please check application type:

<input type="checkbox"/> <b>Conventional Rezoning</b>	<b>Comprehensive Plan / FLUM Amendment</b>	
Application Fee: \$2,500.00	<input checked="" type="checkbox"/> (< 10 acres) \$3,500.00	<input type="checkbox"/> (≥ 10 acres) \$3,500.00
Rehearing/Rescheduling (Planning Board): \$250.00	\$250.00	\$250.00
Rehearing/Rescheduling (City Council): \$750.00	\$750.00	\$1,000.00

**Applicant Information:**

Name: Millwood Terrace, Inc. Date: Sept. 12, 2017  
 Address: 1111 Tamara Drive Pensacola, Florida 32504  
 Phone: 850-232-9853 Fax: \_\_\_\_\_ Email: budpage1@att.net

**Property Information:**

Owner Name: Millwood Terrace, Inc. Phone: \_\_\_\_\_  
 Location/Address: ~~1111 Tamara Drive~~ Pensacola, Florida 32504 **14 W. Jordan St., Pensacola, FL, 32501**  
 Parcel ID: 0 0 - 0 S - 0 0 - 9 0 1 0 - 0 0 1 - 1 2 4 Acres/Square Feet: 01.02ac  
 Zoning Classification: Existing C-2 & R-2 Proposed C-2 C-1  
 Future Land Use Classification: Existing Office Proposed Commercial

Reason Rezoning Requested: \_\_\_\_\_  
Several office leases within the buildings are expiring; if rezoning is approved, owner plans to offer some units for retail uses.

Required Attachments: (A) Full legal description of property (from deed or survey)  
 (B) General location map with property to be rezoned indicated thereon

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 15 day of September, 2017.

Applicant Signature \_\_\_\_\_ Clint Foster  
 Owner Signature

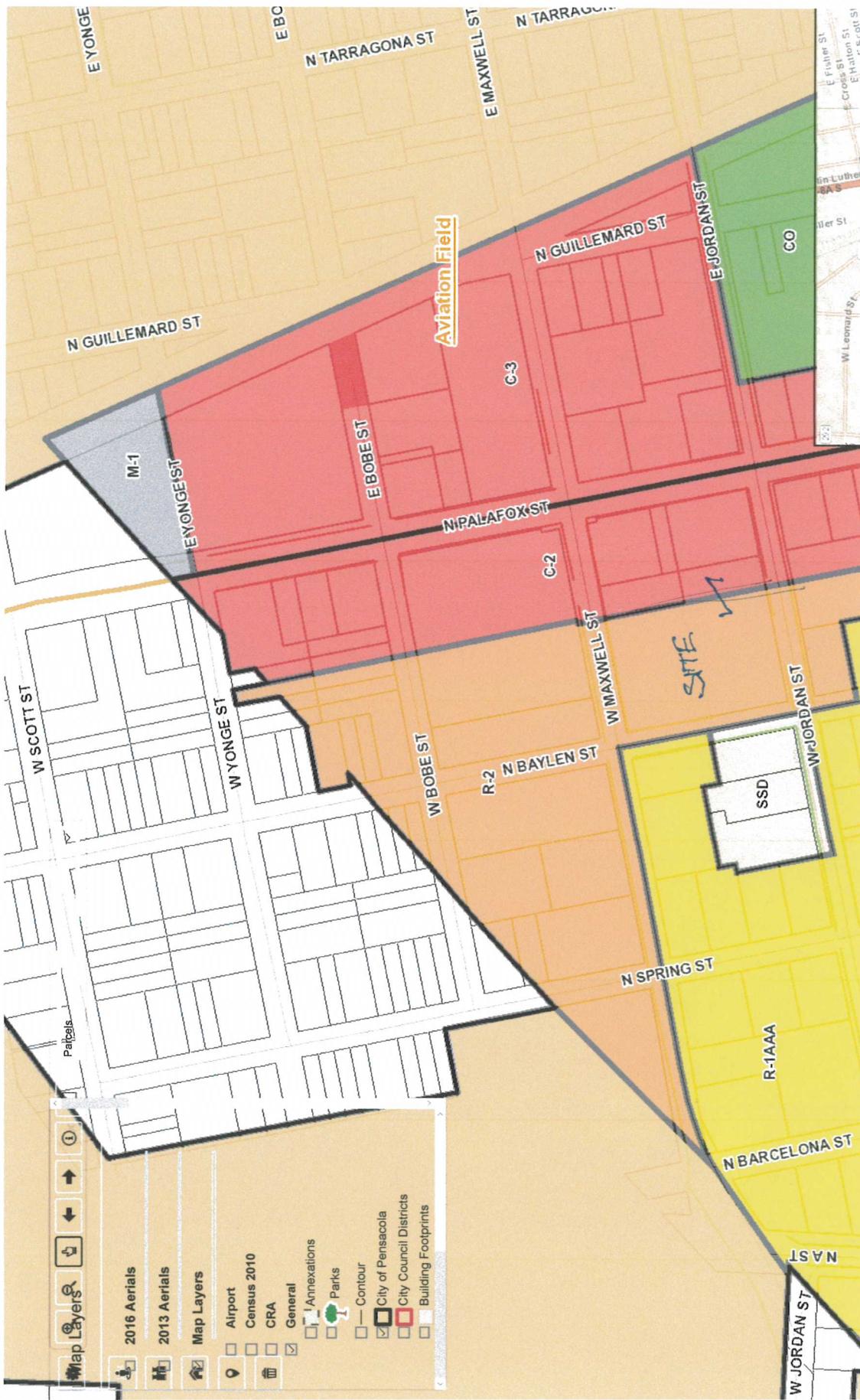
Applicant Name (Print) \_\_\_\_\_  
 Millwood Terrace, Inc.  
 Owner Name (Print)



Sworn to and subscribed to before me this 15 day of September, 2017  
 Name: [Signature] Commission Expires: 07/12/20

**FOR OFFICE USE ONLY**

Council District: \_\_\_\_\_ Date Received: \_\_\_\_\_ Case Number: \_\_\_\_\_  
 Date Postcards mailed: \_\_\_\_\_ Planning Board Date: \_\_\_\_\_ Recommendation: \_\_\_\_\_  
 Committee Date: \_\_\_\_\_ Council Date: \_\_\_\_\_ Council Action: \_\_\_\_\_  
 Second Reading: \_\_\_\_\_ Ordinance Number: \_\_\_\_\_



*Sec 12-2-8  
Commercial*

# Legend

 Parcel with split zoning

R-1AA

R-2

N BAYLEN ST

E MAXWELL ST

R-2 portion of parcel

W MAXWELL ST

C-3

SSD

C-2

C-2 portion of parcel

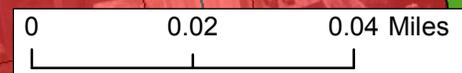
N PALFOX S

N SPRING ST

W JORDAN ST

**Existing Zoning: C-2 & R-2**  
**Proposed Zoning: C-1**  
**Existing FLU: Office**  
**Proposed FLU: Commercial**

R-1AAA



Date: 9/26/2019



This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

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**Legend**

 Parcel with split zoning

R-1AA

R-2

N BAYLEN ST

E MAXWELL ST

R-2 portion of parcel

W MAXWELL ST

C-3

C-2

C-2 portion of parcel

SSD

N PALAFOX S

N SPRING ST

W JORDAN ST

**Existing Zoning: C-2 & R-2** R-1AAA

**Proposed Zoning: C-1**

**Existing FLU: Office**

**Proposed FLU: Commercial**

0 0.02 0.04 Miles

Date: 9/26/2019



This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

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Prepared By:  
Margaret T. Stopp, of  
Moore, Hill & Westmoreland, P.A.  
Post Office Box 13290  
Pensacola, Florida 32591-3290

WARRANTY DEED

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

THIS WARRANTY DEED made the 8<sup>th</sup> day of November, 2006, by NATIONAL LAUNDRY & CLEANING COMPANY, INC., a Florida corporation, hereinafter called the Grantor (whether singular or plural), to MILLWOOD TERRACE, INC., a Florida corporation, whose post office address is Post Office Box 62519, Colorado Spring, Colorado 80962 hereinafter called the Grantee (whether singular or plural):

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Escambia County, Florida, to-wit:

PARCEL 1:

Lots 1 to 12, inclusive and the West 29 feet of Lot 13, and all of Lots 26 to 30, inclusive, Block 124, EAST KING TRACT, BELMONT NUMBERING, in the City of Pensacola, Escambia County, Florida, according to the map of said City copyrighted by Thomas C. Watson in 1906.

PARCEL 2:

Lots 26 and 27 and the East 25 feet of Lot 28; the West 5 feet of Lot 25; the South 30 feet of Lots 12, 13 and 14 and the East 10 feet of the South 30 feet of Lot 11, Block 123, EAST KING TRACT, BELMONT NUMBERING, Escambia County, Florida, according to a Map of the City of Pensacola, copyrighted by Thomas C. Watson in 1906.

PARCEL 3:

The West 50 feet of Lots 19 through 24 inclusive, and the East 25 feet of Lot 25, Block 123, EAST KING TRACT, BELMONT NUMBERING, according to a Map of the City of Pensacola, copyrighted by Thomas C. Watson in 1906, Escambia County, Florida.

PARCEL 4:

The East 75 feet of Lots 20, 21, 22, 23 and 24, Block 123, EAST KING TRACT, BELMONT NUMBERING in the City of Pensacola, Escambia County, Florida, according to Map of said City copyrighted by Thomas C. Watson in 1906.

PARCEL 5:

Lots 11, 12, 13, 14 and 15, in Block 119, all in EAST KING TRACT, BELMONT NUMBERING, in the City of Pensacola, Escambia County, Florida, according to Map of said City copyrighted by Thomas C. Watson in 1906.

Parcel Identification Numbers: 000S00-9010-200-123; 000S00-9010-010-119; 000S00-9010-111-123; 000S00-9010-140-123 and 000S00-9010-001-124

THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING:

Conditions, restrictions, limitations and easements of record, if any, but this provision shall not operate to re-impose the same.

Zoning and other governmental regulations.

Taxes and assessments for 2006 and subsequent years.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anyway appertaining.

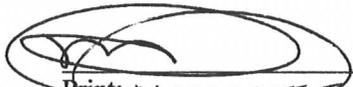
TO HAVE AND TO HOLD the same in fee simple forever.

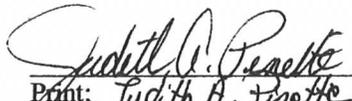
AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered  
in the presence of:

NATIONAL LAUNDRY & CLEANING  
COMPANY, INC.

  
Print: MARGARET T. STOPP

  
Print: Judith A. Finette

By:   
R. BRUCE MORRISON, Its President  
107 West Gregory Street  
Pensacola, Florida 32501

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of November, 2006, by R. Bruce Morrison, III as President of National Laundry & Cleaning Company, Inc., who is personally known to me or who has produced FL. Drivers Lic. as identification and who did not take an oath.

My Commission Expires:

  
NOTARY PUBLIC



**2017 FLORIDA PROFIT CORPORATION ANNUAL REPORT**

DOCUMENT# P07000021290

**Entity Name:** MILLWOOD TERRACE, INC.

**Current Principal Place of Business:**

14 W. JORDAN  
PENSACOLA, FL 32501

**Current Mailing Address:**

1111 TAMARA DR.  
PENSACOLA, FL 32504

**FEI Number:** 55-0818124

**Certificate of Status Desired:** No

**Name and Address of Current Registered Agent:**

FOSHA, CHARLES E  
1111 TAMARA DR  
PENSACOLA, FL 32504 US

*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.*

**SIGNATURE:** CHARLES E FOSHA

01/16/2017

Electronic Signature of Registered Agent

Date

**Officer/Director Detail :**

Title            PRES  
Name            FOSHA, CHARLES E  
Address        1111 TAMARA DR  
City-State-Zip: PENSACOLA FL 32504

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.*

**SIGNATURE:** CHARLES FOSHA

PRESIDENT

01/16/2017

Electronic Signature of Signing Officer/Director Detail

Date

## Cynthia Cannon

---

**From:** Annie Bloxson  
**Sent:** Wednesday, September 18, 2019 7:30 AM  
**To:** Cynthia Cannon  
**Subject:** RE: Please Review & Comment - 14 W Jordon St. Rezoning

Good Morning,

I have no issues. Thank you.

Respectfully,

### Annie Bloxson

Fire Marshal

Visit us at [PensacolaFire.com](http://PensacolaFire.com)

475 E. Strong St.

Pensacola, FL 32501

Office: 850.436.5200

[abloxson@cityofpensacola.com](mailto:abloxson@cityofpensacola.com)



*Florida has a very broad public records law. As a result, any written communication created or received by City of Pensacola officials and employees will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone or in writing.*

**From:** Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>

**Sent:** Friday, September 06, 2019 12:58 PM

**To:** Amy Hargett <[ahargett@cityofpensacola.com](mailto:ahargett@cityofpensacola.com)>; Andre Calaminus (ECUA) <[andre.calaminus@ecua.fl.gov](mailto:andre.calaminus@ecua.fl.gov)>; Annie Bloxson <[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)>; Bill Kimball <[bkimball@cityofpensacola.com](mailto:bkimball@cityofpensacola.com)>; Brad Hinote <[bradhinote@cityofpensacola.com](mailto:bradhinote@cityofpensacola.com)>; Brian Cooper <[bcooper@cityofpensacola.com](mailto:bcooper@cityofpensacola.com)>; Chris Mauldin <[CMauldin@cityofpensacola.com](mailto:CMauldin@cityofpensacola.com)>; Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>; Derrick Owens <[DOwens@cityofpensacola.com](mailto:DOwens@cityofpensacola.com)>; Diane Moore <[DMoore@cityofpensacola.com](mailto:DMoore@cityofpensacola.com)>; Jonathan Bilby <[JBilby@cityofpensacola.com](mailto:JBilby@cityofpensacola.com)>; Karl Fenner (AT&T) <[KF5345@att.com](mailto:KF5345@att.com)>; Kellie L. Simmons (Gulf Power) <[kellie.simmons@nexteraenergy.com](mailto:kellie.simmons@nexteraenergy.com)>; Leslie Statler <[LStatler@cityofpensacola.com](mailto:LStatler@cityofpensacola.com)>; Miriam Woods <[MWoods@cityofpensacola.com](mailto:MWoods@cityofpensacola.com)>; Paul A Kelly(GIS) <[PAKelly@cityofpensacola.com](mailto:PAKelly@cityofpensacola.com)>; Robbie Weekley <[rweekley@cityofpensacola.com](mailto:rweekley@cityofpensacola.com)>; Ryan J. Novota <[RNovota@cityofpensacola.com](mailto:RNovota@cityofpensacola.com)>; Sherry Morris

## Cynthia Cannon

---

**From:** Derrik Owens  
**Sent:** Friday, September 6, 2019 1:53 PM  
**To:** Cynthia Cannon  
**Cc:** Ryan J. Novota; Brad Hinote  
**Subject:** RE: Please Review & Comment - 14 W Jordon St. Rezoning

PW&F has no objection to the request.....

**From:** Cynthia Cannon  
**Sent:** Friday, September 06, 2019 12:58 PM  
**To:** Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>  
**Subject:** Please Review & Comment - 14 W Jordon St. Rezoning

Good afternoon all!

Please review and comment on the attached Rezoning request for the property located at 14 W Jordan St. and identified with parcel number 00-0S-00-9010-001-124. All comments must be received by close of business on **Tuesday, September 24, 2019.**

Please note this request *does* include an amendment to the Future Land Use Map.

If you have any questions please let us know.

Thank you,

**Cynthia Cannon, AICP**  
*Assistant Planning Services Administrator*  
Visit us at <http://cityofpensacola.com>  
222 W Main St.  
Pensacola, FL 32502  
Office: 850.435-1670  
[ccannon@cityofpensacola.com](mailto:ccannon@cityofpensacola.com)



## Cynthia Cannon

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**From:** Diane Moore  
**Sent:** Wednesday, September 11, 2019 7:36 AM  
**To:** Cynthia Cannon  
**Subject:** RE: Please Review & Comment - 14 W Jordon St. Rezoning

Cynthia,  
Pensacola Energy has no comments on this zoning request.

Thanks,  
Diane

Diane Moore | Gas Distribution Engineer  
Pensacola Energy | 1625 Atwood Drive, Pensacola, FL 32514  
Desk: 850-474-5319 | Cell: 850-324-8004 | Fax: 850-474-5331  
Email: [dmoore@cityofpensacola.com](mailto:dmoore@cityofpensacola.com)

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**From:** Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>  
**Sent:** Friday, September 6, 2019 12:58 PM  
**To:** Amy Hargett <[ahargett@cityofpensacola.com](mailto:ahargett@cityofpensacola.com)>; Andre Calaminus (ECUA) <[andre.calaminus@ecua.fl.gov](mailto:andre.calaminus@ecua.fl.gov)>; Annie Bloxson <[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)>; Bill Kimball <[bkimball@cityofpensacola.com](mailto:bkimball@cityofpensacola.com)>; Brad Hinote <[bradhinote@cityofpensacola.com](mailto:bradhinote@cityofpensacola.com)>; Brian Cooper <[bcooper@cityofpensacola.com](mailto:bcooper@cityofpensacola.com)>; Chris Mauldin <[CMauldin@cityofpensacola.com](mailto:CMauldin@cityofpensacola.com)>; Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>; Derrick Owens <[DOWens@cityofpensacola.com](mailto:DOWens@cityofpensacola.com)>; Diane Moore <[DMoore@cityofpensacola.com](mailto:DMoore@cityofpensacola.com)>; Jonathan Bilby <[JBilby@cityofpensacola.com](mailto:JBilby@cityofpensacola.com)>; Karl Fenner (AT&T) <[KF5345@att.com](mailto:KF5345@att.com)>; Kellie L. Simmons (Gulf Power) <[kellie.simmons@nexteraenergy.com](mailto:kellie.simmons@nexteraenergy.com)>; Leslie Statler <[LStatler@cityofpensacola.com](mailto:LStatler@cityofpensacola.com)>; Miriam Woods <[MWoods@cityofpensacola.com](mailto:MWoods@cityofpensacola.com)>; Paul A Kelly(GIS) <[PAKelly@cityofpensacola.com](mailto:PAKelly@cityofpensacola.com)>; Robbie Weekley <[rweekley@cityofpensacola.com](mailto:rweekley@cityofpensacola.com)>; Ryan J. Novota <[RNovota@cityofpensacola.com](mailto:RNovota@cityofpensacola.com)>; Sherry Morris <[SMorris@cityofpensacola.com](mailto:SMorris@cityofpensacola.com)>; Stephen Kennington (AT&T) <[sk1674@att.com](mailto:sk1674@att.com)>  
**Subject:** Please Review & Comment - 14 W Jordon St. Rezoning

Good afternoon all!

## Cynthia Cannon

---

**From:** Andre Calaminus <andre.calaminus@ecua.fl.gov>  
**Sent:** Wednesday, September 11, 2019 3:51 PM  
**To:** Cynthia Cannon  
**Subject:** RE: Please Review & Comment - 14 W Jordon St. Rezoning

Good afternoon Cynthia,

ECUA has no comment on the rezoning of that parcel 00-0S-00-9010-001-124 from C-2 & R-2 to C-1.

Thanks,

**Andre Calaminus | Right of Way Agent | Emerald Coast Utilities Authority |**  
P.O. Box 17089 | Pensacola, FL 32522-7089 | Web: [www.ecua.fl.gov](http://www.ecua.fl.gov) |  
Phone: (850) 969-5822 | Fax: (850) 969-6511 |

**From:** Cynthia Cannon [mailto:CCannon@cityofpensacola.com]  
**Sent:** Friday, September 06, 2019 12:58 PM  
**To:** Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinate <bradhinate@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrick Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>  
**Subject:** Please Review & Comment - 14 W Jordon St. Rezoning

**\*\*WARNING: This is an external email --- DO NOT CLICK links or attachments from unknown senders \*\***

Good afternoon all!

Please review and comment on the attached Rezoning request for the property located at 14 W Jordan St. and identified with parcel number 00-0S-00-9010-001-124. All comments must be received by close of business on **Tuesday, September 24, 2019.**

Please note this request *does* include an amendment to the Future Land Use Map.

If you have any questions please let us know.

Thank you,

**Cynthia Cannon, AICP**  
Assistant Planning Services Administrator  
Visit us at <http://cityofpensacola.com>

## Cynthia Cannon

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**From:** SAUERS, BRAD <bs5403@att.com>  
**Sent:** Friday, September 6, 2019 3:02 PM  
**To:** Cynthia Cannon  
**Subject:** FW: Please Review & Comment - 14 W Jordon St. Rezoning  
**Attachments:** 14 W. Jordan \_ Complete Application.pdf

AT&T has no comments or objections at this time.

Brad Sauers  
Manager – OSP Plng and Eng  
Technology Operations

AT&T  
605 W Garden St, Pensacola, FL 32502  
o 850.436.1495 | bs5403@att.com

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**From:** KENNINGTON, STEPHEN  
**Sent:** Friday, September 06, 2019 1:11 PM  
**To:** SAUERS, BRAD <bs5403@att.com>  
**Subject:** FW: Please Review & Comment - 14 W Jordon St. Rezoning

Please review and comment as necessary.

SRK

**From:** Cynthia Cannon [<mailto:CCannon@cityofpensacola.com>]  
**Sent:** Friday, September 06, 2019 12:58 PM  
**To:** Amy Hargett <[ahargett@cityofpensacola.com](mailto:ahargett@cityofpensacola.com)>; Andre Calaminus (ECUA) <[andre.calaminus@ecua.fl.gov](mailto:andre.calaminus@ecua.fl.gov)>; Annie Bloxson <[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)>; Bill Kimball <[bkimball@cityofpensacola.com](mailto:bkimball@cityofpensacola.com)>; Brad Hinote <[bradhinote@cityofpensacola.com](mailto:bradhinote@cityofpensacola.com)>; Brian Cooper <[bcooper@cityofpensacola.com](mailto:bcooper@cityofpensacola.com)>; Chris Mauldin <[CMauldin@cityofpensacola.com](mailto:CMauldin@cityofpensacola.com)>; Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>; Derrick Owens <[DOwens@cityofpensacola.com](mailto:DOwens@cityofpensacola.com)>; Diane Moore <[DMoore@cityofpensacola.com](mailto:DMoore@cityofpensacola.com)>; Jonathan Bilby <[JBilby@cityofpensacola.com](mailto:JBilby@cityofpensacola.com)>; FENNER, KARL L <[kf5345@att.com](mailto:kf5345@att.com)>; Kellie L. Simmons (Gulf Power) <[kellie.simmons@nexteraenergy.com](mailto:kellie.simmons@nexteraenergy.com)>; Leslie Statler <[LStatler@cityofpensacola.com](mailto:LStatler@cityofpensacola.com)>; Miriam Woods <[MWoods@cityofpensacola.com](mailto:MWoods@cityofpensacola.com)>; Paul A Kelly(GIS) <[PAKelly@cityofpensacola.com](mailto:PAKelly@cityofpensacola.com)>; Robbie Weekley <[rweekley@cityofpensacola.com](mailto:rweekley@cityofpensacola.com)>; Ryan J. Novota <[RNovota@cityofpensacola.com](mailto:RNovota@cityofpensacola.com)>; Sherry Morris <[SMorris@cityofpensacola.com](mailto:SMorris@cityofpensacola.com)>; KENNINGTON, STEPHEN <[sk1674@att.com](mailto:sk1674@att.com)>  
**Subject:** Please Review & Comment - 14 W Jordon St. Rezoning

Good afternoon all!

MINUTES OF THE PLANNING BOARD  
October 8, 2019

MEMBERS PRESENT: Chairman Paul Ritz, Danny Grundhoefer, Ryan Wiggins,  
Charletha Powell, Eladies Sampson

MEMBERS ABSENT: Kurt Larson, Laurie Murphy

STAFF PRESENT: Cynthia Cannon, Assistant Planning Services Administrator, Sherry Morris, Planning  
Services Administrator, Heather Lindsay, Assistant City Attorney, Leslie Statler,  
Senior Planner, Michael Ziarnek, Transportation Planner-Complete Streets, Gregg  
Harding, Historic Preservation Planner, Brad Hinote, Engineering, Lawrence Powell,  
Neighborhoods Administrator, Councilwoman Myers, Councilwoman Hill, Mayor  
Robinson

OTHERS PRESENT: Andrew Rothfeder, P. Cantavespre, April Skipper, William J. Dunaway, Buddy Page,  
George Williams, George Biggs, Amir Fooladi, Fred Gunther

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from September 10, 2019.
- New Business:
  1. Consider Amendment to LDC Section 12-2-12 Creating WRD-1
  2. Consider Rezoning and Future Land Use Map Amendment for 14 W. Jordan Street
  3. Consider Preliminary Approval for 500 E. Gregory Street
- Open Forum
- Adjournment

Call to Order / Quorum Present

Chairman Ritz called the meeting to order at 2:00pm with a quorum present and explained the procedures of the Board meeting.

Approval of Meeting Minutes

Ms. Sampson made a motion to approve the September 10, 2019 minutes, seconded by Ms. Powell, and it carried unanimously.

New Business

Consider Amendment to LDC Section 12-2-12 Creating WRD-1

Staff received a request to modify the Redevelopment Land Use District WRD by establishing a subcategory which would become the WRD-1. The proposed WRD-1 would be a standalone section with the intent of optimizing the future development of the City's Community Maritime Park (CMP) parcels. The overall park parcel was master planned for stormwater and open space during the final plat approval process in April

2013. Subsequently, lots 1 and 2 received Planning Board approval for development in 2013. Ms. Cannon advised future development on the CMP parcels within the proposed WRD-1 district would continue to be submitted to the Planning Board for aesthetic review. She advised the applicant and their consultant were available online to give a presentation to the Board.

Mr. Rothfeder, President of Studer Properties, presented to the Board and stated his firm had been asked to submit a master plan for the remaining parcels at the Maritime Park that was cohesive and worked with the 19 acre site across the street. He stated one of the first steps was to hire a market research firm which could confirm the demand for commercial and retail space in the downtown area; they subsequently hired Jeff Speck and Associates along with DPZ CoDESIGN. This process began nine months ago culminating with a week-long charrette involving public input. DPZ then presented the master plan, with the question being whether or not it would fit into the current zoning on the Maritime Park site. He represented to the Board that Ms. Khoury along with DPZ had worked with City staff to address an appropriate solution. He indicated the Studers had invested approximately one half million dollars into this project. He also stated there was a question being asked by a third party law firm about this rezoning, specifically about the purpose of the rezoning which would be addressed later by Mr. Dunaway.

Ms. Khoury then addressed the Board and asserted she had worked with the Planning staff. Her presentation consisted of 20 slides which focused on the Maritime Park parcel, and Mr. Speck was online to answer any questions. They were not aware of the rich history on this site and as such studied previous plans to evaluate lessons learned. The market study was completed before they conducted the charrette. The study demonstrated that there was an opportunity to extend the downtown to the waterfront. Ms. Khoury pointed out that Southtowne was an example of the desire for downtown living and that their study looked at the program for the market over a 15 year timeframe. The 19 acre site could accommodate 1,825 residential units, with the majority designated for rental units and approximately thirty percent designated as condos. She stated that the encouraging fact was that waterfront units could be affordable to people making \$30,000 and up and commercial and retail ranging anywhere from 80,000 to 200,000 sq. ft. and up. She pointed out the charrette was very positive, and residents were excited about what was being proposed. They proposed recreating the blocks with three linear greenways, the Maritime parcel with the parking completely lined, connections to Bruce Beach, and a boardwalk over the stormwater pond creating more of an environment.

WRD zoning permits 60 dwelling units per acre, and the proposed WRD-1 did not change this; the change was from height measured in feet to stories, to have generous floor to ceiling heights and certain commercial uses (still 60 units per acres – 60 sq. ft. to 6 stories). One of the biggest purposes was to change the intent or purpose of the district. They agreed WRD was archaic in the way it was written, and they tried to encourage waterfront activities. They learned the WRD was created as an antidote to the Port Royal gated development. The change does not affect the metrics but encourages development in a better way. They decided not to change things everyone was objecting to; the uses, density and parking remained the same. The height was changed from feet to stories.

The changes included permitting A-frame signage, festival signage and to prohibit illuminated signage. The landscaping would be appropriate for downtown with shrubs and trees. The lot coverage was changed from 75 (seventy-five) percent to 95 (ninety-five) percent on a parcel. The height would be measured in stories, and held to the height criteria outlined in the CRA Urban Overlay design standards.

Previous developers found that the current CMP plan did not ensure that a future developer would adhere to the same development standards. This needed to be addressed in order to develop a stable environment.

Ms. Wiggins addressed item (5) Regulations and why there was a strikethrough on (a) 1. from “maximum” and replaced with “enhance.” Ms. Khoury explained maximum was too subjective of an opinion and that the bay walk had been enhanced since there were buildings up against it. She continued to state that as you

move toward the beach, it was a more active waterfront and that "maximizing" intends to imply a final condition which is hard to judge and that "enhancement" is easier in considering enhancement or optimizing; it is an attempt to provide a more objective way to judge if a building is behaving with the waterfront.

Chairman Ritz pointed out there were several areas dedicated to openness where buildings will not be constructed. Ms. Powell had a problem with blocking the view and felt both "maximum" and "enhance" were both subjective. Chairman Ritz stated even if the document was not changed, projects taking place here come before the Board where there would be a judgment call on what was being presented. It relies on the Board as a body listening to constituents or the developer themselves for process to determine the final consensus. Ms. Wiggins did not feel the WRD needed the change. She also asked why (5) (b) 4. and 5. were a strikethrough. Ms. Khoury stated there was no historic parcel connected to this district. Ms. Powell asked if whatever language the Board agreed to would apply to anyone who wanted to rezone, using this same language and would not just be for Maritime Park. Ms. Khoury stated it might be easier to unstrike this portion. Ms. Lindsay explained when modifying language to a code, the issue is you are setting a precedent for future use and contemplation, so any change you make, you should always be contemplating the long term impact and what incentives are you providing to future changes to the Code. Chairman Ritz explained if someone asked to be included in WRD-1, they would come before the Board to make the decision to incorporate them. Ms. Cannon confirmed they would go through the rezoning process which would be reviewed through the Planning Board. Ms. Powell asked if it was in the Code and the Board had agreed to it, and they are complying with everything in WRD-1, what would be the way the Board could say they could not be allowed in the district when they were complying. Ms. Lindsay advised that was actually what the outside legal opinion was concerned with - if you set the precedent, then you have to anticipate it will be used to expand in the future. The Board would have to decide the legitimate goals so there would be an argument against expansion if that was truly what they wanted to do. Chairman Ritz explained there was some latitude for the Board to determine if the applications were appropriate or not. There is an ebb and flow to a city, and we are not trying to be static but are trying to move forward with the appropriate ideas.

Ms. Wiggins asked if there was a need for WRD-1 and could exceptions be made as they applied to these parcels as opposed to changing Code. Ms. Lindsay advised there were other options which Ms. Morris had discussed with DPZ. Ms. Wiggins clarified she was referring to a variance instead of a Code change. Mr. Grundhoefer asked why the changes could not be included the WRD, and Ms. Cannon stated that if that was the proposed amendment then all parcels in the WRD district would be subject to the increased lot coverage and change in height requirements as opposed to just the CMP parcels. She explained the applicants were proposing to raise the design standards and encourage future developments to go through the new CRA Urban Overlay District for consistency and cohesiveness in development with the former ECUA parcel and that the WRD-1 was proposed as an effort to create a strategic development approach to the CMP parcels.

Mayor Robinson explained they started looking at how to create something based on what we see new happening in models that would allow us to have these features we would see in our normal historic waterfront. If we had been thinking that way today, we probably would not have built the governmental buildings the way we did. Things changed dramatically in 50 years, and the overall intent was simply if we can create what we want to create, why not create a district which would allow that. The choice was to amend WRD and start over.

Ms. Cannon clarified that the Gregory Stewart memo was emailed to the Board and uploaded to the online agenda center upon receipt. Ms. Lindsay stated the memo addressed some things which the Board might consider so the correct articulations could be made. Mr. Dunaway of Clark Partington was asked to address the memo which was provided as comments to Mr. Wells, Deputy City Attorney. The scope of the review was quite broad, and Mr. Stewart concluded that he was unable to determine whether there was a public purpose and a deliberative process for this planning, and he raised the question of what is the purpose of

this. The Board had heard that this project came because the group came to the City asking how they should best implement this plan – how should they best put it into action. The idea was to follow the pattern they did in the Gateway Redevelopment District with the creation of earlier sections in the Aragon area. He emphasized that Mr. Stewart's memo was absolutely correct to note that all the changes to the LDC must be legally consistent with the Comprehensive Plan. He advised the fundamental land development document for these parcels and others was the Community redevelopment Plan of 2010, which directly addresses this issue on page 33 where the Plan identifies a number of areas within the Urban Core Redevelopment area that should be considered for policy amendments to the City of Pensacola Comprehensive Plan and Land Development Code. It further states the CRA should investigate the existing land use categories and zoning districts to determine if the creation of new policies and new zoning districts should be considered to support the recommendations of and to carry out the redevelopment plan. Mr. Stewart concluded in his memo that he "was unable to identify whether such a public purpose is served and therefore, it appears that there is a potential legal issue that the new WRD-1 classification is arbitrary and capricious and constitutes spot zoning from this rezoning."

Mr. Dunaway advised that staff, Mr. Rothfeder and Ms. Khoury, along with actions from this Board and the City Council, can supply that information which he believed Mr. Stewart did not have. He further advised that the 2010 CRA plan on page 3 "establishes the framework for transformative policies and investments in the CRA." Within that context, the plan provides policy, programmatic and fiscal direction for the CRA as Pensacola reshapes its urban landscape and waterfront. The purpose of the plan is to define the strategic framework, concepts, themes, goals and objectives for the future of Pensacola's urban core. He explained that because a zoning section exists in the Code, does not necessarily mean that other parcels get to take advantage of that. All parcels within the City are zoned with their own zoning, and there is a process where zoning can be changed, only if it is consistent with the Comprehensive Plan and other comprehensive documents. The reason for not using a variance was because they require statutory criteria, specifically that the problem was not self-created. Changing the zoning was the appropriate process for this development and was a step forward in the ultimate goal of fulfilling the public purpose and vision by the decades of public planning for this CMP site.

Ms. Wiggins asked who had hired the outside attorney for this legal opinion, and Ms. Lindsay advised that Legal had asked for that opinion to do their due diligence for the sake of transparency because they anticipated the public could have questions, and they wanted to make sure the Board had answers.

Mr. Gunther stated that he was under the impression that DPZ was hired by the developer, and Chairman Ritz confirmed that. Mr. Gunther explained if the CRA had hired DPZ to make changes in zoning, that would make sense, but this was not the case here. He was opposed to a higher lot coverage ratio and more height along the water. He did not blame the developer for asking, but it did allow for taller and wider buildings. The citizens had spent millions on site development to maximize the connection to the water, but when you build a wider building, it creates a wall effect along the water. He explained that when planning is done right, the shorter buildings are along the water.

Ms. Wiggins stated this was also her concern with removing the term "maximize" from the document. Chairman Ritz advised he appreciated the work by DPZ and as a designer, he preferred the 6 stories language to 60 feet. Open spaces are not a reason for people to go there, but if you place something there, it connects people to the water. To correct some statements, Ms. Khoury explained they were not adding additional height, and most of the buildings would be 4 and 5 stories. Also, the reason for writing the WRD-1 was that the WRD was archaic, and they wanted it to reflect what the CRA encouraged, and they also heard from the community that they wanted to see more redevelopment.

Mr. Speck added it was important to make a distinction between rural beach development, as in Santa Rosa Beach, and urban beach developments like Portofino and Venice. Those are examples of other urban

waterfronts as they are models where spaces are well shaped by buildings, and he further explained that too many spaces between buildings actually cause you to not feel comfortable in public places.

Ms. Powell asked if the WRD was archaic, why not just modify the WRD. Chairman Ritz explained the applicant did not want to speak for the other WRD property owners; they were just considering the properties they control. Ms. Powell pointed out (c) of the landscaping guidelines that the "shoreline vistas" were more than just a view. The ability to see would be constricted by the buildings. Chairman Ritz advised the building code would regulate the height of the buildings. Ms. Cannon explained per the CRA overlay district, the heights for the ground story floor were beginning at 16', 20' and 24' and the maximum aboveground story heights were 14' so with the highest at 24' ground floor and 14' for the other stories, the potential would be a 94' building height. Ms. Khoury added that 24' on the ground floor was for retail only.

Ms. Wiggins was concerned with parking becoming unaffordable, citing Southtowne as the most expensive parking lot and believed parking would also become restricted and expensive. Ms. Morris advised that parking requirements in the CRA were greatly reduced based on land use in 2013 by Council and the Planning Board, and any future development would have to address the off-street parking, but there were other methods in the Code which allow for off-site parking through shared use agreements to provide flexibility. These future developments would be required to handle and address the required off-street parking to support the developments, and that would come before this Board when the developments apply for permitting. She also stated they had changed how we measure building height as the first habitable floor and tried to incentivize parking underneath instead of surface parking.

Mr. Grundhoefer addressed 5. (b) regarding CRA Overlay standards being "encouraged." Ms. Morris further explained the CRA Overlay is applicable to any district within the three CRAs in the downtown area not within a review district, anything not subjected to additional review beyond standard permitting. While this property is within the CRA Overlay boundary, it does not fall under the Overlay since it is protected by the WRD. They referred to the CRA Overlay guidelines and encouraged them, and the Board could recommend as part of their oversight some components of the CRA Overlay for the applicants to consider.

Regarding parking, Mr. Rothfeder stated currently as it is developed, it could be arranged with parking garages, and the market would determine what gets developed there. He stated the goals of this development were to connect the commercial core with the west side, to take this underutilized land and develop it in a way that accomplishes the goals of attracting and retaining our talent, and produces a wide array of housing that meets the market's demand and allows units which permit people to live in the project earning \$30,000 a year. He asked Ms. Khoury if there was anything that would be different if they had asked this development be done for them, the CRA, or a public entity, and Ms. Khoury indicated there would not. They were opening views to the waterfront and keeping with the character of the area, and for anyone else, it would still be very similar to this. She advised Mr. Studer did not direct any of this, but that the market study and prior plans, along with Civicon speakers, all supported the ideas presented.

Ms. Cannon explained the motion of the Board would be to "recommend" to the City Council. Ms. Morris advised this item would be presented at the Council's November 14<sup>th</sup> meeting. Mr. Grundhoefer suggested not striking the historic language, and he had no problem with the 60 feet versus the six (6) story language and was also not concerned with the 95 (ninety-five) percent lot coverage because of who the developer is. Mr. Grundhoefer made a motion to approve a recommendation to the Council. Chairman Ritz clarified the historic language of (5) (b) 4. and 5. was to remain.

Ms. Powell was not confident if they kept the 95% going forward that it would not impact other things. Ms. Wiggins wanted to remove "enhance" retain "maximum" and "maximize" in (5) (a) 1. and Mr. Grundhoefer accepted. Ms. Wiggins seconded the motion, and it carried unanimously.

Consider Rezoning and Future Land Use Map Amendment for 14 W. Jordan Street

Millwood Terrace, Inc. is requesting a Zoning Map and Future Land Use Map (FLUM) Amendment for the property located at 14 W. Jordan Street and identified by parcel number 00-0S-00-9010-001-124. The property currently has split zoning with C-2 on the southeastern portion and R-2 on the western portion; the Future Land Use Map (FLUM) is consistent with Commercial and Office designations. The applicants are proposing to amend the zoning district to C-1 Commercial zoning district and the FLUM to Commercial.

Mr. Page presented to the Board and stated the purpose was to have all the buildings zoned consistently. He said they originally thought to pursue R-2 to be consistent along Palafox Street, but staff recommended the C-1 category because it was less intense than C-2. Currently, the line separating the C-2 from R-2 runs through several of the buildings by several feet. He explained they had met with Councilwoman Cannada-Wynn onsite since she represents that district. Chairman Ritz was favorable with the C-1 classification transitioning into the neighborhood, noting his home is also in a C-1 designation. Mr. Page explained the existing uses were physicians' offices with the right corner being a pharmacy.

Mr. Gunther advised he owned the building to the north of the property and was concerned with street parking and any plans to reduce the existing parking. Chairman Ritz pointed out the Board could not make decisions on what might be. Mr. Page explained there were no plans to make any adjustments in development but more an opportunity to make sure the financing entities were satisfied that all of the buildings could be used under one category. Ms. Wiggins made a motion for approval, seconded by Ms. Sampson. Mr. Grundhoefer asked about the parcels, and Mr. Page further explained the survey showed the zoning line currently splits the pharmacy space. The motion then carried unanimously.

#### Consider Preliminary Approval for 500 E. Gregory Street

George Williams, AIA, Goodwyn Mills Cawood, is requesting preliminary approval for site improvements for a new (replacement) building for the adult entertainment business "Sammy's" located in the Gateway Review District (GRD). The new building will substantially increase the conformity of the project to the Land Development Code by improving parking, open space, landscaping and overall site design. Chairman Ritz noted this was the first consideration which was formerly within the Gateway Review Board purview.

Mr. Williams, a representative of Goodwyn Mills Cawood, presented to the Board and stated this project had been ongoing for well over a year. After evaluating the existing building and what was necessary to bring it up to Code, it became clear that would be quite expensive. They stepped back to consider a new building in lieu of the existing building, since there were certain criteria financial and otherwise that prohibited them from closing the existing building, demolishing it, and building a new one. They tried to be creative in locating a new building onsite, realizing there were certain criteria to be met in the Gateway District, and the new building could not be larger than the existing building. The basic request involved the location of the new building, and aesthetics would return to the Board. He pointed out the parking spaces to the west were leased from the City and were included in the car count. The variance for the rear of the building would go away. He pointed out the GRD district requires 25% pervious land area, and currently they have 24.5% of pervious surface in the redevelopment plan which was still a tremendous enhancement. Additionally, the parking requires one space for each 75 sq. ft. with a total parking requirement of 74 spaces; the plan presents 70 parking spaces, and they are 3 spaces deficient based on the City's criteria. He explained this plan would require an FDOT review since they were relocating a driveway on Gregory Street which was less than the standard.

Regarding the Gateway guidelines, Ms. Cannon referred the Board to Sec. 12-2-81 (C) for the contents of the preliminary plan which asks for general information at this point. She explained when the applicant returned, the Board would be looking at another list of requirements for the final phase. Chairman Ritz noted the layout reminded him of Publix with parking on the less intent street, and the building closer to the busier street giving it more edge. He pointed out the applicant had met the preliminary requirements, and he could support the project. Ms. Wiggins made a motion to approve, seconded by Ms. Sampson. Mr.

Grundhoefer questioned stormwater, and Mr. Williams stated they had engaged Rebol Battle since the site has 4,300 sq. ft. of pervious surface, and they were doubling that number. He indicated they would comply with whatever the stormwater requirements of the City might be and would return with the aesthetics. The motion then carried unanimously.

Open Forum – Chairman Ritz explained there had been a request to change the time of the October 24<sup>th</sup> Tree Ordinance workshop to 3pm-5pm to accommodate Council members who wanted to participate. Ms. Wiggins was concerned with the changed time that the public would not have a chance to weigh in after working hours. Ms. Cannon suggested there could be a second workshop not scheduled on a Council meeting night, and Ms. Wiggins appreciated that the public would then have a chance to participate. Chairman Ritz pointed out that it will likely take more than one workshop since this was very far reaching for many constituents. Ms. Cannon advised she would look for future dates on non-Council nights going forward to January and would present those at the November meeting of the Board and notify by email as well.

Adjournment – With no further business, Chairman Ritz adjourned the meeting at 3:48 pm.

Respectfully Submitted,

Cynthia Cannon  
Secretary to the Board

# Legend

 Parcel with split zoning

R-1AA

R-2

N BAYLEN ST

E MAXWELL ST

R-2 portion of parcel

W MAXWELL ST

C-3

C-2

C-2 portion of parcel

SSD

N PALAFOX ST

N SPRING ST

W JORDAN ST

R-1AAA

Existing Zoning: C-2 & R-2  
Proposed Zoning: C-1

0 0.02 0.04 Miles

Date: 10/22/2019



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# Legend

 Parcel with split Future Land Use

R-1AA

R-2

N BAYLEN ST

E MAXWELL ST

Office

W MAXWELL ST

C-3

C-2

Commercial

E JORDAN ST

SSD

N PALAFOX S

N SPRING ST

W JORDAN ST

R-1AAA

0 0.02 0.04 Miles

Date: 10/22/2019



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**Existing FLU: Office/Commercial**  
**Proposed FLU: Commercial**



PROPOSED  
ORDINANCE NO. 35-19

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

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.

WHEREAS, the City of Pensacola adopted a Comprehensive Plan on October 4, 1990, pursuant to applicable law; and

WHEREAS, a proposed amended zoning classification has been referred to the local planning agency pursuant to §163.3174, Fla. Stat., and a proper public hearing was held on November 14, 2019 concerning the following proposed zoning classification affecting the property described therein; and

WHEREAS, after due deliberation, the City Council has determined that the amended zoning classification set forth herein will affirmatively contribute to the health, safety, and general welfare of the citizens of the City of Pensacola; and

WHEREAS, said amended zoning classification is consistent with all applicable elements of the Comprehensive Plan as amended, NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the Zoning Map of the City of Pensacola and all notations, references and information shown thereon is hereby amended so that the following described real property located in the City of Pensacola, Florida, to-wit:

PARCEL 1:

Lots 1 to 12, inclusive and the West 29 feet of Lot 13, and all of Lots 26 to 30, inclusive, Block 124, EAST KING TRACT, BELMONT NUMBERING, in the City of Pensacola, Escambia County, Florida, according to the map of said City copyrighted by Thomas C. Watson in 1906.

PARCEL2:

Lots 26 and 27 and the East 25 feet of Lot 28; the West 5

feet of Lot 25; the South 30 feet of Lots 12, 13 and 14 and the East 10 feet of the South 30 feet of Lot 11, Block 123, EAST KING TRACT, BELMONT NUMBERING, Escambia County, Florida, according to a Map of the City of Pensacola, copyrighted by Thomas C. Watson in 1906.

PARCEL3:

The West 50 feet of Lots 19 through 24 inclusive, and the East 25 feet of Lot 25, Block 123, EAST KING TRACT, BELMONT NUMBERING, according to a Map of the City of Pensacola, copyrighted by Thomas C. Watson in 1906, Escambia County, Florida

PARCEL4:

The East 75 feet of Lots 20, 21, 22, 23 and 24, Block 123, EAST KING TRACT, BELMONT NUMBERING in the City of Pensacola, Escambia County, Florida, according to Map of said City copyrighted by Thomas C. Watson in 1906.

PARCELS:

Lots 11, 12, 13, 14 and 15, in Block 119, all in EAST KING TRACT, BELMONT NUMBERING, in the City of Pensacola, Escambia County, Florida, according to Map of said City copyrighted by Thomas C. Watson in 1906.

is hereby changed from R-2 (Single Family Residential) and C-2 (Commercial) to C-1 (Commercial) District.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

PROPOSED  
ORDINANCE NO. 36-19

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN  
AND FUTURE LAND USE MAP OF THE CITY OF  
PENSACOLA, FLORIDA; REPEALING CLAUSE;  
PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pensacola adopted a Comprehensive Plan on October 4, 1990, pursuant to applicable law; and

WHEREAS, the City Council desires to effect an amendment to a portion of the Future Land Use element of the Comprehensive Plan; and

WHEREAS, said amendment is consistent with the other portions of the Future Land Use Element and all other applicable elements of the Comprehensive Plan, as amended; and

WHEREAS, said amendment will affirmatively contribute to the health, safety and general welfare of the citizens of the City of Pensacola; and

WHEREAS, the City Council has followed all of the procedures set forth in §§163.3184 and 163.3187, Fla. Stat., and all other applicable provisions of law and local procedures with relation to amendment to the Future Land Use Element of the Comprehensive Plan; and

WHEREAS, proper public notice was provided and appropriate public hearing was held pursuant to the provisions referred to hereinabove as to the following amendment to the Comprehensive Plan and Future Land Use map of the City of Pensacola; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the Comprehensive Plan and Future Land Use Map of the City of Pensacola, and all notations, references and information shown thereon as it relates to the following described real property in the City of Pensacola, Florida, to-wit:

PARCEL 1:

Lots 1 to 12, inclusive and the West 29 feet of Lot 13, and all of Lots 26 to 30, inclusive, Block 124, EAST KING TRACT, BELMONT

NUMBERING, in the City of Pensacola, Escambia County, Florida, according to the map of said City copyrighted by Thomas C. Watson in 1906.

PARCEL2:

Lots 26 and 27 and the East 25 feet of Lot 28; the West 5 feet of Lot 25; the South 30 feet of Lots 12, 13 and 14 and the East 10 feet of the South 30 feet of Lot 11, Block 123, EAST KING TRACT, BELMONT NUMBERING, Escambia County, Florida, according to a Map of the City of Pensacola, copyrighted by Thomas C. Watson in 1906.

PARCEL3:

The West 50 feet of Lots 19 through 24 inclusive, and the East 25 feet of Lot 25, Block 123, EAST KING TRACT, BELMONT NUMBERING, according to a Map of the City of Pensacola, copyrighted by Thomas C. Watson in 1906, Escambia County, Florida

PARCEL4:

The East 75 feet of Lots 20, 21, 22, 23 and 24, Block 123, EAST KING TRACT, BELMONT NUMBERING in the City of Pensacola, Escambia County, Florida, according to Map of said City copyrighted by Thomas C. Watson in 1906.

PARCELS:

Lots 11, 12, 13, 14 and 15, in Block 119, all in EAST KING TRACT, BELMONT NUMBERING, in the City of Pensacola, Escambia County, Florida, according to Map of said City copyrighted by Thomas C. Watson in 1906.

the same is hereby changed to C (commercial) Future Land Use District, fully as if all of the said real property had been originally included in City of Pensacola C (commercial) Future Land Use District.

SECTION 2. The City Council shall by subsequently adopted ordinance change the zoning classification and zoning map for the subject property to a permissible zoning classification, as determined by the discretion of the City Council, which is consistent with the future land use classification adopted by this ordinance. Pending the adoption of such a rezoning ordinance, no development of the subject property shall be permitted which is inconsistent with the future land use classification adopted by this ordinance.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk



Memorandum

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File #: 35-19

City Council

11/14/2019

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**LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

PROPOSED ORDINANCE NO. 35-19 - REQUEST FOR ZONING MAP AMENDMENT - 14 WEST JORDAN STREET

**RECOMMENDATION:**

That City Council approve Proposed Ordinance No. 35-19 on first 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.

**HEARING REQUIRED:** Public

**SUMMARY:**

The City has received a request from Millwood Terrace, Inc. to amend the City's Future Land Use Map from Office (O) to Commercial (C), and the City's Zoning Map from R-2 (Residential Office) and C-2 (Commercial) to C-1 (Retail Commercial).

The property currently has split zoning with a more intense commercial zoning designation of C-2 on the southeastern portion and R-2 on the western portion; the Future Land Use Map (FLUM) is consistent with Commercial and Office designations. This request will provide the parcel with a singular zoning district category of C-1 and a singular FLUM designation of Commercial.

Although the C-1 zoning district currently does not lie within the immediate area, the proposed district will appropriately serve as a transition area between the more-intensive C-2 zoning abutting the subject property to the east and the more-restrictive R-1AAA zoning district directly across North Baylen Street to the west. Additionally, it will serve as a transition to the properties located directly to the south across W. Jordan and north across W. Maxwell Streets which are located within the R-2 zoning district.

On October 10, 2019, the Planning Board unanimously recommended approval of the request.

**PRIOR ACTION:**

None

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

10/24/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Keith Wilkins, Deputy City Administrator - Administration & Enterprise  
Kerrith Fiddler, Deputy City Administrator - Community Development  
Sherry H. Morris, Planning Services Administrator

**ATTACHMENTS:**

- 1) Proposed Ordinance No. 35-19
- 2) 14 W. Jordan St. Planning Board Zoning Map Amendment Application - 08/10/19
- 3) Planning Board Minutes - 08/10/19
- 4) Zoning Map dated October 2019

**PRESENTATION:** No

PROPOSED  
ORDINANCE NO. 35-19

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

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.

WHEREAS, the City of Pensacola adopted a Comprehensive Plan on October 4, 1990, pursuant to applicable law; and

WHEREAS, a proposed amended zoning classification has been referred to the local planning agency pursuant to §163.3174, Fla. Stat., and a proper public hearing was held on November 14, 2019 concerning the following proposed zoning classification affecting the property described therein; and

WHEREAS, after due deliberation, the City Council has determined that the amended zoning classification set forth herein will affirmatively contribute to the health, safety, and general welfare of the citizens of the City of Pensacola; and

WHEREAS, said amended zoning classification is consistent with all applicable elements of the Comprehensive Plan as amended,  
NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the Zoning Map of the City of Pensacola and all notations, references and information shown thereon is hereby amended so that the following described real property located in the City of Pensacola, Florida, to-wit:

PARCEL 1:

Lots 1 to 12, inclusive and the West 29 feet of Lot 13, and all of Lots 26 to 30, inclusive, Block 124, EAST KING TRACT, BELMONT NUMBERING, in the City of Pensacola, Escambia County, Florida, according to the map of said City copyrighted by Thomas C. Watson in 1906.

PARCEL2:

Lots 26 and 27 and the East 25 feet of Lot 28; the West 5 feet of

Lot 25; the South 30 feet of Lots 12, 13 and 14 and the East 10 feet of the South 30 feet of Lot 11, Block 123, EAST KING TRACT, BELMONT NUMBERING, Escambia County, Florida, according to a Map of the City of Pensacola, copyrighted by Thomas C. Watson in 1906.

PARCEL3:

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PARCEL4:

The East 75 feet of Lots 20, 21, 22, 23 and 24, Block 123, EAST KING TRACT, BELMONT NUMBERING in the City of Pensacola, Escambia County, Florida, according to Map of said City copyrighted by Thomas C. Watson in 1906.

PARCELS:

Lots 11, 12, 13, 14 and 15, in Block 119, all in EAST KING TRACT, BELMONT NUMBERING, in the City of Pensacola, Escambia County, Florida, according to Map of said City copyrighted by Thomas C. Watson in 1906.

is hereby changed from R-2 (Single Family Residential) and C-2 (Commercial) to C-1 (Commercial) District.

SECTION 2. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

PLANNING SERVICES

**MEMORANDUM**

**TO:** Planning Board Members

**FROM:** Cynthia R. Cannon, AICP, Assistant Planning Services Administrator 

**DATE:** September 27, 2019

**SUBJECT:** Request for Zoning Map and Future Land Use Map Amendment  
14 W. Jordan Street

Millwood Terrace, Inc. is requesting a Zoning Map and Future Land Use Map (FLUM) Amendment for the property located at 14 W. Jordan Street and identified by parcel number 00-05-00-9010-001-124. The property currently has split zoning with C-2 on the southeastern portion and R-2 on the western portion; the Future Land Use Map (FLUM) is consistent with Commercial and Office designations. The applicants are proposing to amend the zoning district to C-1 Commercial zoning district and the FLUM to Commercial.

Existing Zoning	Proposed Zoning	Existing FLUM	Proposed FLUM	Lot Size
R-2 & C-2	C-1	Office & Commercial	Commercial	1.69 acres

- R-2 (existing) provides a mixture housing types and office uses, in some cases the R-2 district is also intended as a transition area between commercial and residential uses.
- C-1 (*PROPOSED*) is intended to provide a transitional buffer between mixed-use neighborhood commercial areas and more intense commercial zoning.
- C-2 (existing) is intended to provide for major commercial areas intended primarily for retail sales and service establishments oriented to a general community and/or market.

Although the C-1 zoning district currently does not lie within the immediate area, the proposed district will appropriately serve as a transition area between the more-intensive C-2 zoning abutting the subject property to the east and the more-restrictive R-1AAA zoning district directly across N. Baylen Street to the west. Additionally, it will serve as a transition to the properties located directly to the south across W. Jordan and north across W. Maxwell Streets which are located within the R-2 zoning district.

This request has been routed through the various City departments and utility providers. Those comments are attached for your review.

Review Routing  
Project: 14 W Jordon

Meeting: October 8, 2019  
Comments Due: September 24, 2019

Department:	Comments:	Date Rec'd
FIRE	No comments.	9/18/2019
PW/E	No objections.	9/23/2019
Insp Svcs	None received.	
ESP	No comments.	9/11/2019
ECUA	No comments.	9/11/2019
GPW	None received.	
ATT	No comments.	9/6/2019



**REZONING**

Please check application type:

<input type="checkbox"/> <b>Conventional Rezoning</b>	<b>Comprehensive Plan / FLUM Amendment</b>	
<i>Application Fee: \$2,500.00</i>	<input checked="" type="checkbox"/> ( <b>&lt; 10 acres</b> )	<input type="checkbox"/> ( <b>≥ 10 acres</b> )
<i>Rehearing/Rescheduling (Planning Board): \$250.00</i>	<i>\$3,500.00</i>	<i>\$3,500.00</i>
<i>Rehearing/Rescheduling (City Council): \$750.00</i>	<i>\$250.00</i>	<i>\$250.00</i>
	<i>\$750.00</i>	<i>\$1,000.00</i>

**Applicant Information:**

Name: Millwood Terrace, Inc. Date: Sept. 12, 2017

Address: 1111 Tamara Drive Pensacola, Florida 32504

Phone: 850-232-9853 Fax: \_\_\_\_\_ Email: budpage1@att.net

**Property Information:**

Owner Name: Millwood Terrace, Inc. Phone: \_\_\_\_\_

Location/Address: ~~1111 Tamara Drive~~ Pensacola, Florida 32504 **14 W. Jordan St., Pensacola, FL, 32501**

Parcel ID: 0 0 - 0 S - 0 0 - 9 0 1 0 - 0 0 1 - 1 2 4 Acres/Square Feet: 01.02ac

Zoning Classification: Existing C-2 & R-2 Proposed C-2-C-1

Future Land Use Classification: Existing Office Proposed Commercial

Reason Rezoning Requested: \_\_\_\_\_

Several office leases within the buildings are expiring; if rezoning is approved, owner plans to offer some units for retail uses.

Required Attachments: (A) Full legal description of property (from deed or survey)  
 (B) General location map with property to be rezoned indicated thereon

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 15 day of September, 2017.

Applicant Signature \_\_\_\_\_ Clint Foster  
 Owner Signature

Applicant Name (Print) \_\_\_\_\_ Millwood Terrace, Inc.  
 Owner Name (Print)



Sworn to and subscribed to before me this 15 day of September, 2017

Name: [Signature] Commission Expires: 07/12/20

**FOR OFFICE USE ONLY**

Council District: \_\_\_\_\_ Date Received: \_\_\_\_\_ Case Number: \_\_\_\_\_

Date Postcards mailed: \_\_\_\_\_ Planning Board Date: \_\_\_\_\_ Recommendation: \_\_\_\_\_

Committee Date: \_\_\_\_\_ Council Date: \_\_\_\_\_ Council Action: \_\_\_\_\_

Second Reading: \_\_\_\_\_ Ordinance Number: \_\_\_\_\_



# Legend

 Parcel with split zoning

R-1AA

R-2

N BAYLEN ST

E MAXWELL ST

R-2 portion of parcel

W MAXWELL ST

C-3

SSD

C-2

C-2 portion of parcel

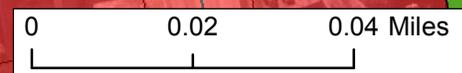
N PALFOX S

N SPRING ST

W JORDAN ST

**Existing Zoning: C-2 & R-2**  
**Proposed Zoning: C-1**  
**Existing FLU: Office**  
**Proposed FLU: Commercial**

R-1AAA



Date: 9/26/2019



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# Legend

 Parcel with split zoning

R-1AA

R-2

N BAYLEN ST

E MAXWELL ST

R-2 portion of parcel

W MAXWELL ST

C-3

C-2

C-2 portion of parcel

SSD

N PALM FOX S

N SPRING ST

W JORDAN ST

Existing Zoning: C-2 & R-2 R-1AAA

Proposed Zoning: C-1

Existing FLU: Office

Proposed FLU: Commercial

0 0.02 0.04 Miles

Date: 9/26/2019



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Prepared By:  
Margaret T. Stopp, of  
Moore, Hill & Westmoreland, P.A.  
Post Office Box 13290  
Pensacola, Florida 32591-3290

WARRANTY DEED

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

THIS WARRANTY DEED made the 8<sup>th</sup> day of November, 2006, by NATIONAL LAUNDRY & CLEANING COMPANY, INC., a Florida corporation, hereinafter called the Grantor (whether singular or plural), to MILLWOOD TERRACE, INC., a Florida corporation, whose post office address is Post Office Box 62519, Colorado Spring, Colorado 80962 hereinafter called the Grantee (whether singular or plural):

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Escambia County, Florida, to-wit:

PARCEL 1:

Lots 1 to 12, inclusive and the West 29 feet of Lot 13, and all of Lots 26 to 30, inclusive, Block 124, EAST KING TRACT, BELMONT NUMBERING, in the City of Pensacola, Escambia County, Florida, according to the map of said City copyrighted by Thomas C. Watson in 1906.

PARCEL 2:

Lots 26 and 27 and the East 25 feet of Lot 28; the West 5 feet of Lot 25; the South 30 feet of Lots 12, 13 and 14 and the East 10 feet of the South 30 feet of Lot 11, Block 123, EAST KING TRACT, BELMONT NUMBERING, Escambia County, Florida, according to a Map of the City of Pensacola, copyrighted by Thomas C. Watson in 1906.

PARCEL 3:

The West 50 feet of Lots 19 through 24 inclusive, and the East 25 feet of Lot 25, Block 123, EAST KING TRACT, BELMONT NUMBERING, according to a Map of the City of Pensacola, copyrighted by Thomas C. Watson in 1906, Escambia County, Florida.

PARCEL 4:

The East 75 feet of Lots 20, 21, 22, 23 and 24, Block 123, EAST KING TRACT, BELMONT NUMBERING in the City of Pensacola, Escambia County, Florida, according to Map of said City copyrighted by Thomas C. Watson in 1906.

PARCEL 5:

Lots 11, 12, 13, 14 and 15, in Block 119, all in EAST KING TRACT, BELMONT NUMBERING, in the City of Pensacola, Escambia County, Florida, according to Map of said City copyrighted by Thomas C. Watson in 1906.

Parcel Identification Numbers: 000S00-9010-200-123; 000S00-9010-010-119; 000S00-9010-111-123; 000S00-9010-140-123 and 000S00-9010-001-124

THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING:

Conditions, restrictions, limitations and easements of record, if any, but this provision shall not operate to re-impose the same.

Zoning and other governmental regulations.

Taxes and assessments for 2006 and subsequent years.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anyway appertaining.

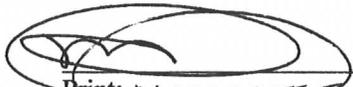
TO HAVE AND TO HOLD the same in fee simple forever.

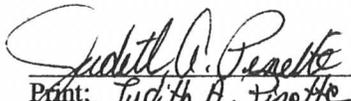
AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered  
in the presence of:

NATIONAL LAUNDRY & CLEANING  
COMPANY, INC.

  
Print: MARGARET T. STOPP

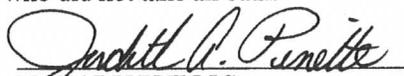
  
Print: Judith A. Finette

By:   
R. BRUCE MORRISON, Its President  
107 West Gregory Street  
Pensacola, Florida 32501

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of November, 2006, by R. Bruce Morrison, III as President of National Laundry & Cleaning Company, Inc., who is personally known to me or who has produced FL. Drivers Lic. as identification and who did not take an oath.

My Commission Expires:

  
NOTARY PUBLIC



**2017 FLORIDA PROFIT CORPORATION ANNUAL REPORT**

**FILED  
Jan 16, 2017  
Secretary of State  
CC8755396763**

DOCUMENT# P07000021290

**Entity Name:** MILLWOOD TERRACE, INC.

**Current Principal Place of Business:**

14 W. JORDAN  
PENSACOLA, FL 32501

**Current Mailing Address:**

1111 TAMARA DR.  
PENSACOLA, FL 32504

**FEI Number:** 55-0818124

**Certificate of Status Desired:** No

**Name and Address of Current Registered Agent:**

FOSHA, CHARLES E  
1111 TAMARA DR  
PENSACOLA, FL 32504 US

*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.*

**SIGNATURE:** CHARLES E FOSHA

01/16/2017

Electronic Signature of Registered Agent

Date

**Officer/Director Detail :**

Title            PRES  
Name            FOSHA, CHARLES E  
Address        1111 TAMARA DR  
City-State-Zip: PENSACOLA FL 32504

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.*

**SIGNATURE:** CHARLES FOSHA

PRESIDENT

01/16/2017

Electronic Signature of Signing Officer/Director Detail

Date

## Cynthia Cannon

---

**From:** Annie Bloxson  
**Sent:** Wednesday, September 18, 2019 7:30 AM  
**To:** Cynthia Cannon  
**Subject:** RE: Please Review & Comment - 14 W Jordon St. Rezoning

Good Morning,

I have no issues. Thank you.

Respectfully,

### Annie Bloxson

Fire Marshal

Visit us at [PensacolaFire.com](http://PensacolaFire.com)

475 E. Strong St.

Pensacola, FL 32501

Office: 850.436.5200

[abloxson@cityofpensacola.com](mailto:abloxson@cityofpensacola.com)



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**From:** Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>

**Sent:** Friday, September 06, 2019 12:58 PM

**To:** Amy Hargett <[ahargett@cityofpensacola.com](mailto:ahargett@cityofpensacola.com)>; Andre Calaminus (ECUA) <[andre.calaminus@ecua.fl.gov](mailto:andre.calaminus@ecua.fl.gov)>; Annie Bloxson <[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)>; Bill Kimball <[bkimball@cityofpensacola.com](mailto:bkimball@cityofpensacola.com)>; Brad Hinote <[bradhinote@cityofpensacola.com](mailto:bradhinote@cityofpensacola.com)>; Brian Cooper <[bcooper@cityofpensacola.com](mailto:bcooper@cityofpensacola.com)>; Chris Mauldin <[CMauldin@cityofpensacola.com](mailto:CMauldin@cityofpensacola.com)>; Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>; Derrick Owens <[DOwens@cityofpensacola.com](mailto:DOwens@cityofpensacola.com)>; Diane Moore <[DMoore@cityofpensacola.com](mailto:DMoore@cityofpensacola.com)>; Jonathan Bilby <[JBilby@cityofpensacola.com](mailto:JBilby@cityofpensacola.com)>; Karl Fenner (AT&T) <[KF5345@att.com](mailto:KF5345@att.com)>; Kellie L. Simmons (Gulf Power) <[kellie.simmons@nexteraenergy.com](mailto:kellie.simmons@nexteraenergy.com)>; Leslie Statler <[LStatler@cityofpensacola.com](mailto:LStatler@cityofpensacola.com)>; Miriam Woods <[MWoods@cityofpensacola.com](mailto:MWoods@cityofpensacola.com)>; Paul A Kelly(GIS) <[PAKelly@cityofpensacola.com](mailto:PAKelly@cityofpensacola.com)>; Robbie Weekley <[rweekley@cityofpensacola.com](mailto:rweekley@cityofpensacola.com)>; Ryan J. Novota <[RNovota@cityofpensacola.com](mailto:RNovota@cityofpensacola.com)>; Sherry Morris

## Cynthia Cannon

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**From:** Derrik Owens  
**Sent:** Friday, September 6, 2019 1:53 PM  
**To:** Cynthia Cannon  
**Cc:** Ryan J. Novota; Brad Hinote  
**Subject:** RE: Please Review & Comment - 14 W Jordon St. Rezoning

PW&F has no objection to the request.....

**From:** Cynthia Cannon  
**Sent:** Friday, September 06, 2019 12:58 PM  
**To:** Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>  
**Subject:** Please Review & Comment - 14 W Jordon St. Rezoning

Good afternoon all!

Please review and comment on the attached Rezoning request for the property located at 14 W Jordan St. and identified with parcel number 00-0S-00-9010-001-124. All comments must be received by close of business on **Tuesday, September 24, 2019.**

Please note this request *does* include an amendment to the Future Land Use Map.

If you have any questions please let us know.

Thank you,

**Cynthia Cannon, AICP**  
*Assistant Planning Services Administrator*  
Visit us at <http://cityofpensacola.com>  
222 W Main St.  
Pensacola, FL 32502  
Office: 850.435-1670  
[ccannon@cityofpensacola.com](mailto:ccannon@cityofpensacola.com)



## Cynthia Cannon

---

**From:** Diane Moore  
**Sent:** Wednesday, September 11, 2019 7:36 AM  
**To:** Cynthia Cannon  
**Subject:** RE: Please Review & Comment - 14 W Jordon St. Rezoning

Cynthia,  
Pensacola Energy has no comments on this zoning request.

Thanks,  
Diane

Diane Moore | Gas Distribution Engineer  
Pensacola Energy | 1625 Atwood Drive, Pensacola, FL 32514  
Desk: 850-474-5319 | Cell: 850-324-8004 | Fax: 850-474-5331  
Email: [dmoore@cityofpensacola.com](mailto:dmoore@cityofpensacola.com)

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For Non-Emergency Citizen Requests, Dial 311 or visit [Pensacola311.com](http://Pensacola311.com)

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**From:** Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>  
**Sent:** Friday, September 6, 2019 12:58 PM  
**To:** Amy Hargett <[ahargett@cityofpensacola.com](mailto:ahargett@cityofpensacola.com)>; Andre Calaminus (ECUA) <[andre.calaminus@ecua.fl.gov](mailto:andre.calaminus@ecua.fl.gov)>; Annie Bloxson <[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)>; Bill Kimball <[bkimball@cityofpensacola.com](mailto:bkimball@cityofpensacola.com)>; Brad Hinote <[bradhinote@cityofpensacola.com](mailto:bradhinote@cityofpensacola.com)>; Brian Cooper <[bcooper@cityofpensacola.com](mailto:bcooper@cityofpensacola.com)>; Chris Mauldin <[CMauldin@cityofpensacola.com](mailto:CMauldin@cityofpensacola.com)>; Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>; Derrick Owens <[DOWens@cityofpensacola.com](mailto:DOWens@cityofpensacola.com)>; Diane Moore <[DMoore@cityofpensacola.com](mailto:DMoore@cityofpensacola.com)>; Jonathan Bilby <[JBilby@cityofpensacola.com](mailto:JBilby@cityofpensacola.com)>; Karl Fenner (AT&T) <[KF5345@att.com](mailto:KF5345@att.com)>; Kellie L. Simmons (Gulf Power) <[kellie.simmons@nexteraenergy.com](mailto:kellie.simmons@nexteraenergy.com)>; Leslie Statler <[LStatler@cityofpensacola.com](mailto:LStatler@cityofpensacola.com)>; Miriam Woods <[MWoods@cityofpensacola.com](mailto:MWoods@cityofpensacola.com)>; Paul A Kelly(GIS) <[PAKelly@cityofpensacola.com](mailto:PAKelly@cityofpensacola.com)>; Robbie Weekley <[rweekley@cityofpensacola.com](mailto:rweekley@cityofpensacola.com)>; Ryan J. Novota <[RNovota@cityofpensacola.com](mailto:RNovota@cityofpensacola.com)>; Sherry Morris <[SMorris@cityofpensacola.com](mailto:SMorris@cityofpensacola.com)>; Stephen Kennington (AT&T) <[sk1674@att.com](mailto:sk1674@att.com)>  
**Subject:** Please Review & Comment - 14 W Jordon St. Rezoning

Good afternoon all!

## Cynthia Cannon

---

**From:** Andre Calaminus <andre.calaminus@ecua.fl.gov>  
**Sent:** Wednesday, September 11, 2019 3:51 PM  
**To:** Cynthia Cannon  
**Subject:** RE: Please Review & Comment - 14 W Jordon St. Rezoning

Good afternoon Cynthia,

ECUA has no comment on the rezoning of that parcel 00-05-00-9010-001-124 from C-2 & R-2 to C-1.

Thanks,

**Andre Calaminus | Right of Way Agent | Emerald Coast Utilities Authority |**  
P.O. Box 17089 | Pensacola, FL 32522-7089 | Web: [www.ecua.fl.gov](http://www.ecua.fl.gov) |  
Phone: (850) 969-5822 | Fax: (850) 969-6511 |

**From:** Cynthia Cannon [mailto:CCannon@cityofpensacola.com]  
**Sent:** Friday, September 06, 2019 12:58 PM  
**To:** Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinate <bradhinate@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrick Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>  
**Subject:** Please Review & Comment - 14 W Jordon St. Rezoning

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Good afternoon all!

Please review and comment on the attached Rezoning request for the property located at 14 W Jordan St. and identified with parcel number 00-05-00-9010-001-124. All comments must be received by close of business on **Tuesday, September 24, 2019.**

Please note this request *does* include an amendment to the Future Land Use Map.

If you have any questions please let us know.

Thank you,

**Cynthia Cannon, AICP**  
Assistant Planning Services Administrator  
Visit us at <http://cityofpensacola.com>

## Cynthia Cannon

---

**From:** SAUERS, BRAD <bs5403@att.com>  
**Sent:** Friday, September 6, 2019 3:02 PM  
**To:** Cynthia Cannon  
**Subject:** FW: Please Review & Comment - 14 W Jordon St. Rezoning  
**Attachments:** 14 W. Jordan \_ Complete Application.pdf

AT&T has no comments or objections at this time.

Brad Sauers  
Manager – OSP Plng and Eng  
Technology Operations

AT&T  
605 W Garden St, Pensacola, FL 32502  
o 850.436.1495 | bs5403@att.com

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**From:** KENNINGTON, STEPHEN  
**Sent:** Friday, September 06, 2019 1:11 PM  
**To:** SAUERS, BRAD <bs5403@att.com>  
**Subject:** FW: Please Review & Comment - 14 W Jordon St. Rezoning

Please review and comment as necessary.

SRK

**From:** Cynthia Cannon [<mailto:CCannon@cityofpensacola.com>]  
**Sent:** Friday, September 06, 2019 12:58 PM  
**To:** Amy Hargett <[ahargett@cityofpensacola.com](mailto:ahargett@cityofpensacola.com)>; Andre Calaminus (ECUA) <[andre.calaminus@ecua.fl.gov](mailto:andre.calaminus@ecua.fl.gov)>; Annie Bloxson <[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)>; Bill Kimball <[bkimball@cityofpensacola.com](mailto:bkimball@cityofpensacola.com)>; Brad Hinote <[bradhinote@cityofpensacola.com](mailto:bradhinote@cityofpensacola.com)>; Brian Cooper <[bcooper@cityofpensacola.com](mailto:bcooper@cityofpensacola.com)>; Chris Mauldin <[CMauldin@cityofpensacola.com](mailto:CMauldin@cityofpensacola.com)>; Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>; Derrick Owens <[DOwens@cityofpensacola.com](mailto:DOwens@cityofpensacola.com)>; Diane Moore <[DMoore@cityofpensacola.com](mailto:DMoore@cityofpensacola.com)>; Jonathan Bilby <[JBilby@cityofpensacola.com](mailto:JBilby@cityofpensacola.com)>; FENNER, KARL L <[kf5345@att.com](mailto:kf5345@att.com)>; Kellie L. Simmons (Gulf Power) <[kellie.simmons@nexteraenergy.com](mailto:kellie.simmons@nexteraenergy.com)>; Leslie Statler <[LStatler@cityofpensacola.com](mailto:LStatler@cityofpensacola.com)>; Miriam Woods <[MWoods@cityofpensacola.com](mailto:MWoods@cityofpensacola.com)>; Paul A Kelly(GIS) <[PAKelly@cityofpensacola.com](mailto:PAKelly@cityofpensacola.com)>; Robbie Weekley <[rweekley@cityofpensacola.com](mailto:rweekley@cityofpensacola.com)>; Ryan J. Novota <[RNovota@cityofpensacola.com](mailto:RNovota@cityofpensacola.com)>; Sherry Morris <[SMorris@cityofpensacola.com](mailto:SMorris@cityofpensacola.com)>; KENNINGTON, STEPHEN <[sk1674@att.com](mailto:sk1674@att.com)>  
**Subject:** Please Review & Comment - 14 W Jordon St. Rezoning

Good afternoon all!

MINUTES OF THE PLANNING BOARD  
October 8, 2019

MEMBERS PRESENT: Chairman Paul Ritz, Danny Grundhoefer, Ryan Wiggins,  
Charletha Powell, Eladies Sampson

MEMBERS ABSENT: Kurt Larson, Laurie Murphy

STAFF PRESENT: Cynthia Cannon, Assistant Planning Services Administrator, Sherry Morris, Planning  
Services Administrator, Heather Lindsay, Assistant City Attorney, Leslie Statler,  
Senior Planner, Michael Ziarnek, Transportation Planner-Complete Streets, Gregg  
Harding, Historic Preservation Planner, Brad Hinote, Engineering, Lawrence Powell,  
Neighborhoods Administrator, Councilwoman Myers, Councilwoman Hill, Mayor  
Robinson

OTHERS PRESENT: Andrew Rothfeder, P. Cantavespre, April Skipper, William J. Dunaway, Buddy Page,  
George Williams, George Biggs, Amir Fooladi, Fred Gunther

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from September 10, 2019.
- New Business:
  1. Consider Amendment to LDC Section 12-2-12 Creating WRD-1
  2. Consider Rezoning and Future Land Use Map Amendment for 14 W. Jordan Street
  3. Consider Preliminary Approval for 500 E. Gregory Street
- Open Forum
- Adjournment

Call to Order / Quorum Present

Chairman Ritz called the meeting to order at 2:00pm with a quorum present and explained the procedures of the Board meeting.

Approval of Meeting Minutes

Ms. Sampson made a motion to approve the September 10, 2019 minutes, seconded by Ms. Powell, and it carried unanimously.

New Business

Consider Amendment to LDC Section 12-2-12 Creating WRD-1

Staff received a request to modify the Redevelopment Land Use District WRD by establishing a subcategory which would become the WRD-1. The proposed WRD-1 would be a standalone section with the intent of optimizing the future development of the City's Community Maritime Park (CMP) parcels. The overall park parcel was master planned for stormwater and open space during the final plat approval process in April

2013. Subsequently, lots 1 and 2 received Planning Board approval for development in 2013. Ms. Cannon advised future development on the CMP parcels within the proposed WRD-1 district would continue to be submitted to the Planning Board for aesthetic review. She advised the applicant and their consultant were available online to give a presentation to the Board.

Mr. Rothfeder, President of Studer Properties, presented to the Board and stated his firm had been asked to submit a master plan for the remaining parcels at the Maritime Park that was cohesive and worked with the 19 acre site across the street. He stated one of the first steps was to hire a market research firm which could confirm the demand for commercial and retail space in the downtown area; they subsequently hired Jeff Speck and Associates along with DPZ CoDESIGN. This process began nine months ago culminating with a week-long charrette involving public input. DPZ then presented the master plan, with the question being whether or not it would fit into the current zoning on the Maritime Park site. He represented to the Board that Ms. Khoury along with DPZ had worked with City staff to address an appropriate solution. He indicated the Studers had invested approximately one half million dollars into this project. He also stated there was a question being asked by a third party law firm about this rezoning, specifically about the purpose of the rezoning which would be addressed later by Mr. Dunaway.

Ms. Khoury then addressed the Board and asserted she had worked with the Planning staff. Her presentation consisted of 20 slides which focused on the Maritime Park parcel, and Mr. Speck was online to answer any questions. They were not aware of the rich history on this site and as such studied previous plans to evaluate lessons learned. The market study was completed before they conducted the charrette. The study demonstrated that there was an opportunity to extend the downtown to the waterfront. Ms. Khoury pointed out that Southtowne was an example of the desire for downtown living and that their study looked at the program for the market over a 15 year timeframe. The 19 acre site could accommodate 1,825 residential units, with the majority designated for rental units and approximately thirty percent designated as condos. She stated that the encouraging fact was that waterfront units could be affordable to people making \$30,000 and up and commercial and retail ranging anywhere from 80,000 to 200,000 sq. ft. and up. She pointed out the charrette was very positive, and residents were excited about what was being proposed. They proposed recreating the blocks with three linear greenways, the Maritime parcel with the parking completely lined, connections to Bruce Beach, and a boardwalk over the stormwater pond creating more of an environment.

WRD zoning permits 60 dwelling units per acre, and the proposed WRD-1 did not change this; the change was from height measured in feet to stories, to have generous floor to ceiling heights and certain commercial uses (still 60 units per acres – 60 sq. ft. to 6 stories). One of the biggest purposes was to change the intent or purpose of the district. They agreed WRD was archaic in the way it was written, and they tried to encourage waterfront activities. They learned the WRD was created as an antidote to the Port Royal gated development. The change does not affect the metrics but encourages development in a better way. They decided not to change things everyone was objecting to; the uses, density and parking remained the same. The height was changed from feet to stories.

The changes included permitting A-frame signage, festival signage and to prohibit illuminated signage. The landscaping would be appropriate for downtown with shrubs and trees. The lot coverage was changed from 75 (seventy-five) percent to 95 (ninety-five) percent on a parcel. The height would be measured in stories, and held to the height criteria outlined in the CRA Urban Overlay design standards.

Previous developers found that the current CMP plan did not ensure that a future developer would adhere to the same development standards. This needed to be addressed in order to develop a stable environment.

Ms. Wiggins addressed item (5) Regulations and why there was a strikethrough on (a) 1. from "maximum" and replaced with "enhance." Ms. Khoury explained maximum was too subjective of an opinion and that the bay walk had been enhanced since there were buildings up against it. She continued to state that as you

move toward the beach, it was a more active waterfront and that "maximizing" intends to imply a final condition which is hard to judge and that "enhancement" is easier in considering enhancement or optimizing; it is an attempt to provide a more objective way to judge if a building is behaving with the waterfront.

Chairman Ritz pointed out there were several areas dedicated to openness where buildings will not be constructed. Ms. Powell had a problem with blocking the view and felt both "maximum" and "enhance" were both subjective. Chairman Ritz stated even if the document was not changed, projects taking place here come before the Board where there would be a judgment call on what was being presented. It relies on the Board as a body listening to constituents or the developer themselves for process to determine the final consensus. Ms. Wiggins did not feel the WRD needed the change. She also asked why (5) (b) 4. and 5. were a strikethrough. Ms. Khoury stated there was no historic parcel connected to this district. Ms. Powell asked if whatever language the Board agreed to would apply to anyone who wanted to rezone, using this same language and would not just be for Maritime Park. Ms. Khoury stated it might be easier to unstrike this portion. Ms. Lindsay explained when modifying language to a code, the issue is you are setting a precedent for future use and contemplation, so any change you make, you should always be contemplating the long term impact and what incentives are you providing to future changes to the Code. Chairman Ritz explained if someone asked to be included in WRD-1, they would come before the Board to make the decision to incorporate them. Ms. Cannon confirmed they would go through the rezoning process which would be reviewed through the Planning Board. Ms. Powell asked if it was in the Code and the Board had agreed to it, and they are complying with everything in WRD-1, what would be the way the Board could say they could not be allowed in the district when they were complying. Ms. Lindsay advised that was actually what the outside legal opinion was concerned with - if you set the precedent, then you have to anticipate it will be used to expand in the future. The Board would have to decide the legitimate goals so there would be an argument against expansion if that was truly what they wanted to do. Chairman Ritz explained there was some latitude for the Board to determine if the applications were appropriate or not. There is an ebb and flow to a city, and we are not trying to be static but are trying to move forward with the appropriate ideas.

Ms. Wiggins asked if there was a need for WRD-1 and could exceptions be made as they applied to these parcels as opposed to changing Code. Ms. Lindsay advised there were other options which Ms. Morris had discussed with DPZ. Ms. Wiggins clarified she was referring to a variance instead of a Code change. Mr. Grundhoefer asked why the changes could not be included the WRD, and Ms. Cannon stated that if that was the proposed amendment then all parcels in the WRD district would be subject to the increased lot coverage and change in height requirements as opposed to just the CMP parcels. She explained the applicants were proposing to raise the design standards and encourage future developments to go through the new CRA Urban Overlay District for consistency and cohesiveness in development with the former ECUA parcel and that the WRD-1 was proposed as an effort to create a strategic development approach to the CMP parcels. Mayor Robinson explained they started looking at how to create something based on what we see new happening in models that would allow us to have these features we would see in our normal historic waterfront. If we had been thinking that way today, we probably would not have built the governmental buildings the way we did. Things changed dramatically in 50 years, and the overall intent was simply if we can create what we want to create, why not create a district which would allow that. The choice was to amend WRD and start over.

Ms. Cannon clarified that the Gregory Stewart memo was emailed to the Board and uploaded to the online agenda center upon receipt. Ms. Lindsay stated the memo addressed some things which the Board might consider so the correct articulations could be made. Mr. Dunaway of Clark Partington was asked to address the memo which was provided as comments to Mr. Wells, Deputy City Attorney. The scope of the review was quite broad, and Mr. Stewart concluded that he was unable to determine whether there was a public purpose and a deliberative process for this planning, and he raised the question of what is the purpose of

this. The Board had heard that this project came because the group came to the City asking how they should best implement this plan – how should they best put it into action. The idea was to follow the pattern they did in the Gateway Redevelopment District with the creation of earlier sections in the Aragon area. He emphasized that Mr. Stewart's memo was absolutely correct to note that all the changes to the LDC must be legally consistent with the Comprehensive Plan. He advised the fundamental land development document for these parcels and others was the Community redevelopment Plan of 2010, which directly addresses this issue on page 33 where the Plan identifies a number of areas within the Urban Core Redevelopment area that should be considered for policy amendments to the City of Pensacola Comprehensive Plan and Land Development Code. It further states the CRA should investigate the existing land use categories and zoning districts to determine if the creation of new policies and new zoning districts should be considered to support the recommendations of and to carry out the redevelopment plan. Mr. Stewart concluded in his memo that he "was unable to identify whether such a public purpose is served and therefore, it appears that there is a potential legal issue that the new WRD-1 classification is arbitrary and capricious and constitutes spot zoning from this rezoning."

Mr. Dunaway advised that staff, Mr. Rothfeder and Ms. Khoury, along with actions from this Board and the City Council, can supply that information which he believed Mr. Stewart did not have. He further advised that the 2010 CRA plan on page 3 "establishes the framework for transformative policies and investments in the CRA." Within that context, the plan provides policy, programmatic and fiscal direction for the CRA as Pensacola reshapes its urban landscape and waterfront. The purpose of the plan is to define the strategic framework, concepts, themes, goals and objectives for the future of Pensacola's urban core. He explained that because a zoning section exists in the Code, does not necessarily mean that other parcels get to take advantage of that. All parcels within the City are zoned with their own zoning, and there is a process where zoning can be changed, only if it is consistent with the Comprehensive Plan and other comprehensive documents. The reason for not using a variance was because they require statutory criteria, specifically that the problem was not self-created. Changing the zoning was the appropriate process for this development and was a step forward in the ultimate goal of fulfilling the public purpose and vision by the decades of public planning for this CMP site.

Ms. Wiggins asked who had hired the outside attorney for this legal opinion, and Ms. Lindsay advised that Legal had asked for that opinion to do their due diligence for the sake of transparency because they anticipated the public could have questions, and they wanted to make sure the Board had answers.

Mr. Gunther stated that he was under the impression that DPZ was hired by the developer, and Chairman Ritz confirmed that. Mr. Gunther explained if the CRA had hired DPZ to make changes in zoning, that would make sense, but this was not the case here. He was opposed to a higher lot coverage ratio and more height along the water. He did not blame the developer for asking, but it did allow for taller and wider buildings. The citizens had spent millions on site development to maximize the connection to the water, but when you build a wider building, it creates a wall effect along the water. He explained that when planning is done right, the shorter buildings are along the water.

Ms. Wiggins stated this was also her concern with removing the term "maximize" from the document. Chairman Ritz advised he appreciated the work by DPZ and as a designer, he preferred the 6 stories language to 60 feet. Open spaces are not a reason for people to go there, but if you place something there, it connects people to the water. To correct some statements, Ms. Khoury explained they were not adding additional height, and most of the buildings would be 4 and 5 stories. Also, the reason for writing the WRD-1 was that the WRD was archaic, and they wanted it to reflect what the CRA encouraged, and they also heard from the community that they wanted to see more redevelopment.

Mr. Speck added it was important to make a distinction between rural beach development, as in Santa Rosa Beach, and urban beach developments like Portofino and Venice. Those are examples of other urban

waterfronts as they are models where spaces are well shaped by buildings, and he further explained that too many spaces between buildings actually cause you to not feel comfortable in public places.

Ms. Powell asked if the WRD was archaic, why not just modify the WRD. Chairman Ritz explained the applicant did not want to speak for the other WRD property owners; they were just considering the properties they control. Ms. Powell pointed out (c) of the landscaping guidelines that the "shoreline vistas" were more than just a view. The ability to see would be constricted by the buildings. Chairman Ritz advised the building code would regulate the height of the buildings. Ms. Cannon explained per the CRA overlay district, the heights for the ground story floor were beginning at 16', 20' and 24' and the maximum aboveground story heights were 14' so with the highest at 24' ground floor and 14' for the other stories, the potential would be a 94' building height. Ms. Khoury added that 24' on the ground floor was for retail only.

Ms. Wiggins was concerned with parking becoming unaffordable, citing Southtowne as the most expensive parking lot and believed parking would also become restricted and expensive. Ms. Morris advised that parking requirements in the CRA were greatly reduced based on land use in 2013 by Council and the Planning Board, and any future development would have to address the off-street parking, but there were other methods in the Code which allow for off-site parking through shared use agreements to provide flexibility. These future developments would be required to handle and address the required off-street parking to support the developments, and that would come before this Board when the developments apply for permitting. She also stated they had changed how we measure building height as the first habitable floor and tried to incentivize parking underneath instead of surface parking.

Mr. Grundhoefer addressed 5. (b) regarding CRA Overlay standards being "encouraged." Ms. Morris further explained the CRA Overlay is applicable to any district within the three CRAs in the downtown area not within a review district, anything not subjected to additional review beyond standard permitting. While this property is within the CRA Overlay boundary, it does not fall under the Overlay since it is protected by the WRD. They referred to the CRA Overlay guidelines and encouraged them, and the Board could recommend as part of their oversight some components of the CRA Overlay for the applicants to consider.

Regarding parking, Mr. Rothfeder stated currently as it is developed, it could be arranged with parking garages, and the market would determine what gets developed there. He stated the goals of this development were to connect the commercial core with the west side, to take this underutilized land and develop it in a way that accomplishes the goals of attracting and retaining our talent, and produces a wide array of housing that meets the market's demand and allows units which permit people to live in the project earning \$30,000 a year. He asked Ms. Khoury if there was anything that would be different if they had asked this development be done for them, the CRA, or a public entity, and Ms. Khoury indicated there would not. They were opening views to the waterfront and keeping with the character of the area, and for anyone else, it would still be very similar to this. She advised Mr. Studer did not direct any of this, but that the market study and prior plans, along with Civicon speakers, all supported the ideas presented.

Ms. Cannon explained the motion of the Board would be to "recommend" to the City Council. Ms. Morris advised this item would be presented at the Council's November 14<sup>th</sup> meeting. Mr. Grundhoefer suggested not striking the historic language, and he had no problem with the 60 feet versus the six (6) story language and was also not concerned with the 95 (ninety-five) percent lot coverage because of who the developer is. Mr. Grundhoefer made a motion to approve a recommendation to the Council. Chairman Ritz clarified the historic language of (5) (b) 4. and 5. was to remain.

Ms. Powell was not confident if they kept the 95% going forward that it would not impact other things. Ms. Wiggins wanted to remove "enhance" retain "maximum" and "maximize" in (5) (a) 1. and Mr. Grundhoefer accepted. Ms. Wiggins seconded the motion, and it carried unanimously.

Consider Rezoning and Future Land Use Map Amendment for 14 W. Jordan Street

Millwood Terrace, Inc. is requesting a Zoning Map and Future Land Use Map (FLUM) Amendment for the property located at 14 W. Jordan Street and identified by parcel number 00-0S-00-9010-001-124. The property currently has split zoning with C-2 on the southeastern portion and R-2 on the western portion; the Future Land Use Map (FLUM) is consistent with Commercial and Office designations. The applicants are proposing to amend the zoning district to C-1 Commercial zoning district and the FLUM to Commercial.

Mr. Page presented to the Board and stated the purpose was to have all the buildings zoned consistently. He said they originally thought to pursue R-2 to be consistent along Palafox Street, but staff recommended the C-1 category because it was less intense than C-2. Currently, the line separating the C-2 from R-2 runs through several of the buildings by several feet. He explained they had met with Councilwoman Cannada-Wynn onsite since she represents that district. Chairman Ritz was favorable with the C-1 classification transitioning into the neighborhood, noting his home is also in a C-1 designation. Mr. Page explained the existing uses were physicians' offices with the right corner being a pharmacy.

Mr. Gunther advised he owned the building to the north of the property and was concerned with street parking and any plans to reduce the existing parking. Chairman Ritz pointed out the Board could not make decisions on what might be. Mr. Page explained there were no plans to make any adjustments in development but more an opportunity to make sure the financing entities were satisfied that all of the buildings could be used under one category. Ms. Wiggins made a motion for approval, seconded by Ms. Sampson. Mr. Grundhoefer asked about the parcels, and Mr. Page further explained the survey showed the zoning line currently splits the pharmacy space. The motion then carried unanimously.

#### Consider Preliminary Approval for 500 E. Gregory Street

George Williams, AIA, Goodwyn Mills Cawood, is requesting preliminary approval for site improvements for a new (replacement) building for the adult entertainment business "Sammy's" located in the Gateway Review District (GRD). The new building will substantially increase the conformity of the project to the Land Development Code by improving parking, open space, landscaping and overall site design. Chairman Ritz noted this was the first consideration which was formerly within the Gateway Review Board purview.

Mr. Williams, a representative of Goodwyn Mills Cawood, presented to the Board and stated this project had been ongoing for well over a year. After evaluating the existing building and what was necessary to bring it up to Code, it became clear that would be quite expensive. They stepped back to consider a new building in lieu of the existing building, since there were certain criteria financial and otherwise that prohibited them from closing the existing building, demolishing it, and building a new one. They tried to be creative in locating a new building onsite, realizing there were certain criteria to be met in the Gateway District, and the new building could not be larger than the existing building. The basic request involved the location of the new building, and aesthetics would return to the Board. He pointed out the parking spaces to the west were leased from the City and were included in the car count. The variance for the rear of the building would go away. He pointed out the GRD district requires 25% pervious land area, and currently they have 24.5% of pervious surface in the redevelopment plan which was still a tremendous enhancement. Additionally, the parking requires one space for each 75 sq. ft. with a total parking requirement of 74 spaces; the plan presents 70 parking spaces, and they are 3 spaces deficient based on the City's criteria. He explained this plan would require an FDOT review since they were relocating a driveway on Gregory Street which was less than the standard.

Regarding the Gateway guidelines, Ms. Cannon referred the Board to Sec. 12-2-81 (C) for the contents of the preliminary plan which asks for general information at this point. She explained when the applicant returned, the Board would be looking at another list of requirements for the final phase. Chairman Ritz noted the layout reminded him of Publix with parking on the less intent street, and the building closer to the busier street giving it more edge. He pointed out the applicant had met the preliminary requirements, and he could support the project. Ms. Wiggins made a motion to approve, seconded by Ms. Sampson. Mr.

Grundhoefer questioned stormwater, and Mr. Williams stated they had engaged Rebol Battle since the site has 4,300 sq. ft. of pervious surface, and they were doubling that number. He indicated they would comply with whatever the stormwater requirements of the City might be and would return with the aesthetics. The motion then carried unanimously.

Open Forum – Chairman Ritz explained there had been a request to change the time of the October 24<sup>th</sup> Tree Ordinance workshop to 3pm-5pm to accommodate Council members who wanted to participate. Ms. Wiggins was concerned with the changed time that the public would not have a chance to weigh in after working hours. Ms. Cannon suggested there could be a second workshop not scheduled on a Council meeting night, and Ms. Wiggins appreciated that the public would then have a chance to participate. Chairman Ritz pointed out that it will likely take more than one workshop since this was very far reaching for many constituents. Ms. Cannon advised she would look for future dates on non-Council nights going forward to January and would present those at the November meeting of the Board and notify by email as well.

Adjournment – With no further business, Chairman Ritz adjourned the meeting at 3:48 pm.

Respectfully Submitted,

Cynthia Cannon  
Secretary to the Board

# Legend

 Parcel with split zoning

R-1AA

R-2

N BAYLEN ST

E MAXWELL ST

R-2 portion of parcel

W MAXWELL ST

C-3

C-2

C-2 portion of parcel

SSD

N PALAFOX ST

N SPRING ST

W JORDAN ST

R-1AAA

Existing Zoning: C-2 & R-2  
Proposed Zoning: C-1

0 0.02 0.04 Miles

Date: 10/22/2019



This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

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W HERI



Memorandum

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File #: 36-19

City Council

11/14/2019

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**LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

PROPOSED ORDINANCE NO. 36-19 - REQUEST FOR FUTURE LAND USE AMENDMENT - 14 WEST JORDAN STREET

**RECOMMENDATION:**

That City Council approve Proposed Ordinance No. 36-19 on first reading:

AN ORDINANCE AMENDING THE FUTURE LAND USE 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.

**HEARING REQUIRED:** Public

**SUMMARY:**

The City has received a request from Millwood Terrace, Inc. to amend the City's Future Land Use Map from Office (O) to Commercial (C), and the City's Zoning Map from R-2 (Residential Office) and C-2 (Commercial) to C-1 (Retail Commercial).

The property currently has split zoning with a more intense commercial zoning designation of C-2 on the southeastern portion and R-2 on the western portion; the Future Land Use Map (FLUM) is consistent with Commercial and Office designations. This request will provide the parcel with a singular zoning district category of C-1 and a singular FLUM designation of Commercial.

Although the C-1 zoning district currently does not lie within the immediate area, the proposed district will appropriately serve as a transition area between the more-intensive C-2 zoning abutting the subject property to the east and the more-restrictive R-1AAA zoning district directly across North Baylen Street to the west. Additionally, it will serve as a transition to the properties located directly to the south across W. Jordan and north across W. Maxwell Streets which are located within the R-2 zoning district.

On October 10, 2019, the Planning Board unanimously recommended approval of the request.

**PRIOR ACTION:**

None

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

10/24/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Keith Wilkins, Deputy City Administrator - Administration & Enterprise  
Kerrith Fiddler, Deputy City Administrator - Community Development  
Sherry H. Morris, Planning Services Administrator

**ATTACHMENTS:**

- 1) Proposed Ordinance No. 36-19
- 2) 14 W. Jordan St. Planning Board Zoning Map Amendment Application - 08/10/19
- 3) Planning Board Minutes - 08/10/19 (DRAFT)
- 4) Future Land Use Map, dated October 2019

**PRESENTATION:** No

PROPOSED  
ORDINANCE NO. 36-19

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN  
AND FUTURE LAND USE MAP OF THE CITY OF  
PENSACOLA, FLORIDA; REPEALING CLAUSE;  
PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Pensacola adopted a Comprehensive Plan on October 4, 1990, pursuant to applicable law; and

WHEREAS, the City Council desires to effect an amendment to a portion of the Future Land Use element of the Comprehensive Plan; and

WHEREAS, said amendment is consistent with the other portions of the Future Land Use Element and all other applicable elements of the Comprehensive Plan, as amended; and

WHEREAS, said amendment will affirmatively contribute to the health, safety and general welfare of the citizens of the City of Pensacola; and

WHEREAS, the City Council has followed all of the procedures set forth in §§163.3184 and 163.3187, Fla. Stat., and all other applicable provisions of law and local procedures with relation to amendment to the Future Land Use Element of the Comprehensive Plan; and

WHEREAS, proper public notice was provided and appropriate public hearing was held pursuant to the provisions referred to hereinabove as to the following amendment to the Comprehensive Plan and Future Land Use map of the City of Pensacola; NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. That the Comprehensive Plan and Future Land Use Map of the City of Pensacola, and all notations, references and information shown thereon as it relates to the following described real property in the City of Pensacola, Florida, to-wit:

PARCEL 1:

Lots 1 to 12, inclusive and the West 29 feet of Lot 13, and all of Lots 26 to 30, inclusive, Block 124, EAST KING TRACT, BELMONT

NUMBERING, in the City of Pensacola, Escambia County, Florida, according to the map of said City copyrighted by Thomas C. Watson in 1906.

PARCEL2:

Lots 26 and 27 and the East 25 feet of Lot 28; the West 5 feet of Lot 25; the South 30 feet of Lots 12, 13 and 14 and the East 10 feet of the South 30 feet of Lot 11, Block 123, EAST KING TRACT, BELMONT NUMBERING, Escambia County, Florida, according to a Map of the City of Pensacola, copyrighted by Thomas C. Watson in 1906.

PARCEL3:

The West 50 feet of Lots 19 through 24 inclusive, and the East 25 feet of Lot 25, Block 123, EAST KING TRACT, BELMONT NUMBERING, according to a Map of the City of Pensacola, copyrighted by Thomas C. Watson in 1906, Escambia County, Florida

PARCEL4:

The East 75 feet of Lots 20, 21, 22, 23 and 24, Block 123, EAST KING TRACT, BELMONT NUMBERING in the City of Pensacola, Escambia County, Florida, according to Map of said City copyrighted by Thomas C. Watson in 1906.

PARCELS:

Lots 11, 12, 13, 14 and 15, in Block 119, all in EAST KING TRACT, BELMONT NUMBERING, in the City of Pensacola, Escambia County, Florida, according to Map of said City copyrighted by Thomas C. Watson in 1906.

the same is hereby changed to C (commercial) Future Land Use District, fully as if all of the said real property had been originally included in City of Pensacola C (commercial) Future Land Use District.

SECTION 2. The City Council shall by subsequently adopted ordinance change the zoning classification and zoning map for the subject property to a permissible zoning classification, as determined by the discretion of the City Council, which is consistent with the future land use classification adopted by this ordinance. Pending the adoption of such a rezoning ordinance, no development of the subject property shall be permitted which is inconsistent with the future land use classification adopted by this ordinance.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Passed: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

PLANNING SERVICES

**MEMORANDUM**

**TO:** Planning Board Members

**FROM:** Cynthia R. Cannon, AICP, Assistant Planning Services Administrator 

**DATE:** September 27, 2019

**SUBJECT:** Request for Zoning Map and Future Land Use Map Amendment  
14 W. Jordan Street

Millwood Terrace, Inc. is requesting a Zoning Map and Future Land Use Map (FLUM) Amendment for the property located at 14 W. Jordan Street and identified by parcel number 00-05-00-9010-001-124. The property currently has split zoning with C-2 on the southeastern portion and R-2 on the western portion; the Future Land Use Map (FLUM) is consistent with Commercial and Office designations. The applicants are proposing to amend the zoning district to C-1 Commercial zoning district and the FLUM to Commercial.

Existing Zoning	Proposed Zoning	Existing FLUM	Proposed FLUM	Lot Size
R-2 & C-2	C-1	Office & Commercial	Commercial	1.69 acres

- R-2 (existing) provides a mixture housing types and office uses, in some cases the R-2 district is also intended as a transition area between commercial and residential uses.
- C-1 (*PROPOSED*) is intended to provide a transitional buffer between mixed-use neighborhood commercial areas and more intense commercial zoning.
- C-2 (existing) is intended to provide for major commercial areas intended primarily for retail sales and service establishments oriented to a general community and/or market.

Although the C-1 zoning district currently does not lie within the immediate area, the proposed district will appropriately serve as a transition area between the more-intensive C-2 zoning abutting the subject property to the east and the more-restrictive R-1AAA zoning district directly across N. Baylen Street to the west. Additionally, it will serve as a transition to the properties located directly to the south across W. Jordan and north across W. Maxwell Streets which are located within the R-2 zoning district.

This request has been routed through the various City departments and utility providers. Those comments are attached for your review.

Review Routing  
Project: 14 W Jordon

Meeting: October 8, 2019  
Comments Due: September 24, 2019

Department:	Comments:	Date Rec'd
FIRE	No comments.	9/18/2019
PW/E	No objections.	9/23/2019
Insp Svcs	None received.	
ESP	No comments.	9/11/2019
ECUA	No comments.	9/11/2019
GPW	None received.	
ATT	No comments.	9/6/2019



**REZONING**

Please check application type:

<input type="checkbox"/> <b>Conventional Rezoning</b>	<b>Comprehensive Plan / FLUM Amendment</b>	
Application Fee: \$2,500.00	<input checked="" type="checkbox"/> (< 10 acres) \$3,500.00	<input type="checkbox"/> (≥ 10 acres) \$3,500.00
Rehearing/Rescheduling (Planning Board): \$250.00	\$250.00	\$250.00
Rehearing/Rescheduling (City Council): \$750.00	\$750.00	\$1,000.00

**Applicant Information:**

Name: Millwood Terrace, Inc. Date: Sept. 12, 2017  
 Address: 1111 Tamara Drive Pensacola, Florida 32504  
 Phone: 850-232-9853 Fax: \_\_\_\_\_ Email: budpage1@att.net

**Property Information:**

Owner Name: Millwood Terrace, Inc. Phone: \_\_\_\_\_  
 Location/Address: ~~1111 Tamara Drive~~ Pensacola, Florida 32504 **14 W. Jordan St., Pensacola, FL, 32501**  
 Parcel ID: 0 0 - 0 S - 0 0 - 9 0 1 0 - 0 0 1 - 1 2 4 Acres/Square Feet: 01.02ac  
 Zoning Classification: Existing C-2 & R-2 Proposed C-2 C-1  
 Future Land Use Classification: Existing Office Proposed Commercial

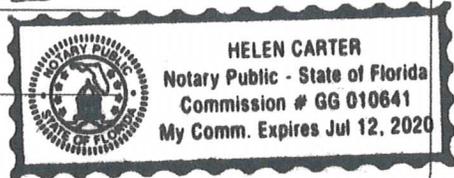
Reason Rezoning Requested: \_\_\_\_\_  
Several office leases within the buildings are expiring; if rezoning is approved, owner plans to offer some units for retail uses.

Required Attachments: (A) Full legal description of property (from deed or survey)  
 (B) General location map with property to be rezoned indicated thereon

The above information, together with all other answers and information provided by me (us) as petitioner (s)/applicant (s) in the subject application, and all other attachments thereto, is accurate and complete to the best of my (our) knowledge and belief as of this 15 day of September, 2017.

Applicant Signature \_\_\_\_\_ Clint Foster  
 Owner Signature

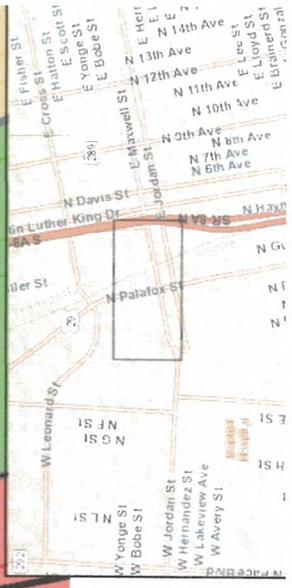
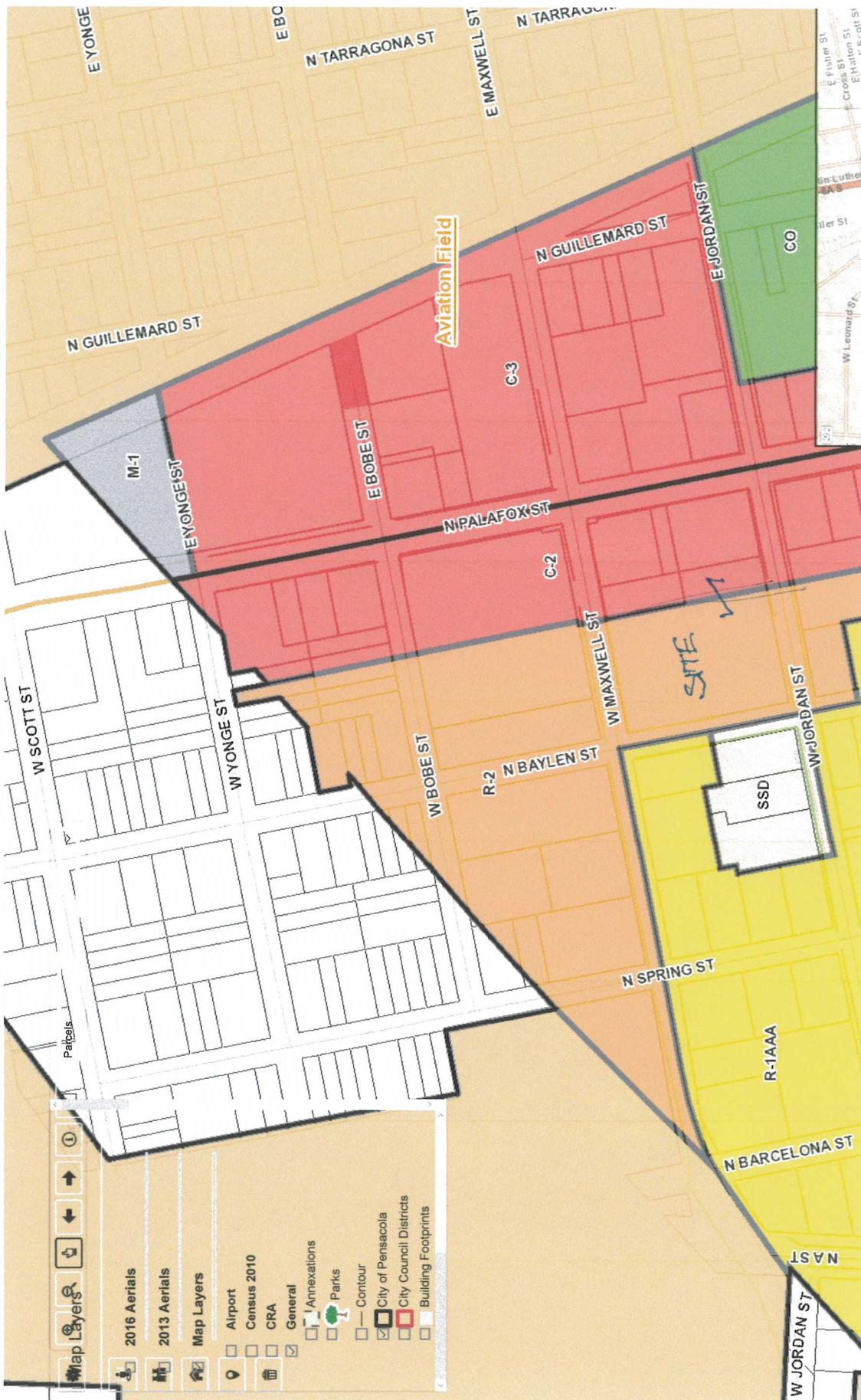
Applicant Name (Print) \_\_\_\_\_  
 Millwood Terrace, Inc.  
 Owner Name (Print)



Sworn to and subscribed to before me this 15 day of September, 2017  
 Name: [Signature] Commission Expires: 07/12/20

**FOR OFFICE USE ONLY**

Council District: \_\_\_\_\_ Date Received: \_\_\_\_\_ Case Number: \_\_\_\_\_  
 Date Postcards mailed: \_\_\_\_\_ Planning Board Date: \_\_\_\_\_ Recommendation: \_\_\_\_\_  
 Committee Date: \_\_\_\_\_ Council Date: \_\_\_\_\_ Council Action: \_\_\_\_\_  
 Second Reading: \_\_\_\_\_ Ordinance Number: \_\_\_\_\_



*Sec 12-2-8  
Commercial*

# Legend

 Parcel with split zoning

R-1AA

R-2

N BAYLEN ST

R-2 portion of parcel

W MAXWELL ST

E MAXWELL ST

C-3

C-2

C-2 portion of parcel

SSD

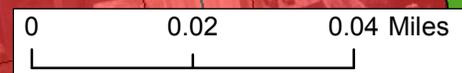
N PALFOX S

N SPRING ST

W JORDAN ST

**Existing Zoning: C-2 & R-2**  
**Proposed Zoning: C-1**  
**Existing FLU: Office**  
**Proposed FLU: Commercial**

R-1AAA



Date: 9/26/2019



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# Legend

 Parcel with split zoning

R-1AA

R-2

N BAYLEN ST

E MAXWELL ST

R-2 portion of parcel

W MAXWELL ST

C-3

C-2

C-2 portion of parcel

SSD

N PALAFOX S

N SPRING ST

W JORDAN ST

Existing Zoning: C-2 & R-2 R-1AAA

Proposed Zoning: C-1

Existing FLU: Office

Proposed FLU: Commercial

0 0.02 0.04 Miles

Date: 9/26/2019



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Prepared By:  
Margaret T. Stopp, of  
Moore, Hill & Westmoreland, P.A.  
Post Office Box 13290  
Pensacola, Florida 32591-3290

WARRANTY DEED

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

THIS WARRANTY DEED made the 8<sup>th</sup> day of November, 2006, by NATIONAL LAUNDRY & CLEANING COMPANY, INC., a Florida corporation, hereinafter called the Grantor (whether singular or plural), to MILLWOOD TERRACE, INC., a Florida corporation, whose post office address is Post Office Box 62519, Colorado Spring, Colorado 80962 hereinafter called the Grantee (whether singular or plural):

WITNESSETH: That the Grantor, for and in consideration of the sum of \$10.00 and other valuable considerations, receipt whereof is hereby acknowledged, hereby grants, bargains, sells, aliens, remises, releases, conveys and confirms unto the Grantee, all that certain land situate in Escambia County, Florida, to-wit:

PARCEL 1:

Lots 1 to 12, inclusive and the West 29 feet of Lot 13, and all of Lots 26 to 30, inclusive, Block 124, EAST KING TRACT, BELMONT NUMBERING, in the City of Pensacola, Escambia County, Florida, according to the map of said City copyrighted by Thomas C. Watson in 1906.

PARCEL 2:

Lots 26 and 27 and the East 25 feet of Lot 28; the West 5 feet of Lot 25; the South 30 feet of Lots 12, 13 and 14 and the East 10 feet of the South 30 feet of Lot 11, Block 123, EAST KING TRACT, BELMONT NUMBERING, Escambia County, Florida, according to a Map of the City of Pensacola, copyrighted by Thomas C. Watson in 1906.

PARCEL 3:

The West 50 feet of Lots 19 through 24 inclusive, and the East 25 feet of Lot 25, Block 123, EAST KING TRACT, BELMONT NUMBERING, according to a Map of the City of Pensacola, copyrighted by Thomas C. Watson in 1906, Escambia County, Florida.

PARCEL 4:

The East 75 feet of Lots 20, 21, 22, 23 and 24, Block 123, EAST KING TRACT, BELMONT NUMBERING in the City of Pensacola, Escambia County, Florida, according to Map of said City copyrighted by Thomas C. Watson in 1906.

PARCEL 5:

Lots 11, 12, 13, 14 and 15, in Block 119, all in EAST KING TRACT, BELMONT NUMBERING, in the City of Pensacola, Escambia County, Florida, according to Map of said City copyrighted by Thomas C. Watson in 1906.

Parcel Identification Numbers: 000S00-9010-200-123; 000S00-9010-010-119; 000S00-9010-111-123; 000S00-9010-140-123 and 000S00-9010-001-124

THIS CONVEYANCE IS SUBJECT TO THE FOLLOWING:

Conditions, restrictions, limitations and easements of record, if any, but this provision shall not operate to re-impose the same.

Zoning and other governmental regulations.

Taxes and assessments for 2006 and subsequent years.

TOGETHER with all the tenements, hereditaments and appurtenances thereto belonging or in anyway appertaining.

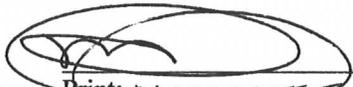
TO HAVE AND TO HOLD the same in fee simple forever.

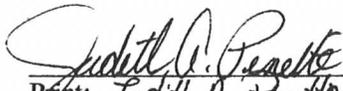
AND the Grantor hereby covenants with said Grantee that the Grantor is lawfully seized of said land in fee simple; that the Grantor has good right and lawful authority to sell and convey said land; that the Grantor hereby fully warrants the title to said land and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, the said Grantor has signed and sealed these presents the day and year first above written.

Signed, sealed and delivered  
in the presence of:

NATIONAL LAUNDRY & CLEANING  
COMPANY, INC.

  
Print: MARGARET T. STOPP

  
Print: Judith A. Finette

By:   
R. BRUCE MORRISON, Its President  
107 West Gregory Street  
Pensacola, Florida 32501

STATE OF FLORIDA  
COUNTY OF ESCAMBIA

The foregoing instrument was acknowledged before me this 8<sup>th</sup> day of November, 2006, by R. Bruce Morrison, III as President of National Laundry & Cleaning Company, Inc., who is personally known to me or who has produced FL. Drivers Lic. as identification and who did not take an oath.

My Commission Expires:

  
NOTARY PUBLIC



**2017 FLORIDA PROFIT CORPORATION ANNUAL REPORT**

DOCUMENT# P07000021290

**Entity Name:** MILLWOOD TERRACE, INC.

**Current Principal Place of Business:**

14 W. JORDAN  
PENSACOLA, FL 32501

**Current Mailing Address:**

1111 TAMARA DR.  
PENSACOLA, FL 32504

**FEI Number:** 55-0818124

**Certificate of Status Desired:** No

**Name and Address of Current Registered Agent:**

FOSHA, CHARLES E  
1111 TAMARA DR  
PENSACOLA, FL 32504 US

*The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.*

**SIGNATURE:** CHARLES E FOSHA

01/16/2017

Electronic Signature of Registered Agent

Date

**Officer/Director Detail :**

Title            PRES  
Name            FOSHA, CHARLES E  
Address        1111 TAMARA DR  
City-State-Zip: PENSACOLA FL 32504

*I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 607, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.*

**SIGNATURE:** CHARLES FOSHA

PRESIDENT

01/16/2017

Electronic Signature of Signing Officer/Director Detail

Date

## Cynthia Cannon

---

**From:** Annie Bloxson  
**Sent:** Wednesday, September 18, 2019 7:30 AM  
**To:** Cynthia Cannon  
**Subject:** RE: Please Review & Comment - 14 W Jordon St. Rezoning

Good Morning,

I have no issues. Thank you.

Respectfully,

### Annie Bloxson

Fire Marshal

Visit us at [PensacolaFire.com](http://PensacolaFire.com)

475 E. Strong St.

Pensacola, FL 32501

Office: 850.436.5200

[abloxson@cityofpensacola.com](mailto:abloxson@cityofpensacola.com)



*Florida has a very broad public records law. As a result, any written communication created or received by City of Pensacola officials and employees will be made available to the public and media, upon request, unless otherwise exempt. Under Florida law, email addresses are public records. If you do not want your email address released in response to a public records request, do not send electronic mail to this office. Instead, contact our office by phone or in writing.*

**From:** Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>

**Sent:** Friday, September 06, 2019 12:58 PM

**To:** Amy Hargett <[ahargett@cityofpensacola.com](mailto:ahargett@cityofpensacola.com)>; Andre Calaminus (ECUA) <[andre.calaminus@ecua.fl.gov](mailto:andre.calaminus@ecua.fl.gov)>; Annie Bloxson <[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)>; Bill Kimball <[bkimball@cityofpensacola.com](mailto:bkimball@cityofpensacola.com)>; Brad Hinote <[bradhinote@cityofpensacola.com](mailto:bradhinote@cityofpensacola.com)>; Brian Cooper <[bcooper@cityofpensacola.com](mailto:bcooper@cityofpensacola.com)>; Chris Mauldin <[CMauldin@cityofpensacola.com](mailto:CMauldin@cityofpensacola.com)>; Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>; Derrick Owens <[DOwens@cityofpensacola.com](mailto:DOwens@cityofpensacola.com)>; Diane Moore <[DMoore@cityofpensacola.com](mailto:DMoore@cityofpensacola.com)>; Jonathan Bilby <[JBilby@cityofpensacola.com](mailto:JBilby@cityofpensacola.com)>; Karl Fenner (AT&T) <[KF5345@att.com](mailto:KF5345@att.com)>; Kellie L. Simmons (Gulf Power) <[kellie.simmons@nexteraenergy.com](mailto:kellie.simmons@nexteraenergy.com)>; Leslie Statler <[LStatler@cityofpensacola.com](mailto:LStatler@cityofpensacola.com)>; Miriam Woods <[MWoods@cityofpensacola.com](mailto:MWoods@cityofpensacola.com)>; Paul A Kelly(GIS) <[PAKelly@cityofpensacola.com](mailto:PAKelly@cityofpensacola.com)>; Robbie Weekley <[rweekley@cityofpensacola.com](mailto:rweekley@cityofpensacola.com)>; Ryan J. Novota <[RNovota@cityofpensacola.com](mailto:RNovota@cityofpensacola.com)>; Sherry Morris

## Cynthia Cannon

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**From:** Derrik Owens  
**Sent:** Friday, September 6, 2019 1:53 PM  
**To:** Cynthia Cannon  
**Cc:** Ryan J. Novota; Brad Hinote  
**Subject:** RE: Please Review & Comment - 14 W Jordon St. Rezoning

PW&F has no objection to the request.....

**From:** Cynthia Cannon  
**Sent:** Friday, September 06, 2019 12:58 PM  
**To:** Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>  
**Subject:** Please Review & Comment - 14 W Jordon St. Rezoning

Good afternoon all!

Please review and comment on the attached Rezoning request for the property located at 14 W Jordan St. and identified with parcel number 00-0S-00-9010-001-124. All comments must be received by close of business on **Tuesday, September 24, 2019.**

Please note this request *does* include an amendment to the Future Land Use Map.

If you have any questions please let us know.

Thank you,

**Cynthia Cannon, AICP**  
*Assistant Planning Services Administrator*  
Visit us at <http://cityofpensacola.com>  
222 W Main St.  
Pensacola, FL 32502  
Office: 850.435-1670  
[ccannon@cityofpensacola.com](mailto:ccannon@cityofpensacola.com)



## Cynthia Cannon

---

**From:** Diane Moore  
**Sent:** Wednesday, September 11, 2019 7:36 AM  
**To:** Cynthia Cannon  
**Subject:** RE: Please Review & Comment - 14 W Jordon St. Rezoning

Cynthia,  
Pensacola Energy has no comments on this zoning request.

Thanks,  
Diane

Diane Moore | Gas Distribution Engineer  
Pensacola Energy | 1625 Atwood Drive, Pensacola, FL 32514  
Desk: 850-474-5319 | Cell: 850-324-8004 | Fax: 850-474-5331  
Email: [dmoore@cityofpensacola.com](mailto:dmoore@cityofpensacola.com)

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For Non-Emergency Citizen Requests, Dial 311 or visit [Pensacola311.com](http://Pensacola311.com)

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**From:** Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>  
**Sent:** Friday, September 6, 2019 12:58 PM  
**To:** Amy Hargett <[ahargett@cityofpensacola.com](mailto:ahargett@cityofpensacola.com)>; Andre Calaminus (ECUA) <[andre.calaminus@ecua.fl.gov](mailto:andre.calaminus@ecua.fl.gov)>; Annie Bloxson <[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)>; Bill Kimball <[bkimball@cityofpensacola.com](mailto:bkimball@cityofpensacola.com)>; Brad Hinote <[bradhinote@cityofpensacola.com](mailto:bradhinote@cityofpensacola.com)>; Brian Cooper <[bcooper@cityofpensacola.com](mailto:bcooper@cityofpensacola.com)>; Chris Mauldin <[CMauldin@cityofpensacola.com](mailto:CMauldin@cityofpensacola.com)>; Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>; Derrick Owens <[DOWens@cityofpensacola.com](mailto:DOWens@cityofpensacola.com)>; Diane Moore <[DMoore@cityofpensacola.com](mailto:DMoore@cityofpensacola.com)>; Jonathan Bilby <[JBilby@cityofpensacola.com](mailto:JBilby@cityofpensacola.com)>; Karl Fenner (AT&T) <[KF5345@att.com](mailto:KF5345@att.com)>; Kellie L. Simmons (Gulf Power) <[kellie.simmons@nexteraenergy.com](mailto:kellie.simmons@nexteraenergy.com)>; Leslie Statler <[LStatler@cityofpensacola.com](mailto:LStatler@cityofpensacola.com)>; Miriam Woods <[MWoods@cityofpensacola.com](mailto:MWoods@cityofpensacola.com)>; Paul A Kelly(GIS) <[PAKelly@cityofpensacola.com](mailto:PAKelly@cityofpensacola.com)>; Robbie Weekley <[rweekley@cityofpensacola.com](mailto:rweekley@cityofpensacola.com)>; Ryan J. Novota <[RNovota@cityofpensacola.com](mailto:RNovota@cityofpensacola.com)>; Sherry Morris <[SMorris@cityofpensacola.com](mailto:SMorris@cityofpensacola.com)>; Stephen Kennington (AT&T) <[sk1674@att.com](mailto:sk1674@att.com)>  
**Subject:** Please Review & Comment - 14 W Jordon St. Rezoning

Good afternoon all!

## Cynthia Cannon

---

**From:** Andre Calaminus <andre.calaminus@ecua.fl.gov>  
**Sent:** Wednesday, September 11, 2019 3:51 PM  
**To:** Cynthia Cannon  
**Subject:** RE: Please Review & Comment - 14 W Jordon St. Rezoning

Good afternoon Cynthia,

ECUA has no comment on the rezoning of that parcel 00-0S-00-9010-001-124 from C-2 & R-2 to C-1.

Thanks,

**Andre Calaminus | Right of Way Agent | Emerald Coast Utilities Authority |**  
P.O. Box 17089 | Pensacola, FL 32522-7089 | Web: [www.ecua.fl.gov](http://www.ecua.fl.gov) |  
Phone: (850) 969-5822 | Fax: (850) 969-6511 |

**From:** Cynthia Cannon [mailto:CCannon@cityofpensacola.com]  
**Sent:** Friday, September 06, 2019 12:58 PM  
**To:** Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinate <bradhinate@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>  
**Subject:** Please Review & Comment - 14 W Jordon St. Rezoning

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Good afternoon all!

Please review and comment on the attached Rezoning request for the property located at 14 W Jordan St. and identified with parcel number 00-0S-00-9010-001-124. All comments must be received by close of business on **Tuesday, September 24, 2019.**

Please note this request *does* include an amendment to the Future Land Use Map.

If you have any questions please let us know.

Thank you,

**Cynthia Cannon, AICP**  
Assistant Planning Services Administrator  
Visit us at <http://cityofpensacola.com>

## Cynthia Cannon

---

**From:** SAUERS, BRAD <bs5403@att.com>  
**Sent:** Friday, September 6, 2019 3:02 PM  
**To:** Cynthia Cannon  
**Subject:** FW: Please Review & Comment - 14 W Jordon St. Rezoning  
**Attachments:** 14 W. Jordan \_ Complete Application.pdf

AT&T has no comments or objections at this time.

Brad Sauers  
Manager – OSP Plng and Eng  
Technology Operations

AT&T  
605 W Garden St, Pensacola, FL 32502  
o 850.436.1495 | bs5403@att.com

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**From:** KENNINGTON, STEPHEN  
**Sent:** Friday, September 06, 2019 1:11 PM  
**To:** SAUERS, BRAD <bs5403@att.com>  
**Subject:** FW: Please Review & Comment - 14 W Jordon St. Rezoning

Please review and comment as necessary.

SRK

**From:** Cynthia Cannon [<mailto:CCannon@cityofpensacola.com>]  
**Sent:** Friday, September 06, 2019 12:58 PM  
**To:** Amy Hargett <[ahargett@cityofpensacola.com](mailto:ahargett@cityofpensacola.com)>; Andre Calaminus (ECUA) <[andre.calaminus@ecua.fl.gov](mailto:andre.calaminus@ecua.fl.gov)>; Annie Bloxson <[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)>; Bill Kimball <[bkimball@cityofpensacola.com](mailto:bkimball@cityofpensacola.com)>; Brad Hinote <[bradhinote@cityofpensacola.com](mailto:bradhinote@cityofpensacola.com)>; Brian Cooper <[bcooper@cityofpensacola.com](mailto:bcooper@cityofpensacola.com)>; Chris Mauldin <[CMauldin@cityofpensacola.com](mailto:CMauldin@cityofpensacola.com)>; Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>; Derrick Owens <[DOwens@cityofpensacola.com](mailto:DOwens@cityofpensacola.com)>; Diane Moore <[DMoore@cityofpensacola.com](mailto:DMoore@cityofpensacola.com)>; Jonathan Bilby <[JBilby@cityofpensacola.com](mailto:JBilby@cityofpensacola.com)>; FENNER, KARL L <[kf5345@att.com](mailto:kf5345@att.com)>; Kellie L. Simmons (Gulf Power) <[kellie.simmons@nexteraenergy.com](mailto:kellie.simmons@nexteraenergy.com)>; Leslie Statler <[LStatler@cityofpensacola.com](mailto:LStatler@cityofpensacola.com)>; Miriam Woods <[MWoods@cityofpensacola.com](mailto:MWoods@cityofpensacola.com)>; Paul A Kelly(GIS) <[PAKelly@cityofpensacola.com](mailto:PAKelly@cityofpensacola.com)>; Robbie Weekley <[rweekley@cityofpensacola.com](mailto:rweekley@cityofpensacola.com)>; Ryan J. Novota <[RNovota@cityofpensacola.com](mailto:RNovota@cityofpensacola.com)>; Sherry Morris <[SMorris@cityofpensacola.com](mailto:SMorris@cityofpensacola.com)>; KENNINGTON, STEPHEN <[sk1674@att.com](mailto:sk1674@att.com)>  
**Subject:** Please Review & Comment - 14 W Jordon St. Rezoning

Good afternoon all!

MINUTES OF THE PLANNING BOARD  
October 8, 2019

MEMBERS PRESENT: Chairman Paul Ritz, Danny Grundhoefer, Ryan Wiggins,  
Charletha Powell, Eladies Sampson

MEMBERS ABSENT: Kurt Larson, Laurie Murphy

STAFF PRESENT: Cynthia Cannon, Assistant Planning Services Administrator, Sherry Morris, Planning  
Services Administrator, Heather Lindsay, Assistant City Attorney, Leslie Statler,  
Senior Planner, Michael Ziarnek, Transportation Planner-Complete Streets, Gregg  
Harding, Historic Preservation Planner, Brad Hinote, Engineering, Lawrence Powell,  
Neighborhoods Administrator, Councilwoman Myers, Councilwoman Hill, Mayor  
Robinson

OTHERS PRESENT: Andrew Rothfeder, P. Cantavespre, April Skipper, William J. Dunaway, Buddy Page,  
George Williams, George Biggs, Amir Fooladi, Fred Gunther

AGENDA:

- Quorum/Call to Order
- Approval of Meeting Minutes from September 10, 2019.
- New Business:
  1. Consider Amendment to LDC Section 12-2-12 Creating WRD-1
  2. Consider Rezoning and Future Land Use Map Amendment for 14 W. Jordan Street
  3. Consider Preliminary Approval for 500 E. Gregory Street
- Open Forum
- Adjournment

Call to Order / Quorum Present

Chairman Ritz called the meeting to order at 2:00pm with a quorum present and explained the procedures of the Board meeting.

Approval of Meeting Minutes

Ms. Sampson made a motion to approve the September 10, 2019 minutes, seconded by Ms. Powell, and it carried unanimously.

New Business

Consider Amendment to LDC Section 12-2-12 Creating WRD-1

Staff received a request to modify the Redevelopment Land Use District WRD by establishing a subcategory which would become the WRD-1. The proposed WRD-1 would be a standalone section with the intent of optimizing the future development of the City's Community Maritime Park (CMP) parcels. The overall park parcel was master planned for stormwater and open space during the final plat approval process in April

2013. Subsequently, lots 1 and 2 received Planning Board approval for development in 2013. Ms. Cannon advised future development on the CMP parcels within the proposed WRD-1 district would continue to be submitted to the Planning Board for aesthetic review. She advised the applicant and their consultant were available online to give a presentation to the Board.

Mr. Rothfeder, President of Studer Properties, presented to the Board and stated his firm had been asked to submit a master plan for the remaining parcels at the Maritime Park that was cohesive and worked with the 19 acre site across the street. He stated one of the first steps was to hire a market research firm which could confirm the demand for commercial and retail space in the downtown area; they subsequently hired Jeff Speck and Associates along with DPZ CoDESIGN. This process began nine months ago culminating with a week-long charrette involving public input. DPZ then presented the master plan, with the question being whether or not it would fit into the current zoning on the Maritime Park site. He represented to the Board that Ms. Khoury along with DPZ had worked with City staff to address an appropriate solution. He indicated the Studers had invested approximately one half million dollars into this project. He also stated there was a question being asked by a third party law firm about this rezoning, specifically about the purpose of the rezoning which would be addressed later by Mr. Dunaway.

Ms. Khoury then addressed the Board and asserted she had worked with the Planning staff. Her presentation consisted of 20 slides which focused on the Maritime Park parcel, and Mr. Speck was online to answer any questions. They were not aware of the rich history on this site and as such studied previous plans to evaluate lessons learned. The market study was completed before they conducted the charrette. The study demonstrated that there was an opportunity to extend the downtown to the waterfront. Ms. Khoury pointed out that Southtowne was an example of the desire for downtown living and that their study looked at the program for the market over a 15 year timeframe. The 19 acre site could accommodate 1,825 residential units, with the majority designated for rental units and approximately thirty percent designated as condos. She stated that the encouraging fact was that waterfront units could be affordable to people making \$30,000 and up and commercial and retail ranging anywhere from 80,000 to 200,000 sq. ft. and up. She pointed out the charrette was very positive, and residents were excited about what was being proposed. They proposed recreating the blocks with three linear greenways, the Maritime parcel with the parking completely lined, connections to Bruce Beach, and a boardwalk over the stormwater pond creating more of an environment.

WRD zoning permits 60 dwelling units per acre, and the proposed WRD-1 did not change this; the change was from height measured in feet to stories, to have generous floor to ceiling heights and certain commercial uses (still 60 units per acres – 60 sq. ft. to 6 stories). One of the biggest purposes was to change the intent or purpose of the district. They agreed WRD was archaic in the way it was written, and they tried to encourage waterfront activities. They learned the WRD was created as an antidote to the Port Royal gated development. The change does not affect the metrics but encourages development in a better way. They decided not to change things everyone was objecting to; the uses, density and parking remained the same. The height was changed from feet to stories.

The changes included permitting A-frame signage, festival signage and to prohibit illuminated signage. The landscaping would be appropriate for downtown with shrubs and trees. The lot coverage was changed from 75 (seventy-five) percent to 95 (ninety-five) percent on a parcel. The height would be measured in stories, and held to the height criteria outlined in the CRA Urban Overlay design standards.

Previous developers found that the current CMP plan did not ensure that a future developer would adhere to the same development standards. This needed to be addressed in order to develop a stable environment.

Ms. Wiggins addressed item (5) Regulations and why there was a strikethrough on (a) 1. from "maximum" and replaced with "enhance." Ms. Khoury explained maximum was too subjective of an opinion and that the bay walk had been enhanced since there were buildings up against it. She continued to state that as you

move toward the beach, it was a more active waterfront and that "maximizing" intends to imply a final condition which is hard to judge and that "enhancement" is easier in considering enhancement or optimizing; it is an attempt to provide a more objective way to judge if a building is behaving with the waterfront.

Chairman Ritz pointed out there were several areas dedicated to openness where buildings will not be constructed. Ms. Powell had a problem with blocking the view and felt both "maximum" and "enhance" were both subjective. Chairman Ritz stated even if the document was not changed, projects taking place here come before the Board where there would be a judgment call on what was being presented. It relies on the Board as a body listening to constituents or the developer themselves for process to determine the final consensus. Ms. Wiggins did not feel the WRD needed the change. She also asked why (5) (b) 4. and 5. were a strikethrough. Ms. Khoury stated there was no historic parcel connected to this district. Ms. Powell asked if whatever language the Board agreed to would apply to anyone who wanted to rezone, using this same language and would not just be for Maritime Park. Ms. Khoury stated it might be easier to unstrike this portion. Ms. Lindsay explained when modifying language to a code, the issue is you are setting a precedent for future use and contemplation, so any change you make, you should always be contemplating the long term impact and what incentives are you providing to future changes to the Code. Chairman Ritz explained if someone asked to be included in WRD-1, they would come before the Board to make the decision to incorporate them. Ms. Cannon confirmed they would go through the rezoning process which would be reviewed through the Planning Board. Ms. Powell asked if it was in the Code and the Board had agreed to it, and they are complying with everything in WRD-1, what would be the way the Board could say they could not be allowed in the district when they were complying. Ms. Lindsay advised that was actually what the outside legal opinion was concerned with - if you set the precedent, then you have to anticipate it will be used to expand in the future. The Board would have to decide the legitimate goals so there would be an argument against expansion if that was truly what they wanted to do. Chairman Ritz explained there was some latitude for the Board to determine if the applications were appropriate or not. There is an ebb and flow to a city, and we are not trying to be static but are trying to move forward with the appropriate ideas.

Ms. Wiggins asked if there was a need for WRD-1 and could exceptions be made as they applied to these parcels as opposed to changing Code. Ms. Lindsay advised there were other options which Ms. Morris had discussed with DPZ. Ms. Wiggins clarified she was referring to a variance instead of a Code change. Mr. Grundhoefer asked why the changes could not be included the WRD, and Ms. Cannon stated that if that was the proposed amendment then all parcels in the WRD district would be subject to the increased lot coverage and change in height requirements as opposed to just the CMP parcels. She explained the applicants were proposing to raise the design standards and encourage future developments to go through the new CRA Urban Overlay District for consistency and cohesiveness in development with the former ECUA parcel and that the WRD-1 was proposed as an effort to create a strategic development approach to the CMP parcels.

Mayor Robinson explained they started looking at how to create something based on what we see new happening in models that would allow us to have these features we would see in our normal historic waterfront. If we had been thinking that way today, we probably would not have built the governmental buildings the way we did. Things changed dramatically in 50 years, and the overall intent was simply if we can create what we want to create, why not create a district which would allow that. The choice was to amend WRD and start over.

Ms. Cannon clarified that the Gregory Stewart memo was emailed to the Board and uploaded to the online agenda center upon receipt. Ms. Lindsay stated the memo addressed some things which the Board might consider so the correct articulations could be made. Mr. Dunaway of Clark Partington was asked to address the memo which was provided as comments to Mr. Wells, Deputy City Attorney. The scope of the review was quite broad, and Mr. Stewart concluded that he was unable to determine whether there was a public purpose and a deliberative process for this planning, and he raised the question of what is the purpose of

this. The Board had heard that this project came because the group came to the City asking how they should best implement this plan – how should they best put it into action. The idea was to follow the pattern they did in the Gateway Redevelopment District with the creation of earlier sections in the Aragon area. He emphasized that Mr. Stewart's memo was absolutely correct to note that all the changes to the LDC must be legally consistent with the Comprehensive Plan. He advised the fundamental land development document for these parcels and others was the Community redevelopment Plan of 2010, which directly addresses this issue on page 33 where the Plan identifies a number of areas within the Urban Core Redevelopment area that should be considered for policy amendments to the City of Pensacola Comprehensive Plan and Land Development Code. It further states the CRA should investigate the existing land use categories and zoning districts to determine if the creation of new policies and new zoning districts should be considered to support the recommendations of and to carry out the redevelopment plan. Mr. Stewart concluded in his memo that he "was unable to identify whether such a public purpose is served and therefore, it appears that there is a potential legal issue that the new WRD-1 classification is arbitrary and capricious and constitutes spot zoning from this rezoning."

Mr. Dunaway advised that staff, Mr. Rothfeder and Ms. Khoury, along with actions from this Board and the City Council, can supply that information which he believed Mr. Stewart did not have. He further advised that the 2010 CRA plan on page 3 "establishes the framework for transformative policies and investments in the CRA." Within that context, the plan provides policy, programmatic and fiscal direction for the CRA as Pensacola reshapes its urban landscape and waterfront. The purpose of the plan is to define the strategic framework, concepts, themes, goals and objectives for the future of Pensacola's urban core. He explained that because a zoning section exists in the Code, does not necessarily mean that other parcels get to take advantage of that. All parcels within the City are zoned with their own zoning, and there is a process where zoning can be changed, only if it is consistent with the Comprehensive Plan and other comprehensive documents. The reason for not using a variance was because they require statutory criteria, specifically that the problem was not self-created. Changing the zoning was the appropriate process for this development and was a step forward in the ultimate goal of fulfilling the public purpose and vision by the decades of public planning for this CMP site.

Ms. Wiggins asked who had hired the outside attorney for this legal opinion, and Ms. Lindsay advised that Legal had asked for that opinion to do their due diligence for the sake of transparency because they anticipated the public could have questions, and they wanted to make sure the Board had answers.

Mr. Gunther stated that he was under the impression that DPZ was hired by the developer, and Chairman Ritz confirmed that. Mr. Gunther explained if the CRA had hired DPZ to make changes in zoning, that would make sense, but this was not the case here. He was opposed to a higher lot coverage ratio and more height along the water. He did not blame the developer for asking, but it did allow for taller and wider buildings. The citizens had spent millions on site development to maximize the connection to the water, but when you build a wider building, it creates a wall effect along the water. He explained that when planning is done right, the shorter buildings are along the water.

Ms. Wiggins stated this was also her concern with removing the term "maximize" from the document. Chairman Ritz advised he appreciated the work by DPZ and as a designer, he preferred the 6 stories language to 60 feet. Open spaces are not a reason for people to go there, but if you place something there, it connects people to the water. To correct some statements, Ms. Khoury explained they were not adding additional height, and most of the buildings would be 4 and 5 stories. Also, the reason for writing the WRD-1 was that the WRD was archaic, and they wanted it to reflect what the CRA encouraged, and they also heard from the community that they wanted to see more redevelopment.

Mr. Speck added it was important to make a distinction between rural beach development, as in Santa Rosa Beach, and urban beach developments like Portofino and Venice. Those are examples of other urban

waterfronts as they are models where spaces are well shaped by buildings, and he further explained that too many spaces between buildings actually cause you to not feel comfortable in public places.

Ms. Powell asked if the WRD was archaic, why not just modify the WRD. Chairman Ritz explained the applicant did not want to speak for the other WRD property owners; they were just considering the properties they control. Ms. Powell pointed out (c) of the landscaping guidelines that the "shoreline vistas" were more than just a view. The ability to see would be constricted by the buildings. Chairman Ritz advised the building code would regulate the height of the buildings. Ms. Cannon explained per the CRA overlay district, the heights for the ground story floor were beginning at 16', 20' and 24' and the maximum aboveground story heights were 14' so with the highest at 24' ground floor and 14' for the other stories, the potential would be a 94' building height. Ms. Khoury added that 24' on the ground floor was for retail only.

Ms. Wiggins was concerned with parking becoming unaffordable, citing Southtowne as the most expensive parking lot and believed parking would also become restricted and expensive. Ms. Morris advised that parking requirements in the CRA were greatly reduced based on land use in 2013 by Council and the Planning Board, and any future development would have to address the off-street parking, but there were other methods in the Code which allow for off-site parking through shared use agreements to provide flexibility. These future developments would be required to handle and address the required off-street parking to support the developments, and that would come before this Board when the developments apply for permitting. She also stated they had changed how we measure building height as the first habitable floor and tried to incentivize parking underneath instead of surface parking.

Mr. Grundhoefer addressed 5. (b) regarding CRA Overlay standards being "encouraged." Ms. Morris further explained the CRA Overlay is applicable to any district within the three CRAs in the downtown area not within a review district, anything not subjected to additional review beyond standard permitting. While this property is within the CRA Overlay boundary, it does not fall under the Overlay since it is protected by the WRD. They referred to the CRA Overlay guidelines and encouraged them, and the Board could recommend as part of their oversight some components of the CRA Overlay for the applicants to consider.

Regarding parking, Mr. Rothfeder stated currently as it is developed, it could be arranged with parking garages, and the market would determine what gets developed there. He stated the goals of this development were to connect the commercial core with the west side, to take this underutilized land and develop it in a way that accomplishes the goals of attracting and retaining our talent, and produces a wide array of housing that meets the market's demand and allows units which permit people to live in the project earning \$30,000 a year. He asked Ms. Khoury if there was anything that would be different if they had asked this development be done for them, the CRA, or a public entity, and Ms. Khoury indicated there would not. They were opening views to the waterfront and keeping with the character of the area, and for anyone else, it would still be very similar to this. She advised Mr. Studer did not direct any of this, but that the market study and prior plans, along with Civicon speakers, all supported the ideas presented.

Ms. Cannon explained the motion of the Board would be to "recommend" to the City Council. Ms. Morris advised this item would be presented at the Council's November 14<sup>th</sup> meeting. Mr. Grundhoefer suggested not striking the historic language, and he had no problem with the 60 feet versus the six (6) story language and was also not concerned with the 95 (ninety-five) percent lot coverage because of who the developer is. Mr. Grundhoefer made a motion to approve a recommendation to the Council. Chairman Ritz clarified the historic language of (5) (b) 4. and 5. was to remain.

Ms. Powell was not confident if they kept the 95% going forward that it would not impact other things. Ms. Wiggins wanted to remove "enhance" retain "maximum" and "maximize" in (5) (a) 1. and Mr. Grundhoefer accepted. Ms. Wiggins seconded the motion, and it carried unanimously.

Consider Rezoning and Future Land Use Map Amendment for 14 W. Jordan Street

Millwood Terrace, Inc. is requesting a Zoning Map and Future Land Use Map (FLUM) Amendment for the property located at 14 W. Jordan Street and identified by parcel number 00-0S-00-9010-001-124. The property currently has split zoning with C-2 on the southeastern portion and R-2 on the western portion; the Future Land Use Map (FLUM) is consistent with Commercial and Office designations. The applicants are proposing to amend the zoning district to C-1 Commercial zoning district and the FLUM to Commercial.

Mr. Page presented to the Board and stated the purpose was to have all the buildings zoned consistently. He said they originally thought to pursue R-2 to be consistent along Palafox Street, but staff recommended the C-1 category because it was less intense than C-2. Currently, the line separating the C-2 from R-2 runs through several of the buildings by several feet. He explained they had met with Councilwoman Cannada-Wynn onsite since she represents that district. Chairman Ritz was favorable with the C-1 classification transitioning into the neighborhood, noting his home is also in a C-1 designation. Mr. Page explained the existing uses were physicians' offices with the right corner being a pharmacy.

Mr. Gunther advised he owned the building to the north of the property and was concerned with street parking and any plans to reduce the existing parking. Chairman Ritz pointed out the Board could not make decisions on what might be. Mr. Page explained there were no plans to make any adjustments in development but more an opportunity to make sure the financing entities were satisfied that all of the buildings could be used under one category. Ms. Wiggins made a motion for approval, seconded by Ms. Sampson. Mr. Grundhoefer asked about the parcels, and Mr. Page further explained the survey showed the zoning line currently splits the pharmacy space. The motion then carried unanimously.

#### Consider Preliminary Approval for 500 E. Gregory Street

George Williams, AIA, Goodwyn Mills Cawood, is requesting preliminary approval for site improvements for a new (replacement) building for the adult entertainment business "Sammy's" located in the Gateway Review District (GRD). The new building will substantially increase the conformity of the project to the Land Development Code by improving parking, open space, landscaping and overall site design. Chairman Ritz noted this was the first consideration which was formerly within the Gateway Review Board purview.

Mr. Williams, a representative of Goodwyn Mills Cawood, presented to the Board and stated this project had been ongoing for well over a year. After evaluating the existing building and what was necessary to bring it up to Code, it became clear that would be quite expensive. They stepped back to consider a new building in lieu of the existing building, since there were certain criteria financial and otherwise that prohibited them from closing the existing building, demolishing it, and building a new one. They tried to be creative in locating a new building onsite, realizing there were certain criteria to be met in the Gateway District, and the new building could not be larger than the existing building. The basic request involved the location of the new building, and aesthetics would return to the Board. He pointed out the parking spaces to the west were leased from the City and were included in the car count. The variance for the rear of the building would go away. He pointed out the GRD district requires 25% pervious land area, and currently they have 24.5% of pervious surface in the redevelopment plan which was still a tremendous enhancement. Additionally, the parking requires one space for each 75 sq. ft. with a total parking requirement of 74 spaces; the plan presents 70 parking spaces, and they are 3 spaces deficient based on the City's criteria. He explained this plan would require an FDOT review since they were relocating a driveway on Gregory Street which was less than the standard.

Regarding the Gateway guidelines, Ms. Cannon referred the Board to Sec. 12-2-81 (C) for the contents of the preliminary plan which asks for general information at this point. She explained when the applicant returned, the Board would be looking at another list of requirements for the final phase. Chairman Ritz noted the layout reminded him of Publix with parking on the less intent street, and the building closer to the busier street giving it more edge. He pointed out the applicant had met the preliminary requirements, and he could support the project. Ms. Wiggins made a motion to approve, seconded by Ms. Sampson. Mr.

Grundhoefer questioned stormwater, and Mr. Williams stated they had engaged Rebol Battle since the site has 4,300 sq. ft. of pervious surface, and they were doubling that number. He indicated they would comply with whatever the stormwater requirements of the City might be and would return with the aesthetics. The motion then carried unanimously.

Open Forum – Chairman Ritz explained there had been a request to change the time of the October 24<sup>th</sup> Tree Ordinance workshop to 3pm-5pm to accommodate Council members who wanted to participate. Ms. Wiggins was concerned with the changed time that the public would not have a chance to weigh in after working hours. Ms. Cannon suggested there could be a second workshop not scheduled on a Council meeting night, and Ms. Wiggins appreciated that the public would then have a chance to participate. Chairman Ritz pointed out that it will likely take more than one workshop since this was very far reaching for many constituents. Ms. Cannon advised she would look for future dates on non-Council nights going forward to January and would present those at the November meeting of the Board and notify by email as well.

Adjournment – With no further business, Chairman Ritz adjourned the meeting at 3:48 pm.

Respectfully Submitted,

Cynthia Cannon  
Secretary to the Board

# Legend

 Parcel with split Future Land Use

R-1AA

R-2

N BAYLEN ST

E MAXWELL ST

Office

W MAXWELL ST

C-3

C-2

Commercial

E JORDAN ST

SSD

N SPRING ST

W JORDAN ST

R-1AAA

0 0.02 0.04 Miles

Date: 10/22/2019



This map was prepared by the GIS section of the City of Pensacola and is provided for information purposes only and is not to be used for development of construction plans or any type of engineering services based on information depicted herein. It is maintained for the function of this office only. It is not intended for conveyance nor is it a survey. The data is not guaranteed accurate or suitable for any use other than that for which it was gathered.

**Existing FLU: Office/Commercial**  
**Proposed FLU: Commercial**





## Memorandum

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**File #:** 19-00439

City Council

11/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

PUBLIC HEARING FOR THE ADOPTION OF A RESOLUTION OF INTENT TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS FOR CAPITAL STORMWATER INFRASTRUCTURE IMPROVEMENTS

**RECOMMENDATION:**

That City Council conduct a public hearing on November 14, 2019 for the adoption of a non-binding resolution of intent to use the uniform method of collecting non-ad valorem special assessments for capital stormwater infrastructure improvements beginning in the year 2020.

**HEARING REQUIRED:** Public

**SUMMARY:**

In 1987, the City developed a Stormwater Master Plan to address the impact of stormwater throughout the City. In 2019, the City updated the plan to reflect current conditions and identify necessary infrastructure improvements. The plan identified 10 high priority stormwater improvement projects related to flooding with a projected total cost of over \$58 million dollars. The City currently has no funding source for these improvements.

Since 2001, the primary funding source for stormwater improvements has been the annual stormwater assessment fee. The fee generates about \$2.6 million for stormwater capital improvement projects per year. Although the fee is based on stormwater operational costs, by Council policy, those funds are not used to pay for operating expenses. Rather, the funds are used for capital infrastructure improvements, through a transfer from the General Fund to a Special Stormwater Fund. Most of the infrastructure improvements funded by the assessment fee to date have addressed water quality issues.

One funding alternative that Council may want to consider to help pay for the capital projects identified in the Stormwater Master Plan is a separate stormwater capital assessment fee. This fee is typically tied to planned improvements in specific watershed basins and can only be assessed against the properties located within the basin.

City staff requested that Government Services Group, Inc. (GSG) assist the City in creating a stormwater capital assessment program. Sandi Walker of GSG made a presentation to Council at the October 7, 2019 Agenda Conference to explain the process for creating a capital assessment program. The process will include the development of a rate model and analysis of different rate scenarios with projected revenues. A program report prepared by GSG will be presented to City Council in early 2020. Based on the report, Council will decide if it wishes to implement a stormwater capital assessment program to fund the infrastructure improvements identified in the Stormwater Capital Plan.

Should Council move forward with a capital stormwater assessment program, the most effective and efficient method of fee collection is by the annual property tax bill issued by the Escambia County Tax Collector. This is the same fee collection method used by the City for the current stormwater assessment program. To preserve the option of using the tax bill for collection of the new assessment fee, the City is required to hold a public hearing and adopt a "Resolution of Intent" to use the uniform method of collecting non-ad valorem special assessments. The resolution must be adopted prior to January 1, 2020. The resolution is non-binding and does not require the City to actually impose the proposed stormwater capital assessment fee.

The Mayor recommends that Council hold a public hearing on November 14, 2019 and adopt the Resolution of Intent.

**PRIOR ACTION:**

None

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Choose an item.

[Click here to enter a date.](#)

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Richard Barker, Jr., Chief Financial Officer  
George J. Maiberger, Purchasing Manager  
Derrick Owens, Director of Public Works and Facilities

**ATTACHMENTS:**

- 1) Resolution of Intent for Capital Assessment
- 2) October 7, 2019 GSG Presentation

**PRESENTATION:** No

**RESOLUTION  
NO. \_\_\_\_\_**

**A RESOLUTION  
TO BE ENTITLED:**

**A RESOLUTION OF THE CITY OF PENSACOLA, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Pensacola, Florida (the "City") is contemplating the imposition of special assessments for the provision of stormwater capital infrastructure; and

**WHEREAS**, the City intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing stormwater capital infrastructure to property within the incorporated area of the City as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such special assessments to be collected annually commencing in November 2020, in the same manner as provided for ad valorem taxes; and

**WHEREAS**, the City held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

**NOW, THEREFORE BE IT RESOLVED:**

**Section 1.** Commencing with the Fiscal Year beginning on October 1, 2020, and with the tax statement mailed for such Fiscal Year and continuing thereafter until discontinued by the City, the City intends to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing stormwater capital infrastructure. Such non-ad valorem assessments shall be levied within the incorporated area of the City. A legal description of such area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

**Section 2.** The City hereby determines that the levy of the assessments is needed to fund the cost of stormwater capital infrastructure within the incorporated area of the City.

**Section 3.** Upon adoption, the City Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Escambia County Tax Collector, and the Escambia County Property Appraiser by January 10, 2020.

**Section 4.** This Resolution shall become effective on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

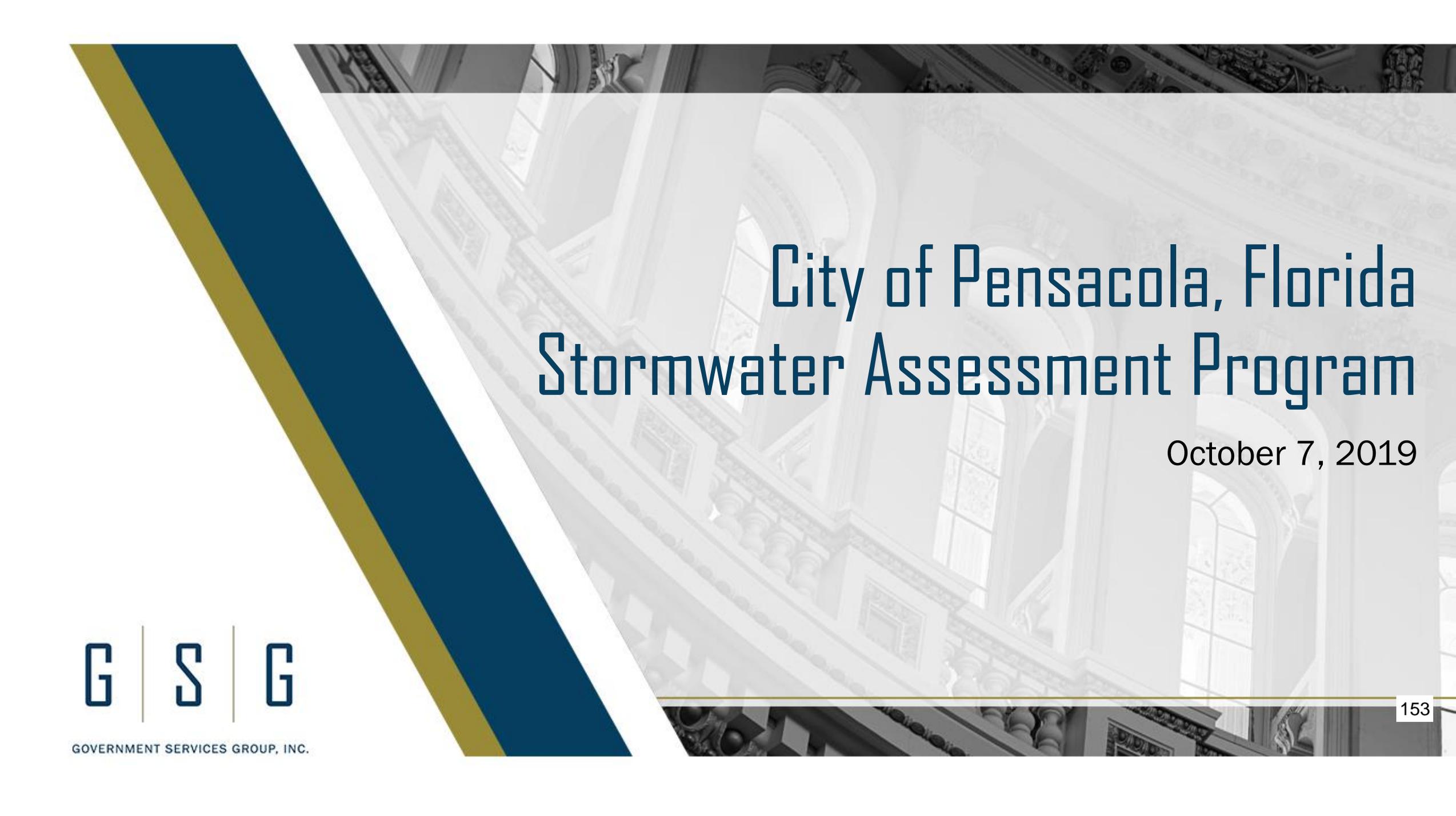
\_\_\_\_\_  
City Clerk

**PROOF OF  
PUBLICATION**

[INSERT PROOF OF  
PUBLICATION]

**LEGAL DESCRIPTION**

[INSERT LEGAL DESCRIPTION]



# City of Pensacola, Florida Stormwater Assessment Program

October 7, 2019



GOVERNMENT SERVICES GROUP, INC.

# What is a Stormwater Assessment?



GOVERNMENT SERVICES GROUP, INC.

- A Charge imposed against real property to pay for stormwater services provided by the City.

## Case Law Requirements

1. Special Benefit to Property
- and
2. Fairly and Reasonably Apportioned

# Purpose and Goals of Assessment Programs



GOVERNMENT SERVICES GROUP, INC.

- Revenue
  - Will generate revenue for stormwater services and capital infrastructure
- Diversification
  - Non-ad valorem revenue source
  - Dependent on cost of services, not taxable values
  - Broadens “tax base” of those paying for stormwater services
- Accountability
  - Legally restricted funds for the provision of stormwater services, facilities and programs
- Equity
  - Property value bears no relationship to the provision of or demand for stormwater services
  - Patchwork of exemptions from property taxes and limitations on fair valuation (Save Our Homes) further distort and limit those properties that pay for stormwater services under ad valorem system
  - Stormwater assessments are driven by service costs and demand
  - All property fairly and reasonably pays for the provision of stormwater services regardless of taxable value or available exemptions
- Pledgeable for debt without referendum

# Overview of Stormwater Assessment Program



GOVERNMENT SERVICES GROUP, INC.

- Funds Stormwater Operation and Maintenance Services provided by City
  - Policy Decision
    - City matches O&M assessment revenue with general fund revenue to pay for capital projects
- Initially implemented in 2001
  - Impervious area methodology
    - ESU value 2,575 sq. ft.
  - Rate Categories
    - 4 single family residential rate tiers
    - Condominium parcels
    - General parcels
  - Mitigation Credit Policy for privately maintained stormwater management facilities

Budgeted Capital Projects 5-Yr Plan					
PROJECT	2020	2021	2022	2023	2024
1 L' Street at Kiwanis Park (flooding/treatment)	15,000	275,000			
2 Bayou Blvd, Lee, Lloyd and Stanley St. Outfalls to Bayou Texar (flooding/treatment)	50,000	386,400			
3 Land Acquisition for Stormwater Facility Sites	50,000	50,000	50,000	50,000	50,000
4 9th Ave Outfall to Pensacola Bay (flooding/treatment)			55,000	750,000	
5 Bayou Blvd, Perry, Blount and Avery St. Outfalls at Bayou Texar (flooding/treatment)	365,000				
6 Scott, Yates, Lakeview and Strong Outfalls at Bayou Texar (flooding/treatment)	362,000				
7 Stormwater Vaults Citywide	250,000	250,000	275,000	275,000	275,000
8 Stormwater Capital Maintenance	375,000	375,000	375,000	375,000	375,000
9 NPDES Permit Monitoring	125,000	125,000	125,000	125,000	125,000
10 Alcaniz Street Outfall to Pensacola Bay (treatment)	500,000				
11 Langley Ave and Homewood (flooding/treatment)	55,000	325,000			
12 Spring Street Outfall to Pensacola Bay (treatment)	50,000	400,000			
13 Barrancas Ave. "E" to "L" Street (flooding/treatment)	150,000				
14 Cordova Square Pond Rehab (flooding/treatment)	59,400	250,000			
15 Spanish Trail Pipe Rehabilitation (flooding)			781,400		
16 Spring Street Pipe Rehabilitation (flooding)			775,000		
17 Summit Blvd, Spanish Trail to Firestone (flooding/treatment)					646,400
18 South Devillers Street (flooding/treatment)				475,000	190,000
19 Cross Street, MLK to 9th Ave (flooding)				386,400	250,000
20 12th Ave. @ Fairfield Drive (flooding)					525,000
21 Stormwater Grant Match-Funding	140,000	140,000	140,000	140,000	140,000
<b>TOTAL FOR STORMWATER PROJECTS</b>	<b>2,576,400</b>	<b>2,576,400</b>	<b>2,576,400</b>	<b>2,576,400</b>	<b>2,576,400</b>

# Overview of Stormwater Assessment Program



GOVERNMENT SERVICES GROUP, INC.

- Updated in 2010
  - Impervious area methodology
    - ESU value 2,998 sq. ft.
    - Rate Categories
      - 5 single family residential rate tiers
      - Condominium parcels
      - General Parcels
    - Mitigation Credit Policy for privately maintained stormwater management facilities
    - Currently at the maximum rate -- \$72.24 per ESU
      - Generates approximately \$2,838,800
      - At the maximum rate since FY 15-16

# Capital Stormwater Assessments

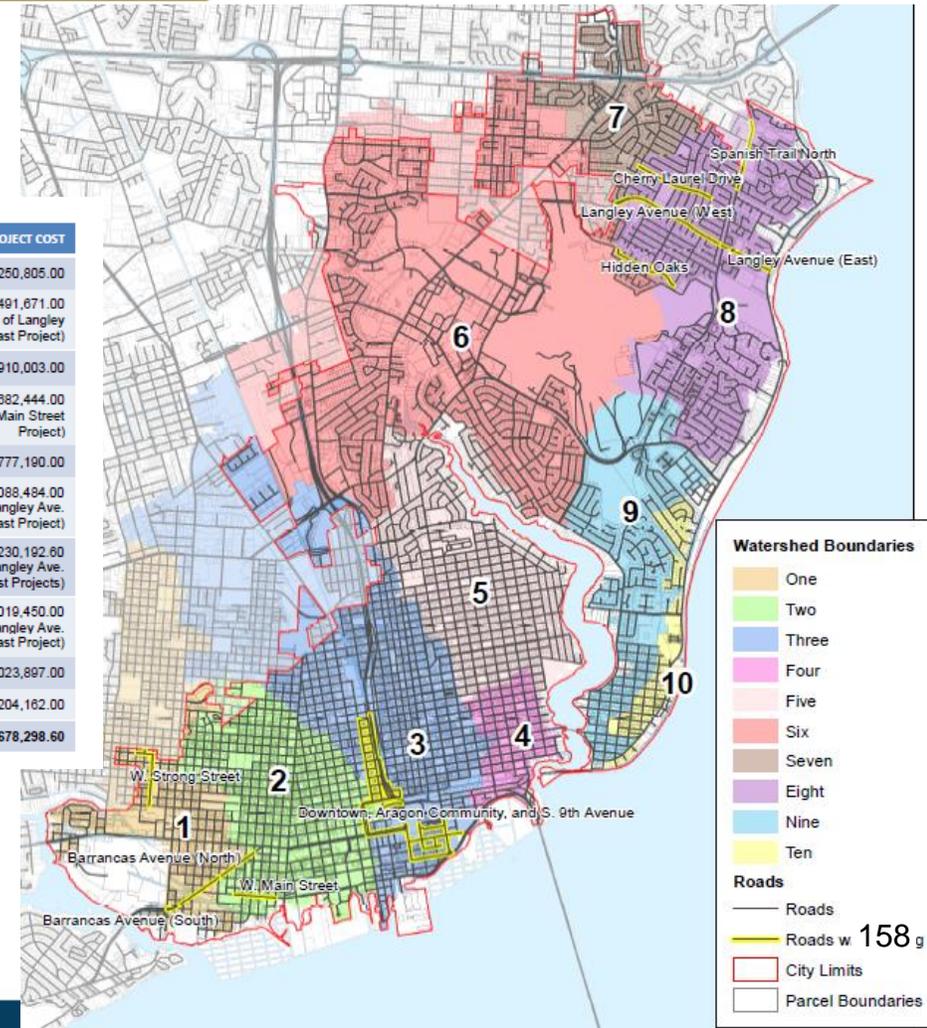


GOVERNMENT SERVICES GROUP, INC.

## Data Components

- Benefit Area
  - Must identify the parcels that benefit from the capital improvements
    - Citywide benefit
    - Basin specific benefit
    - Watershed specific benefit
    - Other
- Types of Improvements/Level of Service
  - Master Plan identified 10 critical areas with rate/volume issues
  - Drainage infrastructure
  - Road flooding
  - Retention ponds
  - Erosion problems
- Capital Costs/Revenue Requirements
  - Pay-as-you-go
  - Financing
- Billing Units in Benefit Area

PROJECT NAME	PROJECT COST
W. Strong Street	\$1,250,805.00
Langley Avenue (West)	\$1,491,671.00 (Dependent on Installation of Langley Ave. East Project)
Downtown, Aragon Community, and S. 9 <sup>th</sup> Avenue	\$22,910,003.00
Barrancas Avenue (North Segment)	\$2,682,444.00 (Dependent on Installation of Main Street Project)
Langley Avenue (East)	\$9,777,190.00
Cherry Laurel Drive	\$4,088,484.00 (Dependent on Installation of Langley Ave. East Project)
Hidden Oaks	\$1,230,192.60 (Dependent on Installation of Langley Ave. East and Langley Ave. West Projects)
Spanish Trail (North)	\$3,019,450.00 (Dependent on Installation of Langley Ave. East Project)
Barrancas Avenue (South)/L Street	\$3,023,897.00
W. Main Street	\$9,204,162.00
<b>TOTAL</b>	<b>\$58,678,298.60</b>



# Things to Consider



GOVERNMENT SERVICES GROUP, INC.

- Rates may not be uniform throughout City.
  - Each area will pay based on costs/units within the benefit area.
- May be some components of the capital projects that could be added to O&M costs and charged Citywide.
  - May want to consider updating the O&M rates to capture additional costs.
- Almost all of the outfalls are in the Pensacola Bay; could be environmental components in addition to flooding issues.
- May want to consider phasing of the areas since can't complete work at same time.
  - Work has to be completed within 5-7 years.
  - May need to do bank loans/internal loans for smaller projects.
    - Threshold for bonds is usually over \$10 Million.
      - Can bundle all loans once all the work is completed.
        - Won't result in one uniform rate.
        - Will still only charge properties in each area for their project.
        - May save financing costs.
    - May be able to use SRF loans if available.
- May want to consider coordinating efforts with other agencies/projects (if feasible) for cost savings.

# Project Schedule



GOVERNMENT SERVICES GROUP, INC.

Event	Date
Notice to Proceed	September 2019
Notice of Intent Resolution	November 14, 2019
Determine Infrastructure Improvements	October – November 2019
Define Benefit Area/Develop Preliminary Assessment Roll	October – November 2019
Determine Revenue Requirements	October – November 2019
Develop Apportionment Methodology	October – November 2019
Calculate Proforma Rates	November – December 2019
Prepare and Present Report	December 2019 - January 2020
Adopt Initial Assessment Resolution	January 2020
Provide for Public Notice (Published and First Class)	January – February 2020
Adopt Final Assessment Resolution	February 2020
Certify Capital Stormwater Assessment Roll to Tax Collector	By September 15, 2019
Collect Assessments	November 2020



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 2019-54

City Council

11/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

RESOLUTION NO. 2019-54 - ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS

**RECOMMENDATION:**

That City Council adopt Resolution No. 2019-54:

A RESOLUTION OF THE CITY OF PENSACOLA, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.

**HEARING REQUIRED:** Public

**SUMMARY:**

In 1987, the City developed a Stormwater Master Plan to address the impact of stormwater throughout the City. In 2019, the City updated the plan to reflect current conditions and identify necessary infrastructure improvements. The plan identified 10 high priority stormwater improvement projects related to flooding with a projected total cost of over \$58 million dollars. The City currently has no funding source for these improvements.

Since 2001, the primary funding source for stormwater improvements has been the annual stormwater assessment fee. The fee generates about \$2.6 million for stormwater capital improvement projects per year. Although the fee is based on stormwater operational costs, by Council policy, those funds are not used to pay for operating expenses. Rather, the funds are used for capital infrastructure improvements, through a transfer from the General Fund to a Special Stormwater Fund. Most of the infrastructure improvements funded by the assessment fee to date have addressed water quality issues.

One funding alternative that Council may want to consider to help pay for the capital projects identified in the Stormwater Master Plan is a separate stormwater capital assessment fee. This fee is

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typically tied to planned improvements in specific watershed basins and can only be assessed against the properties located within the basin.

City staff requested that Government Services Group, Inc. (GSG) assist the City in creating a stormwater capital assessment program. Sandi Walker of GSG made a presentation to Council at the October 7, 2019 Agenda Conference to explain the process for creating a capital assessment program. The process will include the development of a rate model and analysis of different rate scenarios with projected revenues. A program report prepared by GSG will be presented to City Council in early 2020. Based on the report, Council will decide if it wishes to implement a stormwater capital assessment to fund the infrastructure improvements identified in the Stormwater Capital Plan.

Should Council move forward with a capital stormwater assessment program, the most effective and efficient method of fee collection is by the annual property tax bill issued by the Escambia County Tax Collector. This is the same fee collection method used by the City for the current stormwater assessment program. To preserve the option of using the tax bill for collection of the assessment fee, the City is required to hold a public hearing and adopt a "Resolution of Intent" to use the uniform method of collecting non-ad valorem special assessments. The resolution must be adopted prior to January 1, 2020. The resolution is non-binding and does not require the City to actually impose the proposed stormwater capital assessment fee.

The Mayor recommends that Council hold a public hearing on November 14, 2019 and adopt the Resolution of Intent.

**PRIOR ACTION:**

None

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

10/27/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Richard Barker, Jr., Chief Financial Officer  
George J. Maiberger, Purchasing Manager  
Derrick Owens, Director of Public Works and Facilities

**ATTACHMENTS:**

- 1) Resolution No. 2019-54

**PRESENTATION:** No

**RESOLUTION  
NO. 2019-54**

**A RESOLUTION  
TO BE ENTITLED:**

**A RESOLUTION OF THE CITY OF PENSACOLA, FLORIDA ELECTING TO USE THE UNIFORM METHOD OF COLLECTING NON-AD VALOREM SPECIAL ASSESSMENTS LEVIED WITHIN THE INCORPORATED AREA OF THE CITY; STATING A NEED FOR SUCH LEVY; PROVIDING FOR THE MAILING OF THIS RESOLUTION; AND PROVIDING FOR AN EFFECTIVE DATE.**

**WHEREAS**, the City of Pensacola, Florida (the "City") is contemplating the imposition of special assessments for the provision of stormwater capital infrastructure; and

**WHEREAS**, the City intends to use the uniform method for collecting non-ad valorem special assessments for the cost of providing stormwater capital infrastructure to property within the incorporated area of the City as authorized by section 197.3632, Florida Statutes, as amended, because this method will allow such special assessments to be collected annually commencing in November 2020, in the same manner as provided for ad valorem taxes; and

**WHEREAS**, the City held a duly advertised public hearing prior to the adoption of this Resolution, proof of publication of such hearing being attached hereto as Exhibit A.

**NOW, THEREFORE BE IT RESOLVED:**

**Section 1.** Commencing with the Fiscal Year beginning on October 1, 2020, and with the tax statement mailed for such Fiscal Year and continuing thereafter until discontinued by the City, the City intends to use the uniform method of collecting non-ad valorem assessments authorized in section 197.3632, Florida Statutes, as amended, for collecting non-ad valorem assessments for the cost of providing stormwater capital infrastructure. Such non-ad valorem assessments shall be levied within the incorporated area of the City. A legal description of such area subject to the assessment is attached hereto as Exhibit B and incorporated by reference.

**Section 2.** The City hereby determines that the levy of the assessments is needed to fund the cost of stormwater capital infrastructure within the incorporated area of the City.

**Section 3.** Upon adoption, the City Clerk is hereby directed to send a copy of this Resolution by United States mail to the Florida Department of Revenue, the Escambia County Tax Collector, and the Escambia County Property Appraiser by January 10, 2020.

**Section 4.** This Resolution shall become effective on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

**PROOF OF PUBLICATION**

[INSERT PROOF OF PUBLICATION]

**LEGAL DESCRIPTION**

[INSERT LEGAL DESCRIPTION]



## Memorandum

**File #:** 19-00462

City Council

11/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

PORT OF PENSACOLA - DEPARTMENT OF HOMELAND SECURITY (DHS) GRANT NO. EMW-2019-PU-00016 - PORT SECURITY GRANT PROGRAM FY 2019

**RECOMMENDATION:**

That City Council authorize the Mayor to accept Department of Homeland Security (DHS) Grant No. EMW-2019-PU-00016 in the total amount of \$433,651 comprised of \$325,238 in DHS funds and \$108,413 in Port of Pensacola/Pensacola Fire Department match. Further, that the City Council authorize the Mayor to take all actions necessary for the acceptance of the grant. Finally, that City Council approve the supplemental budget resolution appropriating the grant funds.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

In 2019, the Port of Pensacola and the Pensacola Fire Department were awarded a U.S. Department of Homeland Security Port Security Grant. This award included two projects submitted by the Port of Pensacola and the Pensacola Fire Department. The Port of Pensacola's Investment Justification is a security patrol boat with a CBRNE (chemical, biological, radiological, nuclear and explosive) detection systems. Total project cost is \$225,000 with a cost share of \$56,250. The Pensacola Fire Department's Investment Justification is to replace and upgrade vessel equipment on Fire Boat 1. They also are adding a CBRNE detection systems. Total project cost is \$208,651 with a cost share of \$52,163.

Since 2006, the Port has been awarded nearly than \$6 million in Federal grant funds on behalf of the Port as well as other City departments, including Pensacola Fire Department, Pensacola Police Department, Pensacola Energy and Technology Resources. Critical projects funded through the program to date have included replacement of the City's antiquated telephone system with a Voice-over Internet Protocol (VoIP) system, replacement of the Englewood communications tower, purchase of the Fire Department's fire boat, and purchase of a maritime fire training simulator for the Fire Department.

**PRIOR ACTION:**

None

**FUNDING:**

Budget:	\$ 325,238	Port Security Grant (Federal Funds)
	56,250	Port Matching Funds (Port Fund)
	<u>52,163</u>	Fire Matching Funds (LOST IV)
	<u>\$ 433,651</u>	

Actual:	\$ 225,000	Port Security Patrol Boat
	<u>208,651</u>	Fire Boat Equipment Upgrades
	<u>\$ 433,651</u>	

**FINANCIAL IMPACT:**

The federal grant award will fund 75% of the cost of the projects. The City is required to provide a match of 25% of the cost of the project. The Port's \$56,250 match will be funded by re-allocating funds from within the Port's FY 2020 Budget. The Fire Department's \$52,163 match will be funded from savings realized from the Fire Station #3 project. Approval of the Supplemental Budget Resolution will appropriate the grant funds.

**CITY ATTORNEY REVIEW:** Yes

10/22/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Amy Miller, Port Director  
Ginny Cranor, Fire Chief

**ATTACHMENTS:**

- 1) Award Letter
- 2) Port of Pensacola's Investment Justification
- 3) Pensacola Fire Department's Investment Justification
- 4) Supplemental Budget Resolution
- 5) Supplemental Budget Explanation

**PRESENTATION:** No

U.S. Department of Homeland Security  
Washington, D.C. 20472



Thomas Coggin  
Pensacola, City of  
700 S. Barracks Street  
Pensacola, FL 32502 - 6049

Re: Grant No.EMW-2019-PU-00016

Dear Thomas Coggin:

Congratulations, on behalf of the Department of Homeland Security, your application for financial assistance submitted under the Fiscal Year (FY) 2019 Port Security Grant Program has been approved in the amount of \$325,238.00. As a condition of this award, you are required to contribute a cost match in the amount of \$108,413.00 of non-Federal funds, or 25 percent of the total approved project costs of \$433,651.00.

Before you request and receive any of the Federal funds awarded to you, you must establish acceptance of the award. By accepting this award, you acknowledge that the terms of the following documents are incorporated into the terms of your award:

- Agreement Articles (attached to this Award Letter)
- Obligating Document (attached to this Award Letter)
- FY 2019 Port Security Grant Program Notice of Funding Opportunity.
- FEMA Preparedness Grants Manual

Please make sure you read, understand, and maintain a copy of these documents in your official file for this award.

In order to establish acceptance of the award and its terms, please follow these instructions:

Step 1: Please log in to the ND Grants system at <https://portal.fema.gov>.

Step 2: After logging in, you will see the Home page with a Pending Tasks menu. Click on the Pending Tasks menu, select the Application sub-menu, and then click the link for "Award Offer Review" tasks. This link will navigate you to Award Packages that are pending review.

Step 3: Click the Review Award Package icon (wrench) to review the Award Package and accept or decline the award. Please save or print the Award Package for your records.

System for Award Management (SAM): Grant recipients are to keep all of their information up to date in SAM, in particular, your organization's name, address, DUNS number, EIN and banking information. Please ensure that the DUNS number used in SAM is the same one used to apply for all FEMA awards. Future payments will be contingent on the information provided in the SAM; therefore, it is imperative that the information is correct. The System for Award Management is located at <http://www.sam.gov>.

If you have any questions or have updated your information in SAM, please let your Grants Management Specialist (GMS) know as soon as possible. This will help us to make the necessary updates and avoid any interruptions in the payment process.



BRIDGET ELLEN BEAN GPD Assistant Administrator



**AGREEMENT ARTICLES**  
**Port Security Grant Program**

**GRANTEE:** Pensacola, City of  
**PROGRAM:** Port Security Grant Program  
**AGREEMENT NUMBER:** EMW-2019-PU-00016-S01

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**Article I - Summary Description of Projects**

The terms of the approved Investment Justification(s) and Budget Detail Worksheet(s) submitted by the recipient are incorporated into the terms of this Federal award, subject to the additional description and limitations stated in this Agreement Article and the limitations stated in subsequent reviews by FEMA of the award's budget.

- Project 1: Enhancing IED and CBRNE Prevention - Fire Boat 1 is fully funded for \$156,488.
- Project 2: Enhancing IED and CBRNE Response - Port of Pensacola Security Boat is fully funded for \$168,750.

**Article II - DHS Specific Acknowledgements and Assurances**

All recipients, subrecipients, successors, transferees, and assignees must acknowledge and agree to comply with applicable provisions governing DHS access to records, accounts, documents, information, facilities, and staff.

1. Recipients must cooperate with any compliance reviews or compliance investigations conducted by DHS.
2. Recipients must give DHS access to, and the right to examine and copy, records, accounts, and other documents and sources of information related to the federal financial assistance award and permit access to facilities, personnel, and other individuals and information as may be necessary, as required by DHS regulations and other applicable laws or program guidance.
3. Recipients must submit timely, complete, and accurate reports to the appropriate DHS officials and maintain appropriate backup documentation to support the reports.
4. Recipients must comply with all other special reporting, data collection, and evaluation requirements, as prescribed by law or detailed in program guidance.
5. Recipients of federal financial assistance from DHS must complete the *DHS Civil Rights Evaluation Tool* within thirty (30) days of receipt of the Notice of Award or, for State Administering Agencies, thirty (30) days from receipt of the DHS Civil Rights Evaluation Tool from DHS or its awarding component agency. Recipients are required to provide this information once every two (2) years, not every time an award is made. After the initial submission for the first award under which this term applies, recipients are only required to submit updates every two years, not every time a grant is awarded. Recipients should submit the completed tool, including supporting materials, to [CivilRightsEvaluation@hq.dhs.gov](mailto:CivilRightsEvaluation@hq.dhs.gov). This tool clarifies the civil rights obligations and related reporting requirements contained in the DHS Standard Terms and Conditions. Subrecipients are not required to complete and submit this tool to DHS. The evaluation tool can be found at <https://www.dhs.gov/publication/dhs-civil-rights-evaluation-tool>.

**Article III - Acknowledgement of Federal Funding from DHS**

Recipients must acknowledge their use of federal funding when issuing statements, press releases, requests for proposal, bid invitations, and other documents describing projects or programs funded in whole or in part with federal funds.

#### **Article IV - Activities Conducted Abroad**

Recipients must ensure that project activities carried on outside the United States are coordinated as necessary with appropriate government authorities and that appropriate licenses, permits, or approvals are obtained.

#### **Article V - Age Discrimination Act of 1975**

Recipients must comply with the requirements of the *Age Discrimination Act of 1975*, Pub. L. No. 94-135 (1975) (codified as amended at Title 42, U.S. Code, section 6101 *et seq.*), which prohibits discrimination on the basis of age in any program or activity receiving federal financial assistance.

#### **Article VI - Americans with Disabilities Act of 1990**

Recipients must comply with the requirements of Titles I, II, and III of the *Americans with Disabilities Act*, Pub. L. No. 101-336 (1990) (codified as amended at 42 U.S.C. sections 12101-12213), which prohibits recipients from discriminating on the basis of disability in the operation of public entities, public and private transportation systems, places of public accommodation, and certain testing entities.

#### **Article VII - Best Practices for Collection and Use of Personally Identifiable Information (PII)**

Recipients who collect PII are required to have a publicly available privacy policy that describes standards on the usage and maintenance of the PII they collect. DHS defines personally identifiable information (PII) as any information that permits the identity of an individual to be directly or indirectly inferred, including any information that is linked or linkable to that individual. Recipients may also find the DHS Privacy Impact Assessments: Privacy Guidance and Privacy Template as useful resources respectively.

#### **Article VIII - Civil Rights Act of 1964 - Title VI**

Recipients must comply with the requirements of Title VI of the *Civil Rights Act of 1964* (codified as amended at 42 U.S.C. section 2000d *et seq.*), which provides that no person in the United States will, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance. DHS implementing regulations for the Act are found at 6 C.F.R. Part 21 and 44 C.F.R. Part 7.

#### **Article IX - Civil Rights Act of 1968**

Recipients must comply with Title VIII of the *Civil Rights Act of 1968*, Pub. L. No. 90-284, as amended through Pub. L. 113-4, which prohibits recipients from discriminating in the sale, rental, financing, and advertising of dwellings, or in the provision of services in connection therewith, on the basis of race, color, national origin, religion, disability, familial status, and sex (see 42 U.S.C. section 3601 *et seq.*), as implemented by the U.S. Department of Housing and Urban Development at 24 C.F.R. Part 100. The prohibition on disability discrimination includes the requirement that new multifamily housing with four or more dwelling units- i.e., the public and common use areas and individual apartment units (all units in buildings with elevators and ground-floor units in buildings without elevators)- be designed and constructed with certain accessible features. (See 24 C.F.R. Part 100, Subpart D.)

#### **Article X - Copyright**

Recipients must affix the applicable copyright notices of 17 U.S.C. sections 401 or 402 and an acknowledgement of U.S. Government sponsorship (including the award number) to any work first produced under federal financial assistance awards.

#### **Article XI - Debarment and Suspension**

Recipients are subject to the non-procurement debarment and suspension regulations implementing Executive Orders (E.O.) 12549 and 12689, which are at 2 C.F.R. Part 180 as adopted by DHS at 2 C.F.R. Part 3000. These regulations restrict federal financial assistance awards, subawards, and contracts with certain parties that are debarred, suspended, or otherwise excluded from or ineligible for participation in federal assistance programs or activities.

#### **Article XII - Drug-Free Workplace Regulations**

Recipients must comply with drug-free workplace requirements in Subpart B (or Subpart C, if the recipient is an individual) of 2 C.F.R. Part 3001, which adopts the Government-wide implementation (2 C.F.R. Part 182) of sec. 5152-5158 of the *Drug-Free Workplace Act of 1988* (41 U.S.C. sections 8101-8106).

### **Article XIII - Duplication of Benefits**

Any cost allocable to a particular federal financial assistance award provided for in 2 C.F.R. Part 200, Subpart E may not be charged to other federal financial assistance awards to overcome fund deficiencies; to avoid restrictions imposed by federal statutes, regulations, or federal financial assistance award terms and conditions; or for other reasons. However, these prohibitions would not preclude recipients from shifting costs that are allowable under two or more awards in accordance with existing federal statutes, regulations, or the federal financial assistance award terms and conditions.

### **Article XIV - Education Amendments of 1972 (Equal Opportunity in Education Act) - Title IX**

Recipients must comply with the requirements of Title IX of the *Education Amendments of 1972*, Pub. L. No. 92-318 (1972) (codified as amended at 20 U.S.C. section 1681 *et seq.*), which provide that no person in the United States will, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any educational program or activity receiving federal financial assistance. DHS implementing regulations are codified at 6 C.F.R. Part 17 and 44 C.F.R. Part 19

### **Article XV - Energy Policy and Conservation Act**

Recipients must comply with the requirements of the *Energy Policy and Conservation Act*, Pub. L. No. 94- 163 (1975) (codified as amended at 42 U.S.C. section 6201 *et seq.*), which contain policies relating to energy efficiency that are defined in the state energy conservation plan issued in compliance with this Act.

### **Article XVI - False Claims Act and Program Fraud Civil Remedies**

Recipients must comply with the requirements of the *False Claims Act*, 31 U.S.C. sections 3729-3733, which prohibits the submission of false or fraudulent claims for payment to the federal government. (See 31 U.S.C. sections 3801-3812, which details the administrative remedies for false claims and statements made.)

### **Article XVII - Federal Debt Status**

All recipients are required to be non-delinquent in their repayment of any federal debt. Examples of relevant debt include delinquent payroll and other taxes, audit disallowances, and benefit overpayments. (See OMB Circular A-129.)

### **Article XVIII - Federal Leadership on Reducing Text Messaging while Driving**

Recipients are encouraged to adopt and enforce policies that ban text messaging while driving as described in E.O. 13513, including conducting initiatives described in Section 3(a) of the Order when on official government business or when performing any work for or on behalf of the federal government.

### **Article XIX - Fly America Act of 1974**

Recipients must comply with Preference for U.S. Flag Air Carriers (air carriers holding certificates under 49 U.S.C. section 41102) for international air transportation of people and property to the extent that such service is available, in accordance with the *International Air Transportation Fair Competitive Practices Act of 1974*, 49 U.S.C. section 40118, and the interpretative guidelines issued by the Comptroller General of the United States in the March 31, 1981, amendment to Comptroller General Decision B-138942.

### **Article XX - Hotel and Motel Fire Safety Act of 1990**

In accordance with Section 6 of the *Hotel and Motel Fire Safety Act of 1990*, 15 U.S.C. section 2225a, recipients must ensure that all conference, meeting, convention, or training space funded in whole or in part with federal funds complies with the fire prevention and control guidelines of the *Federal Fire Prevention and Control Act of 1974*, codified as amended at 15 U.S.C. section 2225.

### **Article XXI - Limited English Proficiency (Civil Rights Act of 1964, Title VI)**

Recipients must comply with the *Title VI of the Civil Rights Act of 1964* (42 U.S.C. section 2000d *et seq.*) prohibition against discrimination on the basis of national origin, which requires that recipients of federal financial assistance take reasonable

steps to provide meaningful access to persons with limited English proficiency (LEP) to their programs and services. For additional assistance and information regarding language access obligations, please refer to the DHS Recipient Guidance: <https://www.dhs.gov/guidance-published-help-department-supported-organizations-provide-meaningful-access-people-limited> and additional resources on <http://www.lep.gov>.

#### **Article XXII - Lobbying Prohibitions**

Recipients must comply with 31 U.S.C. section 1352, which provides that none of the funds provided under a federal financial assistance award may be expended by the recipient to pay any person to influence, or attempt to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with any federal action related to a federal award or contract, including any extension, continuation, renewal, amendment, or modification.

#### **Article XXIII - National Environmental Policy Act**

Recipients must comply with the requirements of the *National Environmental Policy Act of 1969*, Pub. L. No. 91-190 (1970) (codified as amended at 42 U.S.C. section 4321 *et seq.*) (NEPA) and the Council on Environmental Quality (CEQ) Regulations for Implementing the Procedural Provisions of NEPA, which requires recipients to use all practicable means within their authority, and consistent with other essential considerations of national policy, to create and maintain conditions under which people and nature can exist in productive harmony and fulfill the social, economic, and other needs of present and future generations of Americans.

#### **Article XXIV - Nondiscrimination in Matters Pertaining to Faith-Based Organizations**

It is DHS policy to ensure the equal treatment of faith-based organizations in social service programs administered or supported by DHS or its component agencies, enabling those organizations to participate in providing important social services to beneficiaries. Recipients must comply with the equal treatment policies and requirements contained in 6 C.F.R. Part 19 and other applicable statutes, regulations, and guidance governing the participations of faith-based organizations in individual DHS programs.

#### **Article XXV - Non-Supplanting Requirement**

Recipients receiving federal financial assistance awards made under programs that prohibit supplanting by law must ensure that federal funds do not replace (supplant) funds that have been budgeted for the same purpose through non-federal sources.

#### **Article XXVI - Notice of Funding Opportunity Requirements**

All of the instructions, guidance, limitations, and other conditions set forth in the Notice of Funding Opportunity (NOFO) for this program are incorporated here by reference in the award terms and conditions. All recipients must comply with any such requirements set forth in the program NOFO.

#### **Article XXVII - Patents and Intellectual Property Rights**

Unless otherwise provided by law, recipients are subject to the *Bayh-Dole Act*, 35 U.S.C. section 200 *et seq.* Recipients are subject to the specific requirements governing the development, reporting, and disposition of rights to inventions and patents resulting from federal financial assistance awards located at 37 C.F.R. Part 401 and the standard patent rights clause located at 37 C.F.R. section 401.14.

#### **Article XXVIII - Procurement of Recovered Materials**

States, political subdivisions of states, and their contractors must comply with Section 6002 of the *Solid Waste Disposal Act*, Pub. L. No. 89-272 (1965) (codified as amended by the *Resource Conservation and Recovery Act*, 42 U.S.C. section 6962. The requirements of Section 6002 include procuring only items designated in guidelines of the Environmental Protection Agency (EPA) at 40 C.F.R. Part 247 that contain the highest percentage of recovered materials practicable, consistent with maintaining a satisfactory level of competition.

#### **Article XXIX - Rehabilitation Act of 1973**

Recipients must comply with the requirements of Section 504 of the *Rehabilitation Act of 1973*, Pub. L. No. 93-112 (1973), (codified as amended at 29 U.S.C. section 794), which provides that no otherwise qualified handicapped individuals in

the United States will, solely by reason of the handicap, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving federal financial assistance.

### **Article XXX - Reporting of Matters Related to Recipient Integrity and Performance**

If the total value of any currently active grants, cooperative agreements, and procurement contracts from all Federal awarding agencies exceeds \$10,000,000 for any period of time during the period of performance of this Federal award, then the recipients must comply with the requirements set forth in the government-wide Award Term and Condition for Recipient Integrity and Performance Matters located at 2 C.F.R. Part 200, Appendix XII, the full text of which is incorporated here by reference in the award terms and conditions.

### **Article XXXI - Reporting Subawards and Executive Compensation**

Recipients are required to comply with the requirements set forth in the government-wide award term on Reporting Subawards and Executive Compensation located at 2 C.F.R. Part 170, Appendix A, the full text of which is incorporated here by reference in the award terms and conditions.

### **Article XXXII - SAFECOM**

Recipients receiving federal financial assistance awards made under programs that provide emergency communication equipment and its related activities must comply with the SAFECOM Guidance for Emergency Communication Grants, including provisions on technical standards that ensure and enhance interoperable communications.

### **Article XXXIII - Terrorist Financing**

Recipients must comply with E.O. 13224 and U.S. laws that prohibit transactions with, and the provisions of resources and support to, individuals and organizations associated with terrorism. Recipients are legally responsible to ensure compliance with the Order and laws.

### **Article XXXIV - Trafficking Victims Protection Act of 2000**

Recipients must comply with the requirements of the government-wide financial assistance award term which implements Section 106(g) of the *Trafficking Victims Protection Act of 2000* (TVPA), codified as amended at 22 U.S.C. Section 7104. The award term is located at 2 C.F.R. Section 175.15, the full text of which is incorporated here by reference.

### **Article XXXV - Universal Identifier and System for Award Management**

Recipients are required to comply with the requirements set forth in the government-wide financial assistance award term regarding the System for Award Management and Universal Identifier Requirements located at 2 C.F.R. Part 25, Appendix A, the full text of which is incorporated here by reference.

### **Article XXXVI - USA Patriot Act of 2001**

Recipients must comply with requirements of Section 817 of the *Uniting and Strengthening America by Providing Appropriate Tools Required to Intercept and Obstruct Terrorism Act of 2001* (USA PATRIOT Act), which amends 18 U.S.C. sections 175-175c.

### **Article XXXVII - Use of DHS Seal, Logo and Flags**

Recipients must obtain permission from their DHS FAO prior to using the DHS seal(s), logos, crests or reproductions of flags or likenesses of DHS agency officials, including use of the United States Coast Guard seal, logo, crests or reproductions of flags or likenesses of Coast Guard officials.

### **Article XXXVIII - Whistleblower Protection Act**

Recipients must comply with the statutory requirements for whistleblower protections (if applicable) at 10 U.S.C section 2409, 41 U.S.C. section 4712, and 10 U.S.C. section 2324, 41 U.S.C. sections 4304 and 4310.

### **Article XXXIX - Environmental Planning and Historic Preservation**

DHS/FEMA funded activities that may require an EHP review are subject to FEMA's Environmental Planning and Historic Preservation (EHP) review process. This review does not address all federal, state, and local requirements. Acceptance of

federal funding requires recipient to comply with all federal, state, and local laws. Failure to obtain all appropriate federal, state, and local environmental permits and clearances may jeopardize federal funding.

DHS/FEMA is required to consider the potential impacts to natural and cultural resources of all projects funded by DHS/FEMA grant funds, through its EHP Review process, as mandated by the National Environmental Policy Act; National Historic Preservation Act of 1966, as amended; National Flood Insurance Program regulations; and, any other applicable laws and Executive Orders. To access the FEMA's EHP screening form and instructions, go to the DHS/FEMA website at: <https://www.fema.gov/media-library/assets/documents/90195>. In order to initiate EHP review of your project(s), you must complete all relevant sections of this form and submit it to the Grant Programs Directorate (GPD) along with all other pertinent project information. Failure to provide requisite information could result in delays in the release of grant funds.

If ground disturbing activities occur during construction, applicant will monitor ground disturbance, and if any potential archeological resources are discovered, applicant will immediately cease work in that area and notify the pass-through entity, if applicable, and DHS/FEMA.

#### **Article XL - Acceptance of Post Award Changes**

In the event FEMA determines that changes are necessary to the award document after an award has been made, including changes to period of performance or terms and conditions, recipients will be notified of the changes in writing. Once notification has been made, any subsequent request for funds will indicate recipient acceptance of the changes to the award. Please call the FEMA/GMD Call Center at (866) 927-5646 or via e-mail to [ASK-GMD@dhs.gov](mailto:ASK-GMD@dhs.gov) if you have any questions.

#### **Article XLI - Prior Approval for Modification of Approved Budget**

Before making any change to the DHS/FEMA approved budget for this award, you must request prior written approval from DHS/FEMA where required by 2 C.F.R. Section 200.308. DHS/FEMA is also utilizing its discretion to impose an additional restriction under 2 C.F.R. Section 200.308(e) regarding the transfer of funds among direct cost categories, programs, functions, or activities. Therefore, for awards with an approved budget where the Federal share is greater than the simplified acquisition threshold (currently \$250,000), you may not transfer funds among direct cost categories, programs, functions, or activities without prior written approval from DHS/FEMA where the cumulative amount of such transfers exceeds or is expected to exceed ten percent (10%) of the total budget DHS/FEMA last approved. You must report any deviations from your DHS/FEMA approved budget in the first Federal Financial Report (SF-425) you submit following any budget deviation, regardless of whether the budget deviation requires prior written approval.

#### **Article XLII - Disposition of Equipment Acquired Under the Federal Award**

When original or replacement equipment acquired under this award by the recipient or its sub-recipients is no longer needed for the original project or program or for other activities currently or previously supported by DHS/FEMA, you must request instructions from DHS/FEMA to make proper disposition of the equipment pursuant to 2 C.F.R. Section 200.313.

#### **Article XLIII - Assurances, Administrative Requirements, Cost Principles, Representation and Certifications**

DHS financial assistance recipients must complete either the Office of Management and Budget (OMB) Standard Form 424B Assurances - Non-Construction Programs, or OMB Standard Form 424D Assurances - Construction Programs, as applicable. Certain assurances in these documents may not be applicable to your program, and the DHS financial assistance office (DHS FAO) may require applicants to certify additional assurances. Applicants are required to fill out the assurances applicable to their program as instructed by the awarding agency. Please contact the DHS FAO if you have any questions.

DHS financial assistance recipients are required to follow the applicable provisions of the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards located at Title 2, Code of Federal Regulations (C.F.R.) Part 200, and adopted by DHS at 2 C.F.R. Part 3002.

#### **Article XLIV - Environmental Planning and Historic Preservation (EHP) Compliance Hold**

This award includes work, such as ground disturbance, that triggers an Environmental Planning and Historic Preservation (EHP) compliance review. A programmatic hold is placed on Project #1 and the amount of \$156,488 is on hold in the FEMA financial systems. The recipient is prohibited from obligating, expending, or drawing down PSGP funds in support of Project 1: Enhancing IED and CBRNE Prevention - Fire Boat 1 for \$156,488, with a limited exception for any approved costs associated with the preparation, conduct, and completion of required environmental planning and historic preservation (EHP) reviews as discussed in FEMA Information Bulletin No. 404. To release this hold, the recipient is required to obtain the required DHS 1791A EHP compliance approval for this project pursuant to the FY 2019 PSGP Notice of Funding Opportunity and Preparedness Grants Manual. Failure to comply with this condition may jeopardize your ability to access and expend federal funds for the

investments/projects listed above. Please contact your DHS/FEMA GPD Headquarters Program Analyst to receive specific guidance regarding EHP compliance.

### **BUDGET COST CATEGORIES**

Personnel	\$4,251.00
Fringe Benefits	\$0.00
Travel	\$0.00
Equipment	\$384,000.00
Supplies	\$0.00
Contractual	\$0.00
Construction	\$0.00
Indirect Charges	\$0.00
Other	\$45,400.00

Obligating Document for Award/Amendment						
1a. AGREEMENT NO. EMW-2019-PU-00016-S01	2. AMENDMENT NO. ***	3. RECIPIENT NO. V00103364	4. TYPE OF ACTION AWARD	5. CONTROL NO. WX04631N2019T		
6. RECIPIENT NAME AND ADDRESS Pensacola, City of 700 S. Barracks Street Pensacola, FL, 32502 - 6049	7. ISSUING FEMA OFFICE AND ADDRESS FEMA-GPD 400 C Street, SW, 3rd floor Washington, DC 20472-3645 POC: 866-927-5646		8. PAYMENT OFFICE AND ADDRESS FEMA Finance Center 430 Market Street Winchester, VA 22603			
9. NAME OF RECIPIENT PROJECT OFFICER Thomas Coggin	PHONE NO. 8504365070	10. NAME OF FEMA PROJECT COORDINATOR Central Scheduling and Information Desk Phone: 800-368-6498 Email: Askcsid@dhs.gov				
11. EFFECTIVE DATE OF THIS ACTION 09/01/2019	12. METHOD OF PAYMENT PARS	13. ASSISTANCE ARRANGEMENT Cost Reimbursement	14. PERFORMANCE PERIOD <b>From:</b> 09/01/2019 <b>To:</b> 08/31/2022 <b>Budget Period</b> 09/01/2019 08/31/2022			
1 5. DESCRIPTION OF ACTION a. (Indicate funding data for awards or financial changes)						
PROGRAM NAME ACRONYM	CFDA NO.	ACCOUNTING DATA (ACCS CODE) XXXX-XXX-XXXXXX-XXXX-XXXX-XXXX-X	PRIOR TOTAL AWARD	AMOUNT AWARDED THIS ACTION + OR (-)	CURRENT TOTAL AWARD	CUMULATIVE NON-FEDERAL COMMITMENT
Port Security Grant Program	97.056	2019-FA-GC01-P410- -4101-D	\$0.00	\$325,238.00	\$325,238.00	See Totals
			<b>\$0.00</b>	<b>\$325,238.00</b>	<b>\$325,238.00</b>	<b>\$108,413.00</b>
b. To describe changes other than funding data or financial changes, attach schedule and check here. N/A						
16 a. FOR NON-DISASTER PROGRAMS: RECIPIENT IS REQUIRED TO SIGN AND RETURN THREE (3) COPIES OF THIS DOCUMENT TO FEMA (See Block 7 for address) Port Security Grant Program recipients are not required to sign and return copies of this document. However, recipients should print and keep a copy of this document for their records.						
16b. FOR DISASTER PROGRAMS: RECIPIENT IS NOT REQUIRED TO SIGN This assistance is subject to terms and conditions attached to this award notice or by incorporated reference in program legislation cited above.						
17. RECIPIENT SIGNATORY OFFICIAL (Name and Title) Thomas Coggin,					DATE Mon Sep 09 21:06:40 GMT 2019	
18. FEMA SIGNATORY OFFICIAL (Name and Title)  SHENAUZ SUBRINA WONG , Assistance Officer					DATE Thu Sep 05 17:23:20 GMT 2019	

DEPARTMENT OF HOMELAND SECURITY  
Federal Emergency Management Agency

**SENSITIVE  
SECURITY  
INFORMATION**

OMB Control Number: 1660-0114  
Expiration: 05/31/2020

**PORT SECURITY GRANT PROGRAM INVESTMENT JUSTIFICATION**

*Warning: Please follow the Notice of Funding Opportunity Guidance while completing this form.*

**PART I - INVESTMENT HEADING**

ORGANIZATION NAME (Legal Name Listed On The SF-424): <input type="text"/>		STATE OR TERRITORY IN WHICH THE PROJECT WILL BE IMPLEMENTED: <input type="text"/>	
TYPE OF ORGANIZATION: <input type="text"/>	STATE OR LOCAL AGENCY: <input type="text"/>	OTHER: <input type="text"/>	
PROJECT'S CAPTAIN OF THE PORT ZONE: <input type="text"/>	INVESTMENT JUSTIFICATIONS (Ex. 1 of 1): <input type="text"/> of <input type="text"/>		

**PART II - BASIC PROJECT INFORMATION**

PROJECT TITLE: <input type="text"/>		
PROJECT SERVICE(S)/EQUIPMENT SUMMARY: <input type="text"/>		
IS THIS PROJECT EXEMPT FROM THE REQUIRED COST SHARE OUTLINED IN 46 U.S.C. 70107? <input type="text"/>		
IF YES, IDENTIFY THE COST SHARE EXEMPTION : <input type="text"/>		
FEDERAL SHARE: <input type="text"/>	COST SHARE: <input type="text"/>	TOTAL PROJECT COST: <input type="text"/>
(Total Project Cost x 0.75)	(Total Project Cost x 0.25)	(Fed Share/0.75; or Cost Share/0.25)
PROJECT CATEGORY: <input type="text"/>	NEW CAPABILITY OR MANAGEMENT/SUSTAINMENT: <input type="text"/>	

**PART III - ELIGIBILITY INFORMATION**

**PLEASE REVIEW THE NOTICE OF FUNDING OPPORTUNITY AND 46 U.S.C. 70107**

<b>WHICH PLAN(S) APPLIES TO YOUR ORGANIZATION?:</b>	AREA MARITIME SECURITY PLAN: <input type="checkbox"/>	FACILITY SECURITY PLAN: <input type="checkbox"/>
	PORT-WIDE RISK MANAGEMENT PLAN: <input type="checkbox"/>	VESSEL SECURITY PLAN: <input type="checkbox"/>
IF NONE OF THE ABOVE ARE APPLICABLE, PLEASE LIST OTHER PORT RELATED SECURITY PLANS OR CIRCUMSTANCES THAT APPLY TO THIS PROJECT AND YOUR ORGANIZATION: <input type="text"/>		<input type="checkbox"/> N/A
ACTIVE PARTICIPANT OF AN AREA MARITIME SECURITY COMMITTEE? <input type="checkbox"/>	IS THIS APPLICATION ON BEHALF OF ANOTHER ENTITY OR SUBMITTED AS A CONSORTIUM? <input type="checkbox"/>	
IS THE PROJECT SITE OWNED BY YOUR ORGANIZATION? <input type="checkbox"/>	IF THE PROJECT SITE IS NOT OWNED OR OPERATED BY YOUR ORGANIZATION, PLEASE EXPLAIN YOUR ORGANIZATION'S RELATION TO THE PROJECT SITE: <input type="text"/>	<input type="checkbox"/> N/A
IS THE PROJECT SITE OPERATED BY YOUR ORGANIZATION? <input type="checkbox"/>		
IS THE PROJECT SITE A FACILITY OR VESSEL THAT IS REGULATED UNDER THE MARITIME TRANSPORTATION SECURITY ACT (MTSA) OF 2002, AS AMENDED? <input type="text"/>		
<b>STATE AND LOCAL AGENCIES ONLY</b> - IS YOUR AGENCY <b>REQUIRED</b> TO PROVIDE PORT SECURITY SERVICES TO MTSA REGULATED FACILITIES? <input type="text"/>		
<b>STATE AND LOCAL AGENCIES ONLY</b> - ARE YOU THE <b>PRIMARY</b> RESPONDING AGENCY TO MTSA REGULATED FACILITY? <input type="text"/>		

**WARNING: This record contains Sensitive Security Information that is controlled under 49 CFR parts 15 and 1520. No part of this record may be disclosed to persons without a "need to know", as defined in 49 CFR parts 15 and 1520, except with the written permission of the Administrator of the Transportation Security Administration or the Secretary of Transportation. Unauthorized release may result in civil penalty or other action. For U.S. government agencies, public disclosure is governed by 5 U.S.C. 552 and 49 CFR parts 15 and 1520.**

**SENSITIVE SECURITY INFORMATION**

**PART IV - POINT(S) OF CONTACT FOR ORGANIZATION**

SIGNATORY AUTHORITY FOR ENTERING INTO A GRANT AWARD AGREEMENT	AUTHORIZED REPRESENTATIVE FOR THE MANAGEMENT OF THE PROJECT
NAME:	NAME:
ORGANIZATION:	ORGANIZATION:
ADDRESS:	ADDRESS:
PHONE:	PHONE:
E-MAIL:	E-MAIL:

**PART V - PHYSICAL LOCATION OF PROJECT**

The intent of this section is to verify the primary location the project is being implemented to address the PSGP and port area priorities. The applicant's primary area of responsibility for utilizing the project should be identified. This includes training, exercises, interoperable systems, vessel equipment and regionally beneficial projects. Secondary areas of responsibility are not considered the project location. Please identify the location from which the project will be implemented/deployed (the applicant facility address), such as fire or police departments or MTSA regulated facility.

PHYSICAL ADDRESS OF THE PROJECT LOCATION:	BRIEF DESCRIPTION OF THE PROJECT LOCATION:
Street Address:	<div style="border: 1px solid black; height: 150px; width: 100%;"></div>
City:	
State:                      Zip Code:	
LATITUDE & LONGITUDE:	

**STATE AND LOCAL AGENCIES ONLY - ROLE IN PROVIDING LAYERED PROTECTION OF REGULATED ENTITIES**

**DESCRIBE YOUR ORGANIZATION'S SPECIFIC ROLES, RESPONSIBILITIES AND ACTIVITIES IN DELIVERING LAYERED PROTECTION.**

**WARNING: This record contains Sensitive Security Information that is controlled under 49 CFR parts 15 and 1520. No part of this record may be disclosed to persons without a "need to know", as defined in 49 CFR parts 15 and 1520, except with the written permission of the Administrator of the Transportation Security Administration or the Secretary of Transportation. Unauthorized release may result in civil penalty or other action. For U.S. government agencies, public disclosure is governed by 5 U.S.C. 552 and 49 CFR parts 15 and 1520.**

**SENSITIVE SECURITY INFORMATION**

**PART VI - ALL AGENCIES/ORGANIZATION - IMPORTANT FEATURES**

**DESCRIBE ANY OPERATIONAL ISSUES YOU DEEM IMPORTANT TO THE CONSIDERATION OF YOUR APPLICATION** (e.g., interrelationship of your operations with other eligible high-risk ports, Memorandum of Understanding (MOU) or Memorandum of Agreement (MOA), Etc.). **PLEASE LIST ALL AGENCIES WITH WHOM YOU HAVE A MARITIME SECURITY MOU OR MOA.**

[Empty response area for describing operational issues and listing agencies with MOUs or MOAs.]

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**SENSITIVE SECURITY INFORMATION**

**PART VII - INVESTMENT JUSTIFICATION ABSTRACT**

WHAT WILL THIS PROJECT INVESTMENT FUND (i.e. vessels, radios, cameras, construction, contracts, fencing, etc.)?

ARE ANY PROJECT ITEMS ON THE CONTROLLED EQUIPMENT LIST

(please reference **FEMA Information Bulletin 407**):

IF YES, PLEASE PROVIDE THE AUTHORIZED EQUIPMENT LIST (AEL) NUMBER(S) FOR

CONTROLLED EQUIPMENT:

**SUMMARIZE THE PROPOSED INVESTMENT JUSTIFICATION.**

THE FOLLOWING MUST BE INCLUDED:

- DESCRIBE HOW THIS INVESTMENT ADDRESSES THE CAPTAIN OF THE PORT'S PRIORITIES
- EXPLAIN HOW THIS INVESTMENT WILL ACHIEVE A MORE SECURE AND RESILIENT PORT AREA
- IDENTIFY ASSETS BEING REQUESTED
- IDENTIFY SIMILAR ASSETS THAT ALREADY EXIST

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**SENSITIVE SECURITY INFORMATION**

**PART VIII - NATIONAL PRIORITIES**

IDENTIFY ONE NATIONAL PRIORITY THIS INVESTMENT MOST CLOSELY SUPPORTS:

**DESCRIBE HOW, AND THE EXTENT THIS INVESTMENT JUSTIFICATION MEETS ONE OR MORE OF THE NATIONAL PRIORITIES.**

THE FOLLOWING MUST BE INCLUDED:

- HOW THIS INVESTMENT ADDRESSES VULNERABILITIES IDENTIFIED WITHIN AN AREA MARITIME SECURITY PLAN, FACILITY SECURITY PLAN, VESSEL SECURITY PLAN, OR OTHER IDENTIFIED PLAN(S).

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**SENSITIVE SECURITY INFORMATION**

**PART IX - NATIONAL PREPAREDNESS GOAL**

IDENTIFY ONE CORE CAPABILITY THIS INVESTMENT MOST CLOSELY SUPPORTS:

**PART X - IMPLEMENTATION PLAN**

**PROVIDE A HIGH-LEVEL TIMELINE OF MILESTONES FOR THE IMPLEMENTATION OF THIS INVESTMENT, SUCH AS PLANNING, TRAINING, EXERCISES, AND MAJOR ACQUISITIONS OR PURCHASES. UP TO 10 MILESTONES MAY BE SUBMITTED.**

THE FOLLOWING MUST BE INCLUDED:

- MAJOR MILESTONES OR RELEVANT INFORMATION THAT IS CRITICAL TO THE SUCCESS OF THE INVESTMENT
- MAJOR TASKS THAT WILL NEED TO OCCUR (E.G. DESIGN AND DEVELOPMENT, CONTRACTUAL AGREEMENTS, PROCUREMENT, DELIVERY, INSTALLATION AND PROJECT COMPLETION)

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DEPARTMENT OF HOMELAND SECURITY  
Federal Emergency Management Agency

**SENSITIVE  
SECURITY  
INFORMATION**

OMB Control Number: 1660-0114  
Expiration: 05/31/2020

**PORT SECURITY GRANT PROGRAM INVESTMENT JUSTIFICATION**

*Warning: Please follow the Notice of Funding Opportunity Guidance while completing this form.*

**PART I - INVESTMENT HEADING**

ORGANIZATION NAME (Legal Name Listed On The SF-424): Pensacola, City of		STATE OR TERRITORY IN WHICH THE PROJECT WILL BE IMPLEMENTED: Florida	
TYPE OF ORGANIZATION: Local Agency	STATE OR LOCAL AGENCY: Port Authority	OTHER:	
PROJECT'S CAPTAIN OF THE PORT ZONE: Mobile	INVESTMENT JUSTIFICATIONS (Ex. 1 of 1): 1 of 3		

**PART II - BASIC PROJECT INFORMATION**

PROJECT TITLE: Enhancing IED and CBRNE Prevention - Fire Boat 1		
PROJECT SERVICE(S)/EQUIPMENT SUMMARY: Replace/Upgrade - Radar & Radar Screens, AIS & AIS Screens, Depth Sounder, Marine VHF Radio & Radio antennas, LED lighting. Adding - CBRNE Detection System, Sonar System		
IS THIS PROJECT EXEMPT FROM THE REQUIRED COST SHARE OUTLINED IN 46 U.S.C. 70107? No		
IF YES, IDENTIFY THE COST SHARE EXEMPTION : N/A		
FEDERAL SHARE: 156,488.16 (Total Project Cost x 0.75)	COST SHARE: \$52162.72 (Total Project Cost x 0.25)	TOTAL PROJECT COST: 208,650.88 (Fed Share/0.75; or Cost Share/0.25)
PROJECT CATEGORY: Equipment	NEW CAPABILITY OR MANAGEMENT/SUSTAINMENT: Maintenance/Sustainment	

**PART III - ELIGIBILITY INFORMATION**

**PLEASE REVIEW THE NOTICE OF FUNDING OPPORTUNITY AND 46 U.S.C. 70107**

<b>WHICH PLAN(S) APPLIES TO YOUR ORGANIZATION?:</b>	AREA MARITIME SECURITY PLAN: <input type="checkbox"/>	FACILITY SECURITY PLAN: <input type="checkbox"/>
	PORT-WIDE RISK MANAGEMENT PLAN: <input checked="" type="checkbox"/>	VESSEL SECURITY PLAN: <input type="checkbox"/>
IF NONE OF THE ABOVE ARE APPLICABLE, PLEASE LIST OTHER PORT RELATED SECURITY PLANS OR CIRCUMSTANCES THAT APPLY TO THIS PROJECT AND YOUR ORGANIZATION:		<input type="checkbox"/> N/A
ACTIVE PARTICIPANT OF AN AREA MARITIME SECURITY COMMITTEE? Yes	IS THIS APPLICATION ON BEHALF OF ANOTHER ENTITY OR SUBMITTED AS A CONSORTIUM? <input type="checkbox"/>	
IS THE PROJECT SITE OWNED BY YOUR ORGANIZATION? Yes	IF THE PROJECT SITE IS NOT OWNED OR OPERATED BY YOUR ORGANIZATION, PLEASE EXPLAIN YOUR ORGANIZATION'S RELATION TO THE PROJECT SITE:	<input type="checkbox"/> N/A
IS THE PROJECT SITE OPERATED BY YOUR ORGANIZATION? Yes		
IS THE PROJECT SITE A FACILITY OR VESSEL THAT IS REGULATED UNDER THE MARITIME TRANSPORTATION SECURITY ACT (MTSA) OF 2002, AS AMENDED? Yes		
STATE AND LOCAL AGENCIES ONLY - IS YOUR AGENCY REQUIRED TO PROVIDE PORT SECURITY SERVICES TO MTSA REGULATED FACILITIES? Yes		
STATE AND LOCAL AGENCIES ONLY - ARE YOU THE PRIMARY RESPONDING AGENCY TO MTSA REGULATED FACILITY? Yes		

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**SENSITIVE SECURITY INFORMATION**

PART IV - POINT(S) OF CONTACT FOR ORGANIZATION	
SIGNATORY AUTHORITY FOR ENTERING INTO A GRANT AWARD AGREEMENT	AUTHORIZED REPRESENTATIVE FOR THE MANAGEMENT OF THE PROJECT
NAME: Grover C. Robinson, IV	NAME: Thomas Coggin, Facility Security Officer
ORGANIZATION: Pensacola, City of	ORGANIZATION: Pensacola, City of (Department: Port of Pensacola)
ADDRESS: 180 Government Center, Pensacola, FL 32521	ADDRESS: 700 S. Barracks St., Pensacola, FL 32502
PHONE: (850) 435-1627	PHONE: (850) 436-5070
E-MAIL: Grobinson@cityofpensacola.com	E-MAIL: tcoggin@cityofpensacola.com

PART V - PHYSICAL LOCATION OF PROJECT	
The intent of this section is to verify the primary location the project is being implemented to address the PSGP and port area priorities. The applicant's primary area of responsibility for utilizing the project should be identified. This includes training, exercises, interoperable systems, vessel equipment and regionally beneficial projects. Secondary areas of responsibility are not considered the project location. Please identify the location from which the project will be implemented/deployed (the applicant facility address), such as fire or police departments or MTSA regulated facility.	
PHYSICAL ADDRESS OF THE PROJECT LOCATION:	BRIEF DESCRIPTION OF THE PROJECT LOCATION:
Street Address: 1 North Q Street	City of Pensacola - Fire Station
City: Pensacola	
State: FL      Zip Code: 32505	
LATITUDE & LONGITUDE: 30.4125N 087.2445W	

STATE AND LOCAL AGENCIES ONLY - ROLE IN PROVIDING LAYERED PROTECTION OF REGULATED ENTITIES
<p><b>DESCRIBE YOUR ORGANIZATION'S SPECIFIC ROLES, RESPONSIBILITIES AND ACTIVITIES IN DELIVERING LAYERED PROTECTION.</b></p> <p>The Port of Pensacola is one of Florida's natural deep water ports located in Pensacola Bay within the Gulf of Mexico in northwest Florida extending west from Florida to Alabama and accessed through the Gulf Intercoastal Waterway (GIWW). The port is eleven miles from the first marine open sea buoy. The Pensacola Naval Air Station is located along the northwest edge of the turning basin within the ship channel approximately seven nautical miles away, and all vessels entering or exiting the port must pass the naval base. The Port is located at 700 South Barracks St, in Pensacola Florida; in Escambia County and is a regulated facility under COTP zone Mobile, Alabama.</p> <p>The Pensacola Fire Departments Fire Boat 1 is a regional asset that is used in conjunction with USCG Station Pensacola and our neighboring Fire Departments. We provide Firefighting and rescue capabilities that no other department in the panhandle can offer with highly trained crews that are ready for any emergency.</p> <p>Some examples of major events we assist with are the Pensacola Beach Blue Angels Air Show where we staff FB1 with Pensacola Fire and Escambia County Fire Personnel to provide fire and medical services when getting an ambulance on and off of Pensacola Beach is not logistically feasible and has limited vehicular access. Another major event is the Fourth of July when we have a large numbers of private boats crowded around the Port of Pensacola during our annual fireworks display. We also have a large amount of barge traffic moving through the Pensacola Bay shipping channel moving from the Gulf of Mexico to our Port and other surrounding areas. Having the CBRN capabilities will allow us to monitor the port and our waterfront area during these types of events for potential terrorist activity. By upgrading the Fire Boat we can provide a faster and more effective response.</p>

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**SENSITIVE SECURITY INFORMATION**

**PART VI - ALL AGENCIES/ORGANIZATION - IMPORTANT FEATURES**

**DESCRIBE ANY OPERATIONAL ISSUES YOU DEEM IMPORTANT TO THE CONSIDERATION OF YOUR APPLICATION** (e.g., interrelationship of your operations with other eligible high-risk ports, Memorandum of Understanding (MOU) or Memorandum of Agreement (MOA), Etc.). **PLEASE LIST ALL AGENCIES WITH WHOM YOU HAVE A MARITIME SECURITY MOU OR MOA.**

With an investment in upgrading the Pensacola Fire department's fire boat, Port first responders (Pensacola Firefighters, law enforcement, hazardous materials team, bomb squad units, command staff and others) will be better able to conducted Port wide security. The upgrades to Fire Boat 1 will not only give us updated tech but also side scan sonar and CBRNE capabilities which we currently do not have. The CBRNE capabilities and side scan sonar will allow us to better monitor the port and our waterfront area for potential terrorist activity.

Private stakeholders within the Port include: General Electric Wind Energy, Cemex Cement, Martin Aggregate, U.S. Maritime Security Services, LLC, and Pate Stevedore and Offshore Inland & Oil field support. These stakeholders fall under the ports Facility Security Plan (FSP), regulated by the COTP Mobile Alabama. The Port is a local government entity which administered as an Enterprise Department of the City of Pensacola, with governance through a strong mayor and seven city council members. The ports entire landside area is a TWIC restricted area. Security is administered by security guards supervised by the Port Facility Security Officer (FSO), a City of Pensacola employee. City of Pensacola Police and Fire Departments are the primary first responders to all these facilities which are within the city limits. Mutual Aid/ memorandum of understanding and Memorandum of Agreements (MOU/MOA) exists with Escambia County agencies to assist and supplement Escambia County emergencies services in major incidents. These agreements will be included in the port area application.

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**SENSITIVE SECURITY INFORMATION**

**PART VII - INVESTMENT JUSTIFICATION ABSTRACT**

WHAT WILL THIS PROJECT INVESTMENT FUND (i.e. vessels, radios, cameras, construction, contracts, fencing, etc.)?

CBRNE, RADAR, SONAR, LIGHTING, RADIO EQUIPMENT FOR FIRE BOAT 1

ARE ANY PROJECT ITEMS ON THE CONTROLLED EQUIPMENT LIST (please reference **FEMA Information Bulletin 407**):

No

IF YES, PLEASE PROVIDE THE AUTHORIZED EQUIPMENT LIST (AEL) NUMBER(S) FOR CONTROLLED EQUIPMENT:

**SUMMARIZE THE PROPOSED INVESTMENT JUSTIFICATION.**

THE FOLLOWING MUST BE INCLUDED:

- DESCRIBE HOW THIS INVESTMENT ADDRESSES THE CAPTAIN OF THE PORT'S PRIORITIES
- EXPLAIN HOW THIS INVESTMENT WILL ACHIEVE A MORE SECURE AND RESILIENT PORT AREA
- IDENTIFY ASSETS BEING REQUESTED
- IDENTIFY SIMILAR ASSETS THAT ALREADY EXIST

The Pensacola Fire Department is charged with protecting the Port of Pensacola and the surrounding waterfront areas for its safety and security. These upgrades will significantly enhance our abilities to protect the port.

The primary mission of the Pensacola Fire Departments fire boat is the protection of the Port of Pensacola and the surrounding water front. When we purchased our Fire Boat in 2013 it was outfitted with tools and equipment that was deemed to best to support this mission. In the last several years of operating the boat's primary mission of protecting the Port of Pensacola and the waterfront area has grown but the equipment has not and has reached the end of its service life. Our requirements of said equipment has also changed and an upgrade is sorely needed to provide the protection we feel our stakeholders and citizens deserve. We have been asked to provide this type of monitoring but we currently are unable to. With the addition of the side scan sonar and CBRN detection our capabilities will increase tenfold. Being able to use this equipment to protect the Port and other assets during large scale events such as the ones previously mentioned.

We have also discovered that the electronics package on the boat requires excessive maintenance, is difficult to use and is now outdated. We are looking to replace the radar with a more current system that will afford us the ability to easily and effectively maintain and use the system. The current system is not intuitive and is not easy for department personnel that cross-man the boat to operate.

**WARNING: This record contains Sensitive Security Information that is controlled under 49 CFR parts 15 and 1520. No part of this record may be disclosed to persons without a "need to know", as defined in 49 CFR parts 15 and 1520, except with the written permission of the Administrator of the Transportation Security Administration or the Secretary of Transportation. Unauthorized release may result in civil penalty or other action. For U.S. government agencies, public disclosure is governed by 5 U.S.C. 552 and 49 CFR parts 15 and 1520.**

**SENSITIVE SECURITY INFORMATION**

**PART VIII - NATIONAL PRIORITIES**

IDENTIFY ONE NATIONAL PRIORITY THIS INVESTMENT MOST CLOSELY SUPPORTS:

Enhancing IED and CBRNE Prevention, Protection, Response and Supporting Recovery Capabilities

**DESCRIBE HOW, AND THE EXTENT THIS INVESTMENT JUSTIFICATION MEETS ONE OR MORE OF THE NATIONAL PRIORITIES.**

THE FOLLOWING MUST BE INCLUDED:

- HOW THIS INVESTMENT ADDRESSES VULNERABILITIES IDENTIFIED WITHIN AN AREA MARITIME SECURITY PLAN, FACILITY SECURITY PLAN, VESSEL SECURITY PLAN, OR OTHER IDENTIFIED PLAN(S).

The approved Port Wide Risk Management Plan (PWRMP) established a forward thinking risk management approach to the port community which identifies a desired future/end state for port area risk reduction measures. It identifies port area gaps in planning, community resilience, operational coordination, and physical protective measures; many of these projects have been accomplished. The port area considers this a living document which must be reviewed and revised routinely to reduce identified risks; below is a list of the most recently identified deficiencies in preparation.

The CBRNE Detection Systems will enhance the capabilities of detecting chemical and radiation in the Port Area. Currently, there is not a boat owned/or operated by the City of Pensacola/Port of Pensacola with this capability. The system would solve the vulnerability of not being able to detect these substances in the Port Area.

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**SENSITIVE SECURITY INFORMATION**

**PART IX - NATIONAL PREPAREDNESS GOAL**

IDENTIFY ONE CORE CAPABILITY THIS INVESTMENT MOST CLOSELY SUPPORTS:

Environmental Response/Health and Safety

**PART X - IMPLEMENTATION PLAN**

**PROVIDE A HIGH-LEVEL TIMELINE OF MILESTONES FOR THE IMPLEMENTATION OF THIS INVESTMENT, SUCH AS PLANNING, TRAINING, EXERCISES, AND MAJOR ACQUISITIONS OR PURCHASES. UP TO 10 MILESTONES MAY BE SUBMITTED.**

THE FOLLOWING MUST BE INCLUDED:

- MAJOR MILESTONES OR RELEVANT INFORMATION THAT IS CRITICAL TO THE SUCCESS OF THE INVESTMENT
- MAJOR TASKS THAT WILL NEED TO OCCUR (E.G. DESIGN AND DEVELOPMENT, CONTRACTUAL AGREEMENTS, PROCUREMENT, DELIVERY, INSTALLATION AND PROJECT COMPLETION)

Cost Share: The port area has read and understands the guidelines associated with cost share.

Fire Boat 1 (equipment, freight, on-site installation and on-site inspection) \$208,650.88 – cost share \$52,162.72 Cash (Hard)

Personnel: \$4,250.88

Equipment: \$159,000

Other: \$45,400

Federal Amount

A. Personnel: \$3,188.16

D. Equipment: \$119,250

G. Other: \$34,050

Non-Federal Amount

A. Personnel: \$1,062.72 Cash (Hard)

D. Equipment: \$39,750 Cash (Hard)

G. Other: \$11,350 Cash (Hard)

Total Requested Federal Amount - \$156,488.16

Total Non-Federal Amount - \$52,162.72 Cash (Hard)

Combined Total Project Costs - \$208,650.88

The Return on Investment (ROI) and mitigation will be successful by: addressing the need to have a Fire Boat that can not only respond to a health and safety incident but also have CBRNE capabilities for the Port Area. The United States Coast Guard will have access to a true force-multiplier when incidents (man-made or natural) occur and threaten this port or others within the region.

Timeline:

- September 1, 2019 – September 30, 2019: Announcement of Award
- October 28, 2019: Design and Development: specifications to request for bids and contracts; ensure grant is approved by City of Pensacola Mayor/City Council
- Award to the Port Area + 60 days: local government approves contracts with bidders
- Award + 90 days: Sign contractual agreements with appropriate vendors
- June 29, 2020: Procurement
- December 28, 2020: Installation Complete
- March 29, 2021: Complete all inspections
- July 26, 2021: Boat delivered back to Pensacola
- August 31, 2022: Project has to be completed (by this date)

**WARNING: This record contains Sensitive Security Information that is controlled under 49 CFR parts 15 and 1520. No part of this record may be disclosed to persons without a "need to know", as defined in 49 CFR parts 15 and 1520, except with the written permission of the Administrator of the Transportation Security Administration or the Secretary of Transportation. Unauthorized release may result in civil penalty or other action. For U.S. government agencies, public disclosure is governed by 5 U.S.C. 552 and 49 CFR parts 15 and 1520.** 193

**RESOLUTION  
NO. 2019-62**

A RESOLUTION  
TO BE ENTITLED:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE  
FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA

SECTION 1. The following appropriations from funds on hand in the fund accounts stated below, not heretofore appropriated, and transfer from funds on hand in the various accounts and funds stated below, heretofore appropriated, be, and the same are hereby made, directed and approved to-wit:

**A. SPECIAL REVENUE FUND**

As Reads	Federal Grants	217,300
To:		
Reads	Federal Grants	373,788
To:	Capital Outlay	156,488

**B. PORT FUND**

To:	Federal Grants	168,750
To:	Capital Outlay	168,750

SECTION 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This resolution shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

**THE CITY OF PENSACOLA**

**SUPPLEMENTAL BUDGET RESOLUTION - PORT SECURITY GRANT - SECURITY PATROL BOAT/FIRE BOAT EQUIP UPGRADES - RES NO. 2019-62**

FUND	AMOUNT	DESCRIPTION
<b>A. SPECIAL REVENUE FUND</b>		
Estimated Revenues		
Federal Grants	156,488	Increase estimated revenue from Federal Grants
Total Revenues	<u>156,488</u>	
Appropriations		
Capital Outlay	156,488	Appropriate funding for Capital Outlay
Total Appropriations	<u>156,488</u>	
<b>B. PORT FUND</b>		
Estimated Revenues		
Federal Grants	168,750	Appropriate estimated revenue from Federal Grants
Total Revenues	<u>168,750</u>	
Appropriations		
Capital Outlay	168,750	Appropriate funding for Capital Outlay
Total Appropriations	<u>168,750</u>	



Memorandum

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File #: 2019-62

City Council

11/14/2019

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**LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

SUPPLEMENTAL BUDGET RESOLUTION NO. 2019-62 - DEPARTMENT OF HOMELAND SECURITY (DHS) GRANT NO. EMW-2019-PU-00016 - PORT SECURITY GRANT PROGRAM FY 2019

**RECOMMENDATION:**

That City Council adopt Supplemental Budget Resolution No. 2019-19

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

In 2019, the Port of Pensacola and the Pensacola Fire Department were awarded a U.S. Department of Homeland Security Port Security Grant. This award included two projects submitted by the Port of Pensacola and the Pensacola Fire Department. The Port of Pensacola's Investment Justification is a security patrol boat with a CBRNE (chemical, biological, radiological, nuclear and explosive) detection systems. Total project cost is \$225,000 with a cost share of \$56,250. The Pensacola Fire Department's Investment Justification is to replace and upgrade vessel equipment on Fire Boat 1. They also are adding a CBRNE detection systems. Total project cost is \$208,651 with a cost share of \$52,163.

Since 2006, the Port has been awarded nearly than \$6 million in Federal grant funds on behalf of the Port as well as other City departments, including Pensacola Fire Department, Pensacola Police Department, Pensacola Energy and Technology Resources. Critical projects funded through the program to date have included replacement of the City's antiquated telephone system with a Voice-over Internet Protocol (VoIP) system, replacement of the Englewood communications tower, purchase of the Fire Department's fire boat, and purchase of a maritime fire training simulator for the Fire Department.

**PRIOR ACTION:**

None

**FUNDING:**

Budget:	\$ 325,238	Port Security Grant (Federal Funds)
	56,250	Port Matching Funds (Port Fund)
	<u>52,163</u>	Fire Matching Funds (LOST IV)
	<u>\$ 433,651</u>	

Actual:	\$ 225,000	Port Security Patrol Boat
	<u>208,651</u>	Fire Boat Equipment Upgrades
	<u>\$ 433,651</u>	

**FINANCIAL IMPACT:**

The federal grant award will fund 75% of the cost of the projects. The City is required to provide a match of 25% of the cost of the project. The Port's \$56,250 match will be funded by re-allocating funds from within the Port's FY 2020 Budget. The Fire Department's \$52,163 match will be funded from savings realized from the Fire Station #3 project. Approval of the Supplemental Budget Resolution will appropriate the grant funds.

**CITY ATTORNEY REVIEW:** Yes

10/22/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Amy Miller, Port Director  
Ginny Cranor, Fire Chief

**ATTACHMENTS:**

- 1) Supplemental Budget Resolution No. 2019-62
- 2) Supplemental Budget Explanation No. 2019-62

**PRESENTATION:** No

**RESOLUTION  
NO. 2019-62**

A RESOLUTION  
TO BE ENTITLED:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE  
FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA

SECTION 1. The following appropriations from funds on hand in the fund accounts stated below, not heretofore appropriated, and transfer from funds on hand in the various accounts and funds stated below, heretofore appropriated, be, and the same are hereby made, directed and approved to-wit:

**A. SPECIAL REVENUE FUND**

As Reads	Federal Grants	217,300
To:		
Reads	Federal Grants	373,788
To:	Capital Outlay	156,488

**B. PORT FUND**

To:	Federal Grants	168,750
To:	Capital Outlay	168,750

SECTION 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This resolution shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

**THE CITY OF PENSACOLA**

**SUPPLEMENTAL BUDGET RESOLUTION - PORT SECURITY GRANT - SECURITY PATROL BOAT/FIRE BOAT EQUIP UPGRADES - RES NO. 2019-62**

FUND	AMOUNT	DESCRIPTION
<b>A. SPECIAL REVENUE FUND</b>		
Estimated Revenues		
Federal Grants	156,488	Increase estimated revenue from Federal Grants
Total Revenues	<u>156,488</u>	
Appropriations		
Capital Outlay	156,488	Appropriate funding for Capital Outlay
Total Appropriations	<u>156,488</u>	
<b>B. PORT FUND</b>		
Estimated Revenues		
Federal Grants	168,750	Appropriate estimated revenue from Federal Grants
Total Revenues	<u>168,750</u>	
Appropriations		
Capital Outlay	168,750	Appropriate funding for Capital Outlay
Total Appropriations	<u>168,750</u>	



Memorandum

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File #: 19-00483

City Council

11/14/2019

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**LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor  
Ann Hill, Council Member  
Sherri Myers, Council Member

**SUBJECT:**

TREE PLANTING AND MANAGEMENT PLAN - FY 2020

**RECOMMENDATION:**

That Council approve the Proposed Tree Planting and Management Plan - FY 2020. Further, that City Council authorize the Mayor to execute all necessary documents associated with the implementation of the Proposed Tree Planting and Management Plan. Finally, that City Council adopt a supplemental budget resolution appropriating \$100,000 from the Tree Planting Trust Fund.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

On February 23, 2016, a tornado ravaged many trees throughout the north end of Pensacola. Dunmire Woods, Camelot and Eau Clair subdivisions among other areas were heavily damaged by the storm. In response City Council adopted a supplemental budget resolution returning approximately \$207,530 of previously allocated but unencumbered funds to the Tree Planting Trust Fund in order to assess tree damage in these areas, take public input and allow the Environmental Advisory Board to develop a reforestation plan for the impacted areas.

At the March 14, 2016 Agenda Conference an item was considered to place a moratorium on all expenditures from the Tree Trust Fund by Councilperson Myers. However, that recommendation was substituted at the March 17, 2016 City Council meeting to encumber \$181,000 for reforestation. These funds were not expended in FY 2016 or 2017.

There have been no expenditures or encumbrances from the Tree Planting Trust Fund since. During the September 13, 2017 Tentative Public Hearing on the FY 2018 Budget, City Council approved Budget Resolution No. 17-54 moving \$300,000 within the Tree Planting Trust Fund from the various projects to a reserved account in order to allow for a full review of Tree Planting Fund expenditures. **The unencumbered balance in the Tree Planting Trust at the end of FY 2019 was \$495,450.87.**

**PRIOR ACTION:**

March 17, 2016 - City Council voted to encumber \$181,000 in the Tree Planting Trust Fund pending a plan by the City Council for reforestation.

September 13, 2017 - City Council approved Budget Resolution No. 17-54 at the Tentative Public Hearing which including moving \$300,000 within the Tree Planting Trust Fund from the various projects to a reserved account in order to allow for a full review of the Tree Planting Trust Fund expenditures.

**FUNDING:**

Budget: \$ 100,000

Actual: \$ 100,000

**FINANCIAL IMPACT:**

Adoption of the supplemental budget resolution will appropriate funding within the Tree Planting Trust Fund to implement the proposed plan.

**CITY ATTORNEY REVIEW:** Yes

10/27/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Keith Wilkins, Deputy City Administrator

**ATTACHMENTS:**

- 1) DRAFT Tree Planting and Management Plan - FY 2020
- 2) Supplemental Budget Resolution
- 3) Supplemental Budget Explanation

**PRESENTATION:** No

## TREE PLANTING AND MANAGEMENT PLAN - FY2020

### Executive Summary

#### The fundamental points to move forward are:

- There was \$492,603 unencumbered in the Tree Planting Trust Fund as of Q3 FY 2019.
- There are no encumbered funds or planned projects in the FY 2020 Budget.
- Per ordinance, the first priority for the expenditure of funds deposited in the tree fund is for restoration of the tree canopy on the area where trees generating the funds were removed.
- There is no definition of “area”.
- There is no plan for use of the funds, no moratorium or restrictions, aside from the ordinance.

#### Recommendations

1. Short Term Plan for FY 2020 budget and allocate \$100,000 of the funds for various projects:
  - \$10,000 for each District (\$70,000) to follow 2013 Recommendations
  - \$20,000 additional for District 2 due to it being the source of most fund contributions
  - \$10,000 for neighborhood grants
2. Apply for grants to leverage the Tree Trust Fund and Long Term Pensacola Tree Planting and Management Plan such as:
  - Florida Urban and Community Forestry Grant
  - 2020 Managing Community Forests Grant Program
    - Year One – Tree Inventory
    - Year Two - Management Plan
    - Year Three - Tree Planting
3. If unsuccessful with the above grants, fund implementation of the same process: an inventory, management plan and tree planting program from the Tree Trust Fund.
4. Certify an existing employee or hire a City Arborist
5. Update the current Tree Ordinance

## I. Introduction

### A. 2013 Study and Recommendations

#### 1. Optimizing Tree Canopy through Planting

- a) **Establish measurement of success and set planting priorities.** All plantings should follow American National Standard-ANSI A300 Standard Practices for Tree Care Operations.
- b) **Planting the easy areas first.** The easy areas are public owned spaces needing no or limited modifications to the site including adequate soil type and volume for minimum inputs after establishment. The easier locations have the greater chance of successful trees at a lower price. (Urban, J. 2008).
- c) **Expand street tree planting by designing space for trees.** Incorporate tree species, soil properties, soil volume and drainage in initial design. Tree size is directly related to planting space, no matter the tree species. Share rooting space in continuous planting strips like in a road median. Connect tree pits to lawn area to share planting space in commercial landscape.
- d) **Encourage planting on residential property** through education and street tree planting programs placing priority on neighborhoods willing to provide supplemental early tree care. Target and encourage “right tree right place” plantings in areas with lower canopy densities.
- e) **Maintain natural areas with appropriate native species** though restoration plantings and removal of exotic invasive plants.

#### 2. Optimizing Canopy through Maintenance and Species Diversity

- a) **Conduct rotational tree assessments** addressing maintenance, planting and removal. All tree care maintenance should follow American National Standard ANSI A300 for tree care. Improving tree structure will increase wind resistance (Duryea et al. 2000) and reduce tree risk.

- b) **Maintain a tree database** with tree inventory to promote tree structure improvements, mitigate risk and report maintenance concerns.
- c) **Tree maintenance personnel** should have a reasonable understanding of indicators that determine risk factors affecting the health and structure of the trees.
- d) **Selecting the right tree for space** and making the space right for the tree. Species should be selected by their ability to perform the desired functions and aesthetic contributions to the design. Long-term maintenance and resources for establishment period should be factored into design.
- e) **Increase species diversity**, plant species that have longer average life spans and medium to high wind resistance. If possible, work with local and regional nurseries to grow unique and desirable tree species not commercially available.
- f) **Foster a tree education program** providing city residents with information about tree preservation policies, the benefits trees provide, and the importance of tree canopy.

### 3. **Site Recommendations**

a) **Plant public owned spaces** needing no or limited modifications first. The easier locations have the greater chance of successful tree establishment at a lower price. (Urban, J 2008). Listed parks have a low percent canopy with adequate space to support canopy trees with minimum maintenance after establishment. Recently planted parks including Maritime Park and Plaza De Luna have been excluded from the list. When scheduling planting projects consider removing and replacing over-mature and diseased trees (i.e. Mallory Height and Woodland Heights). Table 8 in the 2013 Report lists specific park recommendations.

#### **b) Expand Street Tree Planting**

(1) Incorporate tree species, soil volume and drainage in the initial street design. Tree size is directly related to planting space, no matter the tree species.

(2) Target street tree planting projects in residential areas where residents agree to aide in establishing the tree. For easier establishment, plan planting project during winter months.

(3) **Street Tree Planting Design**

(a) Design should include plant quality, species, size, installation procedures, water requirements, any soil amendments, placement and type of mulch. Warranty period and maintenance (if applicable) should be clearly stated with specific criteria on tree replacement. There is direct ratio between mature tree size and available soil space.

(b) Planting distance from hardscape depends on species. Allow room for stabilizing trunk expansion. Use root barriers if necessary to protect hardscape.

(c) Provide adequate soil volume while matching species to the site. Tree size is directly related to planting space, no matter the tree species.

(d) When space is available, plant larger species. Larger species provide a significantly greater value to the community. (Appendix D)

**c) Planting Gateway Corridors**

(1) Incorporate space for trees into initial design in new construction, redevelopment and retrofit projects.

(2) Project construction plans should show specific and enforceable requirements for vegetative plantings.

(3) Table 9 in the 2013 Report lists Gateway Corridors by percent tree canopy

**d) Incorporate Tree Design to Aide in Mitigating Stormwater Runoff.**

(1) Use structural soil and pavement structural support systems. Structural soils are highly porous and engineered aggregate mixes designed to support tree growth and serve as sub-base for pavement. Structural soils are typically composed of 70% to 80% angular gravel and 20% to 30% clay loam soil and a small amount of hydrogel (~3%) to prevent separation during mixing. Structural soils have 20% to 25% void space, which supports root growth and accommodates stormwater runoff. These soils can be compacted to meet load-bearing requirements for sidewalks or roadways while preserving porosity and permeability.

(2) Interconnecting stormwater storage systems can reduce peak flows and reduce overall volume of runoff. Consult engineers and landscape architects for design of connecting these contiguous areas with other green and grey infrastructure. Consult and municipal arborist for choosing tree species and other plantings that will perform well for the given system design.

(3) Bios wales can be used to retain stormwater over multiple sites rather than collecting runoff at one centralized location.

(4) Trees and structural soils combined can create a zero runoff site. (Day, S. D., and Dickinson (eds.) 2008). A stormwater engineer can determine the quantity of water that the system will need and whether to link systems and use overflow piping. Municipal Arborists, Urban Foresters and other qualified plant professionals should be consulted during the design process for choosing tree species and other plantings that will perform well for the given system design.

**B. Current Approach**

1. On February 23, 2016, a tornado ravaged many trees throughout the north end of Pensacola. Dunmire Woods, Camelot and Eau Clair subdivisions among other areas were heavily damaged by the storm. In response City Council adopted a supplemental budget resolution returning approximately 207,530 of previously allocated but unencumbered funds to

the Tree Fund in order to assess tree damage in these areas, take public input and the Environmental Advisory Board develop a reforestation plan for the impacted areas.

2. At the March 14, 2016 Agenda Conference an item was considered to place a moratorium on all expenditures from the Tree Trust Fund by Councilperson Myers. However, that recommendation was substituted at the March 17, 2016 City Council meeting to encumber \$181,000 for reforestation. These funds were not expended in FY 2016 or 2017.

3. There have been not expenditures or encumbrances from the Tree Planting Trust Fund. During the Public Hearing to approve the FY 2018 Budget, City Council voted to move \$300,000 within the Tree Planting Trust Funds from various projects to a reserved account in order to allow for a full review of Tree Planting Fund expenditures. **The unencumbered balance in the Tree Planting Trust Fund at the end of the third quarter FY 2019 was \$492,603.**

4. At present, there has been no review until this document of the Tree Planting Fund expenditures and planning.

5. Annual revenue to the account is highly variable as follows:

a)	2012	\$11,487
b)	2013	\$19,590
c)	2014	\$13,481
d)	2015	\$73,236
e)	2016	\$83,944
f)	2017	\$49,386
g)	2018	\$5,773
h)	2019	\$101,189

**C. Tree Planting Trust Fund Ordinance**

1. Expenditures from the tree planting trust fund are authorized and may be made by the Mayor for projects up to \$25,000 to replant trees, or to plant new trees and other appropriate landscape vegetation, purchase irrigation supplies and purchase equipment dedicated to the planting and maintaining of the city’s trees.

2. **The first priority for the expenditure of funds deposited in the tree planting trust fund is for restoration of the tree canopy on the area where trees generating the funds were removed.**

3. Any expenditure in excess of \$25,000 must be approved by the City Council following review by the environmental advisory board.

## **II. Tree Planting Plan Alternatives**

**A. Develop a short-term plan** to implement in FY 2020 and a **long-term plan** based on scientific and Council approved criteria.

### **B. Short Term Plan**

1. Determine fund allocation amount for FY2020.
2. Seek grant programs to leverage implementation of the Tree Planting and Management Plan
3. Short Term Fund Allocation
  - a) District Allocation
    - (1) Percent Contribution by District
    - (2) Even Distribution
  - b) Watershed Allocation by Contribution
  - c) One/Multiple Large Projects
    - (1) One Gateway
    - (2) Carpenters Creek
  - d) Public and Private Properties
4. See Recommendations cited in Executive Summary

### **C. Long Term Plan**

1. Utilize the format recommended in Department of Agriculture and Consumer Services Managing Community Forests Program to:
  - a) Year 1 – Conduct a Community Tree Inventory
  - b) Year 2 - Develop a Long Term Management Plan
  - c) Year 3 - Implement a Tree and Landscape Planting Program in accordance with the Long Term Management Plan
2. Funding Allocation
  - a) Per ordinance, the priority is to replace trees in the “area” from which they were removed. The term “area” is not defined. Does Council wish to define “area”?
    - (1) Watershed
    - (2) District
    - (3) Council Project Selection

b) Seek grant program opportunities

3. Orient the Long Term Plan on urban forest resiliency based on storm survival, species diversity, native species, canopy, understory and landscape vegetation and recommendations of the Long Term Management Plan
4. Update the 2013 Study
5. Certify an existing employee or hire a City Arborist
6. Staff and EAB Review and update the current Tree Ordinance

DRAFT

**RESOLUTION  
NO. 2019-64**

A RESOLUTION  
TO BE ENTITLED:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE  
FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA

SECTION 1. The following appropriations from funds on hand in the fund accounts stated below, not heretofore appropriated, and transfer from funds on hand in the various accounts and funds stated below, heretofore appropriated, be, and the same are hereby made, directed and approved to-wit:

	<b>A. TREE PLANTING TRUST FUND</b>	
	Fund Balance	100,000
To:	Operating Expenses	100,000

SECTION 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This resolution shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

**THE CITY OF PENSACOLA**

**NOVEMBER 2019 - SUPPLEMENTAL BUDGET RESOLUTION - TREE PLANTING & MANAGEMENT PLAN - #2019-64**

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<u>FUND</u>	<u>AMOUNT</u>	<u>DESCRIPTION</u>
<b>TREE PLANTING TRUST FUND - GENERAL FUND</b>		
Fund Balance	<u>100,000</u>	Increase appropriated fund balance - Tree Planting Trust Fund
Appropriations		
Operating Expenses	<u>100,000</u>	Appropriate funding for Operating Expenses
Total Appropriations	<u>100,000</u>	



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 2019-64

City Council

11/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

SUPPLEMENTAL BUDGET RESOLUTION NO. 2019-64 - TREE PLANTING AND MANAGEMENT PLAN - FY 2020

**RECOMMENDATION:**

That City Council adopt Supplemental Budget Resolution No. 2019-64

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

On February 23, 2016, a tornado ravaged many trees throughout the north end of Pensacola. Dunmire Woods, Camelot and Eau Clair subdivisions among other areas were heavily damaged by the storm. In response City Council adopted a supplemental budget resolution returning approximately \$207,530 of previously allocated but unencumbered funds to the Tree Planting Trust Fund in order to assess tree damage in these areas, take public input and allow the Environmental Advisory Board to develop a reforestation plan for the impacted areas.

At the March 14, 2016 Agenda Conference an item was considered to place a moratorium on all expenditures from the Tree Trust Fund by Councilperson Myers. However, that recommendation was substituted at the March 17, 2016 City Council meeting to encumber \$181,000 for reforestation. These funds were not expended in FY 2016 or 2017.

There have been no expenditures or encumbrances from the Tree Planting Trust Fund since. During the September 13, 2017 Tentative Public Hearing on the FY 2018 Budget, City Council approved Budget Resolution No. 17-54 moving \$300,000 within the Tree Planting Trust Fund from the various projects to a reserved account in order to allow for a full review of Tree Planting Fund expenditures. **The unencumbered balance in the Tree Planting Trust at the end of FY 2019 was \$495,450.87.**

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**PRIOR ACTION:**

March 17, 2016 - City Council voted to encumber \$181,000 in the Tree Planting Trust Fund pending a plan by the City Council for reforestation.

September 13, 2017 - City Council approved Budget Resolution No. 17-54 at the Tentative Public Hearing which including moving \$300,000 within the Tree Planting Trust Fund from the various projects to a reserved account in order to allow for a full review of the Tree Planting Trust Fund expenditures.

**FUNDING:**

Budget: \$ 100,000

Actual: \$ 100,000

**FINANCIAL IMPACT:**

Adoption of the supplemental budget resolution will appropriate \$100,000 within the Tree Planting Trust Fund for the implementation of the Tree Planting and Management Plan.

**CITY ATTORNEY REVIEW:** Yes

10/28/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Keith Wilkins, Deputy City Administrator - Administration and Enterprise

**ATTACHMENTS:**

- 1) Supplemental Budget Resolution No. 2019-64
- 2) Supplemental Budget Explanation No. 2019-64

**PRESENTATION:** No

**RESOLUTION  
NO. 2019-64**

A RESOLUTION  
TO BE ENTITLED:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE  
FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA

SECTION 1. The following appropriations from funds on hand in the fund accounts stated below, not heretofore appropriated, and transfer from funds on hand in the various accounts and funds stated below, heretofore appropriated, be, and the same are hereby made, directed and approved to-wit:

	<b>A. TREE PLANTING TRUST FUND</b>	
	Fund Balance	100,000
To:	Operating Expenses	100,000

SECTION 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This resolution shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

**THE CITY OF PENSACOLA**

**NOVEMBER 2019 - SUPPLEMENTAL BUDGET RESOLUTION - TREE PLANTING & MANAGEMENT PLAN - #2019-64**

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FUND	AMOUNT	DESCRIPTION
<b>TREE PLANTING TRUST FUND - GENERAL FUND</b>		
Fund Balance	<u>100,000</u>	Increase appropriated fund balance - Tree Planting Trust Fund
Appropriations		
Operating Expenses	<u>100,000</u>	Appropriate funding for Operating Expenses
Total Appropriations	<u>100,000</u>	



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 2019-61

City Council

11/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

SUPPLEMENTAL BUDGET RESOLUTION NO. 2019-61 - FY 2020 ENCUMBRANCE CARRYOVER BUDGET RESOLUTION

**RECOMMENDATION:**

That City Council adopt Supplemental Budget Resolution No. 2019-61.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020; PROVIDING FOR AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

After the beginning of each fiscal year a supplemental budget resolution is brought to City Council for consideration. This resolution includes appropriations for the following:

- FY 2019 encumbered purchase order balances net of contracts payable  
Appropriations are carried forward to the new fiscal year for purchase orders issued by September 30, 2019 for which final payment had not been made. However, all work completed on outstanding purchase orders by September 30<sup>th</sup> is expenses to FY 2019 as contracts payable. Encumbrances carried forward to the new fiscal year are reduced by the amount expensed to contracts payable in the previous fiscal year.
- Appropriation of fund balance  
In most funds, fund balance is appropriated to cover encumbrances carried forward.
- Increase in estimated revenues  
In some funds, mostly related to various grants, estimated revenues are increased to balance the encumbered purchase order balances.

A second resolution to carry forward FY 2019 funding for items that were not encumbered will be 216

brought forward for City Council's approval on a separate resolution at the December 2019 City Council meeting.

**PRIOR ACTION:**

September 18, 2019 - City Council formally adopted a beginning FY 2020 Budget on Budget Resolution No. 2019-50.

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

All appropriations of City funds in the carryover budget resolution are covered by either an appropriation of fund balance or an increase in estimated revenues. Approval of the supplemental budget resolution provides for a balanced budget for Fiscal Year 2020.

**CITY ATTORNEY REVIEW:** Yes

10/18/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Richard Barker, Jr., Chief Financial Officer

**ATTACHMENTS:**

- 1) Supplemental Budget Resolution No. 2019-61
- 2) Supplemental Budget Explanation No. 2019-61

**PRESENTATION:** No

**RESOLUTION  
NO. 2019-61**

A RESOLUTION  
TO BE ENTITLED:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND  
APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2020;  
PROVIDING FOR AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA

SECTION 1. The following appropriations from funds on hand in the fund accounts stated below, not heretofore appropriated, and transfer from funds on hand in the various accounts and funds stated below, heretofore appropriated, be, and the same are hereby made, directed and approved to-wit:

**A. GENERAL FUND**

	Fund Balance	532,412
To:	Purchase Orders Payable	532,412

**B. SPECIAL GRANTS FUND**

To:	Miscellaneous Revenue	182,156
As Reads: Amended	Federal Grants	217,300
To Read:	Federal Grants	419,889
To:	Purchase Orders Payable	384,745

**C. COMMUNITY DEVELOPMENT BLOCK GRANT FUND**

As Reads: Amended	Federal Grants	1,038,500
To Read:	Federal Grants	1,039,202
To:	Purchase Orders Payable	702

**D. COMMUNITY REDEVELOPMENT FUND**

	Fund Balance	73,451
To:	Purchase Orders Payable	73,451

**E. STORMWATER UTILITY FUND**

	Fund Balance	12,650
To:	Purchase Orders Payable	12,650

**F. SECTION 8 HOUSING ASSISTANCE FUND**

	Fund Balance	3,198
To:	Purchase Orders Payable	3,198

**G. NATURAL DISASTER FUND**

To:	Federal Grants	38,289
To:	Purchase Orders Payable	38,289

**H. EASTSIDE TIF FUND**

	Fund Balance	148
To:	Purchase Orders Payable	148

**I. WESTSIDE TIF FUND**

	Fund Balance	148
To:	Purchase Orders Payable	148

**J. RECREATION FUND**

	Fund Balance	54,152
To:	Purchase Orders Payable	54,152

**K. COMMUNITY MARITIME PARK MANagements SERVICES FUND**

	Fund Balance	28,722
To:	Purchase Orders Payable	28,722

**L. LOCAL OPTION SALES TAX FUND**

	Fund Balance	737,336
To:	Purchase Orders Payable	737,336

**M. CRA SERIES 2017 PROJECT FUND**

	Fund Balance	388,987
To:	Purchase Orders Payable	388,987

**N. LOST SERIES 2017 PROJECT FUND**

	Fund Balance	4,026,486
To:	Purchase Orders Payable	4,026,486

**O. STORMWATER CAPITAL PROJECTS FUND**

	Fund Balance	267,762
To:	Purchase Orders Payable	267,762

**P. GAS UTILITY FUND**

	Fund Balance	1,877,685
To:	Purchase Orders Payable	1,877,685

**Q. SANITATION FUND**

	Fund Balance	1,188,320
To:	Purchase Orders Payable	1,188,320

**R. PORT FUND**

	Fund Balance	68,728
To:	State Grants	194,110
To:	Purchase Orders Payable	262,838

**S. AIRPORT FUND**

	Fund Balance	2,316,392
As Reads: Amended To Read:	Federal Grants	10,620,000
	Federal Grants	11,769,020
To:	Purchase Orders Payable	3,465,412

**T. INSURANCE RETENTION FUND**

As Reads: Amended To Read:	Charges for Services - Risk Management	1,205,300
	Charges for Services - Risk Management	1,215,300
To:	Purchase Orders Payable	10,000

**U. CENTRAL SERVICES FUND**

As Reads: Amended To Read:	Charges for Services - Garage	1,505,000
	Charges for Services - Garage	1,525,779
As Reads: Amended To Read:	Charges for Services - Technology Resources	2,566,100
	Charges for Services - Technology Resources	2,569,325
To:	Purchase Orders Payable	24,004

SECTION 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This resolution shall become effective on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

**THE CITY OF PENSACOLA  
 NOVEMBER 2019 ENCUMBRANCE CARRYOVERS  
 BUDGET RESOLUTION EXPLANATION NO. 2019-61**

FUND	AMOUNT	DESCRIPTION
<b>A. GENERAL FUND</b>		
Fund Balance	<u>532,412</u>	Increase appropriated fund balance.
Appropriations		
Purchase Orders Payable	<u>532,412</u>	Carryover - encumbrances outstanding at 9/30/19
<b>B. SPECIAL GRANTS FUND</b>		
Estimated Revenues		
Federal Grants	202,589	Increase estimated revenues for Federal Grants
Miscellaneous Revenue	182,156	Appropriate estimated revenues for Miscellaneous Revenue
Total Estimated Revenues	<u>384,745</u>	
Appropriations		
Purchase Orders Payable	<u>384,745</u>	Carryover - encumbrances outstanding at 9/30/19
<b>C. COMMUNITY DEVELOPMENT BLOCK GRANT FUND</b>		
Federal Grants	<u>702</u>	Increase estimated revenue from Federal Grants
Total Estimated Revenues	<u>702</u>	
Appropriations		
Purchase Orders Payable	<u>702</u>	Carryover - encumbrances outstanding at 9/30/19
<b>D. COMMUNITY REDEVELOPMENT FUND</b>		
Fund Balance	<u>73,451</u>	Increase appropriated fund balance.
Appropriations		
Purchase Orders Payable	<u>73,451</u>	Carryover - encumbrances outstanding at 9/30/19
<b>E. STORMWATER UTILITY FUND</b>		
Fund Balance	<u>12,650</u>	Increase appropriated fund balance.
Appropriations		
Purchase Orders Payable	<u>12,650</u>	Carryover - encumbrances outstanding at 9/30/19

**THE CITY OF PENSACOLA  
NOVEMBER 2019 ENCUMBRANCE CARRYOVERS  
BUDGET RESOLUTION EXPLANATION NO. 2019-61**

FUND	AMOUNT	DESCRIPTION
<b>F. SECTION 8 HOUSING ASSISTANCE FUND</b>		
Fund Balance	<u>3,198</u>	Increase appropriated fund balance.
Appropriations		
Purchase Orders Payable	<u>3,198</u>	Carryover - encumbrances outstanding at 9/30/19
<b>G. NATURAL DISASTER FUND</b>		
Estimated Revenues		
Federal Grants	<u>38,289</u>	Appropriate estimated revenues for Federal Grants
Total Estimated Revenues	<u>38,289</u>	
Appropriations		
Purchase Orders Payable	<u>38,289</u>	Carryover - encumbrances outstanding at 9/30/19
<b>H. EASTSIDE TIF FUND</b>		
Fund Balance	<u>148</u>	Increase appropriated fund balance.
Appropriations		
Purchase Orders Payable	<u>148</u>	Carryover - encumbrances outstanding at 9/30/19
<b>I. WESTSIDE TIF FUND</b>		
Fund Balance	<u>148</u>	Increase appropriated fund balance.
Appropriations		
Purchase Orders Payable	<u>148</u>	Carryover - encumbrances outstanding at 9/30/19
<b>J. RECREATION FUND</b>		
Fund Balance	<u>54,152</u>	Increase appropriated fund balance.
Appropriations		
Purchase Orders Payable	<u>54,152</u>	Carryover - encumbrances outstanding at 9/30/19

**THE CITY OF PENSACOLA  
NOVEMBER 2019 ENCUMBRANCE CARRYOVERS  
BUDGET RESOLUTION EXPLANATION NO. 2019-61**

FUND	AMOUNT	DESCRIPTION
<b>K. CMMTY MARITIME PARK MGT SVCS FUND</b>		
Fund Balance	<u>28,722</u>	Increase appropriated fund balance.
Appropriations		
Purchase Orders Payable	<u>28,722</u>	Carryover - encumbrances outstanding at 9/30/19
<b>L. LOCAL OPTION SALES TAX FUND</b>		
Fund Balance	<u>737,336</u>	Increase appropriated fund balance.
Appropriations		
Purchase Orders Payable	<u>737,336</u>	Carryover - encumbrances outstanding at 9/30/19
<b>M. CRA SERIES 2017 PROJECT FUND</b>		
Fund Balance	<u>388,987</u>	Increase appropriated fund balance.
Appropriations		
Purchase Orders Payable	<u>388,987</u>	Carryover - encumbrances outstanding at 9/30/19
<b>N. LOST SERIES 2017 PROJECT FUND</b>		
Fund Balance	<u>4,026,486</u>	Increase appropriated fund balance.
Appropriations		
Purchase Orders Payable	<u>4,026,486</u>	Carryover - encumbrances outstanding at 9/30/19
<b>O. STORMWATER CAPITAL PROJECTS FUND</b>		
Fund Balance	<u>267,762</u>	Increase appropriated fund balance.
Appropriations		
Purchase Orders Payable	<u>267,762</u>	Carryover - encumbrances outstanding at 9/30/19

**THE CITY OF PENSACOLA  
NOVEMBER 2019 ENCUMBRANCE CARRYOVERS  
BUDGET RESOLUTION EXPLANATION NO. 2019-61**

FUND	AMOUNT	DESCRIPTION
<b>P. GAS UTILITY FUND</b>		
Fund Balance	<u>1,877,685</u>	Increase appropriated fund balance.
Appropriations		
Purchase Orders Payable	<u>1,877,685</u>	Carryover - encumbrances outstanding at 9/30/19
<b>Q. SANITATION FUND</b>		
Fund Balance	<u>1,188,320</u>	Increase appropriated fund balance.
Appropriations		
Purchase Orders Payable	<u>1,188,320</u>	Carryover - encumbrances outstanding at 9/30/19
<b>R. PORT FUND</b>		
Estimated Revenues		
State Grants	<u>194,110</u>	Appropriate estimated revenues for State Grants
Total Estimated Revenues	<u>194,110</u>	
Fund Balance	<u>68,728</u>	Increase appropriated fund balance.
Total Estimated Revenues and Fund Balance	<u>262,838</u>	
Appropriations		
Purchase Orders Payable	<u>262,838</u>	Carryover - encumbrances outstanding at 9/30/19
<b>S. AIRPORT FUND</b>		
Estimated Revenues		
Federal Grants	<u>1,149,020</u>	Increase estimated revenues for Federal Grants
Total Estimated Revenues	<u>1,149,020</u>	
Fund Balance	<u>2,316,392</u>	Increase appropriated fund balance.
Total Estimated Revenues and Fund Balance	<u>3,465,412</u>	
Appropriations		
Purchase Orders Payable	<u>3,465,412</u>	Carryover - encumbrances outstanding at 9/30/19

**THE CITY OF PENSACOLA  
 NOVEMBER 2019 ENCUMBRANCE CARRYOVERS  
 BUDGET RESOLUTION EXPLANATION NO. 2019-61**

FUND	AMOUNT	DESCRIPTION
<b>T. INSURANCE RETENTION FUND</b>		
Estimated Revenues		
Charges for Service - Risk Management	10,000	Increase estimated revenues for Charges For Services - Risk Management
Total Estimated Revenues	<u>10,000</u>	
Appropriations		
Purchase Orders Payable	<u>10,000</u>	Carryover - encumbrances outstanding at 9/30/19
<b>U. CENTRAL SERVICES FUND</b>		
Estimated Revenues		
Charges for Services - Garage	20,779	Increase estimated revenues for Charges For Services - Garage
Charges for Services - Technology Resources	3,225	Increase estimated revenues for Charges For Services - Technology Resources
Total Estimated Revenues	<u>24,004</u>	
Appropriations		
Purchase Orders Payable	<u>24,004</u>	Carryover - encumbrances outstanding at 9/30/19



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 2019-63

City Council

11/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

SUPPLEMENTAL BUDGET RESOLUTION NO. 2019-63 - FINAL AMENDMENT TO THE FISCAL YEAR 2019 BUDGET

**RECOMMENDATION:**

That City Council adopt Supplemental Budget Resolution No. 2019-63.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019; PROVIDING FOR AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

In order to maintain a balanced budget, supplemental budget resolutions need to be approved by City Council during the course of a fiscal year. In September 2019 City Council adopted Supplemental Budget Resolution No. 2019-48 amending the Fiscal Year 2019 Budget. However, at that time the final revenues and expenditures were unknown. According to Florida Statute 166.241 the governing body of a municipality may, within up to 60 days following the end of the fiscal year, amend a budget for that year. The attached resolution includes final budget adjustments for Fiscal Year 2019 that require Council action.

General Fund related budget adjustments include increases and decreases in estimated revenue from various sources which results in a net increase in estimated revenue of \$807,490.

Beginning in Fiscal Year 2008 the Inspection Services Fund was established as a Special Revenue Fund and Inspections accounting was no longer reported in the General Fund. However, soon after the Inspection Services Fund was established, the Great Recession occurred reducing the amount of building activity within the City, thus, reducing Inspection Services Revenues. In Fiscal Year 2019, Florida House Bill 447 was passed which requires that a local government may not carry forward an amount exceeding the average of its operating budget for enforcing the Florida Building Code for the previous four (4) fiscal years and any excess funds would need to be used to rebate and reduce fees

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In order to get an accurate accounting of the Inspection Services Fund's available carry forward amount and to make the General Fund whole, a transfer to recoup prior year subsidies, including uncharged allocated overhead is being made during Fiscal Year 2019. During Fiscal Year 2009 through Fiscal Year 2011, transfers totaling \$450,000 from the General Fund to the Inspection Services Fund occurred allowing Inspection Services to continue operations during that time. In addition, during Fiscal Year 2008 through Fiscal Year 2015, allocated overhead in the amount of \$1,589,865 was never paid. In Supplemental Budget Resolution No. 2019-48, City Council approved the repayment of the \$450,000 in transfers (subsidy). Included in this Supplemental Budget Resolution is a transfer of \$1,589,865 from the Inspection Services Fund to the General Fund as payment of prior year allocated overhead. With this transfer, Inspection Services will have made the General Fund whole since moving to its own Special Revenue Fund in 2008 and will maintain compliance with Florida State Law.

The increase in Other Grants and Aids within the Saenger Theatre is due to the greater than estimated revenues from the Saenger Facility Fee and Incentive Fee. The transfer to the Stormwater Capital Projects Fund was increased as a result of increased revenues within the Stormwater Utility Fund. The transfer to the Inspection Services Fund is payment for the transfer of an Inspections vehicle to the General Fund. The book value at the time of the transfer was \$21,483.

The City's current Financial Planning and Administration Policy provides that each fiscal year the General Fund's maximum amount of appropriated Beginning Fund Balance should be no more than three percent of budgeted revenues. Based on the Fiscal Year 2020 Beginning Budget Document that amount is projected to be approximately \$1.7 Million for the next three fiscal years (FY 2020, 2021 and 2021) totaling \$5.1 million. This amount is being established as an Assigned Fund Balance in closing the books for Fiscal Year 2019, however, no expenditure of those funds will occur until appropriated by City Council. By assigning fund balance, the amount available for additional carryover will be more readily identifiable in the Unassigned Fund Balance designation.

As part of the Fiscal Year 2019 Beginning Budget, the Economic Development Incentive Fund was closed. In closing the books for fiscal year ending 2019, the assigned fund balance associated with the Economic Development Incentive Fund was released and included in the General Fund's unassigned fund balance.

Revenues within the Tree Planting Trust Fund, Park Purchases Fund, Housing Initiatives Fund and Inner-City Housing Initiatives Fund have been adjusted in accordance with actual revenues received and will be offset with Fund Balance. These "Funds" are all included in the General Fund. However, they are budgeted and reflected as separate funds from a budget standpoint to provide transparency for each of these accounts.

The transfer from the Local Option Gasoline Tax Fund to the LOGT Debt Service Fund has been increased and is offset by a combination of increased revenues and an increase in appropriated Fund Balance.

Adjustments have been made to various revenue accounts within the three CRA Funds based on the actual amounts received. A reduction of \$300,000 from the Transfer from the Urban Core Redevelopment Trust Fund to the Community Redevelopment Agency Fund is being made to provide 227

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increased funding to the CRA Debt Service Fund in order to fund debt reserves. This will not affect any currently budgeted projects in the CRA Fund.

Within the Stormwater Utility Fee Fund revenues have been adjusted based on actual revenues received and will be placed into Fund Balance.

Revenues within the Hospital Special Assessment Fund have been reduced based on actual revenues received and are offset with a reduction in Grants and Aids.

Net revenue of \$1,694,285 have been reduced within the Section 8 Housing Assistance Fund based on a reduction in Federal Funding and are offset with a decrease in various line items.

Net revenue of \$27,692 has been appropriated within the Law Enforcement Trust Fund based on receipts and will be placed into Fund Balance.

Revenues within both the Golf Fund and Recreation Fund were lower than anticipated and will be offset with a decrease in various line item accounts.

The revenues within the Inspection Services Fund have been more than anticipated and will be offset with an increase in appropriated Fund Balance and the previously mentioned repayment of Allocated Overhead for Fiscal Year 2008 - Fiscal Year 2015. Additionally, appropriations are being reduced. Fund Balance will not be drawn down in excess of Fiscal Year 2018 ending Fund Balance.

Estimated revenues within both the Roger Scott Tennis Center Fund and the Community Maritime Services Fund have been increased based on Fiscal Year 2019 actual revenues and will be placed in Fund Balance.

Revenues from Interest Income and the Federal Direct Payment Subsidy were more than anticipated in the CRA Debt Service Fund. In July 2019, the Redevelopment Bonds Series 2009B was refunded and a partial payment was received from the IRS to assist with the payment. Also, as previously mentioned, the Transfer In From the Urban Core TIF Fund was increased by \$300,000. In total additional revenue in the amount of \$638,101 will be placed into Debt Service Reserves (Fund Balance).

Interest Income was more than anticipated in the LOGT Debt Service Fund. The increase will be placed into Debt Service Reserves (Fund Balance).

Local Option Sales Tax is projected to generate revenue less than the current estimated revenue by \$48,887 but is offset by \$177,028 in Interest Income for a net revenue increase of \$68,141, which will be placed into Fund Balance.

Interest Income in the CRA Series 2017 Project Fund has been recognized and has been offset with an increase in Capital Outlay.

Interest Income in the CRA Series 2019 Project Fund has been recognized and has been placed into Fund Balance. Additionally, Bond Proceeds have been reduced to reflect the actual amount.

Interest Income in the LOST Series 2017 Project Fund was less than anticipated and has been offset with an increase in Appropriated Fund Balance.

Estimated revenues within the Stormwater Capital Projects fund were increased for Interest Income and the Transfer In From the General Fund. Appropriations have been increased in Stormwater Vaults City-Wide to offset the increased revenue.

Within the Gas Utility Fund revenues have been adjusted based on actual amounts received and will be offset with a decrease in various line item accounts .

In total, revenues in the Sanitation Fund were greater than anticipated and have been adjusted based on actual revenues received. Additional appropriations of \$184,300 are required to maintain sufficient funds within the Sanitation Fund. The net excess amount of \$328,097 will be placed into Fund Balance.

Revenues in the Port Fund have been adjusted based on actual amounts received and will be placed into Fund Balance.

Revenues within the Airport Fund were greater than anticipated and have been adjusted based on actual revenues received. The excess amount will be placed into Fund Balance.

Charges for Services for the Central Garage have been increased by \$350,000 and will be offset with a decrease in Appropriated Fund Balance.

Estimated revenues within the Special Assessments Fund have been decreased based on Fiscal Year 2019 actual revenues and are offset with a reduction in appropriations.

**PRIOR ACTION:**

September 19, 2018 - City Council formally adopted a beginning FY 2019 Budget on Budget Resolution No. 18-40.

November 8, 2018 - City Council approved Supplemental Budget Resolution No. 18-48 covering purchase orders payable.

November 8, 2018 - City Council approved Supplemental Budget Resolution No. 18-50 covering unencumbered carryovers.

December 13, 2018 - City Council approved Supplemental Budget Resolution No. 18-62 covering unencumbered carryovers.

September 14, 2019 - City Council approved Supplemental Budget Resolution No. 2019-48 amending the FY 2019 Budget.

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

All appropriations of City funds in the supplemental budget resolution are covered by fund balances, shifts in expenses or changes in revenues. Approval of the supplemental budget resolution provides for a balanced budget for Fiscal Year 2019.

**CITY ATTORNEY REVIEW:** Yes

10/31/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Richard Barker, Jr., Chief Financial Officer

**ATTACHMENTS:**

- 1) Supplemental Budget Resolution No. 2019-63
- 2) Supplemental Budget Explanation No. 2019-63

**PRESENTATION:** No

**RESOLUTION  
NO. 2019-63**

A RESOLUTION  
TO BE ENTITLED:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS  
FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019; PROVIDING FOR AN  
EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA

SECTION 1. The following appropriations from funds on hand in the fund accounts stated below, not heretofore appropriated, and transfer from funds on hand in the various accounts and funds stated below, heretofore appropriated, be, and the same are hereby made, directed and approved to-wit:

**A. GENERAL FUND**

To:	Unassigned Fund Balance	947,985
From:	Economic Development Incentives Fund Balance	(947,985)
To:	Assigned Fund Balance (3% of FY 20 Budgeted Revenues - FY 20-22)	3,489,200
From:	Unassigned Fund Balance	(3,489,200)
As Reads: Amended	Boat Launch Fees	20,000
To Read:	Boat Launch Fees	18,131
As Reads: Amended	Communication Services Tax	3,049,500
To Read:	Communication Services Tax	3,069,510
As Reads: Amended	Court Fines	12,500
To Read:	Court Fines	14,545
As Reads: Amended	Delinquent Ad Valorem Taxes	33,816
To Read:	Delinquent Ad Valorem Taxes	62,946
As Reads: Amended	ECDSB/SRO	315,344
To Read:	ECDSB/SRO	248,734
As Reads: Amended	ECSD - 911 Calltakers	237,400
To Read:	ECSD - 911 Calltakers	246,000

As Reads:	Federal Payment In Lieu of Taxes	19,430
Amended		
To Read:	Federal Payment In Lieu of Taxes	10,233
As Reads:	Fire Permits	21,000
Amended		
To Read:	Fire Permits	23,644
As Reads:	Firefighter Supplemental Compensation	40,000
Amended		
To Read:	Firefighter Supplemental Compensation	46,087
As Reads:	Franchise Fees - ECUA	1,845,200
Amended		
To Read:	Franchise Fees - ECUA	1,865,979
As Reads:	Franchise Fees - Electricity	5,629,700
Amended		
To Read:	Franchise Fees - Electricity	5,761,087
As Reads:	Franchise Fees - Natural Gas	985,000
Amended		
To Read:	Franchise Fees - Natural Gas	1,008,116
As Reads:	Gas Rebate on Municipal Vehicles	14,788
Amended		
To Read:	Gas Rebate on Municipal Vehicles	18,974
As Reads:	Half-Cent Sales Tax	5,000,000
Amended		
To Read:	Half-Cent Sales Tax	5,061,514
As Reads:	Interest Income	145,000
Amended		
To Read:	Interest Income	414,671
As Reads:	Local Business Tax	928,894
Amended		
To Read:	Local Business Tax	938,398
As Reads:	Local Business Tax - Penalty	14,701
Amended		
To Read:	Local Business Tax - Penalty	16,612
As Reads:	Miscellaneous Charges for Services	39,424
Amended		
To Read:	Miscellaneous Charges for Services	45,178
As Reads:	Miscellaneous Fines	6,484
Amended		
To Read:	Miscellaneous Fines	6,149

As Reads:	Miscellaneous Revenue	400,000
Amended		
To Read:	Miscellaneous Revenue	381,823
As Reads:	Mobile Home License Rebate	11,510
Amended		
To Read:	Mobile Home License Rebate	11,910
As Reads:	Public Services Tax - ECUA	1,190,000
Amended		
To Read:	Public Services Tax - ECUA	1,233,202
As Reads:	Public Services Tax - Electricity	6,205,500
Amended		
To Read:	Public Services Tax - Electricity	6,392,954
As Reads:	Public Services Tax - Miscellaneous	28,800
Amended		
To Read:	Public Services Tax - Miscellaneous	33,614
As Reads:	Public Services Tax - Natural Gas	830,500
Amended		
To Read:	Public Services Tax - Natural Gas	840,169
As Reads:	Saenger Theatre - Facility Fee	75,000
Amended		
To Read:	Saenger Theatre - Facility Fee	75,645
As Reads:	Saenger Theatre - Incentive Fee	30,000
Amended		
To Read:	Saenger Theatre - Incentive Fee	38,205
As Reads:	Sale of Assets	621,030
Amended		
To Read:	Sale of Assets	645,580
As Reads:	Special Permits	50,000
Amended		
To Read:	Special Permits	43,575
As Reads:	State Revenue Sharing - Motor Fuel Tax	543,600
Amended		
To Read:	State Revenue Sharing - Motor Fuel Tax	542,690
As Reads:	State Revenue Sharing - Sales Tax	1,807,200
Amended		
To Read:	State Revenue Sharing - Sales Tax	1,820,567

As Reads: Amended	Swimming Pool Fees	4,455
To Read:	Swimming Pool Fees	5,895
As Reads: Amended	Taxi Permits	6,000
To Read:	Taxi Permits	8,024
As Reads: Amended	Traffic Fines	90,000
To Read:	Traffic Fines	108,905
As Reads: Amended	Transfer In From Inspection Services Fund	450,000
To Read:	Transfer In From Inspection Services Fund	2,039,865
1) Non-Departmental		
As Reads: Amended	Other Grants and Aids - Saenger Theatre Capital	349,270
To Read:	Other Grants and Aids - Saenger Theatre Capital	358,120
As Reads: Amended	Transfers - CRA TIF	2,221,100
To Read:	Transfers - CRA TIF	2,221,033
As Reads: Amended	Transfers - Eastside TIF	62,700
To Read:	Transfers - Eastside TIF	62,631
As Reads: Amended	Transfers - Westside TIF	170,000
To Read:	Transfers - Westside TIF	169,984
2) Transfers Out		
To:	Transfer to Inspection Services Fund	21,483
As Reads: Amended	Transfer to Stormwater Capital Projects Fund	2,731,466
To Read:	Transfer to Stormwater Capital Projects Fund	2,732,083
<b>B. TREE PLANTING TRUST FUND</b>		
To:	Interest Income	7,837
To:	Tree Planting Trust Fund	96,200

**C. PARK PURCHASES FUND**

To:	Interest Income	2,073
To:	Park Purchases Fund	3,562

**D. HOUSING INITIATIVES FUND**

To:	Interest Income	2,933
As Reads: Amended	Sale of Assets	43,900
To Read:	Sale of Assets	43,890

**E. INNER-CITY HOUSING INITIATIVES FUND**

To:	Interest Income	8,819
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**F. LOCAL OPTION GASOLINE TAX FUND**

	Fund Balance	66,857
To:	Interest Income	24,122
As Reads: Amended	Local Option Gasoline Tax	1,370,000
To Read:	Local Option Gasoline Tax	1,364,246
As Reads: Amended	Transfer Out to LOGT Debt Service Fund	1,370,000
To Read:	Transfer Out to LOGT Debt Service Fund	1,455,225

**G. COMMUNITY REDEVELOPMENT AGENCY FUND**

As Reads: Amended	Berth Harbor Revenue	2,500
To Read:	Berth Harbor Revenue	7,149
As Reads: Amended	Interest Income	9,200
To Read:	Interest Income	108,103
As Reads: Amended	Plaza DeLuna Concession	4,000
To Read:	Plaza DeLuna Concession	8,359
As Reads: Amended	PSA Reserved Parking	6,300
To Read:	PSA Reserved Parking	5,940

As Reads:	Transfer In From Urban Core Redevelopment Trust Fund	2,909,400
Amended		
To Read:	Transfer In From Urban Core Redevelopment Trust Fund	2,609,176
As Reads:	Personal Services	296,102
Amended		
To Read:	Personal Services	269,202
As Reads:	Operating Expenses	5,253,242
Amended		
To Read:	Operating Expenses	5,087,469

**H. URBAN CORE REDEVELOPMENT TRUST FUND**

As Reads:	Current Ad Valorem Tax - County	3,426,000
Amended		
To Read:	Current Ad Valorem Tax - County	3,425,915
As Reads:	Current Ad Valorem Tax - DIB	251,600
Amended		
To Read:	Current Ad Valorem Tax - DIB	251,528
As Reads:	Transfer In - City	2,221,100
Amended		
To Read:	Transfer In - City	2,221,033
As Reads:	Transfer to CRA Debt Service Fund	2,989,300
Amended		
To Read:	Transfer to CRA Debt Service Fund	3,289,300
As Reads:	Transfer to CRA Fund	2,909,400
Amended		
To Read:	Transfer to CRA Fund	2,609,176

**I. STORMWATER UTILITY FUND**

To:	Interest Income	18,250
To:	Miscellaneous Revenue	22
As Reads:	Delinquent Stormwater Utility Fees	5,000
Amended		
To Read:	Delinquent Stormwater Utility Fees	5,617
As Reads:	State Right of Way Maintenance	99,600
Amended		
To Read:	State Right of Way Maintenance	99,647

**J. HOSPITAL SPECIAL ASSESSMENT FUND**

As Reads:	Special Assessments	27,124,750
Amended		
To Read:	Special Assessments	14,462,331
As Reads:	Grants & Aids	27,124,750
Amended		
To Read:	Grants & Aids	14,462,331

**K. SECTION 8 HOUSING ASSISTANCE FUND**

To:	Sale of Assets	1,200
As Reads:	Federal Grants	17,788,600
Amended		
To Read:	Federal Grants	16,021,660
As Reads:	Interest Income	33,000
Amended		
To Read:	Interest Income	85,203
As Reads:	Miscellaneous Revenue	20,000
Amended		
To Read:	Miscellaneous Revenue	39,252
As Reads:	Operating Expenses	16,719,627
Amended		
To Read:	Operating Expenses	15,041,342
As Reads:	Capital Outlay	16,000
Amended		
To Read:	Capital Outlay	0

**L. LAW ENFORCEMENT TRUST FUND**

To:	Interest Income	3,590
To:	Sale of Assets	8,400
As Reads:	Charges for Services - Court Related	105,124
Amended		
To Read:	Charges for Services - Court Related	120,826

**M. GOLF COURSE FUND**

To:	Miscellaneous Revenue	44
As Reads:	Capital Improvement Surcharge	40,000
Amended		
To Read:	Capital Improvement Surcharge	34,407

As Reads: Amended	Driving Range	30,000
To Read:	Driving Range	27,718
As Reads: Amended	Electric Cart Rental	90,000
To Read:	Electric Cart Rental	83,770
As Reads: Amended	Green Fees	287,800
To Read:	Green Fees	255,153
As Reads: Amended	Interest Income	500
To Read:	Interest Income	791
As Reads: Amended	Pro Shop	11,500
To Read:	Pro Shop	11,911
As Reads: Amended	Pull Cart Rental	200
To Read:	Pull Cart Rental	84
As Reads: Amended	Tournaments	37,000
To Read:	Tournaments	36,493
As Reads: Amended	Personal Services	416,600
To Read:	Personal Services	394,995
As Reads: Amended	Operating Expenses	348,400
To Read:	Operating Expenses	323,376

**N. EASTSIDE TIF FUND**

To:	Interest Income	12,176
As Reads: Amended	Current Ad Valorem Tax - County	96,700
To Read:	Current Ad Valorem Tax - County	96,607
As Reads: Amended	Transfer In - City	62,700
To Read:	Transfer In - City	62,631
As Reads: Amended	Operating Expenses	316,448
To Read:	Operating Expenses	331,250

As Reads: Amended	Transfer to CRA Debt Service Fund	89,500
To Read:	Transfer to CRA Debt Service Fund	86,712

**O. INSPECTION SERVICES FUND**

	Fund Balance	1,067,042
To:	DCA/DBPR Surcharge Fee Retainage - 10%	4,505
To:	Interest Income	5,525
To:	Miscellaneous Revenues	224,139
To:	Sale of Assets	2,900
To:	Transfer In From General Fund	21,483
As Reads: Amended	Building Permits	765,000
To Read:	Building Permits	806,778
As Reads: Amended	Electrical Permits	230,000
To Read:	Electrical Permits	225,037
As Reads: Amended	Gas Permits	39,500
To Read:	Gas Permits	44,075
As Reads: Amended	Mechanical Permits	75,000
To Read:	Mechanical Permits	98,985
As Reads: Amended	Miscellaneous Permits	8,500
To Read:	Miscellaneous Permits	11,727
As Reads: Amended	Permit Application Fee	202,000
To Read:	Permit Application Fee	237,002
As Reads: Amended	Plumbing Permits	120,000
To Read:	Plumbing Permits	150,567
As Reads: Amended	Zoning Review & Inspection Fees	85,000
To Read:	Zoning Review & Inspection Fees	95,100

As Reads:	Personal Services	968,167
Amended		
To Read:	Personal Services	951,167
As Reads:	Operating Expenses	302,833
Amended		
To Read:	Operating Expenses	199,833
As Reads:	Transfer Out To General Fund	450,000
Amended		
To Read:	Transfer Out To General Fund	2,039,865

**P. WESTSIDE TIF FUND**

To:	Interest Income	2,994
As Reads:	Current Ad Valorem Tax - County	262,200
Amended		
To Read:	Current Ad Valorem Tax - County	262,197
As Reads:	Transfer In - City	170,000
Amended		
To Read:	Transfer In - City	169,984
As Reads:	Operating Expenses	36,489
Amended		
To Read:	Operating Expenses	39,866
As Reads:	Transfer to CRA Debt Service Fund	375,500
Amended		
To Read:	Transfer to CRA Debt Service Fund	375,098

**Q. RECREATION FUND**

To:	Interest Income	12,418
To:	Miscellaneous Revenue	3,179
As Reads:	User Fees	1,032,600
Amended		
To Read:	User Fees	1,002,955
As Reads:	Operating Expenses	331,511
Amended		
To Read:	Operating Expenses	317,463

**R. ROGER SCOTT TENNIS CENTER FUND**

To:	Interest Income	2,191
As Reads:	Pro Shop	3,700
Amended		
To Read:	Pro Shop	4,117

**S. COMMUNITY MARITIME PARK MANAGEMENT SERVICES FUND**

To:	Donations/Sponsorships	18,300
To:	Interest Income	18,160
To:	Miscellaneous Revenue	619
To:	Ticketed Events	7,974
As Reads: Amended	City Hall Parking	30,000
To Read:	City Hall Parking	25,685
As Reads: Amended	CMP Parking	100,000
To Read:	CMP Parking	103,357
As Reads: Amended	CMP Rentals	12,000
To Read:	CMP Rentals	34,420
As Reads: Amended	Common Area Maintenance	14,600
To Read:	Common Area Maintenance	14,342
As Reads: Amended	Community Event Concessions	30,000
To Read:	Community Event Concessions	16,677
As Reads: Amended	Maritime Park Leases	153,400
To Read:	Maritime Park Leases	146,468
As Reads: Amended	User Fees - UWF	22,000
To Read:	User Fees - UWF	25,000
As Reads: Amended	Vending/Kiosk Sales	1,200
To Read:	Vending/Kiosk Sales	3,733

**T. CRA DEBT SERVICE FUND**

To:	Interest Income	44,390
As Reads: Amended	Federal Direct Payment Subsidy	909,300
To Read:	Federal Direct Payment Subsidy	1,206,201

As Reads: Amended	Transfer In From Eastside TIF Fund	89,500
To Read:	Transfer In From Eastside TIF Fund	86,712
As Reads: Amended	Transfer In From Urban Core TIF Fund	2,989,300
To Read:	Transfer In From Urban Core TIF Fund	3,289,300
As Reads: Amended	Transfer In From Westside TIF Fund	375,500
To Read:	Transfer In From Westside TIF Fund	375,098

**U. LOGT DEBT SERVICE FUND**

As Reads: Amended	Interest Income	5,000
To Read:	Interest Income	25,879
As Reads: Amended	Transfer In From Local Option Gasoline Tax Fund	1,370,000
To Read:	Transfer In From Local Option Gasoline Tax Fund	1,455,225

**V. LOCAL OPTION SALES TAX FUND**

To:	Interest Income	117,028
As Reads: Amended	Local Option Sales Tax	8,950,300
To Read:	Local Option Sales Tax	8,901,413

**W. CRA SERIES 2017 PROJECT FUND**

To:	Interest Income	177,191
As Reads: Amended	Capital Outlay	11,938,483
To Read:	Capital Outlay	12,115,674

**X. CRA SERIES 2019 PROJECT FUND**

To:	Interest Income	269,746
As Reads: Amended	Bond Proceeds	17,895,000
To Read:	Bond Proceeds	17,888,846

**Y. LOST SERIES 2017 PROJECT FUND**

	Fund Balance	77,061
As Reads: Amended	Interest Income	240,000
To Read:	Interest Income	162,939

**Z. STORMWATER CAPITAL PROJECTS FUND**

To:	Miscellaneous Revenue	1,253
As Reads: Amended	Interest Income	1,000
To Read:	Interest Income	103,794
As Reads: Amended	Transfer from General Fund	2,712,582
To Read:	Transfer from General Fund	2,713,199
As Reads: Amended	Capital Outlay	5,408,967
To Read:	Capital Outlay	5,513,631

**AA. GAS UTILITY FUND**

To:	Cookbook Sales Revenue	4,143
To:	Sale of Assets	68,240
As Reads: Amended	CNG Revenue	841,000
To Read:	CNG Revenue	933,921
As Reads: Amended	Commercial User Fees	13,943,200
To Read:	Commercial User Fees	13,131,218
As Reads: Amended	Infrastructure Cost Recovery	3,500,000
To Read:	Infrastructure Cost Recovery	3,466,232
As Reads: Amended	Interest Income	100,000
To Read:	Interest Income	445,987
As Reads: Amended	Interruptible User Fees	3,295,200
To Read:	Interruptible User Fees	5,564,796
As Reads: Amended	Miscellaneous Gas Charges	547,500
To Read:	Miscellaneous Gas Charges	521,876
As Reads: Amended	Municipal User Fees	313,900
To Read:	Municipal User Fees	283,305

As Reads: Amended	Navy Projects	500,000
To Read:	Navy Projects	576,131
As Reads: Amended	New Accounts/Turn-On Fees	710,400
To Read:	New Accounts/Turn-On Fees	569,543
As Reads: Amended	Residential User Fees	22,097,600
To Read:	Residential User Fees	22,231,999
As Reads: Amended	Transportation User Fees	6,431,100
To Read:	Transportation User Fees	3,595,203
As Reads: Amended	Interest Expenses	299,600
To Read:	Interest Expenses	301,973
As Reads: Amended	Operating Expenses	33,705,888
To Read:	Operating Expenses	32,816,209

**BB. SANITATION FUND**

As Reads: Amended	Bulk Item Collection Charges	130,000
To Read:	Bulk Item Collection Charges	142,603
As Reads: Amended	Business Refuse Container Charges	150,400
To Read:	Business Refuse Container Charges	131,315
As Reads: Amended	Code Enforcement Violations	80,000
To Read:	Code Enforcement Violations	125,023
As Reads: Amended	Franchise Fees	1,251,900
To Read:	Franchise Fees	1,551,900
As Reads: Amended	Fuel Surcharge	400,000
To Read:	Fuel Surcharge	361,644
As Reads: Amended	Interest Income	7,500
To Read:	Interest Income	47,561

As Reads: Amended To Read:	Landfill Fees Landfill Fees	1,245,500 1,162,083
As Reads: Amended To Read:	Lot Cleaning Lot Cleaning	100,000 73,565
As Reads: Amended To Read:	Miscellaneous Revenue Miscellaneous Revenue	5,000 47,305
As Reads: Amended To Read:	New Accounts/Transfer Fees New Accounts/Transfer Fees	85,000 83,980
As Reads: Amended To Read:	Residential Refuse Container Charges Residential Refuse Container Charges	4,333,800 4,530,916
As Reads: Amended To Read:	Sale of Assets Sale of Assets	5,000 31,310
As Reads: Amended To Read:	Sanitation Equipment Surcharge Sanitation Equipment Surcharge	464,900 482,192
As Reads: Amended To Read:	Operating Expenses Operating Expenses	3,514,758 3,699,058

**CC. PORT FUND**

To:	Miscellaneous/Non-Billed	1,655
To:	Sale of Assets	2,780
As Reads: Amended To Read:	Cedar Street Lease Parking Lot Cedar Street Lease Parking Lot	70,700 60,260
As Reads: Amended To Read:	Dockage Dockage	538,800 440,977
As Reads: Amended To Read:	Handling Handling	34,000 17,330

As Reads: Amended	Harbor Fees	20,000
To Read:	Harbor Fees	18,664
As Reads: Amended	Interior Lighting	131,000
To Read:	Interior Lighting	166,520
As Reads: Amended	Miscellaneous/Billed	15,000
To Read:	Miscellaneous/Billed	48,738
As Reads: Amended	Property Rental	577,800
To Read:	Property Rental	651,203
As Reads: Amended	Security Fees	60,000
To Read:	Security Fees	89,784
As Reads: Amended	Stevedore Fees	24,400
To Read:	Stevedore Fees	11,600
As Reads: Amended	Storage	170,300
To Read:	Storage	292,348
As Reads: Amended	Water Sales	6,000
To Read:	Water Sales	16,381
As Reads: Amended	Wharfage	6,000
To Read:	Wharfage	262,117

**DD. AIRPORT FUND**

As Reads: Amended	Advertising	180,000
To Read:	Advertising	189,995
As Reads: Amended	Air Carrier Landing Fees	520,000
To Read:	Air Carrier Landing Fees	682,208
As Reads: Amended	Airline Rentals	2,500,000
To Read:	Airline Rentals	2,695,118

As Reads:	Airport & 12th Facilities	420,000
Amended		
To Read:	Airport & 12th Facilities	453,296
As Reads:	Apron Area Rentals	900,000
Amended		
To Read:	Apron Area Rentals	909,592
As Reads:	Baggage Handling System	1,278,000
Amended		
To Read:	Baggage Handling System	1,090,778
As Reads:	Cargo Apron Area Rentals	85,000
Amended		
To Read:	Cargo Apron Area Rentals	81,418
As Reads:	Cargo Landing Fees	52,000
Amended		
To Read:	Cargo Landing Fees	65,297
As Reads:	CFC - Rental Car Service Facility	4,086,000
Amended		
To Read:	CFC - Rental Car Service Facility	3,015,123
As Reads:	Commercial Properties Rentals	300,000
Amended		
To Read:	Commercial Properties Rentals	326,844
As Reads:	Fixed Base Operations	210,000
Amended		
To Read:	Fixed Base Operations	222,904
As Reads:	Gift Shop	325,000
Amended		
To Read:	Gift Shop	351,946
As Reads:	Hangar Rentals	80,000
Amended		
To Read:	Hangar Rentals	74,592
As Reads:	Interest Income	150,000
Amended		
To Read:	Interest Income	861,106
As Reads:	LEO/TSA Security	100,000
Amended		
To Read:	LEO/TSA Security	109,200

As Reads: Amended	Loading Bridge Fees	550,000
To Read:	Loading Bridge Fees	606,267
As Reads: Amended	Miscellaneous Revenue	158,200
To Read:	Miscellaneous Revenue	191,476
As Reads: Amended	Parking Lot	6,200,000
To Read:	Parking Lot	7,133,119
As Reads: Amended	Rental Car Customer Facility Charge (Garage)	850,000
To Read:	Rental Car Customer Facility Charge (Garage)	1,055,418
As Reads: Amended	Rental Car Service Facility Rents	225,000
To Read:	Rental Car Service Facility Rents	251,977
As Reads: Amended	Rental Cars	4,200,000
To Read:	Rental Cars	4,850,502
As Reads: Amended	Restaurant and Lounge	670,000
To Read:	Restaurant and Lounge	776,646
As Reads: Amended	RON Ramp	80,000
To Read:	RON Ramp	110,263
As Reads: Amended	ST Ground Lease	260,000
To Read:	ST Ground Lease	261,425
As Reads: Amended	Taxi Permits	180,000
To Read:	Taxi Permits	229,512
As Reads: Amended	TSA Terminal Rental	180,000
To Read:	TSA Terminal Rental	164,622
<b>EE. CENTRAL SERVICES FUND</b>		
As Reads: Amended	Charges for Services - Central Garage	1,483,846
To Read:	Charges for Services - Central Garage	1,833,846

**FF. SPECIAL ASSESSMENTS FUND**

To:	Interest Income	16,107
As Reads: Amended	Special Assessments	100,000
To Read:	Special Assessments	57,248
As Reads: Amended	Other Non-Operating	100,000
To Read:	Other Non-Operating	73,355

SECTION 2. All resolutions or parts of resolutions in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 3. This resolution shall become effective retroactive to September 30, 2019 on the fifth business day after adoption, unless otherwise provided pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

**THE CITY OF PENSACOLA**  
**NOVEMBER 2019 - FINAL SUPPLEMENTAL BUDGET RESOLUTION EXPLANATION - FY 2019 NO. 2019-63**

FUND	AMOUNT	DESCRIPTION	
<b>A. GENERAL FUND</b>			
Estimated Revenues:			
Boat Launch Fees	(1,869)	Decrease estimated revenue from Boat Launch Fees	
Communication Services Tax	20,010	Increase estimated revenue from Communication Service Tax.	
Court Fines	2,045	Increase estimated revenue from Court Fines	
Delinquent Ad Valorem Taxes	29,130	Increase estimated revenue from Delinquent Ad Valorem Taxes	
ECDSB/SRO	(66,610)	Decrease estimated revenue from ECDSB/SRO	
ECSD - 911 Calltakers	8,600	Increase estimated revenue from ECSD - 911 Calltakers	
Federal Payment In Lieu of Taxes	(9,197)	Decrease estimated revenue from Federal Payment in Lieu of Taxes	
Fire Permits	2,644	Increase estimated revenue from Fire Permits	
Firefighter Supplemental Compensation	6,087	Increase estimated revenue from Firefighter Supplemental Compensation	
Franchise Fees - ECUA	20,779	Increase estimated revenue from Franchise Fees - ECUA	
Franchise Fees - Electricity	131,387	Increase estimated revenue from Franchise Fees - Electricity	
Franchise Fees - Natural Gas	23,116	Increase estimated revenue from Franchise Fees - Natural Gas	
Gas Rebate on Municipal Vehicles	4,186	Increase estimated revenue from Gas Rebate on Municipal Vehicles	
Half-Cent Sales Tax	61,514	Increase estimated revenue from Half-Cent Sales Tax	
Interest Income	269,671	Increase estimated revenue from Interest Income	
Local Business Tax	9,504	Increase estimated revenue from Local Business Tax	
Local Business Tax - Penalty	1,911	Increase estimated revenue from Local Business Tax Penalties	
Miscellaneous Charges For Services	5,754	Increase estimated revenue from Miscellaneous Charges For Services	
Miscellaneous Fines	(335)	Decrease estimated revenue from Miscellaneous Fines	
Miscellaneous Revenue	(18,177)	Decrease estimated revenue from Miscellaneous Revenue	
Mobile Home License Rebate	400	Increase estimated revenue from Mobile Home License Rebates	
Public Services Tax - ECUA	43,202	Increase estimated revenue from Public Service Taxes - ECUA	
Public Services Tax - Electricity	187,454	Increase estimated revenue from Public Service Taxes - Electricity	
Public Services Tax - Miscellaneous	4,814	Increase estimated revenue from Public Service Taxes - Miscellaneous	
Public Services Tax - Natural Gas	9,669	Increase estimated revenue from Public Service Taxes - Natural Gas	
Saenger Theatre - Facility Fee	645	Increase estimated revenue from Saenger Theatre Facility Fees	
Saenger Theatre - Incentive Fee	8,205	Increase estimated revenue from Saenger Theatre Incentive Fee	
Sale of Assets	24,550	Increase estimated revenue from Sale of Assets	
Special Permits	(6,425)	Decrease estimated revenue from Special Permits	
State Revenue Sharing - Motor Fuel Tax	(910)	Decrease estimated revenue from State Revenue Sharing -Motor Fuel Tax	
State Revenue Sharing - Sales Tax	13,367	Increase estimated revenue from State Revenue Sharing -Sales Tax	
Swimming Pool Fees	1,440	Increase estimated revenue from Swimming Pool Fees-Hunter	
Taxi Permits	2,024	Increase estimated revenue from Taxi Permits	
Traffic Fines	18,905	Increase estimated revenue from Traffic Fines	
Sub-Total Estimated Revenues	<u>807,490</u>		
Transfer In From Inspection Services Fund	<u>1,589,865</u>	Increase estimate revenue from Transfer In From Inspection Svcs Fund	
Total Revenues	<u>2,397,355</u>		250

**THE CITY OF PENSACOLA**

**NOVEMBER 2019 - FINAL SUPPLEMENTAL BUDGET RESOLUTION EXPLANATION - FY 2019 NO. 2019-63**

FUND	AMOUNT	DESCRIPTION
Unassigned Fund Balance	947,985	Increase Unassigned Fund Balance
Economic Development Incentives Fund Balance	(947,985)	Decrease Economic Development Incentives Fund Balance
Assigned Fund Balance	3,489,200	Increase Assigned Fund Balance (3% of FY 20 Budgeted Revenues - FY 20-
Unassigned Fund Balance	(3,489,200)	Decrease Unassigned Fund Balance
Fund Balance	(2,366,557)	Decrease appropriated Fund Balance
Total Revenues and Fund Balance	30,798	
Appropriations:		
(1) Non-Departmental		
Other Grants and Aids - Saenger Theatre Capital	8,850	Increase appropriation for Other Grants & Aids-Saenger Theatre Capital
CRA TIF	(67)	Decrease appropriation - CRA TIF
Eastside TIF	(69)	Decrease appropriation - Eastside TIF
Westside TIF	(16)	Decrease appropriation - Westside TIF
(2) Transfers Out		
Transfer to Inspection Services Fund	21,483	Appropriate funding for Transfer to Inspection Services Fund
Transfer to Stormwater Capital Projects Fund	617	Increase appropriation for Transfer to Stormwater Capital Projects Fund
Total Appropriations	30,798	
<b>B. TREE PLANTING TRUST FUND</b>		
Estimated Revenues:		
Interest Income	7,837	Appropriate estimated revenue from Interest Income
Tree Planting Trust Fund	96,200	Appropriate estimated revenue from Tree Planting Trust Fund
Total Estimated Revenues	104,037	
Fund Balance	(104,037)	Decrease appropriated Fund Balance.
Total Estimated Revenues and Fund Balance	0	
<b>C. PARK PURCHASES FUND</b>		
Estimated Revenues:		
Interest Income	2,073	Appropriate estimated revenue from Interest Income
Park Purchases Fund	3,562	Appropriate estimated revenue from Park Purchases Fund
Total Estimated Revenues	5,635	
Fund Balance	(5,635)	Decrease appropriated Fund Balance.
Total Estimated Revenues and Fund Balance	0	

**THE CITY OF PENSACOLA**

**NOVEMBER 2019 - FINAL SUPPLEMENTAL BUDGET RESOLUTION EXPLANATION - FY 2019 NO. 2019-63**

FUND	AMOUNT	DESCRIPTION
<b>D. HOUSING INITIATIVES FUND</b>		
Estimated Revenues:		
Interest Income	2,933	Appropriate estimated revenue from Interest Income
Sale of Assets	(10)	Decrease estimated revenue from Sale of Assets
Total Estimated Revenues	<u>2,923</u>	
Fund Balance	<u>(2,923)</u>	Decrease appropriated Fund Balance.
Total Estimated Revenues and Fund Balance	<u><u>0</u></u>	
<b>E. INNER-CITY HOUSING INITIATIVES FUND</b>		
Estimated Revenues:		
Interest Income	8,819	Appropriate estimated revenue from Interest Income
Total Estimated Revenues	<u>8,819</u>	
Fund Balance	<u>(8,819)</u>	Decrease appropriated Fund Balance.
Total Estimated Revenues and Fund Balance	<u><u>0</u></u>	
<b>F. LOCAL OPTION GASOLINE TAX FUND</b>		
Estimated Revenues:		
Interest Income	24,122	Appropriate estimated revenue from Interest Income
Local Option Gasoline Tax	(5,754)	Decrease estimated revenue from Local Option Gasoline Tax
Total Estimated Revenues	<u>18,368</u>	
Fund Balance	<u>66,857</u>	Increase appropriated Fund Balance.
Total Estimated Revenues and Fund Balance	<u><u>85,225</u></u>	
Appropriations:		
Transfer Out To LOGT Debt Service Fund	<u>85,225</u>	Increase appropriation for Transfer Out To LOGT Debt Service Fund
Total Appropriations	<u><u>85,225</u></u>	
<b>G. COMMUNITY REDEVELOPMENT AGENCY FUND</b>		
Estimated Revenues:		
Berth Harbor Revenue	4,649	Increase estimated revenue from Berth Harbor Revenue
Interest Income	98,903	Increase estimated revenue from Interest Income
Plaza DeLuna Concession	4,359	Increase estimated revenue from Plaza DeLuna Concession
PSA Reserved Parking	(360)	Decrease estimated revenue from PSA Reserved Parking
Transfer In From Urban Core Redevelopment Trust Fund	(300,224)	Decrease estimated revenue from Transfer In From Urban Core Redevelopment Trust Fund
Total Estimated Revenues	<u>(192,673)</u>	
Appropriations:		
Personal Services	(26,900)	Decrease appropriation for Personal Services
Operating Expenses	<u>(165,773)</u>	Decrease appropriation for Operating Expenses
Total Appropriations	<u><u>(192,673)</u></u>	

**THE CITY OF PENSACOLA**  
**NOVEMBER 2019 - FINAL SUPPLEMENTAL BUDGET RESOLUTION EXPLANATION - FY 2019 NO. 2019-63**

FUND	AMOUNT	DESCRIPTION
<b>H. URBAN CORE REDEVELOPMENT TRUST FUND</b>		
Estimated Revenues:		
Current Ad Valorem Tax - County	(85)	Decrease Estimated Revenue From County
Current Ad Valorem Tax - DIB	(72)	Decrease Estimated Revenue From DIB
Transfer In - City	(67)	Decrease Interfund Transfer From General Fund
Total Estimated Revenues	<u>(224)</u>	
Appropriations:		
Transfer to CRA Debt Service Fund	300,000	Increase appropriation for Transfer to CRA Debt Service Fund
Transfer to CRA Fund	(300,224)	Decrease appropriation for Transfer to CRA Fund
Total Appropriations	<u>(224)</u>	
<b>I. STORMWATER UTILITY FEE FUND</b>		
Estimated Revenues:		
Delinquent Stormwater Fee	617	Increase estimated revenue from Delinquent Stormwater Fee
Interest Income	18,250	Appropriate estimated revenue from Interest Income
Miscellaneous Revenue	22	Appropriate estimated revenue from Miscellaneous Revenue
State Right of Way Maintenance	47	Increase estimated revenue from State Right of Way Maintenance
Total Estimated Revenues	<u>18,936</u>	
Fund Balance	(18,936)	Decrease appropriated Fund Balance.
Total Estimated Revenues and Fund Balance	<u>0</u>	
<b>J. HOSPITAL SPECIAL ASSESSMENT FUND</b>		
Estimated Revenues:		
Special Assessments	(12,662,419)	Decrease estimated revenue from Special Assessments
Total Estimated Revenues	<u>(12,662,419)</u>	
Appropriations:		
Grants & Aids	(12,662,419)	Decrease appropriation for Grants & Aids
Total Appropriations	<u>(12,662,419)</u>	
<b>K. SECTION 8 HOUSING ASSISTANCE FUND</b>		
Estimated Revenues:		
Federal Grants	(1,766,940)	Decrease estimated revenue from Federal Grants
Interest Income	52,203	Increase estimated revenue from Interest Income
Miscellaneous Revenue	19,252	Increase estimated revenue from Miscellaneous Revenue
Sale of Assets	1,200	Appropriate estimated revenue from Sale of Assets
Total Estimated Revenues	<u>(1,694,285)</u>	

**THE CITY OF PENSACOLA**  
**NOVEMBER 2019 - FINAL SUPPLEMENTAL BUDGET RESOLUTION EXPLANATION - FY 2019 NO. 2019-63**

FUND	AMOUNT	DESCRIPTION
Appropriations:		
Operating Expenses	(1,678,285)	Decrease appropriation for Operating Expenses
Capital Outlay	(16,000)	Decrease appropriation for Capital Outlay
Total Appropriations	<u>(1,694,285)</u>	
<b>L. LAW ENFORCEMENT TRUST FUND</b>		
Estimated Revenues		
Charges for Services - Court Related	15,702	Increase estimated revenue from Charges for Services
Interest Income	3,590	Appropriate estimated revenue from Interest Income
Sale of Assets	8,400	Appropriate estimated revenue from Sale of Assets
Total Estimated Revenues	<u>27,692</u>	
Fund Balance	<u>(27,692)</u>	Decrease appropriated Fund Balance.
Total Estimated Revenues and Fund Balance	<u>0</u>	
<b>M. GOLF COURSE FUND</b>		
Estimated Revenues		
Capital Improvement Surcharge	(5,593)	Decrease estimated revenue from Capital Improvements Surcharge
Driving Range	(2,282)	Decrease estimated revenue from Driving Range
Electric Cart Rental	(6,230)	Decrease estimated revenue from Electric Cart Rentals
Green Fees	(32,647)	Decrease estimated revenue from Green Fees
Interest Income	291	Increase estimated revenue from Interest Income
Miscellaneous Revenue	44	Appropriate estimated revenue from Miscellaneous Revenues
Pro Shop	411	Increase estimated revenue from Pro Shop
Pull Cart Rental	(116)	Decrease estimated revenue from Pull Cart Rental
Tournaments	(507)	Decrease estimated revenue from Tournaments
Total Estimated Revenues	<u>(46,629)</u>	
Appropriations:		
Personal Services	(21,605)	Decrease appropriation for Personal Services
Operating Expenses	(25,024)	Decrease appropriation for Operating Expenses
Total Appropriations	<u>(46,629)</u>	
<b>N. EASTSIDE TIF FUND</b>		
Estimated Revenues		
Current Ad Valorem Tax - County	(93)	Decrease Estimated Revenue From County
Interest Income	12,176	Appropriate estimated revenue from Interest Income
Transfer In - City	(69)	Decrease Interfund Transfer From General Fund
Total Estimated Revenues	<u>12,014</u>	

**THE CITY OF PENSACOLA**

**NOVEMBER 2019 - FINAL SUPPLEMENTAL BUDGET RESOLUTION EXPLANATION - FY 2019 NO. 2019-63**

FUND	AMOUNT	DESCRIPTION
Appropriations		
Operating Expenses	14,802	Increase appropriation for Operating Expenses
Transfer to CRA Debt Service Fund	(2,788)	Decrease appropriation for Transfer to CRA Debt Service Fund
Total Appropriations	<u>12,014</u>	
<b>O. INSPECTION SERVICES FUND</b>		
Estimated Revenues		
Building Permits	41,778	Increase estimated revenue from Building Permits
DCA/DBPR Surcharge Fee Retainage - 10%	4,505	Appropriate estimated revenue from DCA/DBPR Surcharge Fee Retainage
Electrical Permits	(4,963)	Decrease estimated revenue from Electrical Permits
Gas Permits	4,575	Increase estimated revenue from Gas Permits
Interest Income	5,525	Appropriate estimated revenue from Interest Income
Mechanical Permits	23,985	Increase estimated revenue from Mechanical Permits
Miscellaneous Permits	3,227	Increase estimated revenue from Miscellaneous Permits
Miscellaneous Revenues	224,139	Appropriate estimated revenue from Miscellaneous Revenues
Permit Application Fee	35,002	Increase estimated revenue from Permit Application Fee
Plumbing Permits	30,567	Increase estimated revenue from Plumbing Permits
Sale of Assets	2,900	Appropriate estimated revenue from Sale of Assets
Transfer in From General Fund	21,483	Appropriate estimated revenue from Transfer In From General Fund
Zoning Review & Inspection Fees	10,100	Increase estimated revenue from Zoning Review & Inspection Fees
Total Estimated Revenues	<u>402,823</u>	
Fund Balance	<u>1,067,042</u>	Increase appropriated Fund Balance
Total Estimated Revenues and Fund Balance	<u>1,469,865</u>	
Appropriations		
Personal Services	(17,000)	Decrease appropriation for Personal Services
Operating Expenses	(103,000)	Decrease appropriation for Operating expenses
Transfer Out To General Fund	1,589,865	Increase appropriation for Transfer to General Fund
Total Appropriations	<u>1,469,865</u>	
<b>P. WESTSIDE TIF FUND</b>		
Estimated Revenues		
Current Ad Valorem Tax - County	(3)	Decrease Estimated Revenue From County
Interest Income	2,994	Appropriate estimated revenue from Interest Income
Transfer In - City	(16)	Decrease Interfund Transfer From General Fund
Total Estimated Revenues	<u>2,975</u>	
Appropriations		
Operating Expenses	3,377	Increase appropriation for Operating Expenses
Transfer to CRA Debt Service Fund	(402)	Decrease appropriation for Transfer to CRA Debt Service Fund
Total Appropriations	<u>2,975</u>	

**THE CITY OF PENSACOLA  
NOVEMBER 2019 - FINAL SUPPLEMENTAL BUDGET RESOLUTION EXPLANATION - FY 2019 NO. 2019-63**

FUND	AMOUNT	DESCRIPTION
<b>Q. RECREATION FUND</b>		
Estimated Revenues		
Interest Income	12,418	Appropriate estimated revenue from Interest Income
Miscellaneous Revenue	3,179	Appropriate estimated revenue from Miscellaneous Revenue
User Fees	(29,645)	Decrease estimated revenue from User Fees
Total Estimated Revenues	<u>(14,048)</u>	
Appropriations		
Operating Expenses	(14,048)	Decrease appropriation for Operating Expenses
Total Appropriations	<u>(14,048)</u>	
<b>R. ROGER SCOTT TENNIS CENTER FUND</b>		
Estimated Revenues		
Interest Income	2,191	Appropriate estimated revenue from Interest Income
Pro Shop	417	Increase estimated revenue from Pro Shop
Total Estimated Revenues	<u>2,608</u>	
Fund Balance	(2,608)	Decrease appropriated Fund Balance.
Total Estimated Revenues and Fund Balance	<u>0</u>	
<b>S. COMMUNITY MARITIME PARK MGT SVCS FUND</b>		
Estimated Revenues		
City Hall Parking	(4,315)	Decrease estimated revenue from City Hall Parking
CMP Parking	3,357	Increase estimated revenue from CMP Parking
CMP Rentals	22,420	Increase estimated revenue from CMP Rentals
Common Area Maintenance	(258)	Decrease estimated revenue from Common Area Maintenance
Community Event Concessions	(13,323)	Decrease estimated revenue from Community Event Concessions
Donations/Sponsorships	18,300	Appropriate estimated revenue from Donations/Sponsorships
Interest Income	18,160	Appropriate estimated revenue from Interest Income
Maritime Park Leases	(6,932)	Decrease estimated revenue from Maritime Park Leases
Miscellaneous Revenue	619	Appropriate estimated revenue from Miscellaneous Revenue
Ticketed Events	7,974	Appropriate estimated revenue from Ticketed Events
User Fees - UWF	3,000	Increase estimated revenue from User Fees - UWF
Vending/Kiosk Sales	2,533	Increase estimated revenue from Kiosk Sales
Total Estimated Revenues	<u>51,535</u>	
Fund Balance	(51,535)	Decrease appropriated Fund Balance
Total Estimated Revenues and Fund Balance	<u>0</u>	

**THE CITY OF PENSACOLA  
NOVEMBER 2019 - FINAL SUPPLEMENTAL BUDGET RESOLUTION EXPLANATION - FY 2019 NO. 2019-63**

FUND	AMOUNT	DESCRIPTION
<b>T. CRA DEBT SERVICE FUND</b>		
Estimated Revenues		
Federal Direct Payment Subsidy	296,901	Increase estimated revenue from Federal Direct Payment Subsidy
Interest Income	44,390	Appropriate estimated revenue from Interest Income
Transfer in From Eastside TIF Fund	(2,788)	Decrease estimated revenue from Transfer In From Eastside TIF Fund
Transfer in From Urban Core TIF Fund	300,000	Increase estimated revenue from Transfer In From Urban Core TIF Fund
Transfer in From Westside TIF Fund	(402)	Decrease estimated revenue from Transfer In From Westside TIF Fund
Total Estimated Revenues	<u>638,101</u>	
Fund Balance	<u>(638,101)</u>	Decrease appropriated Fund Balance.
Total Estimated Revenues and Fund Balance	<u><u>0</u></u>	
<b>U. LOGT DEBT SERVICE FUND</b>		
Estimated Revenues		
Interest Income	20,879	Increase estimated revenue from Interest Income
Transfer In From Local Option Gasoline Tax Fund	85,225	Increase estimated revenue from Transfer In From Local Option Gasoline Tax Fund
Total Estimated Revenues	<u>106,104</u>	
Fund Balance	<u>(106,104)</u>	Decrease appropriated Fund Balance.
Total Estimated Revenues and Fund Balance	<u><u>0</u></u>	
<b>V. LOCAL OPTION SALES TAX FUND</b>		
Estimated Revenues		
Interest Income	117,028	Appropriate estimated revenue from Interest Income
Local Option Sales Tax	(48,887)	Increase estimated revenue from Local Option Sales Tax
Total Estimated Revenues	<u>68,141</u>	
Fund Balance	<u>(68,141)</u>	Decrease appropriated Fund Balance
Total Estimated Revenues and Fund Balance	<u><u>0</u></u>	
<b>W. CRA SERIES 2017 PROJECT FUND</b>		
Estimated Revenues		
Interest Income	177,191	Increase estimated revenue from Interest Income
Total Estimated Revenues	<u>177,191</u>	
Appropriations		
Capital Outlay	177,191	Decrease appropriation for Capital Outlay
Total Appropriations	<u>177,191</u>	

**THE CITY OF PENSACOLA**

**NOVEMBER 2019 - FINAL SUPPLEMENTAL BUDGET RESOLUTION EXPLANATION - FY 2019 NO. 2019-63**

FUND	AMOUNT	DESCRIPTION
<b>X. CRA SERIES 2019 PROJECT FUND</b>		
Estimated Revenues		
Bond Proceeds	(6,154)	Decrease estimated revenue from Bond Proceeds
Interest Income	269,746	Appropriate estimated revenue from Interest Income
Total Estimated Revenues	<u>263,592</u>	
Fund Balance	(263,592)	Decrease appropriated Fund Balance
Total Estimated Revenues and Fund Balance	<u>0</u>	
<b>Y. LOST SERIES 2017 PROJECT FUND</b>		
Estimated Revenues		
Interest Income	(77,061)	Decrease estimated revenue from Interest Income
Total Estimated Revenues	<u>(77,061)</u>	
Fund Balance	77,061	Increase appropriated Fund Balance.
Total Estimated Revenues and Fund Balance	<u>0</u>	
<b>Z. STORMWATER CAPITAL PROJECTS FUND</b>		
Estimated Revenues		
Interest Income	102,794	Increase estimated revenue from Interest Income
Miscellaneous Revenue	1,253	Appropriate estimated revenue from Miscellaneous Revenue
Transfer in From General Fund	617	Increase estimated revenue from Transfer In From General Fund
Total Estimated Revenues	<u>104,664</u>	
Appropriations		
Capital Outlay	104,664	Increase appropriation for Capital Outlay (SW Vaults City-Wide)
Total Appropriations	<u>104,664</u>	
<b>AA. GAS UTILITY FUND</b>		
Estimated Revenues:		
CNG Revenue	92,921	Increase estimated revenue from CNG Revenue
Commercial User Fees	(811,982)	Decrease estimated revenue from Commercial User Fees
Cookbook Sales Revenue	4,143	Appropriate estimated revenue from Cookbook Sales Revenue
Infrastructure Cost Recovery	(33,768)	Decrease estimated revenue from Infrastructure Cost Recovery
Interest Income	345,987	Increase estimated revenue from Interest Income
Interruptible User Fees	2,269,596	Increase estimated revenue from Interruptible User Fees
Miscellaneous Gas Charges	(25,624)	Decrease estimated revenue from Miscellaneous Gas Charges
Municipal User Fees	(30,595)	Decrease estimated revenue from Municipal User Fees
Navy Projects	76,131	Increase estimated revenue from Navy Projects
New Accounts/Turn-On Fees	(140,857)	Decrease estimated revenue from New Accounts/Turn-On Fees
Residential User Fees	134,399	Increase estimated revenue from Residential User Fees
Sale of Assets	68,240	Appropriate estimated revenue from Sale of Assets
Transportation User Fees	(2,835,897)	Decrease estimated revenue from Transportation User Fees
Total Estimated Revenues	<u>(887,306)</u>	

**THE CITY OF PENSACOLA**  
**NOVEMBER 2019 - FINAL SUPPLEMENTAL BUDGET RESOLUTION EXPLANATION - FY 2019 NO. 2019-63**

FUND	AMOUNT	DESCRIPTION
Appropriations:		
Interest Expenses	2,373	Increase appropriation for Interest Expense
Operating Expenses	<u>(889,679)</u>	Decrease appropriation for Operating Expenses
Total Appropriations	<u>(887,306)</u>	
<b>BB. SANITATION FUND</b>		
Estimated Revenues:		
Bulk Item Collection Charges	12,603	Increase estimated revenue from Bulk Item Collection Charges
Business Refuse Container Charges	<u>(19,085)</u>	Decrease estimated revenue from Business Refuse Container Charges
Code Enforcement Violations	45,023	Increase estimated revenue from Code Enforcement Violations
Franchise Fees	300,000	Increase estimated revenue from Franchise Fees
Fuel Surcharge	<u>(38,356)</u>	Decrease estimated revenue from Fuel Surcharge
Interest Income	40,061	Increase estimated revenue from Interest Income
Landfill Fees	<u>(83,417)</u>	Decrease estimated revenue from Landfill Fees
Lot Cleaning	<u>(26,435)</u>	Decrease estimated revenue from Lot Cleaning
Miscellaneous Revenue	42,305	Increase estimated revenue from Miscellaneous Revenue
New Accounts/Transfer Fees	<u>(1,020)</u>	Decrease estimated revenue from New Accounts/Transfer Fees
Residential Refuse Container Charges	197,116	Increase estimated revenue from Residential Refuse Container Charges
Sale of Assets	26,310	Increase estimated revenue from Sale of Assets
Sanitation Equipment Surcharge	<u>17,292</u>	Increase estimated revenue from Sanitation Equipment Surcharge
Total Estimated Revenues	<u>512,397</u>	
Fund Balance	<u>(328,097)</u>	Decrease appropriated Fund Balance
Total Estimated Revenues and Fund Balance	<u>184,300</u>	
Appropriations:		
Operating Expenses	<u>184,300</u>	Increase appropriation for Operating Expenses
Total Appropriations	<u>184,300</u>	
<b>CC. PORT FUND</b>		
Estimated Revenues:		
Cedar Street Lease Parking Lot	<u>(10,440)</u>	Decrease estimated revenue from Cedar Street Lease Parking Lot
Dockage	<u>(97,823)</u>	Decrease estimated revenue from Dockage
Handling	<u>(16,670)</u>	Decrease estimated revenue from Handling
Harbor Fees	<u>(1,336)</u>	Decrease estimated revenue from Harbor Fees
Interior Lighting	35,520	Increase estimated revenue from Interior Lighting
Miscellaneous/Billed	33,738	Increase estimated revenue from Miscellaneous/Billed
Miscellaneous/Non-Billed	1,655	Appropriate estimated revenue from Miscellaneous/Non-Billed
Property Rental	73,403	Increase estimated revenue from Property Rental
Sale of Assets	2,780	Appropriate estimated revenue from Sale of Assets
Security Fees	29,784	Increase estimated revenue from Security Fees

**THE CITY OF PENSACOLA  
NOVEMBER 2019 - FINAL SUPPLEMENTAL BUDGET RESOLUTION EXPLANATION - FY 2019 NO. 2019-63**

FUND	AMOUNT	DESCRIPTION
Stevedore Fees	(12,800)	Decrease estimated revenue from Stevedore Fees
Storage	122,048	Increase estimated revenue from Storage
Water Sales	10,381	Increase estimated revenue from Water Sales
Wharfage	256,117	Increase estimated revenue from Wharfage
Total Estimated Revenues	<u>426,357</u>	
Fund Balance	<u>(426,357)</u>	Decrease appropriated Fund Balance
Total Estimated Revenues and Fund Balance	<u><u>0</u></u>	

**DD. AIRPORT FUND**

Estimated Revenues:

Advertising	9,995	Increase estimated revenue from Advertising
Air Carrier Landing Fees	162,208	Increase estimated revenue from Air Carrier Landing Fees
Airline Rentals	195,118	Increase estimated revenue from Airline Rentals
Airport & 12th Facilities	33,296	Increase estimated revenue from Airport & 12th Facilities
Apron Area Rentals	9,592	Increase estimated revenue from Apron Area Rentals
Baggage Handling System	(187,222)	Decrease estimated revenue from Baggage Handling System
Cargo Apron Area Rentals	(3,582)	Decrease estimated revenue from Cargo Apron Area Rentals
Cargo Landing Fees	13,297	Increase estimated revenue from Cargo Landing Fees
CFC - Rental Car Service Facility	(1,070,877)	Decrease estimated revenue from CFC - Rental Car Service Facility
Commercial Properties Rentals	26,844	Increase estimated revenue from Commercial Properties Rentals
Fixed Base Operations	12,904	Increase estimated revenue from Fixed Base Operations
Gift Shop	26,946	Increase estimated revenue from Gift Shop
Hangar Rentals	(5,408)	Decrease estimated revenue from Hangar Rentals
Interest Income	711,106	Increase estimated revenue from Interest Income
LEO/TSA Security	9,200	Increase estimated revenue from LEO/TSA Security
Loading Bridge Fees	56,267	Increase estimated revenue from Loading Bridge Fees
Miscellaneous Revenue	33,276	Increase estimated revenue from Miscellaneous Revenue
Parking Lot	933,119	Increase estimated revenue from Parking Lot
Rental Car Customer Facility Charge (Garage)	205,418	Increase estimated revenue from Rental Car Cust Fac Chg (Garage)
Rental Car Service Facility Rents	26,977	Increase estimated revenue from Rental Car Service Facility Rents
Rental Cars	650,502	Increase estimated revenue from Rental Cars
Restaurant and Lounge	106,646	Increase estimated revenue from Restaurant and Lounge
RON Ramp	30,263	Increase estimated revenue from RON Ramp
ST Ground Lease	1,425	Increase estimated revenue from ST Ground Lease
Taxi Permits	49,512	Increase estimated revenue from Taxi Permits
TSA Terminal Rental	(15,378)	Decrease estimated revenue from TSA Terminal Rental
Total Estimated Revenues	<u>2,021,444</u>	
Fund Balance	<u>(2,021,444)</u>	Decrease appropriated Fund Balance
Total Estimated Revenues and Fund Balance	<u><u>0</u></u>	

**THE CITY OF PENSACOLA  
 NOVEMBER 2019 - FINAL SUPPLEMENTAL BUDGET RESOLUTION EXPLANATION - FY 2019 NO. 2019-63**

FUND	AMOUNT	DESCRIPTION
<b>EE. CENTRAL SERVICES FUND</b>		
Estimated Revenues:		
Charges for Services - Central Garage	350,000	Increase estimated revenue from Charges for Services - Central Garage
Total Estimated Revenues	<u>350,000</u>	
Fund Balance	<u>(350,000)</u>	Decrease appropriated Fund Balance
Total Estimated Revenues and Fund Balance	<u><u>0</u></u>	
<b>FF. SPECIAL ASSESSMENTS FUND</b>		
Estimated Revenues:		
Interest Income	16,107	Appropriate estimated revenue from Interest Income
Special Assessments	<u>(42,752)</u>	Decrease estimated revenue from Special Assessments
Total Estimated Revenues	<u><u>(26,645)</u></u>	
Appropriations:		
Other Non-Operating	<u>(26,645)</u>	Decrease appropriation for Other Non-Operating
Total Appropriations	<u><u>(26,645)</u></u>	



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 2019-67

City Council

11/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

RESOLUTION NO. 2019-67 - CORRECTING SCRIVENER'S ERRORS OF ORDINANCE NO. 23-19 AND TRANSMITTING PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN TO THE FLORIDA DEPARTMENT OF ECONOMIC OPPORTUNITY

**RECOMMENDATION:**

That City Council adopt Resolution 2019-67:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA; CORRECTING SCRIVENER'S ERRORS OF ORDINANCE NO. 23-19 WHICH PROPOSED AMENDMENTS TO THE LAND USE MAP OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

As provided in Florida Statute 163, all local governments within the State of Florida are required to participate in a state coordinated review for a Comprehensive Plan Update. The proposed amendments within this update reflect changes in State requirements and local conditions. Attached you will find all changes submitted by the various subject matter experts in strike-through and underline format. This Resolution will accomplish the action necessary to complete the transmittal of the proposed Comprehensive Plan amendments to the Department of Economic Opportunity (DEO). Within sixty (60) days, DEO will transmit its findings to the City along with any objections and recommendations for modifications. Following receipt of DEO comments, Council will schedule a public hearing to consider adopting the proposed Comprehensive Plan amendments and the existing Future Land Use Map.

**PRIOR ACTION:**

September 26, 2019 - City Council voted to approve Ordinance No. 19-19 on first reading.

October 10, 2019 - City Council voted to adopt Ordinance No. 19-19 on second reading.

262

**FUNDING:**

N/A

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

10/31/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Keith Wilkins, Deputy City Administrator  
Kerrith Fiddler, Deputy City Administrator  
Sherry H. Morris, Planning Services Administrator

**ATTACHMENTS:**

- 1) Resolution No. 2019-67

**PRESENTATION:** No

RESOLUTION

NO. 2019-67

A RESOLUTION  
TO BE ENTITLED:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA; CORRECTING SCRIVENER'S ERRORS OF ORDINANCE NO. 23-19 WHICH PROPOSED AMENDMENTS TO THE LAND USE MAP OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, Ordinance No. 23-19 was adopted on October 10, 2019, following public hearings on ~~July 18, 2019~~ September 26, 2019, to consider amendments to the Comprehensive Plan and to the Future Land Use Map of the City of Pensacola; and

WHEREAS, the City Council followed all required procedures in Section 163.3184, Florida Statutes, and all other applicable provisions of law and local procedures with relation to amendment to the Comprehensive Plan and the Future Land Use Map of the Comprehensive Plan; and

WHEREAS, the required procedures that have been followed include transmitting proposed amendments to the Department of Economic Opportunity of the State of Florida, the state land planning agency referenced in Section 4 of Ordinance 23-19, and due to a scrivener's error, Ordinance No. 23-19 omitted the fact of that transmittal; and

WHEREAS, the required procedures in this instance did not include compliance with Section 163.3187, Florida Statutes;

WHEREAS, to promote clarity of the process and at the request of the Department of Economic Opportunity, the scrivener's errors are to be corrected; NOW, THEREFORE,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. The title of Ordinance 23-19 is hereby corrected to read as follows:

AN ORDINANCE ADOPTING PROPOSED AMENDMENTS TO THE COMPREHENSIVE PLAN AND TRANSMITTING SAME WITH ADOPTING THE PROPOSED CURRENT FUTURE LAND USE MAP OF THE CITY OF PENSACOLA, FLORIDA; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

SECTION 2. The second "Whereas" clause of Ordinance 23-19 is hereby corrected as follows:

WHEREAS, the City of Pensacola conducted a public hearing on ~~July 18, 2019~~ September 26, 2019, to consider amendments to the Comprehensive Plan and adopt the current Future Land Use Map of the City of Pensacola; and

SECTION 3. The fourth "Whereas" clause of Ordinance 23-19 is hereby corrected to read as follows:

WHEREAS, the City Council has followed all of the procedures set forth in ~~§§163.3184, and 163.3187,~~ Fla. Stat., and all other applicable provisions of law and local procedures with relation to amendment to Comprehensive Plan and the Future Land Use Map of the Comprehensive Plan; and

SECTION 4. Section 1 of Ordinance 23-19 is hereby corrected to read as follows:

SECTION 1. The City of Pensacola City Council does hereby ~~adopt~~ transmit these proposed Amendments to the City's Comprehensive Plan and ~~adopts to~~ the Current Future Land Use Map, attached here as Exhibit A and incorporated in full by reference, according to the process described herein in Section 4.

SECTION 4. This resolution shall become effective on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 34-19

City Council

11/14/2019

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### **LEGISLATIVE ACTION ITEM**

**SPONSOR:** Grover C. Robinson, IV, Mayor

**SUBJECT:**

PROPOSED ORDINANCE NO. 34-19 - PROPOSED AMENDMENT TO THE CODE OF THE CITY OF PENSACOLA - LAND DEVELOPMENT CODE - SECTION 12-2-12 - WATERFRONT REDEVELOPMENT DISTRICT

**RECOMMENDATION:**

That City Council adopt Proposed Ordinance No. 34-19 on second reading.

AN ORDINANCE AMENDING SECTION 12-2-12 REDEVELOPMENT LAND USE DISTRICT; CREATING SECTION (D) WATERFRONT REDEVELOPMENT DISTRICT-1 (WRD-1) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

**HEARING REQUIRED:** No Hearing Required

**SUMMARY:**

The City has received a request to amend the Waterfront Redevelopment District (WRD) by establishing a subcategory which would become the WRD-1. The proposed WRD-1 would be a standalone section with the intent of optimizing and encouraging a high quality of site planning and architectural design for the future development of the City's Community Maritime Park parcels.

On October 8, 2019, the Planning Board unanimously recommended approval of the proposed amendment.

**PRIOR ACTION:**

October 24, 2019 - The City Council held a public hearing and voted to approve Ordinance No. 34-19 on first reading.

**FUNDING:**

N/A

266

**FINANCIAL IMPACT:**

None

**CITY ATTORNEY REVIEW:** Yes

10/11/2019

**STAFF CONTACT:**

Christopher L. Holley, City Administrator  
Keith Wilkins, Deputy City Administrator  
Kerrith Fiddler, Assistant City Administrator  
Sherry Morris, Planning Services Administrator

**ATTACHMENTS:**

- 1) Proposed Ordinance No. 34-19
- 2) WRD-1 Staff Memo Packet - 10.08.2019
- 3) Planning Board Minutes - 10.08.2019 (DRAFT)

**PRESENTATION:** No

PROPOSED  
ORDINANCE NO. 34-19

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE  
TO BE ENTITLED:

AN ORDINANCE AMENDING SECTION 12-2-12 REDEVELOPMENT LAND USE DISTRICT; CREATING SECTION (D) WATERFRONT REDEVELOPMENT DISTRICT-1 (WRD-1) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY OF PENSACOLA, FLORIDA:

SECTION 1. Section 12-2-12 of the Code of the City of Pensacola, Florida are hereby amended to add the underlined language and delete the stricken language with the currently codified language reproduced below for context or shown as omitted where appropriate “[...]”:

Sec. 12-2-12. – Redevelopment Land Use District.

The regulations in this section shall be applicable to the gateway and waterfront redevelopment zoning districts: GRD and WRD. “[...]”

(D) WRD-1, Waterfront Redevelopment District-1.

(1) Purpose of district. The waterfront redevelopment district is established to promote redevelopment of the city's downtown waterfront with a compatible mixture of uses which further the goals of downtown Pensacola's Comprehensive Plan, encourage a walkable mixed use urban environment, preserve the unique shoreline scenic opportunities, provide continuous public waterfront access, create a cultural meeting places for the public, and encourage a high quality of site planning and architectural design. Site specific analysis of each development proposal within the district is intended to ensure that the scenic vistas of the district are maintained, that the development character of the waterfront is upgraded and that the boundaries of the adjacent special districts are positively reinforced.

(2) Uses permitted.

(a) Single-family residential (attached or detached) at a maximum density of seventeen and four-tenths (17.4) units per acre. Multi-family residential at a maximum density of sixty (60) dwelling units per acre.

(b) Home occupations, subject to regulations in section 12-2-33.

(c) Offices.

(d) Libraries and community centers opened to the public and buildings used exclusively by the federal, state, county and city government for public purposes.

(e) Hotels/motels.

(f) Marinas.

(g) Parking garages.

(h) The following retail sales and services:

1. Retail food and drug stores (including package liquor store).

2. Personal service shops.

3. Clothing stores.

4. Specialty shops.

5. Banks.

6. Bakeries whose products are sold at retail on the premises.

7. Antique shops.

8. Floral shops.

9. Health clubs, spa and exercise centers.

10. Laundromats.

11. Laundry and dry cleaning pick-up stations.

12. Restaurants.

13. Studios.

14. Art galleries.

15. Sale or rental of sporting goods or equipment including instructions in skiing, sailing, or scuba diving.

16. Boat rentals waterside only with limited upland storage.

17. Bars.

18. Commercial fishing.

19. Ferry and passenger terminals.

20. Cruise ship operations.

(i) Family day care homes licensed by the Florida Department of Children and Family Services as defined in the Florida Statutes.

(3) Procedure for review of plans.

(a) Plan submission. Every application to construct a new structure in the waterfront redevelopment district-1 shall be subject to the development plan review and approval procedure established in section 12-2-81. Every application for a new certificate of occupancy or a building permit to erect,

construct, demolish, renovate or alter a building or sign, or exterior site work (i.e., paving and landscaping of off-street parking areas), located or to be located in the waterfront redevelopment district-1 shall be accompanied with drawings or sketches with sufficient detail to show, as far as they relate to exterior appearances, the architectural design of the building, sign, or exterior work (both before and after the proposed work is done in cases of altering, renovating, demolishing or razing a building or structure) including proposed materials, textures and colors, and the plot plan or site layout including all site improvements or features such as walls, fences, walks, terraces, plantings, accessory buildings, paved areas, signs, lights, awnings, canopies and other appurtenances. All developments within the waterfront redevelopment district must comply with design standards as established in section 12-2-82.

(b) Review and approval. All plans shall be subject to the review and approval of the planning board established in Chapter 12-13. At the time of review the board may require that any aspect of the overall site plan which does not meet the standards established in this section be incorporated and brought into compliance within a time limit approved by the board. Review by the planning board of applications for zoning variances shall be as provided for under section 12-13-2(F)(f).

(c) Abbreviated review. Sign requests, paint colors, fencing, and emergency repairs which are consistent with the regulations and guidelines set forth in this section, may be approved by letter to the building official from the planning board secretary and the chairman of the board. This provision is made in an effort to save the applicant and the board time for routine approval matters. If agreement cannot be reached as it pertains to such requests by the board secretary and chairman, then the matter will be referred to the board for a decision.

(4) Regulations.

(a) Signs. The following provisions shall be applicable to signs in the district.

1. Number of signs. Each parcel shall be limited to one sign per street frontage; provided, however, if there exists more than one establishment on the parcel, there may be one attached sign per establishment. Additionally, retail sales and services may have an A-Frame sign in addition to the one sign per frontage.

2. Signs extending over public property. Signs extending over public property shall maintain a clear height of nine (9) feet above the sidewalk and no part of such signs shall be closer than eighteen (18) inches to the vertical plane of the curb line or edge of the pavement.

3. Sign size and height limitations.

a. Attached signs:

Size: Ten (10) percent of the building elevation square footage (wall area) which fronts on a public street, not to exceed fifty (50) square feet. Buildings exceeding five (5) stories in height; one attached wall sign or combination of wall signs not to exceed two hundred (200) square feet and mounted on the fifth floor or above.

Height: No sign may extend above the roof line of the building to which it is attached. For the purposes of this section roof surfaces constructed at an angle of sixty-five (65) degrees or more from horizontal shall be regarded as walls.

b. Freestanding signs.

Size: Fifty (50) square feet.

Height: Ten (10) feet (top of sign).

c. A-Frame Sign

Size: Ten (10) square feet.

Height: Forty-Two (42) inches (top of sign).

4. Other permitted signs.

- a. Signs directing and guiding traffic and parking on private property, bearing no advertising matter. Such signs shall not exceed two (2) square feet in size.
- b. Signs advertising the acceptance of credit cards not exceeding two (2) square feet in size and which are attached to buildings or permitted freestanding signs.
- c. Official traffic signs or signals, informational signs erected by a government agency and temporary signs indicating danger.

5. Prohibited signs. Refer to section 12-4-7 for a description of prohibited signs. In addition the following signs are prohibited within the district:

- a. Signs which are abandoned or create a safety hazard. Abandoned signs are those advertising a business which becomes vacant and is unoccupied for a period of ninety (90) days or more.
- b. Signs that present an optical illusion, incorporated projected images, or emit sound.
- c. Secondary advertising signs (i.e., signs which advertise a brand name product in addition to the name of the business).

6. Temporary signs. The following temporary signs shall be permitted in the district:

- a. Temporary banners indicating that a noncommercial special event such as a fair, carnival, festival or similar happening is to take place, are

permitted with the following conditions: Such banners may be erected no sooner than two (2) weeks before the event and banners extending over street rights-of-way require approval from the mayor.

- b. One non-illuminated sign per street frontage advertising the sale, lease or rental of the lot or building upon which the sign is located. Such sign shall not exceed twelve (12) square feet in size, and shall be removed immediately after occupancy.
  - c. One non-illuminated sign not more than fifty (50) square feet in area in connection with new construction work and displayed only during such time as the actual construction work is in progress.
- (b) Off-street parking. The following off-street parking requirement shall apply to all lots, parcels, or tracts in the district: Off-street parking requirements in the waterfront redevelopment district-1 shall be based on the requirements set forth in Chapter 12-3-1(D)(7). The required parking may be provided off-site by the owner/developer as specified in subsection 12-3-1(D). Screening shall be provided along the edges of all parking areas visible from the street rights-of-way. This screening may take the form of:
- A solid wall or fence (chain-link fences are prohibited) with a minimum height of four (4) feet which is compatible in design and materials with on-site architecture and nearby development; or
  - Landscaping approximately three (3) feet in height which is landscaped to provide positive screening effective within three (3) years; or
  - A combination of walls or fences and landscape screening, or landscape screening designed to provide positive screening within three (3) years.
- (c) Vehicular access. For each lot, tract or parcel under single ownership, the maximum number of access points shall not exceed two (2) per street frontage.
- (d) Landscaping. Landscaping requirements in the district shall conform to the requirements of Chapter 12-6. All service areas (i.e., trash collection containers, compactors, loading docks) shall be screened with at least seventy-five (75) percent opacity from the street and adjacent buildings by one of the following techniques:
- Fence or wall and gate, six (6) feet high;
  - Vegetation, six (6) feet high (within three (3) years); or
  - A combination of the above.
- (e) Underground utility services. All new building construction or additions of floor area to existing structures shall be required to install underground utilities on the site.
- (f) Lot coverage. The total coverage of the site including all structures, parking areas, driveways and all other impervious surfaces shall not exceed ninety-five (95) percent.

(g) Setback/height requirements. No building shall exceed a maximum height of six (6) stories in the waterfront redevelopment district-1, as defined in Section 12-2-25 Community Redevelopment Area (CRA) Urban Design Overlay District.

1. Shoreline setback/height requirements. All buildings shall be set back a minimum of thirty (30) feet from the shoreline or the bulkhead line. The minimum setback from the shoreline may be decreased by the planning board and the council during the review process to permit reuse of existing buildings, structures or foundations with a lesser setback.

2. Main Street setback/height requirements. All buildings shall be setback a minimum of sixty (60) feet from the centerline of Main Street. At this minimum setback line, the building height may not exceed six stories.

3. All other setbacks shall be as specified on the regulating plan.

(h) Additional regulations. In addition to the regulations established above in subsections 12-2-12(C)(4)(a) through (g), any permitted use within the WRD-1 zoning district where alcoholic beverages are ordinarily sold is subject to the requirements of Chapter 7-4 of this Code.

(5) Regulations. All developments within the waterfront redevelopment district-1 are encouraged to follow the design guidelines established in subsection 12-2-82(D). In addition, the following site planning guidelines should be taken into consideration in the required development plans.

(a) Site planning. The integration of site features such as building arrangement, landscaping, parking lot layout, public access points, building orientation, and scenic vantage points is critical in producing a pleasant and functional living or working environment. In reviewing development proposals, the following guidelines shall be taken into consideration:

1. Maximum preservation of waterfront views. Considering the waterfront location of the district, the placement of buildings, signs, service areas, parking and landscaping shall be planned to maximize the preservation of views of the bay and to protect the waterfront scenic open space character. To prevent the effect of a "wall" of development along the edge of the waterfront and adjacent streets, open space should be encouraged between buildings and under elevated buildings. Pedestrian circulation systems should be designed to form a convenient, interconnected network through buildings, landscaped open spaces and public walkways. The longer side of each building should be sited perpendicular to the water's edge in order to preserve water views from the street.

2. Building orientation. Buildings should be oriented to maximize the waterfront view potential within the district while maintaining quality facade treatment and design on the streetside. Structures should be positioned to provide viewing opportunities of the water and the shoreline edge between buildings. The location of solid waste receptacles, service entrances, loading docks, storage buildings and mechanical and air

conditioning equipment and other items typically situated at the backside of buildings should be discouraged within the area between the building and the water's edge.

3. Off-street parking and service. Off-street parking shall be discouraged within the shoreline setback area. Where possible, service areas (i.e., trash collection, loading docks) shall be located to be screened by the building itself; otherwise, walls, fences, landscaping and earth berms shall be used to achieve effective screening.

(b) Aesthetic considerations. Development projects within the district are not subject to special architectural review and approval, however compliance with the CRA Overlay Standards and Guidelines as defined in Section 12-2-25 Community Redevelopment Area (CRA) Urban Design Overlay District is encouraged. In lieu of a special separate review procedure, the following general architectural and aesthetic design criteria will be considered to enhance the character of the district:

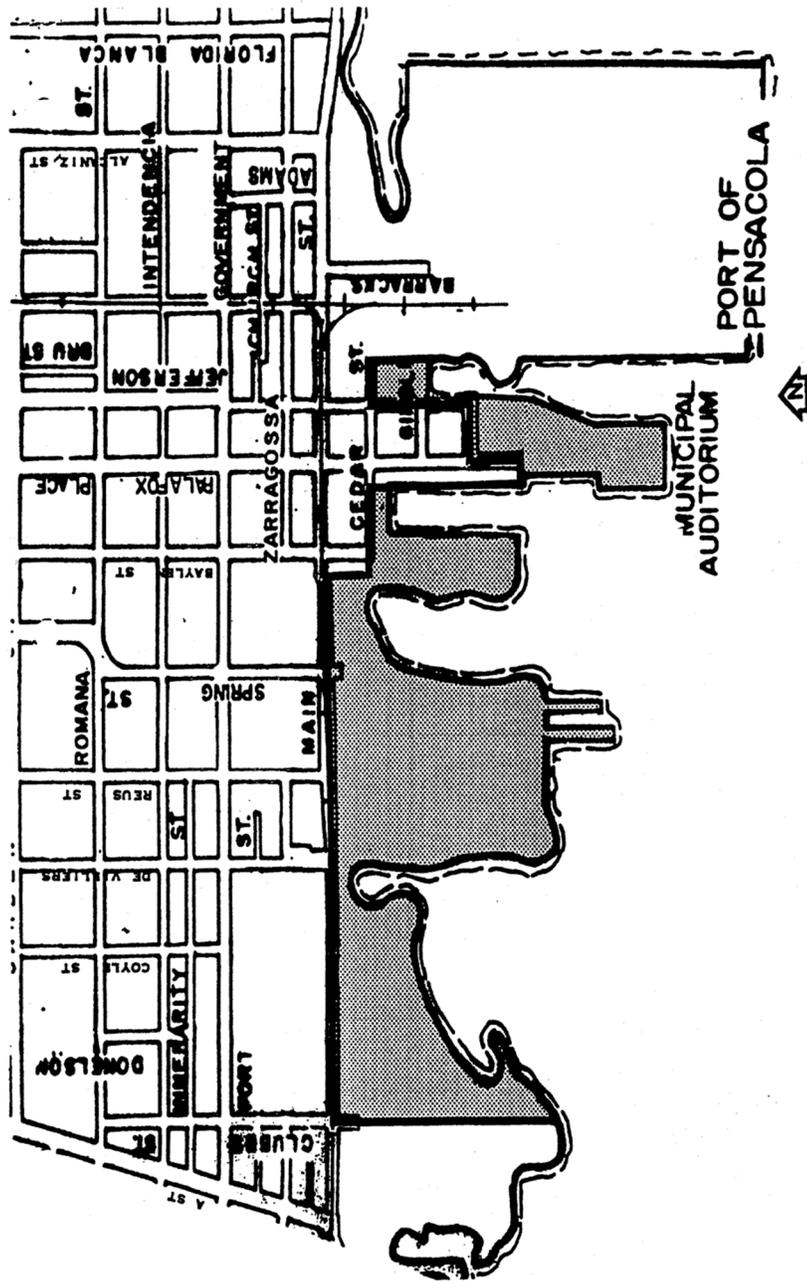
1. Buildings or structures should have a unity of character and design. The relationship of forms and the use, texture, and color of materials shall be such as to create a harmonious whole.
2. Natural materials such as brick, wood and stucco should be encouraged. Materials such as metal and plastic shall be discouraged on exterior surfaces of buildings.
3. All mechanical equipment, satellite dishes and other similar equipment should be completely screened by the architecture of the structure, or fences, walls or vegetation.
4. Proposed developments within the Waterfront Redevelopment District-1 which are located adjacent to a historic district should give special consideration to visual compatibility in scale and architectural design in order to positively reinforce the character of the historic area and provide a buffer and transition.
5. Projects should be encouraged which enhance the setting or provide for adaptive reuse of historic buildings and sites.

(c) Landscaping guidelines. Landscaping should be used to enhance waterfront views and vistas and to screen undesirable features. Low lying plant material should be used in open areas to retain views of the water. Trees should be selectively utilized and carefully located along the waterfront in both public and private developments in order to maintain existing views as much as possible. Plantings should be coordinated near buildings to provide view corridors.

(d) Sign guidelines.

1. Design/materials. The architectural character of the building to which the sign relates should be reflected in the lettering of the sign, and the materials used for the supporting structure and the sign face.

2. Lighting. Indirect and internal lighting is encouraged. Neon and exposed fluorescent lighting is not permitted.
3. Copy. The sign copy should be limited to the name, address, and logo of the building complex, the major tenant or the business. The sign should be primarily used for communicating, identifying, and locating the business, not for advertising.
4. Landscaping. The landscaping and positioning of the sign should complement the overall site plan and landscaping of the development.



Waterfront Development District

SECTION 2. If any word, phrase, clause, paragraph, section or provision of this ordinance or the application thereof to any person or circumstance is held invalid or unconstitutional, such finding shall not affect the other provision or applications of the ordinance which can be given effect without the invalid or unconstitutional provisions or application, and to this end the provisions of this ordinance are declared severable.

SECTION 3. All ordinances or parts of ordinances in conflict herewith are hereby repealed to the extent of such conflict.

SECTION 4. This ordinance shall take effect on the fifth business day after adoption, unless otherwise provided, pursuant to Section 4.03(d) of the City Charter of the City of Pensacola.

Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
President of City Council

Attest:

\_\_\_\_\_  
City Clerk

PLANNING SERVICES

MEMORANDUM

**TO:** Planning Board Members  
**FROM:** Cynthia R. Cannon, AICP, Assistant Planning Services Administrator *CRC*  
**DATE:** September 27, 2019  
**SUBJECT:** Consider Amendment to LDC Section 12-2-12 Creating WRD-1

Staff received a request to modify the Redevelopment Land Use District WRD by establishing a subcategory which would become the WRD-1. The proposed WRD-1 would be a standalone section with the intent of optimizing the future development of the City's Community Maritime Park (CMP) parcels. The intent of the WRD-1 district is to enhance the desired character of the waterfront and encourage a high quality of site planning and architectural design for the Maritime Park parcels. The establishment of the WRD-1 follows the same concept and reasoning behind the establishment of the Gateway Redevelopment District GRD-1 when it was created in order to promote cohesive and orderly development for the Aragon redevelopment area.

Key points:

- The overall park parcel was master planned for stormwater and open space so the increase in lot coverage from 75% to 95% will not result in an overall increase of coverage for the entirety of the CMP.
- The "regulating plan" included in the application represents the master plan for the developer going forward and demonstrates their internal plan for coordinating development efforts with the ECUA site. The overall goal being a cohesive development pattern between neighboring publicly and privately owned land. It isn't included as part of the WRD-1 district.
- Future development on the CMP parcels within the WRD-1 district will continue to be submitted to the Planning Board for aesthetic review.

Attached you will find a modified version of Sec. 12-2-12 with the proposed changes.

## MEMORANDUM

From: Gregory T. Stewart, Nabors Giblin & Nickerson, P.A.  
To: William D. Wells, Deputy City Attorney  
Date: October 2, 2019  
Re: Review of WRD-1 Zoning District Proposal

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You have requested that I review the proposed creation of a WRD-1 Zoning District within an area of the City of Pensacola (the “City”) and whether there are any potential legal issues relating to the creation of the District. I have been provided various material including the current City Code provisions relating to that area, a map of the District, relevant provisions of the City’s Comprehensive Plan and the September 2, 2019 modified version of the proposed amendment to the District.

### Background

Based upon my review of the material, it appears that in 1988, the City created a zoning district designated as the Waterfront Redevelopment District (“WRD”). The provisions governing that District have been amended on several occasions since that time. The WRD consists of approximately one half mile of waterfront property fronting the Pensacola Bay and bounded on the north by Main Street, a key downtown connector thoroughfare. The eastern third of the WMD is fully developed as a park, office, and waterfront residential uses under a long term lease with the City. The western third of the WMD is largely undeveloped at present, with the City currently considering various plans and financing to develop that area as a waterfront park, pavilion, and beach for public use. The middle third of the WMD, which is the focus of the proposal by a local developer, is currently known as the Community Maritime Park. The developer has proposed a new zoning district which would be designated as the WRD-1 District.

In evaluating the proposal and any potential issues, it is important to consider the extent of changes in relation to the current Comprehensive Plan and the City Code. The Comprehensive Plan provisions governing the WRD area is set forth in the Future Land Use Element, under Policy FLU-1.1.5 governing Redevelopment Districts. The Comprehensive Plan provisions set forth that the purpose of the area is to provide for the orderly development along Pensacola Bay to enhance its visual appearance, preserve shoreline vistas, provide public access to the shoreline and

related purposes. A variety of office, residential, and commercial uses are allowed under the Comprehensive Plan, with residential uses capped at sixty units per acre in the WPD area and commercial uses capped at seventy-five percent occupancy of lot size and height of sixty feet in the WRD Zoning District. The Comprehensive Plan allows for density bonuses that could allow the increase of density within the WRD to a total of sixty-six units per acre which are to be provided subject to the discretion and approval by the City Planning Board.

Under the City's Code, the existing WRD Zoning District allows residential uses ranging from single family units to multi-family units with a maximum density of sixty units per acre. Lot coverage cannot exceed seventy-five percent nor buildings exceed sixty feet in height with a graduated limitation of thirty-five feet in height at thirty feet from the shoreline or bulkhead increasing by one foot in height per each one foot away from the shoreline, to a maximum of sixty feet in height at a distance of sixty feet from the shoreline. The provisions of the existing Code provide that the WMD Zoning District sets forth that its purpose is to promote uses that are compatible with water-related uses that preserve the unique shoreline vista and scenic opportunities that provide public access.

The developer proposed WRD-1 Zoning District would create a new area within the WRD Zoning category. Under the proposed WRD-1 Zoning District, lot coverage limits would be increased from seventy-five percent to ninety-five percent and height requirements would change from sixty feet to six stories with no stated footage limitation. This modification would allow a greater than sixty foot height in that the six story classification would not include any floors that are attributed for parking purposes and would not include the lowest habitable floor elevation. A Comprehensive Plan amendment is not contemplated.

In reviewing the proposal, on particular concern is whether it constitutes "spot zoning." Spot zoning generally consists of the piecemeal rezoning of parcels to use at a greater intensity and density which would adversely impact and create disharmony to the surrounding area. Spot zoning is normally considered as giving preferential treatment to one parcel at the expense of the zoning scheme as a whole. The primary legal impediment to spot zoning is that the modification of the zoning for the parcel constitutes an arbitrary and capricious determination and, as such, unlawful.

There are no specific guidelines to determine what zoning might constitute spot zoning, however there are certain criteria that are frequently reviewed in

determining whether the proposed zoning change is arbitrary and capricious. One of the most significant factors to be considered is whether the proposed change is consistent with the Comprehensive Plan. In this case, the Comprehensive Plan sets forth specific criteria related to lot coverage and height which would be exceeded by the proposal and therefore does not appear to be consistent with those restrictions. Further, the proposal would appear to be inconsistent with the stated goals for the WRD Zoning District. Under both the Comprehensive Plan and the City Code, a significant purpose of these provisions was to enhance the visual appearance of Pensacola Bay, preserve shoreline vistas and provide public access to the shoreline. Arguably, those purposes are not furthered by the proposal.

Additionally, based upon the information that has been provided, it appears that the WRD-1 proposal is a unique and specific land use classification that applies only to this parcel. From a review of the City Code, there currently exists a procedure for the obtaining of a variance from the land development regulations within the WRD upon satisfaction of the specific guidelines and criteria. In the context of evaluating a claim of spot zoning, the creation of a unique and specific land use classification, when there is an available administrative procedure to address the development issues, appears to raise a concern.

Ultimately, in determining whether a zoning category or reclassification is arbitrary and capricious depends on the determination as to whether there has been a valid exercise of the City's police powers, which normally requires a determination as to whether the public health, safety and welfare have been served. Merely maximizing the potential development of a parcel does not in and of itself constitute a valid exercise of police powers and serve a public purpose. Rather, the proposed development and modification of the zoning district needs to be considered in light of the specific needs of the property, whether development of that property is consistent with the provisions and goals of the Comprehensive Plan and the nature and extent of the impact of the reclassification on adjoining properties. Based on my review, I have been unable to identify whether such a public purpose is served and therefore, it appears that there is a potential legal issue that the new WRD-1 classification is arbitrary and capricious and constitutes spot zoning from this rezoning.

Department:	Comments:	Date Rec'd
FIRE	No comments.	9/18/2019
PW/E	PW&F has no issue with the proposed revised language, however, we do not concur with the allowable driveway cut location on Main Street for the west parcel, as indicated in the Regulation Plan. This cut would directly interfere with the bus drop off and potentially conflict (safety-wise) with the left-turn pocket for Reus Street.	9/23/2019
InspSvcs		
ESP	No comments.	9/11/2019
ECUA	No comments.	9/11/2019
GPW	None received.	
ATT	No comments or concerns.	9/6/2019



September 6, 2019

Secretary of the City's Planning Board  
222 W. Main St.  
Pensacola, FL 32502

**Request for Land Development Code Amendment – WRD Regulations**

Dear Secretary of the Planning Board,

It is with great excitement for the future of Pensacola's downtown waterfront that we submit this proposed land development amendment to modify the zoning of the City's Maritime Park parcel.

As you know, we have been involved in the modification of Pensacola's zoning regulations for some time, and we are pleased to acknowledge that very few changes are needed to the WRD-1 district to allow Maritime Park to be developed optimally. Those changes are presented herein with the proposed edits to WRD-1.

We are especially grateful to City staff for their collaboration on this effort, both in determining the proper path forward and in helping us to understand the limitations of the current regulations and the ramifications of this proposal. Essentially, we have re-written the intent section of WRD to WRD-1 to be in keeping with the desired character of the waterfront district. Additionally, we have deliberately not sought for changes to the most typical thorny issues, including uses, parking, and height.

Just to recap, this submission is a necessary step in the process to permit plan for the redevelopment of both the Maritime park parcel and the ECUA site adjacent. This plan was developed principally during the week of April 8, 2019 with considerable City and public participation. The ECUA site's zoning is quite permissive, allowing for considerably more development than proposed in the plan; the Maritime Park parcel less so. It is principally with the intention of transferring some of the ECUA parcel's allowed density to the Maritime site that this proposal is submitted. The underlying vision is a vibrant, active waterfront adjacent to a quieter, mostly residential district more in keeping with the scale and character of the Tanyard neighborhood next door.

**DPZ.COM**  
320 Firehouse Lane  
Gaithersburg, MD 20878  
301.948.6223



We include here the following documents:

- 1) An edited version of WRD that we are calling WRD-1 and proposing to only be mapped on the eight (8) Maritime park parcels.
- 2) A Regulation Plan to further guide the implementation of the project that specifies: retail frontages, designated setbacks, curb cut locations, street types and civic space locations.
- 3) An illustrative master plan, as supporting documentation of the intended vision for the site.

We look forward to presenting this to you and hearing your comments.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Marina' with a long, sweeping underline.

Marina Khoury  
RA CNU LEED  
**DPZ CoDESIGN**

A handwritten signature in black ink, appearing to read 'Jeff Speck' with a stylized, circular flourish at the end.

Jeff Speck  
AICP CNU-A LEED-AP Hon. ASLA  
**Speck & Associates LLC**

**Sec. 12-2-12. - Redevelopment land use district. (Proposed edits: Sept 2, 2019)**

The regulations in this section shall be applicable to the gateway and waterfront redevelopment zoning districts: GRD and WRD.

**(GD) WRD-1, waterfront redevelopment district-1(Maritime Park Parcel).**

- (1) *Purpose of district.* The waterfront redevelopment district-1 is established to promote redevelopment of the city's downtown maritime park waterfront with a compatible mixture of ~~water-dependent and water-related~~ uses which further the goals of downtown Pensacola's Comprehensive Plan, encourage a walkable mixed use urban environment, preserve the unique shoreline ~~vista and~~ scenic opportunities, provide continuous public waterfront access, create a cultural meeting places for the public, ~~preserve the working waterfront activities historically located in the waterfront area~~, and encourage a high quality of site planning and architectural design. Site specific analysis of each development proposal within the district is intended to ensure that the scenic vistas ~~and marine-oriented image~~ of the district are maintained, that the development character of the waterfront is upgraded and that the boundaries of the adjacent special districts are positively reinforced.
- (2) *Uses permitted.*
  - (a) Single-family residential (attached or detached) at a maximum density of seventeen and four-tenths (17.4) units per acre. Multi-family residential at a maximum density of sixty (60) dwelling units per acre.
  - (b) Home occupations, subject to regulations in section 12-2-33.
  - (c) Offices.
  - (d) Libraries and community centers opened to the public and buildings used exclusively by the federal, state, county and city government for public purposes.
  - (e) Hotels/motels.
  - (f) Marinas.
  - (g) Parking garages.
  - (h) The following retail sales and services:
    1. Retail food and drug stores (including package liquor store).
    2. Personal service shops.
    3. Clothing stores.
    4. Specialty shops.
    5. Banks.
    6. Bakeries whose products are sold at retail on the premises.
    7. Antique shops.
    8. Floral shops.
    9. Health clubs, spa and exercise centers.
    10. Laundromats.
    11. Laundry and dry cleaning pick-up stations.
    12. Restaurants.
    13. Studios.
    14. Art galleries.

15. Sale or rental of sporting goods or equipment including instructions in skiing, sailing, or scuba diving.
  16. Boat rentals waterside only with limited upland storage.
  17. Bars.
  18. Commercial fishing.
  19. Ferry and passenger terminals.
20. Cruise ship operations.
- (i) Family day care homes licensed by the Florida Department of Children and Family Services as defined in the Florida Statutes.
- (3) *Procedure for review of plans.*
- (a) Plan submission. Every application to construct a new structure in the waterfront redevelopment district-1 shall be subject to the development plan review and approval procedure established in section 12-2-81. Every application for a new certificate of occupancy or a building permit to erect, construct, demolish, renovate or alter a building or sign, or exterior site work (i.e., paving and landscaping of off-street parking areas), located or to be located in the waterfront redevelopment district-1 shall be accompanied with drawings or sketches with sufficient detail to show, as far as they relate to exterior appearances, the architectural design of the building, sign, or exterior work (both before and after the proposed work is done in cases of altering, renovating, demolishing or razing a building or structure) including proposed materials, textures and colors, and the plot plan or site layout including all site improvements or features such as walls, fences, walks, terraces, plantings, accessory buildings, paved areas, signs, lights, awnings, canopies and other appurtenances. All developments within the waterfront redevelopment district-1 must comply with design standards as established in section 12-2-82.
  - (b) Review and approval. All plans shall be subject to the review and approval of the planning board established in Chapter 12-13. At the time of review the board may require that any aspect of the overall site plan which does not meet the standards established in this section be incorporated and brought into compliance within a time limit approved by the board. Review by the planning board of applications for zoning variances shall be as provided for under section 12-13-2(F)(f).
  - (c) Abbreviated review. Sign requests, paint colors, fencing, and emergency repairs which are consistent with the regulations and guidelines set forth in this section, may be approved by letter to the building official from the planning board secretary and the chairman of the board. This provision is made in an effort to save the applicant and the board time for routine approval matters. If agreement cannot be reached as it pertains to such requests by the board secretary and chairman, then the matter will be referred to the board for a decision.
- (4) *Regulations.*
- (a) Signs. The following provisions shall be applicable to signs in the district.
    1. Number of signs. Each parcel shall be limited to one sign per street frontage; provided, however, if there exists more than one establishment on the parcel, there may be one attached sign per establishment. Additionally, retail sales and services may have an A-Frame sign in addition to the one sign per frontage.
    2. Signs extending over public property. Signs extending over public property shall maintain a clear height of nine (9) feet above the sidewalk and no part of such signs shall be closer than eighteen (18) inches to the vertical plane of the curb line or edge of the pavement.

3. Sign size and height limitations.

a. Attached signs:

Size: Ten (10) percent of the building elevation square footage (wall area) which fronts on a public street, not to exceed fifty (50) square feet. Buildings exceeding five (5) stories in height; one attached wall sign or combination of wall signs not to exceed two hundred (200) square feet and mounted on the fifth floor or above.

Height: No sign may extend above the roof line of the building to which it is attached. For the purposes of this section roof surfaces constructed at an angle of sixty-five (65) degrees or more from horizontal shall be regarded as walls.

b. Freestanding signs.

Size: Fifty (50) square feet.

Height: Ten (10) feet (top of sign).

c. A-Frame Sign

Size: Ten (10) square feet.

Height: Forty-Two (42) inches (top of sign).

4. Other permitted signs.

- a. Signs directing and guiding traffic and parking on private property, bearing no advertising matter. Such signs shall not exceed two (2) square feet in size.
- b. Signs advertising the acceptance of credit cards not exceeding two (2) square feet in size and which are attached to buildings or permitted freestanding signs.
- c. Official traffic signs or signals, informational signs erected by a government agency and temporary signs indicating danger.

5. Prohibited signs. Refer to section 12-4-7 for a description of prohibited signs. In addition the following signs are prohibited within the district:

- a. ~~Portable signs.~~
- b. Signs which are abandoned or create a safety hazard. Abandoned signs are those advertising a business which becomes vacant and is unoccupied for a period of ninety (90) days or more.
- c. ~~Signs which are not securely fixed on a permanent foundation.~~
- d. ~~Strings of light bulbs, other than holiday decorations, streamers and pennants.~~
- e. Signs that present an optical illusion, incorporated projected images, or emit sound.
- f. Secondary advertising signs (i.e., signs which advertise a brand name product in addition to the name of the business).

6. Temporary signs. The following temporary signs shall be permitted in the district:

- a. Temporary banners indicating that a noncommercial special event such as a fair, carnival, festival or similar happening is to take place, are permitted with the

following conditions: Such banners may be erected no sooner than two (2) weeks before the event and banners extending over street rights-of-way require approval from the mayor.

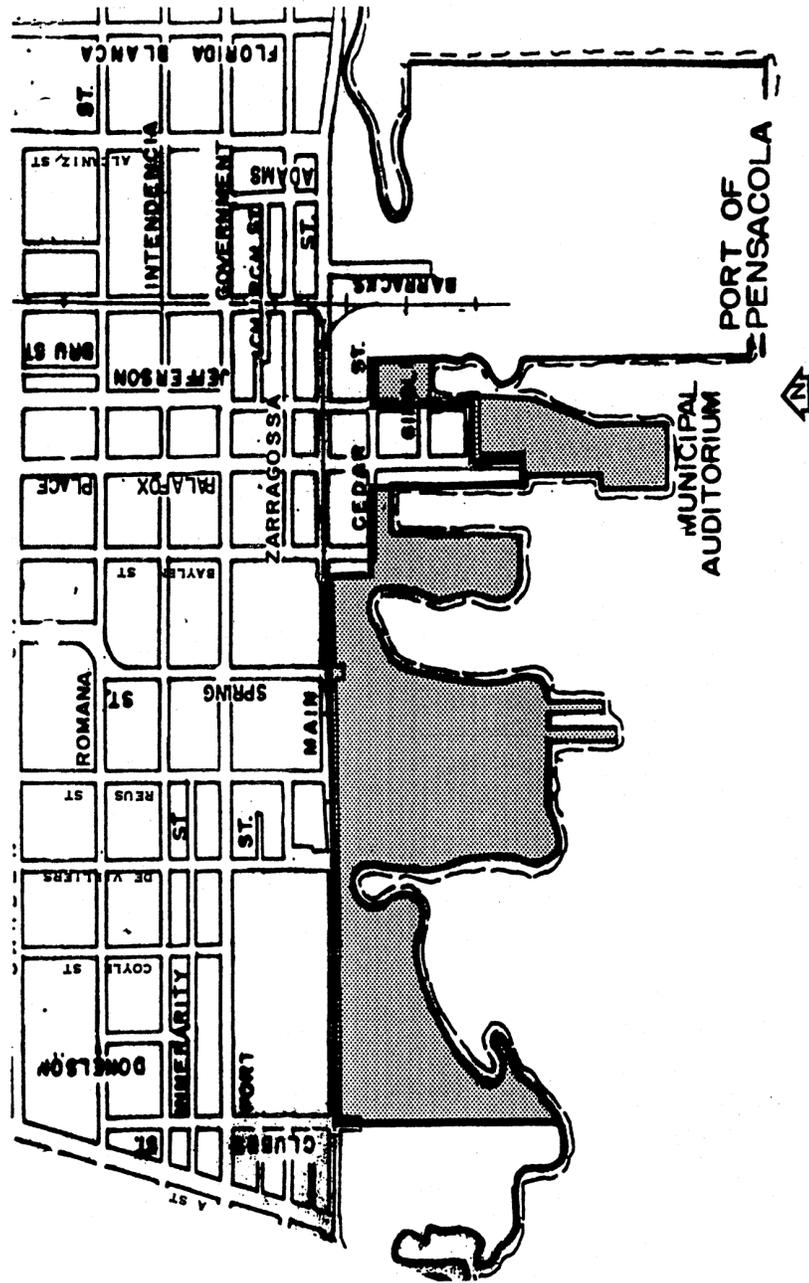
- b. One non-illuminated sign per street frontage advertising the sale, lease or rental of the lot or building upon which the sign is located. Such sign shall not exceed twelve (12) square feet in size, and shall be removed immediately after occupancy.
  - c. One non-illuminated sign not more than fifty (50) square feet in area in connection with new construction work and displayed only during such time as the actual construction work is in progress.
- (b) Off-street parking. The following off-street parking requirement shall apply to all lots, parcels, or tracts in the district: Off-street parking requirements in the waterfront redevelopment district-1 shall be based on the requirements set forth in Chapter 12-3-1(D)(7). The required parking may be provided off-site by the owner/developer as specified in subsection 12-3-1(D). Screening shall be provided along the edges of all parking areas visible from the street rights-of-way. This screening may take the form of:
- A solid wall or fence (chain-link fences are prohibited) with a minimum height of four (4) feet which is compatible in design and materials with on-site architecture and nearby development; or
  - ~~An earth berm~~ Landscaping approximately three (3) feet in height which is landscaped to provide positive screening effective within three (3) years; or
  - A combination of walls or fences and landscape screening, or landscape screening designed to provide positive screening within three (3) years.
- (c) Vehicular access. For each lot, tract or parcel under single ownership, the maximum number of access points shall not exceed two (2) per street frontage.
- (d) Landscaping. Landscaping requirements in the district shall conform to the requirements of Chapter 12-6. All service areas (i.e., trash collection containers, compactors, loading docks) shall be screened with at least seventy-five (75) percent opacity from the street and adjacent buildings by one of the following techniques:
- Fence or wall and gate, six (6) feet high;
  - Vegetation, six (6) feet high (within three (3) years); or
  - A combination of the above.
- (e) Underground utility services. All new building construction or additions of floor area to existing structures shall be required to install underground utilities on the site.
- (f) Lot coverage. The total coverage of the site including all structures, parking areas, driveways and all other impervious surfaces shall not exceed ~~seventy five (75)~~ ninety-five (95) percent.
- (g) Setback/height requirements. No building shall exceed a maximum height of six (6) stories ~~sixty (60) feet~~ in the waterfront redevelopment district-1, as defined in the CRA Overlay Guidelines.
1. *Shoreline setback/height requirements.* All buildings shall be set back a minimum of thirty (30) feet from the shoreline or the bulkhead line. ~~At this minimum setback line, the building height may not exceed thirty five (35) feet. Above thirty five (35) feet in height, an additional one foot in building height may be permitted for each additional one (1) foot in setback with a maximum building height of sixty (60) feet.~~ The minimum setback from the shoreline may be decreased by the planning board and the council during the review process to permit reuse of existing buildings, structures or foundations with a lesser setback.

2. *Main Street setback/height requirements.* All buildings shall be setback a minimum of sixty (60) feet from the centerline of Main Street. At this minimum setback line, the building height may not exceed ~~sixty (60) feet~~ six stories.

3. All other setbacks shall be as specified on the regulating plan.

- (h) Additional regulations. In addition to the regulations established above in subsections 12-2-12(C)(4)(a) through (g), any permitted use within the WRD-1 zoning district where alcoholic beverages are ordinarily sold is subject to the requirements of Chapter 7-4 of this Code.
- (5) *Regulations.* All developments within the waterfront redevelopment district-1 are encouraged to follow the design guidelines established in subsection 12-2-82(D). In addition, the following site planning guidelines should be taken into consideration in the required development plans.
  - (a) *Site planning.* The integration of site features such as building arrangement, landscaping, parking lot layout, public access points, building orientation, and scenic vantage points is critical in producing a pleasant and functional living or working environment. In reviewing development proposals, the following guidelines shall be taken into consideration:
    1. ~~Maximum-Enhance~~ preservation of waterfront views. Considering the waterfront location of the district, the placement of buildings, signs, service areas, parking and landscaping shall be planned to ~~maximize-enhance~~ the preservation of views of the bay and to protect the waterfront scenic open space character. To prevent the effect of a "wall" of development along the edge of the waterfront and adjacent streets, open space should be encouraged between buildings and under elevated buildings. Pedestrian circulation systems should be designed to form a convenient, interconnected network through buildings, landscaped open spaces and public walkways. The longer side of each building should be sited perpendicular to the water's edge in order to preserve water views from the street.
    2. *Building orientation.* Buildings should be oriented to maximize the waterfront view potential within the district while maintaining quality facade treatment and design on the streetside. Structures should be positioned to provide viewing opportunities of the water and the shoreline edge between buildings. The location of solid waste receptacles, service entrances, loading docks, storage buildings and mechanical and air conditioning equipment and other items typically situated at the backside of buildings should be discouraged within the area between the building and the water's edge.
    3. *Off-street parking and service.* Off-street parking shall be discouraged~~d~~ within the shoreline setback area. Where possible, service areas (i.e., trash collection, loading docks) shall be located to be screened by the building itself; otherwise, walls, fences, landscaping and earth berms shall be used to achieve effective screening.
  - (b) *Aesthetic considerations.* Development projects within the district are not subject to special architectural review and approval, however compliance with the CRA Overlay Standards and Guidelines is encouraged. In lieu of a special separate review procedure, the following general architectural and aesthetic design criteria will be considered to enhance the character of the district:
    1. Buildings or structures within the Maritime Park parcel ~~which are part of a present or future group or complex shall~~ should have a unity of character and design. The relationship of forms and the use, texture, and color of materials shall be such as to create a harmonious whole.
    2. Natural materials such as brick, wood and stucco should be encouraged. Materials such as metal and plastic shall be discouraged on exterior surfaces of buildings.

3. All mechanical equipment, satellite dishes and other similar equipment should be completely screened by the architecture of the structure, or fences, walls or vegetation.
  4. ~~Proposed developments within the Waterfront Redevelopment District which are located adjacent to a historic district should give special consideration to visual compatibility in scale and architectural design in order to positively reinforce the character of the historic area and provide a buffer and transition.~~
  5. ~~Projects should be encouraged which enhance the setting or provide for adaptive reuse of historic buildings and sites.~~
- (c) Landscaping guidelines. Landscaping should be used to enhance waterfront views and vistas and to screen undesirable features. Low lying plant material should be used in open areas to retain views of the water. Trees should be selectively utilized and carefully located along the waterfront in both public and private developments in order to maintain existing views as much as possible. Plantings should be coordinated near buildings to provide view corridors.
- (d) Sign guidelines.
1. Design/materials. The architectural character of the building to which the sign relates should be reflected in the lettering of the sign, and the materials used for the supporting structure and the sign face.
  2. Lighting. Indirect and internal lighting is encouraged. Neon and exposed fluorescent lighting is ~~not encouraged~~ not permitted.
  3. Copy. The sign copy should be limited to the name, address, and logo of the building complex, the major tenant or the business. The sign should be primarily used for communicating, identifying, and locating the business, not for advertising.
  4. Landscaping. The landscaping and positioning of the sign should complement the overall site plan and landscaping of the development.



[Waterfront Development District](#)

(Ord. No. 25-92, § 2, 7-23-92; Ord. No. 6-93, § 9, 3-25-93; Ord. No. 21-93, § 1, 8-16-93; Ord. No. 29-93, §§ 13, 14, 11-18-93; Ord. No. 33-95, §§ 4, 5, 8-10-95; Ord. No. 9-96, § 9, 1-25-96; Ord. No. 45-96, § 3, 9-12-96; Ord. No. 33-98, § 2, 9-10-98; Ord. No. 40-99, §§ 10-13, 10-14-99; Ord. No. 43-99, § 1, 11-18-99; Ord. No. 12-00, § 1, 3-9-00; Ord. No. 50-00, § 3, 10-26-00; Ord. No. 3-01, § 2, 1-11-01; Ord. No. 6-01, §§ 1-3, 1-25-01; Ord. No. 6-02, § 2, 1-24-02; Ord. No. 13-06, § 10, 4-27-06; Ord. No. 17-06, §§ 2, 3, 7-27-06; Ord. No. 16-10, §§ 200-202, 9-9-10; Ord. No. 06-16, §§ 1, 2, 2-11-16)



The following pages contain detailed site regulations for the ECUA Parcel and the Maritime Parcel. The list on the right are the specific elements that are regulated.

## Regulating Plan

A map precisely locating the various zoning categories. The Regulating Plan also shows the form and location of the following plan elements as listed below.

## Frontages

All frontages that are along a street or open space are Primary frontages, unless otherwise noted in the Regulating Plan.

**Primary Frontage [A-Street]:** A pedestrian-friendly street with active uses at grade, held to the highest standard of urban performance. Entrances to parking garages and service bays are prohibited, unless specified on the regulating plan. Curb cuts for alley access may be permitted, according to the Regulating Plan. An A-Street network forms a continuous loop through the thoroughfare network.

## Retail Frontage

Some Frontages require further specification. The Regulating Plan prescribes where retail is required and where it is allowed but not required.

## Setbacks

All Frontages are assigned Setbacks. Setbacks specify the build-to line of the building façade.

## Building Height

Building Height is assigned by Zoning unless indicated otherwise in the Regulating Plan. Where Zoning and the Regulating Plan differ, the Zoning rules.

## Vista Termination

Locations where a street aims prominently at a building facade – called a Vista Termination, are identified. Buildings located at Vista Terminations shall respond with a building element of appropriate size and impact to terminate the vista in a meaningful manner.

## Open Space

Locations where specific open space types have been calibrated, are identified.

## Civic Building

Locations for Civic Structures are suggested in the Regulating Plan and are further restricted in size according to the Open Space Types.

## Curb Cut

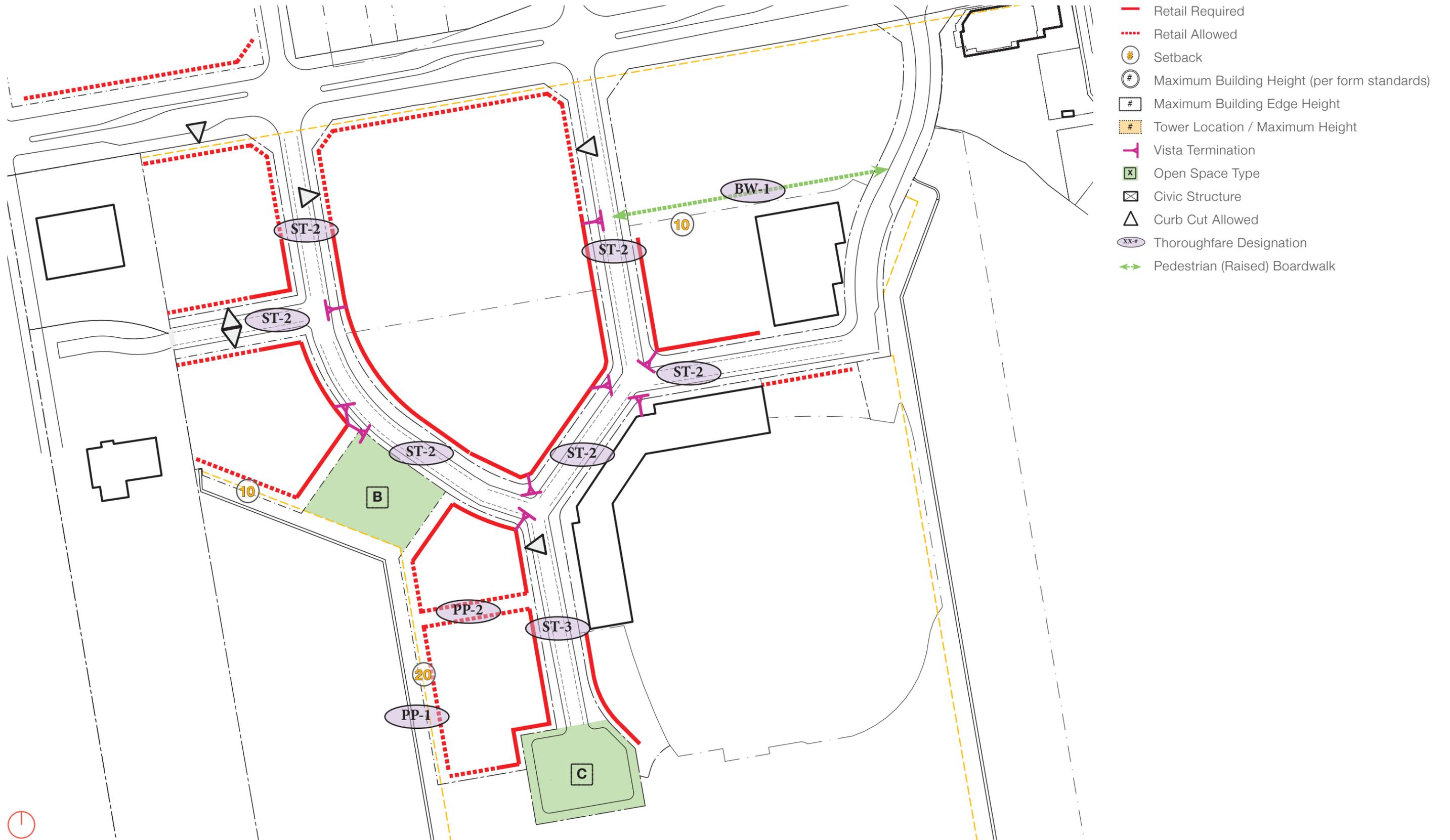
Curb cuts are indicated on the Regulating Plan, and are permitted to be within a 50 foot range from where it is indicated in the Regulating Plan.

## Thoroughfares

Thoroughfare assemblies are assigned in the Regulating Plan.

# Regulating Plan

## Maritime Parcel





Department:	Comments:	Date Rec'd
FIRE	No comments.	9/18/2019
PW/E	PW&F has no issue with the proposed revised language, however, we do not concur with the allowable driveway cut location on Main Street for the west parcel, as indicated in the Regulation Plan. This cut would directly interfere with the bus drop off and potentially conflict (safety-wise) with the left-turn pocket for Reus Street.	9/23/2019
InspSvcs		
ESP	No comments.	9/11/2019
ECUA	No comments.	9/11/2019
GPW	None received.	
ATT	No comments or concerns.	9/6/2019

## Cynthia Cannon

---

**From:** Annie Bloxson  
**Sent:** Wednesday, September 18, 2019 7:39 AM  
**To:** Cynthia Cannon  
**Subject:** RE: Please Review & Comment - Proposed Amendment to WRD Regulations

Good Morning,

I have no issues. Thank you.

Respectfully,

### Annie Bloxson

Fire Marshal

Visit us at [PensacolaFire.com](http://PensacolaFire.com)

475 E. Strong St.

Pensacola, FL 32501

Office: 850.436.5200

[abloxson@cityofpensacola.com](mailto:abloxson@cityofpensacola.com)



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**From:** Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>

**Sent:** Friday, September 06, 2019 1:17 PM

**To:** Amy Hargett <[ahargett@cityofpensacola.com](mailto:ahargett@cityofpensacola.com)>; Andre Calaminus (ECUA) <[andre.calaminus@ecua.fl.gov](mailto:andre.calaminus@ecua.fl.gov)>; Annie Bloxson <[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)>; Bill Kimball <[bkimball@cityofpensacola.com](mailto:bkimball@cityofpensacola.com)>; Brad Hinote <[bradhinote@cityofpensacola.com](mailto:bradhinote@cityofpensacola.com)>; Brian Cooper <[bcooper@cityofpensacola.com](mailto:bcooper@cityofpensacola.com)>; Chris Mauldin <[CMauldin@cityofpensacola.com](mailto:CMauldin@cityofpensacola.com)>; Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>; Derrick Owens <[DOwens@cityofpensacola.com](mailto:DOwens@cityofpensacola.com)>; Diane Moore <[DMoore@cityofpensacola.com](mailto:DMoore@cityofpensacola.com)>; Jonathan Bilby <[JBilby@cityofpensacola.com](mailto:JBilby@cityofpensacola.com)>; Karl Fenner (AT&T) <[KF5345@att.com](mailto:KF5345@att.com)>; Kellie L. Simmons (Gulf Power) <[kellie.simmons@nexteraenergy.com](mailto:kellie.simmons@nexteraenergy.com)>; Leslie Statler <[LStatler@cityofpensacola.com](mailto:LStatler@cityofpensacola.com)>; Miriam Woods <[MWoods@cityofpensacola.com](mailto:MWoods@cityofpensacola.com)>; Paul A Kelly (GIS) <[PAKelly@cityofpensacola.com](mailto:PAKelly@cityofpensacola.com)>; Robbie Weekley <[rweekley@cityofpensacola.com](mailto:rweekley@cityofpensacola.com)>; Ryan J. Novota <[RNovota@cityofpensacola.com](mailto:RNovota@cityofpensacola.com)>; Sherry Morris

## Cynthia Cannon

---

**From:** Derrik Owens  
**Sent:** Monday, September 23, 2019 2:51 PM  
**To:** Cynthia Cannon; Sherry Morris  
**Subject:** RE: Please Review & Comment - Proposed Amendment to WRD Regulations

PW&F has no issue with the proposed revised language, however, we do not concur with the allowable driveway cut location on Main Street for the west parcel, as indicated in the Regulation Plan. This cut would directly interfere with the bus drop off and potentially conflict (safety-wise) with the left-turn pocket for Reus Street.

Thanks

**From:** Cynthia Cannon  
**Sent:** Monday, September 23, 2019 9:12 AM  
**To:** Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus (ECUA) <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>  
**Subject:** FW: Please Review & Comment - Proposed Amendment to WRD Regulations

Good Morning,

Just a reminder that comments are due for this project by the close of business Tuesday, September 24. If you haven't already done so, please take a moment to review and comment on the attached application.

Thank you in advance for your assistance.

Sincerely,

**Cynthia Cannon, AICP**  
*Assistant Planning Services Administrator*  
Visit us at <http://cityofpensacola.com>  
222 W Main St.  
Pensacola, FL 32502  
Office: 850.435-1670  
[ccannon@cityofpensacola.com](mailto:ccannon@cityofpensacola.com)



## Cynthia Cannon

---

**From:** Diane Moore  
**Sent:** Wednesday, September 11, 2019 7:48 AM  
**To:** Cynthia Cannon  
**Subject:** RE: Please Review & Comment - Proposed Amendment to WRD Regulations

Cynthia,  
Pensacola Energy has no comment on the Maritime Park LDC amendments.

Thanks,  
Diane

Diane Moore | Gas Distribution Engineer  
Pensacola Energy | 1625 Atwood Drive, Pensacola, Fl 32514  
Desk: 850-474-5319 | Cell: 850-324-8004 | Fax: 850-474-5331  
Email: [dmoore@cityofpensacola.com](mailto:dmoore@cityofpensacola.com)

\*\*\*Please consider the environment before printing this email.



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**From:** Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>  
**Sent:** Friday, September 6, 2019 1:17 PM  
**To:** Amy Hargett <[ahargett@cityofpensacola.com](mailto:ahargett@cityofpensacola.com)>; Andre Calaminus (ECUA) <[andre.calaminus@ecua.fl.gov](mailto:andre.calaminus@ecua.fl.gov)>; Annie Bloxson <[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)>; Bill Kimball <[bkimball@cityofpensacola.com](mailto:bkimball@cityofpensacola.com)>; Brad Hinote <[bradhinote@cityofpensacola.com](mailto:bradhinote@cityofpensacola.com)>; Brian Cooper <[bcooper@cityofpensacola.com](mailto:bcooper@cityofpensacola.com)>; Chris Mauldin <[CMauldin@cityofpensacola.com](mailto:CMauldin@cityofpensacola.com)>; Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>; Derrick Owens <[DOwens@cityofpensacola.com](mailto:DOwens@cityofpensacola.com)>; Diane Moore <[DMoore@cityofpensacola.com](mailto:DMoore@cityofpensacola.com)>; Jonathan Bilby <[JBilby@cityofpensacola.com](mailto:JBilby@cityofpensacola.com)>; Karl Fenner (AT&T) <[KF5345@att.com](mailto:KF5345@att.com)>; Kellie L. Simmons (Gulf Power) <[kellie.simmons@nexteraenergy.com](mailto:kellie.simmons@nexteraenergy.com)>; Leslie Statler <[LStatler@cityofpensacola.com](mailto:LStatler@cityofpensacola.com)>; Miriam Woods <[MWoods@cityofpensacola.com](mailto:MWoods@cityofpensacola.com)>; Paul A Kelly (GIS) <[PAKelly@cityofpensacola.com](mailto:PAKelly@cityofpensacola.com)>; Robbie Weekley <[rweekley@cityofpensacola.com](mailto:rweekley@cityofpensacola.com)>; Ryan J. Novota <[RNovota@cityofpensacola.com](mailto:RNovota@cityofpensacola.com)>; Sherry Morris <[SMorris@cityofpensacola.com](mailto:SMorris@cityofpensacola.com)>; Stephen Kennington (AT&T) <[sk1674@att.com](mailto:sk1674@att.com)>  
**Subject:** Please Review & Comment - Proposed Amendment to WRD Regulations

Good afternoon all!

## Cynthia Cannon

---

**From:** Andre Calaminus <andre.calaminus@ecua.fl.gov>  
**Sent:** Wednesday, September 11, 2019 3:50 PM  
**To:** Cynthia Cannon  
**Subject:** RE: Please Review & Comment - Proposed Amendment to WRD Regulations

Good afternoon Cynthia,

ECUA has no comments on the proposed amendments to the WRD regulations.

Thanks,

**Andre Calaminus | Right of Way Agent | Emerald Coast Utilities Authority |**  
P.O. Box 17089 | Pensacola, FL 32522-7089 | Web: [www.ecua.fl.gov](http://www.ecua.fl.gov) |  
Phone: (850) 969-5822 | Fax: (850) 969-6511 |

**From:** Cynthia Cannon [mailto:CCannon@cityofpensacola.com]  
**Sent:** Friday, September 06, 2019 1:17 PM  
**To:** Amy Hargett <ahargett@cityofpensacola.com>; Andre Calaminus <andre.calaminus@ecua.fl.gov>; Annie Bloxson <ABloxson@cityofpensacola.com>; Bill Kimball <bkimball@cityofpensacola.com>; Brad Hinote <bradhinote@cityofpensacola.com>; Brian Cooper <bcooper@cityofpensacola.com>; Chris Mauldin <CMauldin@cityofpensacola.com>; Cynthia Cannon <CCannon@cityofpensacola.com>; Derrik Owens <DOwens@cityofpensacola.com>; Diane Moore <DMoore@cityofpensacola.com>; Jonathan Bilby <JBilby@cityofpensacola.com>; Karl Fenner (AT&T) <KF5345@att.com>; Kellie L. Simmons (Gulf Power) <kellie.simmons@nexteraenergy.com>; Leslie Statler <LStatler@cityofpensacola.com>; Miriam Woods <MWoods@cityofpensacola.com>; Paul A Kelly(GIS) <PAKelly@cityofpensacola.com>; Robbie Weekley <rweekley@cityofpensacola.com>; Ryan J. Novota <RNovota@cityofpensacola.com>; Sherry Morris <SMorris@cityofpensacola.com>; Stephen Kennington (AT&T) <sk1674@att.com>  
**Subject:** Please Review & Comment - Proposed Amendment to WRD Regulations

**\*\*WARNING: This is an external email --- DO NOT CLICK links or attachments from unknown senders \*\***

Good afternoon all!

Please review and comment on the attached Land Development Code amendment to modify the City's Maritime Park parcels with the proposed WRD-1 district. All comments must be received by close of business on **Tuesday, September 24, 2019.**

If you have any questions please let us know.

Thank you,

**Cynthia Cannon, AICP**  
*Assistant Planning Services Administrator*  
Visit us at <http://cityofpensacola.com>  
222 W Main St.  
Pensacola, FL 32502

## Cynthia Cannon

---

**From:** SAUERS, BRAD <bs5403@att.com>  
**Sent:** Friday, September 6, 2019 3:02 PM  
**To:** Cynthia Cannon  
**Subject:** FW: Please Review & Comment - Proposed Amendment to WRD Regulations  
**Attachments:** Proposed WRD-1\_Maritime Park\_Sept 6 2019.pdf

AT&T has no comments or objections at this time.

Brad Sauers  
Manager – OSP Plng and Eng  
Technology Operations

AT&T  
605 W Garden St, Pensacola, FL 32502  
o 850.436.1495 | bs5403@att.com

### MOBILIZING YOUR WORLD

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**From:** KENNINGTON, STEPHEN  
**Sent:** Friday, September 06, 2019 1:19 PM  
**To:** SAUERS, BRAD <bs5403@att.com>  
**Subject:** FW: Please Review & Comment - Proposed Amendment to WRD Regulations

same

**From:** Cynthia Cannon [<mailto:CCannon@cityofpensacola.com>]  
**Sent:** Friday, September 06, 2019 1:17 PM  
**To:** Amy Hargett <[ahargett@cityofpensacola.com](mailto:ahargett@cityofpensacola.com)>; Andre Calaminus (ECUA) <[andre.calaminus@ecua.fl.gov](mailto:andre.calaminus@ecua.fl.gov)>; Annie Bloxson <[ABloxson@cityofpensacola.com](mailto:ABloxson@cityofpensacola.com)>; Bill Kimball <[bkimball@cityofpensacola.com](mailto:bkimball@cityofpensacola.com)>; Brad Hinote <[bradhinote@cityofpensacola.com](mailto:bradhinote@cityofpensacola.com)>; Brian Cooper <[bcooper@cityofpensacola.com](mailto:bcooper@cityofpensacola.com)>; Chris Mauldin <[CMauldin@cityofpensacola.com](mailto:CMauldin@cityofpensacola.com)>; Cynthia Cannon <[CCannon@cityofpensacola.com](mailto:CCannon@cityofpensacola.com)>; Derrick Owens <[DOwens@cityofpensacola.com](mailto:DOwens@cityofpensacola.com)>; Diane Moore <[DMoore@cityofpensacola.com](mailto:DMoore@cityofpensacola.com)>; Jonathan Bilby <[JBilby@cityofpensacola.com](mailto:JBilby@cityofpensacola.com)>; FENNER, KARL L <[kf5345@att.com](mailto:kf5345@att.com)>; Kellie L. Simmons (Gulf Power) <[kellie.simmons@nexteraenergy.com](mailto:kellie.simmons@nexteraenergy.com)>; Leslie Statler <[LStatler@cityofpensacola.com](mailto:LStatler@cityofpensacola.com)>; Miriam Woods <[MWoods@cityofpensacola.com](mailto:MWoods@cityofpensacola.com)>; Paul A Kelly (GIS) <[PAKelly@cityofpensacola.com](mailto:PAKelly@cityofpensacola.com)>; Robbie Weekley <[rweekley@cityofpensacola.com](mailto:rweekley@cityofpensacola.com)>; Ryan J. Novota <[RNovota@cityofpensacola.com](mailto:RNovota@cityofpensacola.com)>; Sherry Morris <[SMorris@cityofpensacola.com](mailto:SMorris@cityofpensacola.com)>; KENNINGTON, STEPHEN <[sk1674@att.com](mailto:sk1674@att.com)>  
**Subject:** Please Review & Comment - Proposed Amendment to WRD Regulations

Good afternoon all!

PLANNING SERVICES

**MINUTES OF THE PLANNING BOARD**

**October 8, 2019**

**MEMBERS PRESENT:** Chairman Paul Ritz, Danny Grundhoefer, Ryan Wiggins, Charletha Powell, Eladies Sampson

**MEMBERS ABSENT:** Kurt Larson, Laurie Murphy

**STAFF PRESENT:** Cynthia Cannon, Assistant Planning Services Administrator, Sherry Morris, Planning Services Administrator, Heather Lindsay, Assistant City Attorney, Leslie Statler, Senior Planner, Michael Ziarnek, Transportation Planner-Complete Streets, Gregg Harding, Historic Preservation Planner, Brad Hinote, Engineering, Lawrence Powell, Neighborhoods Administrator, Councilwoman Myers, Councilwoman Hill, Mayor Robinson

**OTHERS PRESENT:** Andrew Rothfeder, P. Cantavespre, April Skipper, William J. Dunaway, Buddy Page, George Williams, George Biggs, Amir Fooladi, Fred Gunther

**AGENDA:**

- Quorum/Call to Order
- Approval of Meeting Minutes from September 10, 2019.
- **New Business:**
  1. **Consider Amendment to LDC Section 12-2-12 Creating WRD-1**
  2. **Consider Rezoning and Future Land Use Map Amendment for 14 W. Jordan Street**
  3. **Consider Preliminary Approval for 500 E. Gregory Street**
- Open Forum
- Adjournment

**Call to Order / Quorum Present**

Chairman Ritz called the meeting to order at 2:00pm with a quorum present and explained the procedures of the Board meeting.

**Approval of Meeting Minutes**

Ms. Sampson made a motion to approve the September 10, 2019 minutes, seconded by Ms. Powell, and it carried unanimously.

**New Business**

**Consider Amendment to LDC Section 12-2-12 Creating WRD-1**

Staff received a request to modify the Redevelopment Land Use District WRD by establishing a subcategory which would become the WRD-1. The proposed WRD-1 would be a standalone section with the intent of optimizing the future development of the City's Community Maritime Park (CMP) parcels. The overall park parcel was master planned for stormwater and open space during the final plat approval process in April

2013. Subsequently, lots 1 and 2 received Planning Board approval for development in 2013. Ms. Cannon advised future development on the CMP parcels within the proposed WRD-1 district would continue to be submitted to the Planning Board for aesthetic review. She advised the applicant and their consultant were available online to give a presentation to the Board.

Mr. Rothfeder, President of Studer Properties, presented to the Board and stated his firm had been asked to submit a master plan for the remaining parcels at the Maritime Park that was cohesive and worked with the 19 acre site across the street. He stated one of the first steps was to hire a market research firm which could confirm the demand for commercial and retail space in the downtown area; they subsequently hired Jeff Speck and Associates along with DPZ CoDESIGN. This process began nine months ago culminating with a week-long charrette involving public input. DPZ then presented the master plan, with the question being whether or not it would fit into the current zoning on the Maritime Park site. He represented to the Board that Ms. Khoury along with DPZ had worked with City staff to address an appropriate solution. He indicated the Studers had invested approximately one half million dollars into this project. He also stated there was a question being asked by a third party law firm about this rezoning, specifically about the purpose of the rezoning which would be addressed later by Mr. Dunaway.

Ms. Khoury then addressed the Board and asserted she had worked with the Planning staff. Her presentation consisted of 20 slides which focused on the Maritime Park parcel, and Mr. Speck was online to answer any questions. They were not aware of the rich history on this site and as such studied previous plans to evaluate lessons learned. The market study was completed before they conducted the charrette. The study demonstrated that there was an opportunity to extend the downtown to the waterfront. Ms. Khoury pointed out that Southtowne was an example of the desire for downtown living and that their study looked at the program for the market over a 15 year timeframe. The 19 acre site could accommodate 1,825 residential units, with the majority designated for rental units and approximately thirty percent designated as condos. She stated that the encouraging fact was that waterfront units could be affordable to people making \$30,000 and up and commercial and retail ranging anywhere from 80,000 to 200,000 sq. ft. and up. She pointed out the charrette was very positive, and residents were excited about what was being proposed. They proposed recreating the blocks with three linear greenways, the Maritime parcel with the parking completely lined, connections to Bruce Beach, and a boardwalk over the stormwater pond creating more of an environment.

WRD zoning permits 60 dwelling units per acre, and the proposed WRD-1 did not change this; the change was from height measured in feet to stories, to have generous floor to ceiling heights and certain commercial uses (still 60 units per acres – 60 sq. ft. to 6 stories). One of the biggest purposes was to change the intent or purpose of the district. They agreed WRD was archaic in the way it was written, and they tried to encourage waterfront activities. They learned the WRD was created as an antidote to the Port Royal gated development. The change does not affect the metrics but encourages development in a better way. They decided not to change things everyone was objecting to; the uses, density and parking remained the same. The height was changed from feet to stories.

The changes included permitting A-frame signage, festival signage and to prohibit illuminated signage. The landscaping would be appropriate for downtown with shrubs and trees. The lot coverage was changed from 75 (seventy-five) percent to 95 (ninety-five) percent on a parcel. The height would be measured in stories, and held to the height criteria outlined in the CRA Urban Overlay design standards.

Previous developers found that the current CMP plan did not ensure that a future developer would adhere to the same development standards. This needed to be addressed in order to develop a stable environment.

Ms. Wiggins addressed item (5) Regulations and why there was a strikethrough on (a) 1. from “maximum” and replaced with “enhance.” Ms. Khoury explained maximum was too subjective of an opinion and that the bay walk had been enhanced since there were buildings up against it. She continued to state that as you

move toward the beach, it was a more active waterfront and that "maximizing" intends to imply a final condition which is hard to judge and that "enhancement" is easier in considering enhancement or optimizing; it is an attempt to provide a more objective way to judge if a building is behaving with the waterfront.

Chairman Ritz pointed out there were several areas dedicated to openness where buildings will not be constructed. Ms. Powell had a problem with blocking the view and felt both "maximum" and "enhance" were both subjective. Chairman Ritz stated even if the document was not changed, projects taking place here come before the Board where there would be a judgment call on what was being presented. It relies on the Board as a body listening to constituents or the developer themselves for process to determine the final consensus. Ms. Wiggins did not feel the WRD needed the change. She also asked why (5) (b) 4. and 5. were a strikethrough. Ms. Khoury stated there was no historic parcel connected to this district. Ms. Powell asked if whatever language the Board agreed to would apply to anyone who wanted to rezone, using this same language and would not just be for Maritime Park. Ms. Khoury stated it might be easier to unstrike this portion. Ms. Lindsay explained when modifying language to a code, the issue is you are setting a precedent for future use and contemplation, so any change you make, you should always be contemplating the long term impact and what incentives are you providing to future changes to the Code. Chairman Ritz explained if someone asked to be included in WRD-1, they would come before the Board to make the decision to incorporate them. Ms. Cannon confirmed they would go through the rezoning process which would be reviewed through the Planning Board. Ms. Powell asked if it was in the Code and the Board had agreed to it, and they are complying with everything in WRD-1, what would be the way the Board could say they could not be allowed in the district when they were complying. Ms. Lindsay advised that was actually what the outside legal opinion was concerned with - if you set the precedent, then you have to anticipate it will be used to expand in the future. The Board would have to decide the legitimate goals so there would be an argument against expansion if that was truly what they wanted to do. Chairman Ritz explained there was some latitude for the Board to determine if the applications were appropriate or not. There is an ebb and flow to a city, and we are not trying to be static but are trying to move forward with the appropriate ideas. Ms. Wiggins asked if there was a need for WRD-1 and could exceptions be made as they applied to these parcels as opposed to changing Code. Ms. Lindsay advised there were other options which Ms. Morris had discussed with DPZ. Ms. Wiggins clarified she was referring to a variance instead of a Code change. Mr. Grundhoefer asked why the changes could not be included the WRD, and Ms. Cannon stated that if that was the proposed amendment then all parcels in the WRD district would be subject to the increased lot coverage and change in height requirements as opposed to just the CMP parcels. She explained the applicants were proposing to raise the design standards and encourage future developments to go through the new CRA Urban Overlay District for consistency and cohesiveness in development with the former ECUA parcel and that the WRD-1 was proposed as an effort to create a strategic development approach to the CMP parcels. Mayor Robinson explained they started looking at how to create something based on what we see new happening in models that would allow us to have these features we would see in our normal historic waterfront. If we had been thinking that way today, we probably would not have built the governmental buildings the way we did. Things changed dramatically in 50 years, and the overall intent was simply if we can create what we want to create, why not create a district which would allow that. The choice was to amend WRD and start over.

Ms. Cannon clarified that the Gregory Stewart memo was emailed to the Board and uploaded to the online agenda center upon receipt. Ms. Lindsay stated the memo addressed some things which the Board might consider so the correct articulations could be made. Mr. Dunaway of Clark Partington was asked to address the memo which was provided as comments to Mr. Wells, Deputy City Attorney. The scope of the review was quite broad, and Mr. Stewart concluded that he was unable to determine whether there was a public purpose and a deliberative process for this planning, and he raised the question of what is the purpose of

this. The Board had heard that this project came because the group came to the City asking how they should best implement this plan – how should they best put it into action. The idea was to follow the pattern they did in the Gateway Redevelopment District with the creation of earlier sections in the Aragon area. He emphasized that Mr. Stewart's memo was absolutely correct to note that all the changes to the LDC must be legally consistent with the Comprehensive Plan. He advised the fundamental land development document for these parcels and others was the Community redevelopment Plan of 2010, which directly addresses this issue on page 33 where the Plan identifies a number of areas within the Urban Core Redevelopment area that should be considered for policy amendments to the City of Pensacola Comprehensive Plan and Land Development Code. It further states the CRA should investigate the existing land use categories and zoning districts to determine if the creation of new policies and new zoning districts should be considered to support the recommendations of and to carry out the redevelopment plan. Mr. Stewart concluded in his memo that he "was unable to identify whether such a public purpose is served and therefore, it appears that there is a potential legal issue that the new WRD-1 classification is arbitrary and capricious and constitutes spot zoning from this rezoning."

Mr. Dunaway advised that staff, Mr. Rothfeder and Ms. Khoury, along with actions from this Board and the City Council, can supply that information which he believed Mr. Stewart did not have. He further advised that the 2010 CRA plan on page 3 "establishes the framework for transformative policies and investments in the CRA." Within that context, the plan provides policy, programmatic and fiscal direction for the CRA as Pensacola reshapes its urban landscape and waterfront. The purpose of the plan is to define the strategic framework, concepts, themes, goals and objectives for the future of Pensacola's urban core. He explained that because a zoning section exists in the Code, does not necessarily mean that other parcels get to take advantage of that. All parcels within the City are zoned with their own zoning, and there is a process where zoning can be changed, only if it is consistent with the Comprehensive Plan and other comprehensive documents. The reason for not using a variance was because they require statutory criteria, specifically that the problem was not self-created. Changing the zoning was the appropriate process for this development and was a step forward in the ultimate goal of fulfilling the public purpose and vision by the decades of public planning for this CMP site.

Ms. Wiggins asked who had hired the outside attorney for this legal opinion, and Ms. Lindsay advised that Legal had asked for that opinion to do their due diligence for the sake of transparency because they anticipated the public could have questions, and they wanted to make sure the Board had answers.

Mr. Gunther stated that he was under the impression that DPZ was hired by the developer, and Chairman Ritz confirmed that. Mr. Gunther explained if the CRA had hired DPZ to make changes in zoning, that would make sense, but this was not the case here. He was opposed to a higher lot coverage ratio and more height along the water. He did not blame the developer for asking, but it did allow for taller and wider buildings. The citizens had spent millions on site development to maximize the connection to the water, but when you build a wider building, it creates a wall effect along the water. He explained that when planning is done right, the shorter buildings are along the water.

Ms. Wiggins stated this was also her concern with removing the term "maximize" from the document. Chairman Ritz advised he appreciated the work by DPZ and as a designer, he preferred the 6 stories language to 60 feet. Open spaces are not a reason for people to go there, but if you place something there, it connects people to the water. To correct some statements, Ms. Khoury explained they were not adding additional height, and most of the buildings would be 4 and 5 stories. Also, the reason for writing the WRD-1 was that the WRD was archaic, and they wanted it to reflect what the CRA encouraged, and they also heard from the community that they wanted to see more redevelopment.

Mr. Speck added it was important to make a distinction between rural beach development, as in Santa Rosa Beach, and urban beach developments like Portofino and Venice. Those are examples of other urban

waterfronts as they are models where spaces are well shaped by buildings, and he further explained that too many spaces between buildings actually cause you to not feel comfortable in public places.

Ms. Powell asked if the WRD was archaic, why not just modify the WRD. Chairman Ritz explained the applicant did not want to speak for the other WRD property owners; they were just considering the properties they control. Ms. Powell pointed out (c) of the landscaping guidelines that the “shoreline vistas” were more than just a view. The ability to see would be constricted by the buildings. Chairman Ritz advised the building code would regulate the height of the buildings. Ms. Cannon explained per the CRA overlay district, the heights for the ground story floor were beginning at 16’, 20’ and 24’ and the maximum aboveground story heights were 14’ so with the highest at 24’ ground floor and 14’ for the other stories, the potential would be a 94’ building height. Ms. Khoury added that 24’ on the ground floor was for retail only. Ms. Wiggins was concerned with parking becoming unaffordable, citing Southtowne as the most expensive parking lot and believed parking would also become restricted and expensive. Ms. Morris advised that parking requirements in the CRA were greatly reduced based on land use in 2013 by Council and the Planning Board, and any future development would have to address the off-street parking, but there were other methods in the Code which allow for off-site parking through shared use agreements to provide flexibility. These future developments would be required to handle and address the required off-street parking to support the developments, and that would come before this Board when the developments apply for permitting. She also stated they had changed how we measure building height as the first habitable floor and tried to incentivize parking underneath instead of surface parking.

Mr. Grundhoefer addressed 5. (b) regarding CRA Overlay standards being “encouraged.” Ms. Morris further explained the CRA Overlay is applicable to any district within the three CRAs in the downtown area not within a review district, anything not subjected to additional review beyond standard permitting. While this property is within the CRA Overlay boundary, it does not fall under the Overlay since it is protected by the WRD. They referred to the CRA Overlay guidelines and encouraged them, and the Board could recommend as part of their oversight some components of the CRA Overlay for the applicants to consider.

Regarding parking, Mr. Rothfeder stated currently as it is developed, it could be arranged with parking garages, and the market would determine what gets developed there. He stated the goals of this development were to connect the commercial core with the west side, to take this underutilized land and develop it in a way that accomplishes the goals of attracting and retaining our talent, and produces a wide array of housing that meets the market’s demand and allows units which permit people to live in the project earning \$30,000 a year. He asked Ms. Khoury if there was anything that would be different if they had asked this development be done for them, the CRA, or a public entity, and Ms. Khoury indicated there would not. They were opening views to the waterfront and keeping with the character of the area, and for anyone else, it would still be very similar to this. She advised Mr. Studer did not direct any of this, but that the market study and prior plans, along with Civicon speakers, all supported the ideas presented.

Ms. Cannon explained the motion of the Board would be to “recommend” to the City Council. Ms. Morris advised this item would be presented at the Council’s November 14<sup>th</sup> meeting. Mr. Grundhoefer suggested not striking the historic language, and he had no problem with the 60 feet versus the six (6) story language and was also not concerned with the 95 (ninety-five) percent lot coverage because of who the developer is.

**Mr. Grundhoefer made a motion to approve a recommendation to the Council. Chairman Ritz clarified the historic language of (5) (b) 4. and 5. was to remain.**

Ms. Powell was not confident if they kept the 95% going forward that it would not impact other things. **Ms. Wiggins wanted to remove “enhance” retain “maximum” and “maximize” in (5) (a) 1. and Mr. Grundhoefer accepted. Ms. Wiggins seconded the motion, and it carried unanimously.**

**Consider Rezoning and Future Land Use Map Amendment for 14 W. Jordan Street**

Millwood Terrace, Inc. is requesting a Zoning Map and Future Land Use Map (FLUM) Amendment for the property located at 14 W. Jordan Street and identified by parcel number 00-05-00-9010-001-124. The property currently has split zoning with C-2 on the southeastern portion and R-2 on the western portion; the Future Land Use Map (FLUM) is consistent with Commercial and Office designations. The applicants are proposing to amend the zoning district to C-1 Commercial zoning district and the FLUM to Commercial.

Mr. Page presented to the Board and stated the purpose was to have all the buildings zoned consistently. He said they originally thought to pursue R-2 to be consistent along Palafox Street, but staff recommended the C-1 category because it was less intense than C-2. Currently, the line separating the C-2 from R-2 runs through several of the buildings by several feet. He explained they had met with Councilwoman Cannada-Wynn onsite since she represents that district. Chairman Ritz was favorable with the C-1 classification transitioning into the neighborhood, noting his home is also in a C-1 designation. Mr. Page explained the existing uses were physicians' offices with the right corner being a pharmacy.

Mr. Gunther advised he owned the building to the north of the property and was concerned with street parking and any plans to reduce the existing parking. Chairman Ritz pointed out the Board could not make decisions on what might be. Mr. Page explained there were no plans to make any adjustments in development but more an opportunity to make sure the financing entities were satisfied that all of the buildings could be used under one category. **Ms. Wiggins made a motion for approval, seconded by Ms. Sampson.** Mr. Grundhoefer asked about the parcels, and Mr. Page further explained the survey showed the zoning line currently splits the pharmacy space. **The motion then carried unanimously.**

#### **Consider Preliminary Approval for 500 E. Gregory Street**

George Williams, AIA, Goodwyn Mills Cawood, is requesting *preliminary* approval for site improvements for a new (replacement) building for the adult entertainment business "Sammy's" located in the Gateway Review District (GRD). The new building will substantially increase the conformity of the project to the Land Development Code by improving parking, open space, landscaping and overall site design. Chairman Ritz noted this was the first consideration which was formerly within the Gateway Review Board purview.

Mr. Williams, a representative of Goodwyn Mills Cawood, presented to the Board and stated this project had been ongoing for well over a year. After evaluating the existing building and what was necessary to bring it up to Code, it became clear that would be quite expensive. They stepped back to consider a new building in lieu of the existing building, since there were certain criteria financial and otherwise that prohibited them from closing the existing building, demolishing it, and building a new one. They tried to be creative in locating a new building onsite, realizing there were certain criteria to be met in the Gateway District, and the new building could not be larger than the existing building. The basic request involved the location of the new building, and aesthetics would return to the Board. He pointed out the parking spaces to the west were leased from the City and were included in the car count. The variance for the rear of the building would go away. He pointed out the GRD district requires 25% pervious land area, and currently they have 24.5% of pervious surface in the redevelopment plan which was still a tremendous enhancement. Additionally, the parking requires one space for each 75 sq. ft. with a total parking requirement of 74 spaces; the plan presents 70 parking spaces, and they are 3 spaces deficient based on the City's criteria. He explained this plan would require an FDOT review since they were relocating a driveway on Gregory Street which was less than the standard.

Regarding the Gateway guidelines, Ms. Cannon referred the Board to Sec. 12-2-81 (C) for the contents of the preliminary plan which asks for general information at this point. She explained when the applicant returned, the Board would be looking at another list of requirements for the final phase. Chairman Ritz noted the layout reminded him of Publix with parking on the less intent street, and the building closer to the busier street giving it more edge. He pointed out the applicant had met the preliminary requirements, and he could support the project. **Ms. Wiggins made a motion to approve, seconded by Ms. Sampson.** Mr.

Grundhoefer questioned stormwater, and Mr. Williams stated they had engaged Rebol Battle since the site has 4,300 sq. ft. of pervious surface, and they were doubling that number. He indicated they would comply with whatever the stormwater requirements of the City might be and would return with the aesthetics. **The motion then carried unanimously.**

**Open Forum** – Chairman Ritz explained there had been a request to change the time of the October 24<sup>th</sup> Tree Ordinance workshop to 3pm-5pm to accommodate Council members who wanted to participate. Ms. Wiggins was concerned with the changed time that the public would not have a chance to weigh in after working hours. Ms. Cannon suggested there could be a second workshop not scheduled on a Council meeting night, and Ms. Wiggins appreciated that the public would then have a chance to participate. Chairman Ritz pointed out that it will likely take more than one workshop since this was very far reaching for many constituents. Ms. Cannon advised she would look for future dates on non-Council nights going forward to January and would present those at the November meeting of the Board and notify by email as well.

**Adjournment** – With no further business, Chairman Ritz adjourned the meeting at 3:48 pm.

Respectfully Submitted,

A handwritten signature in cursive script, appearing to read "Cynthia Cannon".

Cynthia Cannon  
Secretary to the Board



# City of Pensacola

222 West Main Street  
Pensacola, FL 32502

## Memorandum

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**File #:** 19-00240

City Council

11/14/2019

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**DISCUSSION ITEM**

**SUBJECT:**

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

# Monthly Financial Review



**September, 2019**  
**(Unaudited)**



# Revenues

## September, 2019

### (Unaudited)

- **General Fund**

- **Eleven Months Collected**

- **Franchise Fee & Public Service Tax** + **1.09%**
    - **Half-Cent Sales Tax** + **1.32%**
    - **Communication Services Tax** + **1.56%**

- **Twelve Months Collected**

- **Municipal Revenue Sharing** + **2.36%**



# Other Funds

September, 2019

(Unaudited)

- **Local Option Sales Tax** **+ 9.93%**
- **Local Option Gas Tax** **- 1.00%**
- **Tree Planting Trust Fund** \$495,451
- **Housing Initiatives Fund**
  - City \$51,762
  - CRA \$449,310



# Contracts/Expenditures Over \$25,000 Approved By Mayor 9/01/19 – 9/30/19 (Unaudited)

## **•Quotations & Direct Negotiations**

### **•Atkins North America, Inc.**

- Work Order# 26- TSA Checkpoint Area Modification – Airport
- SBE – No
- Purchase Method – Continuing contract under RFQ 17-022
- \$26,436
- Budgeted – Yes

### **•Complete Signs, LLC**

- YMCA- Vickrey Center LED Signage – Parks & Recreation
- SBE – No
- Purchase Method – Single Quote
- \$28,480
- Budgeted – Yes



# Contracts/Expenditures Over \$25,000 Approved By Mayor 9/01/19 – 9/30/19 (Unaudited)

## **Quotations & Direct Negotiations**

### **•Government Services Group, Inc.**

- Stormwater Assessment Program 2020 – Finance
- SBE – No
- Purchase Method – Direct Negotiation
- \$40,000
- Budgeted – Yes

### **•Gulf Beach Construction**

- 2019 Multi-Intersection Drainage Improvements Project Phase 3 – Engineering
- SBE – Yes
- Purchase Method – Quotations
- \$90,700
- Budgeted – Yes



# Contracts/Expenditures Over \$25,000 Approved By Mayor 9/01/19 – 9/30/19 (Unaudited)

## **•Quotations & Direct Negotiations**

### **•Wallace Sprinkler & Supply, Inc.**

- CMP Irrigation Pump Emergency Replacement – Parks & Recreation
- SBE – No
- Purchase Method – Single Quote
- \$27,180
- Budgeted – Yes



# Contracts/Expenditures Over \$25,000 Approved By Mayor 9/01/19 – 9/30/19 (Unaudited)

## **•State, Federal or Other Buying Contracts**

### **•Daikin Applied America, Inc.**

- Air Cooler Chiller Equipment – Police
- SBE – No
- Purchase Method – National IPA contract #R150505
- \$70,290
- Budgeted – Yes

### **•Garber Chevrolet, Inc.**

- Chevrolet 1500 Pickup – Parks & Recreation
- SBE – No
- Purchase Method – Florida Sheriffs Association contract# FSA18-VEL  
26.0
- \$25,695
- Budgeted – Yes



# Contracts/Expenditures Over \$25,000 Approved By Mayor 9/01/19 – 9/30/19 (Unaudited)

## **State, Federal or Other Buying Contracts**

### **•TAW Power Systems, Inc.**

- Vickrey Center Generator Replacement – Parks & Recreation
- SBE – No
- Purchase Method – Sourcwell contract # 120617-KOH
- \$38,652
- Budgeted – Yes

### **•Transportation Control Systems**

- Ethernet, Gridsmart Camera System, Air Terminal – Public Works
- SBE – No
- Purchase Method – FDOT Approved Product List – ITB-DOT-15/16-9005-GH
- \$34,379
- Budgeted – Yes

# Monthly Financial Review



**September, 2019**

**(Unaudited)**