



# City of Pensacola

## CITY COUNCIL AGENDA CONFERENCE

### Meeting Minutes

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September 23, 2019

3:30 P.M.

Hagler/Mason Conference Room

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The agenda conference was called to order by Council President Terhaar at 3:31 P.M.

#### ROLL CALL

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

**Council Members Absent:** None

**Also Present:** Mayor Grover C. Robinson

#### PRESENTATION ITEMS

1. [19-00429](#) PRESENTATION - JOHN JOHNSON OF OPENING DOORS NORTHWEST FLORIDA

**Recommendation:** That the City Council receive a presentation from John Johnson of Opening Doors Northwest Florida.

**Postponed.**

2. [19-00430](#) PRESENTATION - 2020 CENSUS

**Recommendation:** That City Council receive a presentation from Nisha Barron, Census Bureau representative for our region in reference to the upcoming Census.

Nisha Barron representing the Census Bureau provided an overhead presentation to Council (on file with background materials) and responded accordingly to questions. Public Information Officer Lagarde also addressed Council indicating she is the main point of contact for the City related to the 2020 Census and indicated Neighborhoods Administrator Powell will also be assisting with efforts.

**REVIEW OF CONSENT AGENDA ITEMS**3. [19-00425](#) APPOINTMENTS - FIRE PREVENTION BOARD OF APPEALS

**Recommendation:** That City Council appoint two (2) members to the Fire Prevention Board of Appeals for a term of three (3) years, expiring August 31, 2022.

**Place on Consent Agenda.**

4. [19-00426](#) APPOINTMENTS - ARCHITECTURAL REVIEW BOARD

**Recommendation:** That City Council appoint a Planning Board Member or resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District; a property or business owner in the Palafox Historic Business District or the Governmental Center District; and a resident property owner of the Pensacola Historic District, North Hill Preservation District or Old East Hill Preservation District, for a term of two (2) years, expiring September 30, 2021.

**Place on Consent Agenda.**

5. [19-00381](#) AMENDMENT TO DISPOSITION OF SURPLUS PROPERTY - 2420 NORTH 7TH AVENUE, PARCEL REFERENCE NUMBER 000S009020043090

**Recommendation:** That City Council reaffirm the disposition of City-owned real property located at 2420 North 7TH Avenue, parcel identification number 000S009020043090, account number 133609100 as surplus. Further, that City Council amend the method of disposition from open bid to direct negotiation in accordance with the policy for disposition of City-owned real property. Finally, that City Council authorize the Mayor to take all actions necessary to accomplish the disposition of the parcel for the purpose of affordable housing and designate any proceeds from the sale of the parcel to the Housing Initiatives Fund.

**Place on Consent Agenda.**

In response to Council Member Cannada-Wynn's inquiry, Housing Administrator Whitaker clarified disposing of this property is for the purpose of providing affordable, single-family housing.

**REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)**

6. [19-00424](#) AWARD OF ENGINEERING CONTINUING SERVICES CONTRACTS FOR RFQ#19-023 PROFESSIONAL CONSULTING SERVICES FOR CONSTRUCTION, RENOVATION, AND EXPANSION PROJECTS.

**Recommendation:** That City Council award contracts to Mott MacDonald Florida, LLC, HDR Engineering, Inc., Dewberry Engineers, Inc., Atkins North America, Inc., Baskerville-Donovan, Inc., Kenneth Horne & Associates, Inc., and Fabre Engineering and Surveying for continuing professional engineering services requested through RFQ #19-023 for an initial term of three years. Further, that Council authorize the Mayor take all actions necessary to negotiate and execute the necessary contracts, including the two one-year renewal options specified in the RFQ.

Council Member requested additional information be provided as to examples of past projects of the recommended firms, and a copy of the Request for Quotes (RFQ). City Administrator Holley indicated he will ensure the information is provided prior to the 9/26 meeting.

**Place on Consent Agenda.**

**REVIEW OF REGULAR AGENDA ITEMS**

7. [19-00408](#) QUASI-JUDICIAL HEARING: REQUEST FOR AMENDMENT TO CONDITIONAL USE - MOBILE RESTAURANT UNIT DEVELOPMENT "AL FRESCO"

**Recommendation:** That City Council conduct a quasi-judicial hearing on September 26, 2019 to consider a proposed amendment to the Conditional Use permit for the Mobile Restaurant Unit Development "Al Fresco".

**Place on Regular Agenda.**

8. [19-00219](#) PUBLIC HEARING - ADOPTION OF AMENDMENTS TO THE COMPREHENSIVE PLAN AND ADOPTION OF THE CURRENT FUTURE LAND USE MAP

**Recommendation:** That City Council conduct a public hearing on September 26, 2019 to consider the adoption of Amendments to the Comprehensive Plan and adopt the Current Future Land Use Map as an exhibit to the Comprehensive Plan.

**Place on Regular Agenda.**

**REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)**

9. [19-19](#) PROPOSED ORDINANCE NO. 19-19 - AMENDMENTS TO THE COMPREHENSIVE PLAN AND ADOPTION OF THE CURRENT FUTURE LAND USE MAP

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

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

**Place on Regular Agenda.**

10. [19-00422](#) PUBLIC HEARING: REQUEST FOR ZONING MAP AMENDMENT - 3200 BLOCK SEVILLE DRIVE

**Recommendation:** That City Council conduct a Public Hearing on September 26, 2019, to consider the request to amend the Zoning Map for the property located in the 3200 Block of Seville Drive.

**Place on Regular Agenda.**

11. 30-19 PROPOSED ORDINANCE NO. 30-19, REQUEST FOR ZONING MAP AMENDMENT - 3200 BLOCK SEVILLE DRIVE

**Recommendation:** That City Council approve Proposed Ordinance No. 30-19 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.

**Place on Regular Agenda.**

**REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)**12. [19-00438](#) PITT SLIP AMENDED AND RESTATED LEASE

**Recommendation:** That City Council approve the Amended and Restated Lease Agreement requested by Seville Harbour, Inc. (f/k/a South Florida Marine Investors, Inc.) Further that City Council authorize the Mayor to take all necessary actions to execute the Amended and Restated Lease Agreement.

Ed Fleming (legal counsel for the master lessee) provided an overhead presentation to Council on the history of the Pitt Slip lease agreement and the amended and restated agreement which is being proposed for approval.

Following the presentation discussion ensued with Mr. Fleming and City Attorney Woolf responding accordingly to questions. Mayor Robinson also provided input.

**Council Member Myers requested language be added to the amended and restated lease clarifying the site-specific development (SSD) currently in place under the original lease agreement cannot be expanded or otherwise changed/amended without going through the required SSD process as stipulated in the Land Development Code (LDC). Also, that language clearly that “floating structures” are not allowable, but rather “vessels” as defined by applicable laws. Both City Attorney Woolf and Mr. Fleming agreed to work on crafting such language for consideration at the 9/26 meeting.**

***No Council Members raised any objections.***

Discussion continued with Mr. Fleming and City Attorney Woolf responding accordingly to questions. Mayor Robinson also provided input.

**Place on Regular Agenda.**

13. [19-00431](#) CITY COUNCIL CONSENT TO THE MAYOR'S APPOINTMENT OF TED KIRCHHARR AS HUMAN RESOURCES DIRECTOR

**Recommendation:** That City Council consent to the Mayor's appointment of Ted Kirchharr as Human Resources Director in accordance with City Charter Section 4.01(a) (7).

**Place on Regular Agenda.**

**REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)**14. [2019-57](#) RESOLUTION NO. 2019-57 - HISTORIC STRUCTURE MASTER LIST

**Recommendation:** That City Council adopt Resolution No. 2019-57.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA, SUPPORTING THE CREATION OF A MASTER LIST OF HISTORIC, ARCHITECTURAL, CULTURAL OR URBAN DESIGN VALUE STRUCTURES WITHIN THE CITY; PROVIDING AN EFFECTIVE DATE

Council President Terhaar asked for clarification regarding the purpose of the list with Council Member Hill (sponsor) responding accordingly.

**Place on Regular Agenda.**

15. [19-00432](#) PROPOSED MICROMOBILITY FRANCHISE AREA

**Recommendation:** That City Council approve the Proposed Micromobility Franchise Area Map

Mayor Robinson explained the rationale for the development of the proposed area. He implored Council Member to contact him prior to the meeting on 9/26 if they have any concerns about the proposed boundaries.

Council Member Moore inquired of data which Council President Terhaar indicated none was provided.

**Place on Regular Agenda.**

16. [19-00433](#) CITY COUNCIL CONSIDERATION OF THE CITY OF PENSACOLA 2020 LEGISLATIVE INITIATIVES

**Recommendation:** That City Council adopt the City of Pensacola 2020 Legislative Initiatives

**Place on Regular Agenda.**

**REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)**

17. 2019-41 SUPPLEMENTAL BUDGET RESOLUTION NO. 2019-41 - LAW ENFORCEMENT TRUST FUND (LETF) PURCHASES FOR THE PENSACOLA POLICE DEPARTMENT

**Recommendation:** That the City Council adopt Supplemental Budget Resolution No. 2019-41.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019; PROVIDING FOR AN EFFECTIVE DATE.

**Place on Regular Agenda.**

18. 29-19 PROPOSED ORDINANCE NO. 29-19 REPEALING AND REPLACING ORDINANCE NO. 10-19 AUTHORIZING A SPECIAL ASSESSMENT UPON HOSPITAL PROPERTY TO GENERATE FUNDS FOR INDIGENT HEALTH CARE

**Recommendation:** That City Council adopt Proposed Ordinance No. 29-19 on second reading.

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

Council President Terhaar inquired of impacts if a new hospital facility is built with City Attorney Woolf responding accordingly.

**Place on Regular Agenda.**

**REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)**

19. [2019-52](#) RESOLUTION NO. 2019-52 - INDIGENT HEALTH CARE SPECIAL ASSESSMENT

**Recommendation:** That City Council adopt Resolution No. 2019-52.

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

**Place on Regular Agenda.**

20. [2019-53](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2019-53 - INDIGENT HEALTH CARE SPECIAL ASSESSMENT

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2019-53.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2019; PROVIDING FOR AN EFFECTIVE DATE.

**Place on Regular Agenda.**



**REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)**

21. [24-19](#) PROPOSED ORDINANCE NO. 24-19 - AMENDING THE CODE OF THE CITY OF PENSACOLA, LAND DEVELOPMENT CODE, SECTION 12-12-5 - BUILDING PERMITS; PROVIDING FOR HISTORIC DEMOLITION REVIEW

**Recommendation:** That City Council adopt Proposed Ordinance No. 24-19 on second reading:

AN ORDINANCE AMENDING SECTION 12-12-5 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; CREATING SUBSECTION 12-12-5(E) ESTABLISHING A PROCESS FOR THE REVIEW OF REQUESTS TO DEMOLISH BUILDINGS OF HISTORICAL, ARCHITECTURAL, CULTURAL OR URBAN DESIGN VALUE TO THE CITY; PROVIDING DEFINITIONS; PROVIDING ARCHITECTURAL REVIEW BOARD CRITERIA AND PROCEDURES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**Place on Regular Agenda.**

22. [25-19](#) PROPOSED ORDINANCE NO. 25-19, REPEALING SECTION 12-13-4 OF THE LAND DEVELOPMENT CODE; ABOLISHING THE GATEWAY REVIEW BOARD; AMENDING SECTION 12-13-2, TRANSFERRING FUNCTIONS TO THE PLANNING BOARD AND CONFORMING REFERENCES WITHIN THE CODE.

**Recommendation:** That City Council adopt Proposed Ordinance No. 25-19 on second reading:

AN ORDINANCE REPEALING SECTION 12-13-4, OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; ABOLISHING THE GATEWAY REVIEW BOARD; AMENDING SECTION 12-13-2, TRANSFERRING FUNCTIONS OF THE GATEWAY REVIEW BOARD TO THE PLANNING BOARD; CONFORMING REFERENCES WITHIN THE CODE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**Place on Regular Agenda.**

**REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)**

- 23. [27-19 PROPOSED ORDINANCE NO. 27-19, AMENDMENT TO SECTION 10-4-19 - SCHEDULE OF GAS RATES AND CHARGES](#)

**Recommendation:** That City Council adopt Proposed Ordinance No. 27-19 on second reading.

AN ORDINANCE AMENDING SECTION 10-4-19 OF THE CODE OF THE CITY OF PENSACOLA ENTITLED: "SCHEDULE OF RATES AND CHARGES"; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE

**Place on Regular Agenda.**

- 24. [28-19 PROPOSED ORDINANCE NO. 28-19 - AMENDMENT TO CITY CODE SECTION 4-3-97 - SANITATION COLLECTION FEE AND EQUIPMENT SURCHARGE](#)

**Recommendation:** That City Council adopt Proposed Ordinance No. 28-19 on second reading.

AN ORDINANCE AMENDING SECTION 4-3-97 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR INCREASE IN SANITATION COLLECTION FEES AND THE SANITATION EQUIPMENT SURCHARGE; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**Place on Regular Agenda**

**FOR DISCUSSION**

None

**CONSIDERATION OF ANY ADD-ON ITEMS**

None

**READING OF ITEMS FOR COUNCIL AGENDA**

City Clerk Burnett read the items as presented above.

*No objections.*

**CITY ADMINISTRATOR'S COMMUNICATION**

Again, Mayor Robinson requested Council consider rescheduling the November Agenda Conference from 11/12 to 11/7 in order to accommodate Leadership Pensacola (LeaP). Brief discussion took place with Council Member Terhaar indicating in the past an action item was brought forward to consider changing the meeting schedule.

Council Member Cannada-Wynn inquired of next steps related to West Cervantes Street safety improvements and referenced recent information released to the public by the Florida Department of Transportation (FDOT) regarding the proposed plans, and the community's negative reaction. Mayor Robinson responded accordingly indicating the City is still communicating with on the issue and talks are currently continuing.

**CITY ATTORNEY'S COMMUNICATION**

None

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

25. [19-00238 MONTHLY FINANCIAL REPORT – AUGUST 2019 - CHIEF FINANCIAL OFFICER RICHARD BARKER, JR.](#)

Chief Financial Officer Barker provided an overhead presentation (on file with background materials).

**CITY COUNCIL COMMUNICATION**

Council Member Myers advised she is very upset with discovering all vegetation was cleared surrounding the 4 acres pond on Carpenters Creek behind the Hilton Garden Inn. Mayor Robinson responded indicating he was not aware and will look into the issue.

**ADJOURNMENT**

5:16 P. M.