



City of Pensacola

CITY COUNCIL AGENDA CONFERENCE

Meeting Minutes

April 10, 2017

4:21 P. M.

Hagler-Mason Conference Room

ROLL CALL

Council Members Present: Brian Spencer, Gerald Wingate, Andy Terhaar (left 6:26), Jewel Cannada-Wynn, Larry Johnson, P.C. Wu, Sherri Myers

Council Member Absent: None

PRESENTATION ITEMS

1. [17-00240](#) PRESENTATION FROM THE CHAIRMAN OF THE BOARD OF TRUSTEES- COMMUNITY MARITIME PARK ASSOCIATES (CMPA)

Recommendation: Presentation from CMPA Board of Trustees Chairman to be given at the April 13, 2017 City Council Meeting; updating the Council on the financial and maintenance aspects of the park as well as an update on the marketing of the private parcels within the park.

Place on Regular Agenda.

REVIEW OF CONSENT AGENDA ITEMS

2. [17-00012](#) AWARD OF CONTRACT - BID #17-006 BAYOU CHICO "R" STREET AT MAGGIE'S DITCH STORMWATER TREATMENT ENHANCEMENT PROJECT

Recommendation: That City Council award a contract for construction of the Bayou Chico "R" Street at Maggie's Ditch Stormwater Treatment Project to Williams Industrial & Marine, Inc., of Westville, Florida, the lowest and most responsible bidder with a base bid of \$597,719.00, plus 10% contingency of \$59,771.90 for a total amount of \$657,490.90.

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

3. [17-00221 AIRPORT - AWARD OF BID #17-018, PENSACOLA INTERNATIONAL AIRPORT FUEL FARM ROAD RECONSTRUCTION](#)

Recommendation: That City Council award Bid # 17-018, Pensacola International Airport Fuel Farm Road Reconstruction to J. Miller Construction, Inc., the lowest and most responsible bidder in the amount of \$125,684.00 for roadway repairs as outlined in the bid specifications plus a 10% contingency of \$12,568.40 for a total amount of \$138,252.40. Further, that City Council authorize the Mayor to execute a contract and take all actions necessary to complete the project.

Place on Consent Agenda.

4. [17-00208 APPOINTMENT TO THE FIREFIGHTERS' RELIEF AND PENSION FUND BOARD OF TRUSTEES](#)

Recommendation: That City Council ratify the appointment of Jerri Barnes as the fifth member trustee of the Firefighters' Relief and Pension Fund.

Place on Consent Agenda.

5. [17-00247 APPOINTMENT - PARKS AND RECREATION BOARD](#)

Recommendation: That City Council appoint one (1) individual to serve on the Parks and Recreation Board for a term of three (3) years, expiring March 31, 2020.

Place on Consent Agenda.

REVIEW OF REGULAR AGENDA ITEMS

6. [11-17 PROPOSED ORDINANCE NO. 11-17 - AMENDMENT TO SECTION 4-3-97, PROVIDING SANITATION COLLECTION FEE AND CREATING A SANITATION EQUIPMENT SURCHARGE.](#)

Recommendation: That City Council approve Proposed Ordinance No. 11-17 on first reading.

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

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

Council Members Cannada-Wynn and Myers asked questions (regarding Item 6) with Sanitation Services & Fleet Management Director Moore responding accordingly.

Place on Regular Agenda.

7. [17-00222 QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - JUNCTION AT WEST HILL](#)

Recommendation: That City Council conduct a quasi-judicial hearing on April 13, 2017 to consider approval of the final subdivision plat - Junction at West Hill.

Place on Regular Agenda.

8. [17-00057 ANNEXATION OF PROPERTY - CAMPUS HEIGHTS](#)

Recommendation: That City Council conduct a Public Hearing to consider the annexation of seventy-seven (77) parcels in the Campus Heights area, sixty-one (61) of which are owned by the Pensacola International Airport.

Place on Regular Agenda.

9. [10-17 PROPOSED ORDINANCE NO. 10-17 - ANNEXATION OF PROPERTY - CAMPUS HEIGHTS](#)

Recommendation: That City Council approve Proposed Ordinance No. 10-17 on first reading.

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.

Place on Regular Agenda.

10. [17-00175 CREATION OF SECTION 8-1-28 OF THE CITY CODE - PROHIBITING SOLICITATION OF DONATIONS UPON PUBLIC SIDEWALKS AND RIGHTS-OF-WAY IN THE DOWNTOWN VISITORS' DISTRICT](#)

Recommendation: That City Council adopt an ordinance creating Section 8-1-28 of the City Code - Prohibiting solicitation of donations upon public sidewalks and rights-of-way in the Downtown Visitors' District.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

11. [09-17 PROPOSED ORDINANCE NO. 09-17 - CREATING SEC. 8-1-28 OF THE CITY CODE - PROHIBITING SOLICITATION OF DONATIONS UPON PUBLIC SIDEWALKS AND RIGHTS-OF-WAY IN THE DOWNTOWN VISITORS' DISTRICT](#)

Recommendation: That City Council approve Proposed Ordinance No. 09-17 on first reading.

AN ORDINANCE CREATING SECTION 8-1-28 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; DEFINING THE DOWNTOWN VISITORS' DISTRICT AND REGULATING THE CONDUCT OF INDIVIDUALS ON SIDEWALKS AND PUBLIC RIGHTS-OF-WAY THEREIN; PROVIDING DEFINITIONS; PROHIBITING SOLICITATION OF DONATIONS; PROVIDING PENALTIES THEREFOR; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

12. [17-00227 PENSACOLA ENERGY - AWARD OF BID #17-012, NATURAL GAS PIPELINE CONSTRUCTION WEST PENSACOLA LOW PRESSURE AREA UPGRADES](#)

Recommendation: That City Council award Bid #17-012 Natural Gas Pipeline Construction to R.A.W. Construction, LLC., the lowest and most responsible bidder in the amount of \$2,477,265 for seven (7) natural gas infrastructure replacement projects, \$581,835 for the miscellaneous work option as outlined in the bid specifications plus a 10% contingency of \$305,910 for a total amount of \$3,365,010 for a period of one year. Further, that City Council approve the supplemental budget resolution appropriating the additional amount needed from the Florida Gas System Revenue Note, Series 2016. Finally, that City Council authorize the Mayor to execute a contract and take all actions necessary to complete the project.

Place on Regular Agenda.

13. [17-20 SUPPLEMENTAL BUDGET RESOLUTION NO. 17-20 - PENSACOLA ENERGY - AWARD OF BID #17-012, NATURAL GAS PIPELINE CONSTRUCTION WEST PENSACOLA LOW PRESSURE AREA UPGRADES](#)

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-20

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017 PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

14. [12-17 PROPOSED ORDINANCE NO. 12-17 - AMENDING SECTION 6-2-3 OF THE CITY CODE--PARKS AND RECREATION BOARD - DUTIES](#)

Recommendation: That City Council approve Proposed Ordinance 12-17 on first reading.

AN ORDINANCE AMENDING SECTION 6-2-3 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, PARKS AND RECREATION BOARD - DUTIES; TO PROVIDE FOR THE INCLUSION WITHIN THE DUTIES LANGUAGE STATING, "AND RECREATIONAL ACTIVITIES"; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE

Place on Regular Agenda.

15. [13-17 PROPOSED ORDINANCE NO. 13-17 - AMENDING SECTION 8-3 OF THE CITY CODE - CREATING SECTION 8-3-4 NO WAKE ZONE FOR THE PORTION OF THE WATERS NORTH OF THE HARBOR CHANNEL ADJACENT TO THE RED BUOY MARKER KNOWN AS "PMT2" LOCATED IN PENSACOLA BAY TO THE ENTRANCE OF PALAFOX PIER BASIN AND FROM THE WEST END OF THE PORT OF PENSACOLA TO THE WEST END OF THE HARBOR CHANNEL](#)

Recommendation: That City Council approve Proposed Ordinance 13-17 on first Reading.

AN ORDINANCE AMENDING SECTION 8-3 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, OFFENSES UPON WATERS; CREATING SECTION 8-3-4 TO PROVIDE FOR A NO WAKE ZONE FOR THE PORTION OF THE WATERS NORTH OF THE HARBOR CHANNEL ADJACENT TO THE RED BUOY MARKER KNOWN AS "PMT2" LOCATED IN PENSACOLA BAY TO THE ENTRANCE OF PALAFOX PIER BASIN AND FROM THE WEST END OF THE PORT OF PENSACOLA TO THE WEST END OF THE HARBOR CHANNEL; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Council President Spencer, as sponsor responded to questions of Council Members.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

16. [17-00228](#) RETURN CONVEYANCE OF MORRIS COURT PARK TO THE AREA HOUSING COMMISSION

Recommendation: That City Council authorize the Mayor to execute all documents necessary to return the property located at North "J" and West Lloyd Streets, known as Morris Court Park, to the Area Housing Commission for use as planned affordable housing.

Council Member Myers asked questions with City Administrator Olson and Council Member Cannada-Wynn (co-sponsor with Mayor Hayward) responding accordingly.

Place on Regular Agenda.

17. [17-00251](#) REIMBURSEMENT TO CDBG FUND - PURCHASE OF 113 NORTH "C" STREET (FORMER BLOUNT SCHOOL PROPERTY)

Recommendation: That City Council approve reimbursing the CDBG Fund \$295,937 based on CDBG program requirements for the purchase of the property located at 113 North "C" Street (former Blount School). Further that City Council approve the supplemental budget resolution appropriating funding for the reimbursement.

Housing Administrator Whitaker responded accordingly to questions from Council Member Wingate.

Place on Regular Agenda.

18. [17-22](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-22 - APPROPRIATING FUNDING FOR REIMBURSEMENT TO THE CDBG FUND - PURCHASE OF 113 NORTH "C" STREET (FORMER BLOUNT SCHOOL PROPERTY)

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-22.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

19. [17-00245 PORT WAREHOUSE #9 TERMINATION OF LEASE AND WAREHOUSE #1 LEASE AMENDMENT WITH OFFSHORE INLAND MARINE & OILFIELD SERVICES, INC.](#)

Recommendation: That City Council authorize the Mayor to take all action necessary to terminate the Lease Agreement for Port Warehouse #9 and to amend the Lease Agreement for Port Warehouse #1 with Offshore Inland Marine & Oilfield Services, Inc.

Place on Regular Agenda.

20. [17-00254 NEW MARKET TAX CREDIT UNWIND](#)

Recommendation: That City Council authorize the Mayor to execute all documents and take all action necessary associated with unwinding the New Market Tax Credit transaction. This includes but is not limited to executing an Interlocal Agreement with the Community Maritime Park Associates, Inc. (CMPA) and the Community Redevelopment Agency (CRA) to terminate the Project Support Payments to the CMPA. Further, as provided in the CMPA Articles of Incorporation, that the City accept the CMPA's distributed assets. In addition, that upon NMTC unwind, when the City owns the CTA Investment Fund that City Council authorize the Mayor to forgive the loans made to the CMPA.

Chief Financial Officer responded accordingly to question from Council Member Myers.

Place on Regular Agenda.

21. [17-00241 JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION \(FDOT\) - VIDEO DETECTION EQUIPMENT](#)

Recommendation: That City Council authorize the Mayor to execute and implement a Joint Participation Agreement (JPA) with FDOT for the purchase of Video Detection Equipment to be installed at certain state-owned intersections within the City. Further, that City Council adopt a supplemental budget resolution appropriating the funds from the FDOT. Finally that City Council authorize the Mayor to take any and all actions necessary to execute and implement the JPA with the FDOT.

Director of Public Works & Facilities responded accordingly to questions from Council Member Cannada-Wynn.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

22. [17-21](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-21 - JOINT PARTICIPATION AGREEMENT WITH FLORIDA DEPARTMENT OF TRANSPORTATION - VIDEO DETECTION EQUIPMENT

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-21.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2017: PROVIDING FOR THE EFFECTIVE DATE.

Place on Regular Agenda.

23. [04-17](#) PROPOSED ORDINANCE NO. 04-17 - REPEALING SECTION 10-4-16(c) OF THE CITY CODE - INSTALLATION OF SERVICES

Recommendation: That City Council adopt Proposed Ordinance No. 04-17 repealing Section 10-4-16(c) of the city code on second reading.

AN ORDINANCE REPEALING SECTION 10-4-16(c) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, INSTALLATION OF SERVICES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE

Place on Regular Agenda.

24. [17-00260](#) OVERRIDE MAYOR ASHTON HAYWARD'S VETO OF MARCH 14, 2017 OF THE CITY COUNCIL ACTION ITEM #17-00186, BEGIN THE PROCESS FOR HIRING A BUDGET ANALYST, PASSED BY CITY COUNCIL ON MARCH 9, 2017.

Recommendation: That City Council vote to override Mayor Ashton Hayward's Veto, dated March 14, 2017, of City Council legislative action item #17-00186 pertaining to the City Council beginning the process of hiring a Budget Analyst, which City Council passed on March 9, 2017.

Place on Consent Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

25. 17-00261 OVERRIDE MAYOR ASHTON HAYWARD'S VETO OF MARCH 14, 2017 OF THE CITY COUNCIL ACTION ITEM #17-00186, BEGIN THE PROCESS FOR HIRING A BUDGET ANALYST, PASSED BY CITY COUNCIL ON MARCH 9, 2017

Recommendation: That City Council vote to override Mayor Ashton Hayward's Veto, dated March 14, 2017, of City Council legislative action item #17-00186 pertaining to the City Council beginning the process of hiring a Budget Analyst, which City Council passed on March 9, 2017.

Withdrawn by sponsor.

FOR DISCUSSION

None.

INFORMATIONAL ITEMS

None.

CONSIDERATION OF ANY ADD-ON ITEMS

None.

READING OF ITEMS FOR COUNCIL AGENDA

As presented above.

No objections.

COMMUNICATIONS

26. 17-00153 CITY ADMINISTRATOR COMMUNICATION - ERIC W. OLSON

- David Penzone, City Consultant provided a verbal update along with hardcopies of photos and summary of the VT/MAE Project at the Airport. Mr. Penzone and Airport Director Flynn responded accordingly to questions.
- Public Works & Facilities Director Owens provided an overhead presentation on *Stormwater Program 5 Year Update* (on file) and responded accordingly to questions.
- City Administrator Olson provided a verbal update to Council advising of the upcoming workshops for recodification of the Code of the City of Pensacola.

COMMUNICATIONS (CONT'D.)

MONTHLY CRIME REPORT-CHIEF DAVID ALEXANDER

27. [17-00195](#) MONTHLY CRIME REPORT – CHIEF DAVID ALEXANDER, III

Postponed.

28. [17-00089](#) MONTHLY FINANCIAL REPORT - CHIEF FINANCIAL OFFICER RICHARD BARKER, JR.

Postponed.

CITY ATTORNEY'S COMMUNICATION

City Attorney Bowling provided a memorandum to Council regarding an update on the settlement agreement with Escambia County related to the distribution of gasoline tax proceeds.

CITY COUNCIL COMMUNICATION

None.

ADJOURNMENT

6:26 P.M.