City of Pensacola

CITY COUNCIL

Agenda Conference Minutes

September 8, 2020 | 3:30 P.M. | Council Chambers

The agenda conference was called to order by Council President Cannada-Wynn at 3:33 P.M.

ROLL CALL

Council Members Present: Jewel Cannada-Wynn, Jared Moore, Ann Hill, Sherri Myers, P.C. Wu (arrived 3:38; attended by teleconference)

Council Members Absent: John Jerralds, Andy Terhaar

Also Present: Mayor Grover C. Robinson, IV

To limit the potential spread of COVID-19, some Council Members attended by telephonic conferencing, and members of the public had the opportunity to attend and participate ***only via live stream or phone.*** This change in format was consistent with Executive Order 20-69 issued by Gov. Ron DeSantis and had been adopted at the direction of Council President Jewel Cannada-Wynn in consultation with the City Attorney. Public participation was available as follows:

To watch the meeting live visit: cityofpensacola.com/428/Live-Meeting-Video.

Note that the format of the meeting is subject to change due to continuing changes in meeting requirements due to the COVID-19 pandemic. The City's website will have the most current information regarding attendance at the meeting by the public.

To provide input:

- Public Input will only occur if an item is voted upon to remove from the agenda or add to the agenda (per Council's Rules & Procedures pertaining to agenda conferences)

- citizens may submit an online form here https://www.cityofpensacola.com/ccinput **beginning at 1:00 P.M. until that agenda item has been voted upon** to indicate they wish to speak to a motion specific to an item on the agenda **and include a phone number. Staff will call the person** at the appropriate time so the citizen can directly address the City Council using a telephone held up to a microphone. **Any form received after an agenda item has been voted upon will not be considered.**

PRESENTATION ITEMS

1. 20-00539 UNIVERSITY OF WEST FLORIDA (UWF) REOPENING PLAN

Recommendation: That City Council receive a presentation from Dr. Ed Ranelli regarding the UWF Reopening Plan.

Dr. Ed Ranelli, Associate Vice President of UWF addressed Council (via Microsoft Teams) regarding its reopening plan (hardcopies provided - - on file with background materials with additional information sent via email). He requested the City join the university in its responsibility for providing for the health and safety of students, faculty, and the community.

Following comments and discussion, **Mayor Robinson indicated he will send a letter of support on behalf of the City.**

2. 20-00535 5G TECHNOLOGY

Recommendation: That City Council receive a presentation regarding 5G technology.

Cecelia Doucette of *Massachusetts for Safe Technology* provided an overhead presentation (via Microsoft Teams - - on file with background materials).

Andrew Campanelli, an attorney based out of New York who represents numerous clients suing 5G companies addressed Council.

Following, some discussion took place among Council with input from Mayor Robinson.

REVIEW OF CONSENT AGENDA ITEMS

3. 20-00491 PORT - SECOND LEASE AMENDMENT WITH CEMEX SOUTHEAST, LLC

Recommendation: That City Council approve the proposed Second Amendment to Lease Agreement with Cemex Southeast, LLC, and authorize the Mayor to execute the amendment and take all actions necessary to administer the amended lease.

Discussion took place with Mayor Robinson and Port Director addressing Council and responding accordingly to questions.

Place on Consent Agenda.

4. 20-00496 AWARD OF CONTRACT - BID #20-059 - PORT OF PENSACOLA BERTHS 5 & 6 SHORE POWER PROJECT

Recommendation: That City Council award a contract for ITB #20-059 Port of Pensacola Berths 5 & 6 Shore Power Project to Bill Smith Electric, Inc. of Gonzales, Florida, the lowest and most responsible bidder with a base bid of $208,859 plus a 5% contingency of $10,442.95 for a total of $219,301.95. Further, that Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

Place on Consent Agenda.

5. 20-00492 DECLARATION AND DISPOSITION OF REAL PROPERTY - 100 BLK EAST JORDAN STREET

Recommendation: That the City Council declare the real property located at 100 Blk East Jordan Street (Parcel Ref. No. 000S009010170127) as surplus and authorize the Mayor to dispose of through direct negotiation with the Escambia County Housing Finance Authority (ECHFA), per the terms of their Interlocal Agreement for Urban Infill Housing Development Initiatives with the City of Pensacola. Further, that the City Council authorize the Mayor to take all actions necessary to execute any contracts or related documents to dispose of the property.

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

6. 20-00536 AGENDA CONFERENCE TAKING PLACE BEFORE THE MEETING OF THE COMMUNITY REDEVELOPMENT AGENCY BOARD (CRA).

Recommendation: That City Council follow Section 2.04 of the Council Rules and Procedures regarding Agenda Conference - General; so that the Agenda Conference shall occur prior to the CRA Board Meeting.

Place on Consent Agenda.

7. 20-00537 INTERLOCAL AGREEMENT WITH THE COMMUNITY REDEVELOPMENT AGENCY AND CITY OF PENSACOLA FOR IMPLEMENTATION OF HOUSING INITIATIVES

Recommendation: That the City Council approve an Interlocal Agreement with Community Redevelopment Agency (CRA) and the City of Pensacola for implementation of housing initiatives within the Urban Core, Westside and Eastside community redevelopment areas. Further, that the City Council authorize the Mayor to take all actions necessary to implement the agreement.

Some discussion took place with CRA Administrator Gibson, Housing Director Whitaker, and City Administrator Wilkins responding accordingly to questions.

Place on Consent Agenda.

8. 20-00538 AMENDMENT TO SECTION 2.01 - SUBMISSION OF ITEMS - TO THE COUNCIL RULES AND PROCEDURES

Recommendation: That City Council amend Section 2.01 of the Council Rules and Procedures to include the following sentence:

"All proposed Ordinances and Resolutions must go through review by the Office of the City Attorney (Legal) prior to being placed on the agenda."

Council Member Myers requested this item be placed on the regular agenda.

Place on Regular Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

9. 20-00509 APPOINTMENTS - ARCHITECTURAL REVIEW BOARD

Recommendation: That City Council appoint two (2) registered architects and two (2) representatives from the University of West Florida Historic Trust (UWFHT) to the Architectural Review Board for a term of two (2) years, expiring September 30, 2022.

Place on Consent Agenda.

10. 20-00205 PURCHASE AND INSTALLATION OF A SPLASH PAD FOR LEGION FIELD

Recommendation: That City Council approve the purchase and installation of a splash pad at Legion Field Park from PlayCore Wisconsin,Inc. d/b/a GameTime the amount of $212,339.40 plus a 10% contingency in the amount of $21,234.00 for a total cost not to exceed $233,573.40. Further, that City Council authorize the Mayor to execute all contracts, related documents, and take all related actions necessary to complete the project.

Council Member Myers requested this item be placed on the regular agenda.

Place on Regular Agenda.

11. 20-00473 AWARD OF CONTRACT TO PANHANDLE GRADING & PAVING, INC. FOR INVITATION TO BID (ITB) #20-060 HITZMAN-OPTIMIST PARK IMPROVEMENTS

Recommendation: That City Council award a contract to Panhandle Grading & Paving, Inc. for ITB #20-060 Hitzman-Optimist Park Improvements for $1,375,867.25 base bid, $567,031.50 additive alternate #1, and a 10% contingency of $194,289.88 for a total amount of $2,137,188.63. Further, that City Council authorize the Mayor to execute all contracts, related documents, and take all related actions necessary to complete the project. Finally, that City Council adopt a supplemental budget resolution to appropriate the additional funding needed to complete the project.

Council Member Hill requested this item be placed on the regular agenda.

Some discussion took place among Council with Parks and Recreation Director Cooper responding accordingly to questions. Mayor Robinson also provided input.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS

12. 20-00517 APPOINTMENT - ARCHITECTURAL REVIEW BOARD

Recommendation: That City Council appoint one property or business owner in the Palafox Historic Business District or the Governmental Center District to fill an unexpired term ending September 30, 2021.

Place on Regular Agenda.

13. 20-00540 RENAMING THE ARMSTRONG PARK TENNIS COURTS IN HONOR OF RONALD P. TOWNSEND

Recommendation: That City Council approve the renaming of the Armstrong Park Tennis Courts in honor of Ronald P. Townsend, former District 7 City Council Member.

Place on Regular Agenda.

14. 20-00439 FY20 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM: STATE

Recommendation: That City Council approve and authorize the Mayor to execute the acceptance the FY20 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: State, agreement between the City of Pensacola and the State of Florida Department of Law Enforcement, Office of Criminal Justice Grants, in the amount of $73,132.00. Further, that City Council approve the supplemental budget resolution appropriating the grant funds.

Place on Regular Agenda.

15. 2020-31 SUPPLEMENTAL BUDGET RESOLUTION NO. 2020-31 - FY20 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM: STATE

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2020-31.

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

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

16. 2020-30 PROPOSED RESOLUTION NO. 2020-30 - COMMUNITY REDEVELOPMENT AGENCY EXTENSION

Recommendation: That City Council adopt Resolution No. 2020-30:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA APPROVING THE CONTINUED EXISTENCE OF THE COMMUNITY REDEVELOPMENT AGENCY OF THE CITY OF PENSACOLA THROUGH SEPTEMBER 30, 2046, WHICH SHALL BE CONDITIONAL UPON MEETING CERTAIN REQUIREMENTS TO PROVIDE PROGRAMS TO LOW INCOME AFRICAN AMERICAN COMMUNITIES TO ADDRESS INSTITUTIONALIZED AND SYSTEMIC RACISM IN THE URBAN CORE COMMUNITY REDEVELOPMENT AREA. AMENDING CITY RESOLUTION NO. 55-80 TO PROVIDE THAT THE AGENCY SHALL SUNSET OR TERMINATE ON SUCH DATE; PROVIDING FINDINGS IN CONNECTION THEREWITH; PROVIDING FOR SEVERABILITY AND AN EFFECTIVE DATE.

Council Member Myers (sponsor) withdrew this item.

Withdrawn.

17. 2020-46 RESOLUTION NO. 2020-46 - INDIGENOUS PEOPLES' DAY

Recommendation: That City Council adopt Resolution No. 2020-46:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA DESIGNATING THE SECOND MONDAY IN OCTOBER AS "INDIGENOUS PEOPLES' DAY" TO CELEBRATE AND HONOR INDIGENOUS PEOPLES AND THEIR SHARED HISTORY AND CULTLURE IN PENSACOLA AND NORTHWEST FLORIDA.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

18. 2020-38 RESOLUTION NO. 2020-38 - DESIGNATION OF STATE ROADWAY TO HONOR FALLEN PENSACOLA POLICE OFFICERS, AS "PENSACOLA POLICE FALLEN HEROES HIGHWAY"

Recommendation: That City Council adopt Resolution No. 2020-38:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA, IN SUPPORT OF THE DESIGNATION OF BAYFRONT PARKWAY, FROM TARRAGONA STREET TO THE NEW PENSACOLA BAY BRIDGE, AS "PENSACOLA POLICE FALLEN HEROES HIGHWAY"; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

19. 2020-26 RESOLUTION NO. 2020-26 - CREATING A SPECIAL REVENUE FUND OF THE CITY IN ORDER TO LIMIT THE USE OF PARKING ACTIVITY REVENUE SOURCES REPORTED IN SUCH FUND

Recommendation: That City Council adopt Resolution No. 2020-26

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA STATING ITS DESIRE AND INTENTION TO FORMALLY LIMIT THE USE OF PARKING ACTIVITY REVENUE SOURCES REPORTED IN THE PARKING MANAGEMENT FUND TO SUPPORT RELATED EXPENDITURES; PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

20. 2020-36 SUPPLEMENTAL BUDGET RESOLUTION NO. 2020-36 - AFFORDABLE HOUSING INITIATIVES

Recommendation: That City Council Adopt Supplemental Budget Resolution No. 2020-36.

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

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

21. 2020-39 SUPPLEMENTAL BUDGET RESOLUTION NO. 2020-39 - AMENDING THE FISCAL YEAR 2020 BUDGET

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2020-39.

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

Place on Regular Agenda.

22. 2020-45 SUPPLEMENTAL BUDGET RESOLUTION NO. 2020-45 - HITZMAN-OPTIMIST PARK IMPROVEMENTS

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2020-45.

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

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

23. 40-20 PROPOSED ORDINANCE NO. 40-20 - PROPOSED AMENDMENTS TO CHAPTER 11-2 OF THE CODE - PERTAINING TO THE REGULATION AND MANAGEMENT OF PARKING ACTIVITIES AND THE DESIGNATION OF THE CODE ENFORCEMENT SPECIAL MAGISTRATE TO HEAR AND DETERMINE OBJECTIONS TO FINES WITHIN THE GEOGRAPHICAL BOUNDARIES OF THE CITY OF PENSACOLA

Recommendation: That the City Council approve Proposed Ordinance No. 40-20 on first reading.

AN ORDINANCE AMENDING CHAPTER 11-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING SECTION 11-2-37, PROVIDING PARKING FINE AMOUNTS AND APPOINTING CODE ENFORCEMENT AUTHORITY SPECIAL MAGISTRATE TO HEAR AND DECIDE OBJECTIONS TO PARKING FINES; AMENDING SECTION 11-2-46, PROVIDING MAYORAL AUTHORITY TO REGULATE PARKING; AMENDING SECTION 11-2-46.1, PROVIDING TIME LIMITS, RATES AND FINES; AMENDING SECTION 11-2-47, PROVIDING PARKING TIME LIMITS; AMENDING SECTION 11-2-48, REGULATING PARKING SPACES; AMENDING SECTION 11-2-80, PROVIDING FOR AUTHORITY OF MAYOR; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

24. 41-20 PROPOSED ORDINANCE NO. 41-20 - AMENDMENT TO CITY CODE SECTION 4-3-97 - SANITATION EQUIPMENT SURCHARGE

Recommendation: That City Council approve Proposed Ordinance No. 41-20 on first reading.

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

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

25. 42-20 PROPOSED ORDINANCE NO. 42-20 - ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF PENSACOLA

Recommendation: That City Council approve Proposed Ordinance No. 42-20 on first reading:

AN ORDINANCE ADOPTING AND ENACTING A NEW CODE FOR THE CITY OF PENSACOLA,FLORIDA; ESTABLISHIG THE SAME; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING FOR THE MANNER OF AMENDING AND SUPPLEMENTING SUCH CODE; AND PROVIDING WHEN SUCH CODE AND THIS ORDINANCE SHALL BECOME EFFECTIVE.

Place on Regular Agenda.

26. 39-20 PROPOSED ORDINANCE NO. 39-20: REQUEST TO VACATE RIGHT OF WAY - 310 BAY BOULEVARD AND 306 BAY BOULEVARD

Recommendation: That City Council adopt Proposed Ordinance No. 39-20 on second reading.

AN ORDINANCE CLOSING, ABANDONING AND VACATING A PORTION OF BAY BOULEVARD IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Council Executive referenced hardcopies provided with Mayor Robinson and City Administrator Wilkins explaining the potential of this property being designated as a sensitive property which was ruled out as outlined in the staff report and mayoral recommendation (on file with background materials).

Place on Regular Agenda,

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

27. 33-20 PROPOSED ORDINANCE NO. 33-20 - AMENDING SECTION 6-3-2 OF THE CODE OF THE CITY OF PENSACOLA, RULES AND REGULATIONS GENERALLY, AND ADDING SUBSECTION (C) SPECIFYING PARK HOURS

Recommendation: That City Council adopt Proposed Ordinance No. 33-20 on second reading:

AN ORDINANCE AMENDING SECTION 6-3-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING RULES AND REGULATIONS GENERALLY; SPECIFYING PARK HOURS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

28. 38-20 PROPOSED ORDINANCE NO. 38-20 - AMENDING ORDINANCE NO. 18-07 AND ORDINANCE NO. 25-08 CLOSING, ABANDONING AND VACATING THE COLFAX STREET RIGHT OF WAY BETWEEN 9TH AVE AND 10TH AVE

Recommendation: That City Council adopt Proposed Ordinance No. 38-20 on second reading:

AN ORDINANCE AMENDING ORDINANCE NO. 18-07 AND ORDINANCE NO. 25-08 CLOSING, ABANDONING AND VACATING THE COLFAX STREET RIGHT OF WAY BETWEEN 9TH AVENUE AND 10TH AVENUES; AND A PORTION OF THE 10TH AVENUE RIGHT-OF-WAY IN PENSACOLA, ESCAMBIA COUNTY, STATE OF FLORIDA BY FURTHER ABANDONING A TWENTY-FOOT EASEMENT WITHIN 10TH AVENUE AND COLFAX STREET; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

DISCUSSION ITEMS

29. 20-00532 COUNCIL MEMBER STATIONERY

Council Member Myers (sponsor) indicated the need for standard and professional stationery. **Council Executive Kraher indicated he will draft a template and send to all Council Members for review. He also clarified it is intended for use as individual members and not representative of Council communication as a body. City Attorney Woolf suggested establishing a policy for use of such stationery.** Mayor Robinson also provided input.

DISCUSSION ITEMS (CONT'D.)

30. 20-00533 REPAIRS TO COUNCIL CHAMBER DAIS PRIOR TO PUBLIC'S RETURN

Council Member Myers (sponsor) indicated the need for improvements, particularly pointing out the ramp is dangerous. **Council Executive Kraher indicated he will be meeting with Inspections Services Director Bilby who is the building official and ADA coordinator for the City.** Mayor Robinson also provided input.

CONSIDERATION OF ANY ADD-ON ITEMS

None

READING OF ITEMS FOR COUNCIL AGENDA

City Clerk Burnett read the items as presented above.

No objections.

COMMUNICATIONS

CITY ADMINISTRATOR'S COMMUNICATION

City Administrator Wilkins addressed Council regarding the response to the City's annual citizens survey.

Mayor Robinson provided an update on the reopening of City Hall and other City facilities hopefully on September 28th as a reflection of COVID-19 cases steadily dropping. He indicated more information would be forthcoming for the September 24th Council meeting related to the possibility of repealing the mandatory mask ordinance. City Attorney Woolf also provided input. Some discussion took place among Council with Mayor Robinson fielding comments and questions.

CITY ATTORNEY'S COMMUNICATION

None

CITY COUNCIL COMMUNICATION

None

ADJOURNMENT

5:28 P.M.