City of Pensacola

CITY COUNCIL

Agenda Conference Minutes

July12, 2021 | 3:30 P.M. | Council Chambers

The agenda conference was called to order by Council President Moore at 3:34 P.M.

ROLL CALL

Council Members Present: Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton (arrived 3:38), Casey Jones, Sherri Myers, Delarian Wiggins

Council Members Absent: None

Also Present: Mayor Grover C. Robinson, IV

Members of the public may attend the meeting in person. City Council encourages those not fully vaccinated to wear face coverings that cover their nose and mouth.

The meeting can also be watched live stream at: cityofpensacola.com/428/Live-Meeting-Video.

PRESENTATION ITEMS

None

REVIEW OF CONSENT AGENDA ITEMS

1. 21-00503 AWARD OF CONTRACT TO A.E. NEW, JR., INC. FOR INVITATION TO BID (ITB) #21-017 EAST PENSACOLA HEIGHTS CLUBHOUSE RENOVATIONS

   Recommendation: That City Council award a contract to A.E. New, Jr., Inc. for ITB 21-017 East Pensacola Heights Clubhouse Renovations for $50,900.00 base bid, $9,500.00 additive alternate, and a 10% contingency of $6,040.00 for a total amount of $66,440.00. Further, that City Council authorize the Mayor to take all actions necessary to execute all contracts, related documents and to complete the project.

   Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

2. 21-00525 AWARD OF CONTRACT FOR GULL POINT RESOURCE CENTER CHILLER REPLACEMENT

Recommendation: That City Council award a contract to Daikin Applied Americas, Inc. for replacement of the chiller at Gull Point Resource Center for $73,506.67, using OMNIA Partners Cooperative Purchasing Agreement for Region 4 ESC #R200401. Further, that City Council authorize the Mayor to take all actions necessary to execute the contract and complete the project.

Council President Moore referred to the financial impact statement in the memorandum that states funding is coming from savings in the Bayview Resource Center project and that he would like to be sure there are plans for installation of bike racks at Bayview Resource Center. Mayor Robinson responded assuring that bike racks will be installed.

Place on Consent Agenda.

3. 21-00531 TENTATIVE MILLAGE RATE - FISCAL YEAR 2022

Recommendation: That City Council set the tentative Fiscal Year 2022 millage rate for the City of Pensacola at 4.2895 mils and for the Downtown Improvement District at 2.0000 mils and authorize the Mayor to set final levies in compliance with all property tax reform regulations. Further, that the Mayor may administratively adjust the final adopted millage rate upon receipt of the final valuation if the City's final current year gross taxable value is reduced by more than 1%. Finally, that the first public hearing on the Fiscal Year 2022 millage rates be held on September 8, 2021, at 5:30 p.m. in Council Chambers.

Council Member Myers **requested this item be moved from the consent agenda to the regular agenda.** Finance Director Lovoy responded accordingly to her questions regarding statutory requirements for setting the tentative millage rate by August 4th which sets the ceiling on the rate.

Place on Regular Agenda.

4. 21-00539 CITY OF PENSACOLA HOUSING DEPARTMENT PUBLIC HOUSING AGENCY (PHA) ANNUAL PLAN (FY2021-2022)

Recommendation: That City Council approve the Public Housing Agency (PHA) Annual Plan of the Housing Choice Voucher Program for Fiscal Year 2021-2022 for submission to the U.S. Department of Housing and Urban Development (HUD). Further, that the City Council authorize the Mayor to execute all documents relating to the Plan's submission and Program's Administration.

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

5. 21-00559 CITY OF PENSACOLA COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FIVE YEAR (FY 2020-2024) CONSOLIDATED PLAN AND FY 2020-2021 ANNUAL ACTION PLAN AND HOME INVESTMENT PARTNERSHIPS ACT (HOME) PROGRAM

Recommendation: That City Council approve the Community Development Block Grant (CDBG) Five Year (FY 2020-2024) Consolidated Plan and FY 2020-2021 Annual Action Plan for the period October 1, 2020 through September 30, 2021 for submission to U. S. Department of Housing and Urban Development. Further, that City Council approve the City of Pensacola 2020-2021 CDBG and HOME Programs Proposed Budgets and Activities Summary. Finally, that City Council authorize the Mayor to take all actions necessary to execute all documents relating to the programs' administration.

Place on Consent Agenda.

6. 21-00560 CITY OF PENSACOLA FY 2021-2022 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ANNUAL ACTION PLAN AND HOME INVESTMENT PARTNERSHIPS ACT (HOME) PROGRAM

Recommendation: That City Council approve the FY 2021-2022 CDBG Annual Action Plan for the period October 1, 2021 through September 30, 2022 for submission to U. S. Department of Housing and Urban Development. Further, that City Council approve the City of Pensacola 2021-2022 CDBG and HOME Programs Proposed Budgets and Activities Summary. Finally, that City Council authorize the Mayor to take all actions necessary to execute all documents relating to the programs' administration.

Place on Consent Agenda.

7. 21-00566 INTERLOCAL AGREEMENT BETWEEN THE COMMUNITY REDEVELOPMENT AGENCY AND CITY OF PENSACOLA FOR FUNDING OF THE COMMUNITY MARITIME PARK STADIUM IMPROVEMENTS

Recommendation: That the City Council approve an Interlocal Agreement between the Community Redevelopment Agency (the "Agency") and the City of Pensacola (the "City") authorizing the Agency to fund up to $2,000,000 for certain improvements at the Community Maritime Park Blue Wahoos Stadium, including but not limited to artificial turf and LED stadium lighting.

Council Executive Kraher referenced the revised memorandum at Council's places. Mayor Robinson responded accordingly to questions from Council Member Broughton regarding pushing back the Reus Street project to move this item forward.

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

8. 21-00575 APPOINTMENT - WESTSIDE COMMUNITY REDEVELOPMENT BOARD

Recommendation: That City Council appoint a redevelopment area resident, member of area neighborhood association or owner or operator of a business located in the redevelopment area to the Westside Community Redevelopment Board to fill an unexpired term ending January 31, 2024.

Council Member Hill indicated Mr. Brown (nominee) would like to address Council at Thursday's meeting. Brief discussion took place. **This item was moved from the consent agenda to the regular agenda.**

Place on Regular Agenda.

9. 21-00596 DEDICATION OF A PLAQUE BY A TREE PLANTED IN MEMORY OF ANN DAVIS

Recommendation: That City Council approve the Parks and Recreation Board recommendation to dedicate a plaque by a tree that was planted in memory of Ann Davis.

Place on Consent Agenda.

10. 21-00597 ENVIRONMENTAL ADVISORY BOARD (EAB) RECOMMENDATION - COMPREHENSIVE REVIEW OF THE TREE ORDINANCE

Recommendation: That City Council begin the process of a comprehensive review of the tree ordinance and assign this review to the Environmental Advisory Board.

Council Member Brahier (sponsor) responded to questions from Council President Moore regarding the intent of this item.

Place on Consent Agenda.

REVIEW OF REGULAR AGENDA ITEMS

11. 21-00588 CITY COUNCIL CONSENT TO THE MAYOR'S APPOINTMENT OF CHARLES PEPPLER AS CITY ATTORNEY

Recommendation: That City Council consent to the Mayor's appointment of Charles Peppler as City Attorney.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

12. 21-00568 APPOINTMENTS - ESCAMBIA-PENSACOLA HUMAN RELATIONS COMMISSION

Recommendation: That City Council appoint three individuals to the Escambia-Pensacola Human Relations Commission for a two year term expiring October 1, 2023.

Council President Moore referenced hardcopies at Council's places of the application of interest for (nominee) Sydney Robinson due to (it) inadvertently not being properly uploaded to the memorandum attachments. The electronic version will appear with agenda materials to be posted on 7/13 for the 7/15 Council meeting.

Council Executive Kraher provided additional information regarding composition and terms of HRC members.

Place on Regular Agenda.

13. 21-00573 REQUEST FOR VOLUNTARY ANNEXATION - AMR AT PENSACOLA, INC.

Recommendation: That City Council approve the request for the voluntary annexation of one (1) parcel owned by AMR at Pensacola, Inc.

Place on Regular Agenda.

14. 31-21 PROPOSED ORDINANCE NO. 31-21 - REQUEST FOR VOLUNTARY ANNEXATION - AMR PENSACOLA, INC.

Recommendation: That City Council approve Proposed Ordinance No. 31-21 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; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

15. 21-00537 EMERGENCY HOUSING VOUCHER PROGRAM SERVICE AGREEMENT WITH OPENING DOORS NORTHWEST FLORIDA, INC. (NWFL)

Recommendation: That City Council approve the Emergency Housing Voucher Program Service Agreement with Opening Doors Northwest Florida, Inc. (NWFL) for the joint implementation of the Emergency Housing Voucher Program. Further, that City Council adopt a supplemental Budget Resolution appropriating the funding for this program. Finally, that City Council authorize the Mayor to take all actions necessary to execute all documents relating the program's implementation and administration.

Council Member Myers indicated she would like to speak with City staff contact regarding this item and she may possibly bring forward an amendment for Council's consideration at Thursday's meeting.

Place on Regular Agenda.

16. 2021-39 SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-39 - U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT EMERGENCY HOUSING VOUCHER PROGRAM SERVICE FEE FUNDS

Recommendation: That City Council adopt Supplement Budget Resolution No. 2021-39.

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

Place on Regular Agenda.

17. 21-00529 AMENDMENT NO. 5 TO THE USE AGREEMENT WITH NORTHWEST FLORIDA PROFESSIONAL BASEBALL FOR THE VINCE J. WHIBBS SR. COMMUNITY MARITIME PARK

Recommendation: That City Council approve Amendment No. 5 to the Multi-Use Facility Non-Exclusive Use Agreement with Northwest Florida Professional Baseball LLC (NFPB) for the Vince J. Whibbs Sr. Community Maritime Park (CMP), renewing per the terms of the Agreement for two additional 5-year periods through March 30, 2032; and providing for the reimbursement to NFPB of various capital improvements for an amount not to exceed $2,000,000. Further, that City Council authorize the Mayor to execute all necessary documents related to the implementation of this Amendment.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

Council Executive Kraher referenced the revised memorandum at Council's places (regarding Item 17, 21-00529).

Place on Regular Agenda.

18. 21-00572 DISPOSITION OF REAL PROPERTY FOR REDEVELOPMENT - UPLAND AND SUBMERGED LAND IN BAYLEN SLIP SOUTH OF HARBOURVIEW ON THE BAY BUILDING

Recommendation: That City Council approve the publication of the notice of intention to dispose of upland and submerged real property (portion of Parcel Ref. No. 000S009100001034) located in inland waterway Baylen Slip directly south of the Harbourview on the Bay building at 25 West Cedar Street, via lease, with acceptance of redevelopment submittals during the statutorily required notice period for City-owned parcels located in a designated community redevelopment area (CRA).

Some discussion took place with Mayor Robinson (sponsor) and Property Lease Manager Stallworth responding to questions. City Administrator Wilkins also provided input.

Place on Regular Agenda.

19. 21-00484 AWARD OF BID NO. 21-027 PENSACOLA INTERNATIONAL AIRPORT RUNWAY OBJECT FREE AREA (ROFA) ROADWAYS REALIGNMENT

Recommendation: That City Council award Bid No. 21-027, Pensacola International Airport Runway Object Free Area (ROFA) Roadways Realignment, to J. Miller Construction, Inc., the lowest and most responsible bidder with a base bid of $606,945.16, plus a 10% contingency in the amount of $60,694.52, for a total amount of $667,639.68. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

Council President Moore suggested this item be placed on the consent agenda. *No objections.*

Place on <u>Consent</u> Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

20. 2021-48 RESOLUTION NO. 2021-48 - PROVIDING FOR A MORATORIUM ON THE EVICTION OF HOMELESS INDIVIDUALS WITHIN THE CITY OF PENSACOLA

Recommendation: That City Council adopt Resolution No. 2021-48:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA DECLARING A MORATORIUM ON THE EVICTION OF HOMELESS INDIVIDUALS ENCAMPED UNDER THE I-110 OVERPASS AND WITHIN THE HOLLICE T. WILLIAMS PARK IN THE CITY OF PENSACOLA; PROVIDING FOR AN EFFECTIVE DATE

Mayor Robinson made comments with Council Member Hill (sponsor) responding.

Place on Regular Agenda.

21. 2021-41 SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-41 - APPROPRIATING FUNDING FOR HURRICANE SALLY INSURANCE PROCEEDS TO REPAIR PORT OF PENSACOLA WAREHOUSE #9/10

Recommendation: That the City Council adopt Supplemental Budget Resolution No. 2021-41.

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

Place on Regular Agenda.

22. 2021-40 SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-40 - APPROPRIATING FUNDING IN RELATION TO THE AMERICAN RESCUE PLAN ACT (ARPA) FOR (1) PREMIUM PAY AND (2) EMPLOYEE VACCINATION INCENTIVE PAY

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2021-40.

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

Discussion took place with Mayor Robinson (sponsor) fielding comments and questions, and Finance Director Lovoy responding accordingly to questions.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

23. 2021-33 SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-33 - LAW ENFORCEMENT TRUST FUND (LETF) PURCHASES FOR THE PENSACOLA POLICE DEPARTMENT

Recommendation: That the City Council adopt Supplemental Budget Resolution No. 2021-33.

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

Place on Regular Agenda.

24. 21-00561 PENSACOLA INTERNATIONAL AIRPORT - FEDERAL AVIATION ADMINISTRATION GRANT AGREEMENT 3-12-0063-046-2021

Recommendation: That City Council approve and authorize the Mayor to execute the acceptance of the Federal Aviation Administration Airport Improvement Program (AIP) Grant 3-12-0063-046-2021 in the amount of $1,571,948 for the design, construction, and construction administration of the Runway Object Free Area (ROFA) Roadway Realignments and the design of Taxiway A Rehabilitation at the Pensacola International Airport. Further, that City Council authorize the Mayor to take all actions necessary relating to the finalization of the grant. Finally, that City Council adopt a supplemental budget resolution to appropriate the grant funds.

Place on Regular Agenda.

25. 2021-42 SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-42 - FEDERAL AVIATION ADMINISTRATION GRANT AGREEMENT 3-12-0063-046-2021

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2021-42.

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

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

26. 27-21 PROPOSED ORDINANCE NO. 27-21 - AMENDMENT TO LAND DEVELOPMENT CODE SECTION 12-6-6 (8) - HERITAGE TREES

Recommendation: That City Council adopt Proposed Ordinance No. 27-21 on second reading:

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE, TREE/LANDSCAPE REGULATIONS CHAPTER 12, SECTION 12-6-6(8) HERITAGE TREES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

CONSIDERATION OF ANY ADD-ON ITEMS

Council President Moore referenced hardcopies at Council's places of the **following item requested as an add-on:**

21-00535 AWARD OF CONTRACT FOR INVITATION TO BID (ITB) #21-018 BAYVIEW PARK AND PIER REPAIRS - HURRICANE SALLY PROJECT

A motion to add-on was made by Council Member Brahier and seconded by Council Member Wiggins.

The motion carried by the following vote:

Yes: 7	Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins
No: 0	None

Council Executive Kraher indicated he is aware of another item coming forward to be requested as an add-on for Thursday's meeting.

DISCUSSION

27. 21-00600 H.O.P.E. FOUNDATION FUNDING FOR NEEDED FIRE SUPPRESSION SYSTEM

Council Member Hill (sponsor) began the discussion advising she was made aware today of the building being designated residential versus commercial. Mayor Robinson advised he was not aware. Council Member Hill then provided an overview of the funding issues as highlighted in the memorandum provided in the agenda package.

Lila Davidson, representing H.O.P.E. Foundation was present and addressed Council regarding her involvement with the organization in obtaining the lease and what the issues surrounding the needs for the fire suppression system entail.

Discussion ensued regarding possible funding solutions the City may be able to provide with Mayor Robinson providing input. Finance Director Lovoy responded accordingly to questions, as well as Ms. Davidson.

Councilmember Myers suggested to utilize the unassigned fund balance in the General Fund to appropriate $100,000 for the H.O.P.E. Foundation. Further discussion directed that an add-on Resolution be brought for Council's consideration to provide the funding with the stipulations that the cost not to exceed $100,000 as well as not exceeding the costs of the improvements, funding provided will be contingent upon the organization obtaining a five-year lease on the property and will remain in that building providing the services to their homeless clients over that five-year period.

28. 21-00576 SUBMITTALS FROM PUBLIC NOTICE FOR DISPOSITION OF REAL PROPERTY FOR REDEVELOPMENT - LOTS 4 AND 5 AT VINCE J. WHIBBS SR. COMMUNITY MARITIME PARK

Mayor Robinson (sponsor) briefed Council regarding the three (3) submittals received as provided in the agenda package and indicated staff is still evaluating each and should be able to provide a ranking matrix by the end of the week to be provided to Council. **It is his intent to call a Special City Council meeting for Council to consider approving staff to enter into negotiations for 60-90 days with the number one ranked development and if agreement cannot be reached the ability to move onto number two and if necessary, number three.** Property Lease Manager Stallworth also provided input and answered questions regarding the process as discussion ensued among Council.

DISCUSSION (CONT'D.)

******THE FOLLOWING TWO (2) ITEMS WERE PULLED BY THE SPONSOR WITH THE INTENTION TO BRING BACK AT THE AUGUST 9TH AGENDA CONFERENCE******

29. 21-00595 MAINTENANCE OF THE COMMUNITY MARITIME PARK

Withdrawn.

30. 21-00594 TURNING CITY OWNED STORMWATER PONDS INTO GREEN SPACES AND/OR MAKING THEM AESTHETICALLY PLEASING SO AS NOT TO HAVE A NEGATIVE IMPACT ON BUSINESSES AND NEIGHBORHOODS.

Withdrawn.

31. 21-00593 FLOODING AND DRAINAGE ISSUES ON SOUTH DEVILLIERS

Council Member Myers (sponsor) indicated she believes this issue should be a top priority for seeking grant funding to address flooding and drainage issues in this area and that in light of climate change and continued building these issues should have been addressed already. She indicated she would like staff to update her on any plans for this area. Mayor Robinson and Deputy City Administrator Fiddler responded accordingly indicating at least $100,000 has been expended in that area and will forward detailed information.

Gloria Horning, resident of the 300 block of South DeVilliers street addressed the issues she has experienced with her property of the last six (6) years as she has continually contacted City staff about and addressed Council many times previously.

Council Member Wiggins indicated, as district representative for that area, he has consistently done everything he can to work with Dr. Horning and City staff on this issue. Mayor Robinson indicated FEMA denied the City's initial grant request to fund elevating of Dr. Horning's structure and that he has directed staff to continue to seek grant funding. City Engineer Hinote provided an update indicating the next cycle for a grant opportunity would be through Building Resilient Infrastructure and Communities (BRIC) and the application period would begin in October.

Council Member Myers and Dr. Horning made follow-up remarks.

READING OF ITEMS FOR COUNCIL AGENDA

City Clerk Burnett read as presented above. *No objections.*

COMMUNICATIONS

CITY ADMINISTRATOR'S COMMUNICATION

None

CITY ATTORNEY'S COMMUNICATION

As previously announced, City Attorney Woolf has accepted a position with University of West Florida (UWF) therefore, this Thursday will be her last meeting with City Council. She indicated it has been her honor to serve and work with Council, Mayor, and staff, and she wishes the City the best going forward.

CITY COUNCIL COMMUNICATION

None

ADJOURNMENT

6:21 P.M.