



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 21-00363

City Council

4/22/2021

LEGISLATIVE ACTION ITEM

SPONSOR: City Council Member Sherri Myers

SUBJECT:

VETERANS MEMORIAL PARK RESTROOM - RESCIND AND AMEND PREVIOUS ACTON

RECOMMENDATION:

That City Council rescind and amend their action taken on March 25, 2021 regarding the placement of a temporary restroom trailer at Admiral Mason Park. Further that the location be changed to the parking spaces located in the right of way of East Romana Street subject to application for and issuance of event permits as required for special events. Finally, that the city work with all parties concerned for the construction of a permanent restroom facility within Veterans Memorial Park or such suitable location after the requisite board reviews and inspector approvals.

HEARING REQUIRED: No Hearing Required

SUMMARY:

When the City Council voted at their March 25, 2021 meeting to allow a restroom trailer purchased by the Veterans Memorial Foundation to be placed at Admiral Mason Park for a period of one-year, crucial information that was known to the Mayor and city administration was not provided to the City Council. This information was regarding the legality of placing the trailer on the Admiral Mason Park or the Veterans Memorial Park.

Crucial and critical information that would have aided the City Council in making an informed decision is contained in a series of communications between the City Building Inspector and the Assistant City Attorney, Heather Lindsay. These emails dated December 17, 2020, December 18, 2020 and January 7, 2021 from the City Building Inspector are incorporated by reference into this summary and are attached hereto.

Furthermore, it appears based on the email of January 7, 2021, that the City Building Inspector advised the restroom trailer could be classified as an RV (recreational vehicle) and would need to meet certain requirements. However, under Florida Statute 320.01 (1) (b) it is a stretch to label a bathroom facility as an RV as it is not primarily used for a temporary living quarters.

A workable and legal solution is to provide the use of parking spaces for the trailer in time for Memorial Day, May 30, 2021 and all future events that are reserved and permitted for special events

while developing a permanent restroom facility.

PRIOR ACTION:

February 11, 2021 - City Council appropriates \$50,000 to the Veterans Memorial Park Foundation regarding the restroom project.

March 25, 2021 - City Council action regarding the temporary placement of portable restrooms at Admiral Mason Park.

FUNDING:

Budget: \$ 50,000
Actual: \$ 50,000

FINANCIAL IMPACT:

Status of the \$50,000 allocated for site improvements regarding this project.

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) J Bilby re Approvals for Trailer (1)

PRESENTATION: No