



City of Pensacola

Agenda Conference

Agenda - Final

Monday, February 6, 2017, 3:30 PM

Hagler-Mason Conference Room,
2nd Floor

ROLL CALL

PRESENTATION ITEMS

1. [16-00336](#) PRESENTATION BY QUINT STUDER REGARDING PRE-K LEARNING

Recommendation: That City Council allow a presentation by Quint Studer discussing Pre-K Learning and that this presentation be scheduled for the Regular City Council Meeting on February 9, 2017.

Sponsors: Brian Spencer

REVIEW OF CONSENT AGENDA ITEMS

2. [16-00300](#) AWARD OF CONTRACT - RFQ NO. 16-039 - FERRY LANDING CONSTRUCTION ENGINEERING INSPECTION (CEI) SERVICES

Recommendation: That City Council award a contract for RFQ No. 16-039 Ferry Landing Construction Engineering Inspection (CEI) Services for the Pensacola Bay Ferry Project to Mott Macdonald Engineering. Further, that Council authorize the Mayor to execute all contracts and related documents and take all related actions necessary to complete the CEI requirements of the ferry project.

Sponsors: Ashton J. Hayward, III

Attachments: [Fee Proposal](#)
[Tabulation Sheet](#)
[Oral Presentations Ranking Matrix](#)
[Final Vendor Reference](#)

3. [17-00023](#) UNDERGROUND UTILITY EASEMENT FOR THE BILL GREGORY
PARK REGIONAL STORMWATER TREATMENT FACILITY
PROJECT

Recommendation: That City Council approve granting a permanent underground utility easement to the Emerald Coast Utility Authority (ECUA) on the Bill Gregory Park property located at 120 North W Street.

Sponsors: Ashton J. Hayward, III

Attachments: [Utility Easement Agreement](#)

4. [17-00052](#) PENSACOLA ENERGY - AWARD OF BID #17-011, NATURAL GAS
PIPELINE CONSTRUCTION WEST PENSACOLA LOW PRESSURE
AREA UPGRADES

Recommendation: That City Council award Bid #17-011 Natural Gas Pipeline Construction to R.A.W. Construction, LLC., the lowest and most responsible bidder in the amount of \$1,986,875 for seven (7) natural gas infrastructure replacement projects, \$169,200 for the miscellaneous work option as outlined in the bid specifications plus a 10% contingency of \$215,608 for a total amount of \$2,371,683 for a period of one year. Further, that Council authorize the Mayor to execute a contract and take all actions necessary to complete the project.

Sponsors: Ashton J. Hayward, III

Attachments: [Bid Tabulation - Bid No. 17-011](#)

[Final Vendor Reference List - Bid No. 17-011](#)

REVIEW OF REGULAR AGENDA ITEMS (Sponsor)

5. [16-00329](#) APPOINTMENT - PLANNING BOARD

Recommendation: That City Council appoint an individual who is a resident of the city or owner of property in the city, to the Planning Board to fill the unexpired term of Taylor “Chips” Kirschenfeld, expiring July 14, 2017.

Sponsors: Brian Spencer

Attachments: [Member List Planning Board.pdf](#)

[Nomination Form Jared Moore.pdf](#)

[Application of Interest Jared Moore.pdf](#)

[Nomination Form Melanie Nichols.pdf](#)

[Application of Interest Melanie Nichols.pdf](#)

[Ballot Planning Board.docx](#)

6. [17-00059](#) QUASI-JUDICIAL HEARING: REVIEW OF ARCHITECTURAL REVIEW BOARD DECISION - 165 E. INTENDENCIA STREET, PALAFOX HISTORIC BUSINESS DISTRICT, C-2, SIGNAGE.
- Recommendation:** That City Council conduct a Quasi-Judicial hearing to review Architectural Review Board decisions of November 17, 2016 regarding 165 E. Intendencia Street (YMCA), Palafox Historic Business District, C-2, Signage.
- Sponsors:** Brian Spencer
- Attachments:** [ARB Minutes 11.17.16 -- YMCA Appeal](#)
[Sec. 12 13 3. Architectural review board.](#)
[Sec. 12 2 21. Palafox historic business district.](#)
7. [16-00362](#) PUBLIC HEARING -- AMENDMENT TO THE LAND DEVELOPMENT CODE - SECTION 12-2-10 - HISTORIC & PRESERVATION LAND USE DISTRICT, (A)(4) PROCEDURE FOR REVIEW
- Recommendation:** That City Council conduct the second of two Public Hearings on February 9, 2017, proposing an amendment to the Land Development Code, Section 12-2-10 - Historic & Preservation Land Use District, (A)(4) Procedure for Review, by adding subsection (f) allowing for Conceptual review and approval.
- Sponsors:** Brian Spencer
- Attachments:** [9-15-16 ARB Minutes](#)
[Proposed Language to 12-2-10\(A\)\(4\)\(f\)](#)
[PROOF OF PUBLICATION](#)
8. [05-17](#) PROPOSED ORDINANCE NO. 05-17 - AMENDMENT TO THE LAND DEVELOPMENT CODE - SECTION 12-2-10 - HISTORIC & PRESERVATION LAND USE DISTRICT, (A)(4) PROCEDURE FOR REVIEW
- Recommendation:** That City Council approve proposed Ordinance No. 05-17 on first reading;
- AN ORDINANCE AMENDING SECTION 12-2-10 (A) (4) (f) OF THE CODE OF THE CITY OF PENSACOLA; AMENDING THE LAND DEVELOPMENT CODE, HISTORIC & PRESERVATION LAND USE DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE
- Sponsors:** Brian Spencer
- Attachments:** [Proposed Ordinance No. 05-17](#)

9. [16-00315](#) PUBLIC HEARING: PROPOSED AMENDMENT TO SECTION 12-2-8 (B) (1) OF THE LAND DEVELOPMENT CODE - ADDITION OF MEDICAL MARIJUANA DISPENSARY

Recommendation: That City Council conduct the second of two public hearings on February 9, 2017 to consider an amendment to the Land Development Code, Section 12-2-8 (B)(1), Commercial land use district, to add “Medical Marijuana Dispensary” under the uses permitted section.

Sponsors: Andy Terhaar

Attachments: [Sec 12 2 8 Medical Marijuana Commercial land use district \(002\)rev](#)
[10-11-16 - Planning Board Minutes - Medical Marijuana](#)
[PROOF OF PUBLICATION](#)

10. [06-17](#) PROPOSED ORDINANCE NO. 06-17 - PROPOSED AMENDMENT TO SECTION 12-2-8 (B) (1) OF THE LAND DEVELOPMENT CODE - ADDITION OF MEDICAL MARIJUANA DISPENSARY

Recommendation: That City Council approve Proposed Ordinance No. 06-17 on first reading.

AN ORDINANCE AMENDING SECTION 12-2-8 (B) (1) OF THE CODE OF THE CITY OF PENSACOLA; AMENDING THE LAND DEVELOPMENT CODE, ADDITION OF MEDICAL MARIJUANA DISPENSARY; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE

Sponsors: Andy Terhaar

Attachments: [Proposed Ordinance No. 06-17](#)

11. [16-00357](#) PUBLIC HEARING - PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE- SECTION 12-14-1 DEFINITIONS- BUILDING HEIGHT.

Recommendation: That City Council conduct a public hearing on February 9, 2017 to consider a proposed amendment to Section 12-14-1 of the City’s Land Development Code pertaining to the definition of “Building Height”.

Sponsors: Ashton J. Hayward, III

Attachments: [Proposed Ordinance](#)
[December 13, 2016 Planning Board Minutes](#)

12. [07-17](#) PROPOSED ORDINANCE NO. 07-17 - PROPOSED AMENDMENT TO
THE LAND DEVELOPMENT CODE - SECTION 12-14-1
DEFINITIONS - BUILDING HEIGHT

Recommendation: That City Council adopt Proposed Ordinance No. 07-17 on first reading.

AN ORDINANCE AMENDING SECTION 12-14-1 DEFINITIONS OF THE
CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR
SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE
DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Proposed Ordinance No. 07-17](#)

13. [17-00061](#) ORDINANCE AMENDING SECTION 10-4-16 OF THE CITY CODE -
GAS - INSTALLATION OF SERVICES

Recommendation: That City Council adopt an ordinance amending Section 10-4-16 of the City
Code pertaining to Gas - Installation of Services.

Sponsors: Sherri Myers

Attachments: [CHAPTER 10 4. ENERGY SERVICES - Proposed Amendment](#)
[Council Action 10.6.2008 -- Section 10-4-16](#)
[Council Action 09.22.2011 -- Section 10-4-16](#)

14. [04-17](#) PROPOSED ORDINANCE 04-17 - AMENDMENT TO SECTION
10-4-16 OF THE CITY CODE - GAS - INSTALLATION OF SERVICES

Recommendation: That City Council approve Proposed Ordinance 04-17 on first reading.

Sponsors: Sherri Myers

Attachments: [Ord 10-4-16 - Gas - Installtion of Services](#)

15. [17-00095](#) RESOLUTION OF COUNCIL'S EXPRESSION OF CONFIDENCE IN
POLICE CHIEF DAVID ALEXANDER, III

Recommendation: That City Council adopt a resolution expressing the Council's confidence in
Police Chief David Alexander, III.

Sponsors: Sherri Myers

Attachments: [RESOLUTION - Council's expression of confidence in Chief David Alexand](#)

16. [17-11](#) RESOLUTION 17-11 - CITY COUNCIL'S EXPRESSION OF
CONFIDENCE IN POLICE CHIEF DAVID ALEXANDER, III
Recommendation: That City Council Adopt Resolution No. 17-11.
Sponsors: Sherri Myers
Attachments: [RESOLUTION - Council's expression of confidence in Chief David Alexander](#)
17. [17-00086](#) TREE REPLACEMENT AND REFORESTATION ALONG THE 12TH
AVE TREE CANOPY
Recommendation: That City Council authorize the use of \$10,000 from the Tree Trust Fund for
the replacement and reforestation of trees along the 12th Ave Tree Canopy
with specific planting locations to be determined by the Environmental
Advisory Board in conjunction with the Parks and Recreation Department as
well as the arborist used by the city and authorize the Mayor to take the
necessary action(s) to facilitate this authorization.
Sponsors: Sherri Myers
18. [17-12](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-12 - TREE
REPLACEMENT AND REFORESTATION ALONG THE 12TH
AVENUE TREE CANOPY
Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-12.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND
APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30,
2017; PROVIDING FOR AN EFFECTIVE DATE.
Sponsors: Sherri Myers
Attachments: [Supplemental Budget Resolution No. 17-12](#)
[Supplemental Budget Resolution No. 17-12 Explanation](#)
19. [17-00019](#) AMENDMENT TO CITY POLICY FOR DISPOSITION OF CITY
OWNED REAL PROPERTY
Recommendation: That City Council amend the policy for the Disposition of City Owned Real
Property to include disbursement directly to the City Housing Division for use
in the Lot Purchase Program and to adopt Lot Purchase Program guidelines.
Sponsors: Gerald Wingate
Attachments: [Property Disposition Policy](#)
[Lot Purchase program Guidelines FINAL](#)
[Revised Policy for Disposition of City Owned Real Property](#)

20. [17-13](#) RESOLUTION NO. 17-13 AMENDING CITY POLICY FOR THE
DISPOSITION OF CITY OWNED REAL PROPERTY

Recommendation: That City Council adopt Resolution No. 17-13.

Sponsors: Gerald Wingate

Attachments: [Resolution 17-13 - Policy- Dispositon of City Owned Real Property](#)

21. [17-09](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-09 - EMERGENCY
WATERSHED PROTECTION PROGRAM MEASURES - TA

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-09.

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

Sponsors: Ashton J. Hayward, III

Attachments: [Supplemental Budget Resolution No. 17-09](#)
 [Supplemental Budget Explanation](#)
 [Council Memo NRCS Grant 4-14-16](#)

22. [17-00099](#) INVOCATION POLICY

Recommendation: That City Council adopt a resolution establishing an Invocation Policy.

Sponsors: Brian Spencer

Attachments: [Invocation Resolution 2.9.17](#)

23. [17-14](#) RESOLUTION NO. 17-14 - INVOCATION POLICY

Recommendation: That City Council adopt Resolution No. 17-14.

Sponsors: Brian Spencer

Attachments: [Invocation Resolution 17-14](#)

24. [17-00018](#) AWARD OF CONTRACT - BID #17-010 EMERGENCY WATERSHED PROTECTION PROGRAM BAYWOODS GULLY WEST - PHASE II PROJECT

Recommendation: That City Council award a contract for construction of Emergency Watershed Protection Program Baywoods Gully West Phase II Project to BKW, Inc., of Pensacola, Florida, the lowest and most responsible bidder with a base bid of \$967,125.89, plus additive alternate #1 of \$13,464.50, plus a 10% contingency of \$98,059.04 for a total amount of \$1,078,649.43.

Sponsors: Ashton J. Hayward, III

Attachments: [Bid Tabulation, Bid No. 17-010](#)
 [Final Vendor Reference List, Bid No. 17-010](#)
 [EWP Baywoods Gully West Phase II Project Map](#)
 [Report of City Council Action Items NRCS Grant 4-14-16](#)

25. [03-17](#) PROPOSED ORDINANCE NO. 03-17 - AMENDMENT TO SECTION 3-1-13, COUNCIL RESERVE (GENERAL FUND) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA

Recommendation: That City Council approve Proposed Ordinance No. 03-17 on first reading.

AN ORDINANCE AMENDING SECTION 3-1-13 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE COUNCIL RESERVE POLICY (GENERAL FUND); SEVERABILITY CLAUSE; REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Ashton J. Hayward, III

Attachments: [Proposed Ordinance No. 03-17](#)

26. [17-00105](#) REQUEST FOR LEGAL OPINION - RECONSTRUCTION OF NONCONFORMING STRUCTURES AT 1812 AND 1814 E. LAKEVIEW

Recommendation: That City Council request a legal opinion from the City Attorney, regarding reconstruction of nonconforming structures at 1812 and 1814 E. Lakeview Avenue.

Sponsors: Brian Spencer

Attachments: [1812-1814 E. Lakeview](#)
 [1812 E Lakeview July 26,2007](#)
 [1812 E Lakeview E3AD7](#)
 [F-2 NON-CONFORMING #1 - 1812 & 1814 E. Lakeview](#)

27. [17-00049](#) FY 2017 STREET REHABILITATION - INTERLOCAL AGREEMENT
WITH ESCAMBIA COUNTY

Recommendation: That City Council authorize the Mayor to take all necessary action to execute an Interlocal Agreement with Escambia County to facilitate the re-paving of certain streets on the border of the City/County Limits.

Sponsors: Ashton J. Hayward, III

Attachments: [Interlocation agreement between Escambia County Board of County Commi](#)

28. [17-00056](#) INTERLOCAL AGREEMENT - PENSACOLA-ESCAMBIA COUNTY
PROMOTION AND DEVELOPMENT COMMISSION

Recommendation: That City Council approve and authorize the Mayor to execute the Interlocal Agreement between the City and Escambia County related to the funding of the Pensacola-Escambia County Promotion and Development Commission (PEDC) for FY 2017.

Sponsors: Ashton J. Hayward, III

Attachments: [Draft Interlocal Agreement](#)

29. [17-10](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-10 -
REPLACEMENT OF DAMAGED VEHICLES - SANITATION
SERVICES

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-10.

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

Sponsors: Ashton J. Hayward, III

Attachments: [Supplemental Budget Resolution No. 17-10](#)
 [Supplemental Budget Explanation](#)

30. [01-17](#) PROPOSED ORDINANCE NO. 01-17 - AMENDMENT TO SECTION 3 OF ORDINANCE NO. 23-15, GRANTING AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION (EDATE) TO REAL PROPERTY AT 101 E. ROMANA STREET AND TANGIBLE PROPERTY FOR DAILY CONVO, LLC.

Recommendation: That City Council adopt Proposed Ordinance No. 01-17 on second reading.

AN ORDINANCE AMENDING ORDINANCE NO. 23-15, GRANTING AN ECONOMIC DEVELOPMENT AD VALOREM TAX EXEMPTION FOR CERTAIN IMPROVEMENTS TO REAL PROPERTY LOCATED AT 101 EAST ROMANA STREET AND TANGIBLE PROPERTY FOR DAILY CONVO, LLC; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Sponsors: P.C. Wu

Attachments: [Daily Convo – Proposed Ordinance No. 01-17](#)
 [Ordinance 23-15](#)

FOR DISCUSSION

INFORMATIONAL ITEMS

CONSIDERATION OF ANY ADD-ON ITEMS

31. [17-15](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 17-15 - LOST IV FIRE APPARATUS PURCHASE

Recommendation: That City Council adopt Supplemental Budget Resolution No. 17-15.

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

Sponsors: Ashton J. Hayward, III

Attachments: [Supplemental Budget Resolution No. 17-15](#)
 [Supplemental Budget Explanation](#)

32. [17-00112](#) RESOLUTION IN SUPPORT OF ESCAMBIA COUNTY’S EFFORTS TO ENSURE TRIUMPH GULF COAST FUNDS COME TO THE EIGHT DISPROPORTIONATELY AFFECTED COUNTIES IN NORTHWEST FLORIDA
- Recommendation:* That City Council adopt a resolution supporting Escambia County’s efforts to ensure Triumph Gulf Coast funds come to the eight disproportionately affected counties in Northwest Florida.
- Sponsors:* Sherri Myers
- Attachments:* [RESOLUTION -Support of Escambia County's efforts regarding Triumph G](#)
33. [17-16](#) RESOLUTION IN SUPPORT OF ESCAMBIA COUNTY’S EFFORTS TO ENSURE TRIUMPH GULF COAST FUNDS COME TO THE EIGHT DISPROPORTIONATELY AFFECTED COUNTIES IN NORTHWEST FLORIDA
- Recommendation:* That City Council adopt Resolution No. 17-16.
- Attachments:* [RESOLUTION -Support of Escambia County's efforts regarding Triumph G](#)

READING OF ITEMS FOR COUNCIL AGENDA

COMMUNICATIONS

City Administrator's Communication

34. [17-00115](#) PRESENTATION BY DERRIK OWENS, PUBLIC WORKS DIRECTOR
35. [17-00085](#) MONTHLY FINANCIAL REPORT - CHIEF FINANCIAL OFFICER RICHARD BARKER, JR.
- Sponsors:* Ashton J. Hayward, III
36. [17-00090](#) MONTHLY CRIME REPORT - POLICE CHIEF, DAVID ALEXANDER III
- Sponsors:* Ashton J. Hayward, III

City Attorney's Communication

City Council Communication

ADJOURNMENT

If any person decides to appeal any decision made with respect to any matter considered at such meeting, he will need a record of the proceedings, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 435-1606 (or TDD 435-1666) for further information. Request must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.