



City of Pensacola

AGENDA CONFERENCE

MINUTES

City of Pensacola
222 W. Main Street
Pensacola, FL
32502

January 16, 2024

3:30 PM

Hagler-Mason Conference Room,
2nd Floor

ROLL CALL

Council President Jones called to order the agenda conference at 3:33 P.M.

Council Executive Kraher indicated that Council Member Patton requested to attend the meeting virtually (via Microsoft Teams) for medical reasons in accordance with Council's policy. *No objections.*

Council Members Present: Casey Jones, Jared Moore, Charles Bare, Jennifer Brahier, Teniade Broughton (arrived 3:35), Allison Patton (attended virtually via Microsoft Teams), Delarian Wiggins

Council Members Absent: None

Also Present: Mayor D.C. Reeves

PRESENTATION ITEMS

1. 24-7 CITY OF PENSACOLA RESILIENT COASTLINES PROGRAM - VULNERABILITY ASSESSMENT UPDATE PART I

Recommendation: That City Council accept a presentation from Erin Deady regarding the FDEP Resilient Coastlines Program and Resilience Planning Grant received by the City.

Planning & Zoning Manager Cannon made opening comments explaining the purpose and process of part one of the assessment and that they will come back to Council in February for part 2. City Consultant Erin Deady, P.A. provided an overhead presentation (on file with background materials).

Following the presentation, she responded accordingly to questions from Council Member Brahier.

2. 24-6 ANNUAL REPORT FROM PARKS & RECREATION BOARD

Recommendation: That City Council receive a presentation from Rand Hicks, Chair of the Parks & Recreation Board providing an update of Board activity for 2023.

Rand Hicks, Chair of the Parks & Recreation Board provided an update of Board activity for 2023, as well as overhead slides (on file with background materials).

REVIEW OF CONSENT AGENDA ITEMS

3. 24-15 APPROVAL OF AMENDMENT NO. 1 TO CONTRACT WITH MULLER AND MULLER, LTD. FOR ARCHITECTURAL AND ENGINEERING SERVICES - HIGH PERFORMANCE MARITIME CENTER OF EXCELLENCE AND AMERICAN MAGIC - PORT OF PENSACOLA

Recommendation: That City Council approve Amendment No. 1 to the contract for Architectural and Engineering Services with Muller and Muller, LTD., for the High Performance Maritime Center of Excellence and American Magic at the Port of Pensacola, in the amount of \$740,004 for Phase 2 (wetslip). Further, that City Council authorize the Mayor to take actions necessary to execute and administer the amendment, consistent with the Mayor's Executive Powers as granted in the City Charter.

Place on Consent Agenda.

4. 24-12 AMENDMENT TO CDBG-CV LEGAL SERVICES PROGRAM AGREEMENT

Recommendation: That City Council approve the Amendment to the CDBG-CV Legal Services Program Agreement with Legal Services of North Florida, Inc. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer the Amendment to the Agreement, consistent with the terms of the Amendment and the Mayor's Executive Powers as granted in the City Charter.

Place on Consent Agenda.

5. 24-27 AWARD OF BID NO. 24-006 PENSACOLA INTERNATIONAL AIRPORT ROAD SIGNS

Recommendation: That City Council award Bid No. 24-006 for Airport Road Signs

to Emerald Coast Striping, the lowest most responsible bidder, for the base price of \$249,900.00 plus 10% contingency in the amount of \$24,990.00 for a total contract price of \$274,890.00. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer this contract and complete this work, consistent with the bid, contracting documents, and the Mayor's Executive Powers as granted in the City Charter.

Place on Consent Agenda.

6. 24-44 ENVIRONMENTAL ADVISORY BOARD MEETING SCHEDULE
RECOMMENDATION

Recommendation: That City Council approve the Environmental Advisory Board (EAB) recommendation for the Board to transition to an every other month meeting schedule, with the ability to schedule special meetings as needed.

Place on Consent Agenda.

7. 24-9 APPOINTMENT - BOARD OF TRUSTEES-FIREFIGHTERS' RELIEF AND
PENSION FUND

Recommendation: That City Council reappoint Samuel A. Horton, a city resident, to the Board of Trustees-Firefighters' Relief and Pension Fund for a term of two (2) years, expiring December 31, 2025.

Place on Consent Agenda.

8. 24-8 DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL VICE
PRESIDENT JARED MOORE - DISTRICT 4

Recommendation: That City Council approve funding of \$1,000 to James B. Washington Education and Sports and \$1,000 to the YMCA from the City Council Discretionary Funds for District 4.

Place on Consent Agenda.

9. 24-10 DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER
DELARIAN WIGGINS - DISTRICT 7

Recommendation: That City Council approve funding of \$1,000 to the Ella L. Jordan African American History Museum and \$400 to the Southern Youth Sports Association from the City Council Discretionary Funds for District 7.

Place on Consent Agenda.

10. 24-11 DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER
ALLISON PATTON - DISTRICT 6

Recommendation: That City Council approve funding of \$500 to James B.

Washington Education and Sports, \$500 to Pensacola's Finest Foundation, \$500 to Family Promise of Escambia County and \$500 to the Ella L. Jordan African American Museum from the City Council Discretionary Funds for District 6.

Place on Consent Agenda.

11. 24-64 DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER TENIADE BROUGHTON - DISTRICT 5

Recommendation: That City Council approve funding of \$500 to Gallery Night Pensacola, \$500 to the Gulf Coast Minority Chamber of Commerce and \$300 to the Northwest Florida Community Outreach from the City Council Discretionary Funds for District 5.

Place on Consent Agenda.

REVIEW OF REGULAR AGENDA ITEMS

12. 24-69 CITY COUNCIL CONSENT TO THE MAYOR'S APPOINTMENT OF ADAM C. COBB AS CITY ATTORNEY

Recommendation: That the City Council consent to the Mayor's appointment of Adam C. Cobb as City Attorney.

Place on Regular Agenda.

13. 24-26 CITY COUNCIL CONSENT TO THE MAYOR'S APPOINTMENT OF RUSSELL SWEATT AS FACILITIES AND FLEET MANAGEMENT DIRECTOR

Recommendation: That City Council consent to the Mayor's appointment of Russell Sweatt as Facilities and Fleet Management Director effective January 22, 2024.

Council Executive Kraher advised Council of a typo contained in the memorandum summary (wrong department referenced) which has already been corrected for the record.

Place on Regular Agenda.

14. 24-18 QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - TERRACES AT TARRAGONA

Recommendation: That City Council conduct a quasi-judicial hearing on January 18, 2024, to consider approval of the Final Subdivision Plat - Terraces at Tarragona.

Place on Regular Agenda.

15. 24-28 ACCEPTANCE OF AWARD OF FLORIDA COMMERCE COMMUNITY DEVELOPMENT BLOCK GRANT AWARD AGREEMENT NO. HS002 - DISASTER RELIEF FUNDING FOR PORT OF PENSACOLA

Recommendation: That City Council approve acceptance of Florida Commerce Community Development Block Grant Disaster Recovery Award Agreement No. HS002 for the stormwater retrofitting and redevelopment of the Port of Pensacola, in the amount of \$9,103,935.38. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer this grant, consistent with the terms of the grant and the Mayor's Executive Powers as granted in the City Charter. Finally, that City Council adopt a supplemental budget resolution appropriating the grant funds.

Place on Regular Agenda.

16. 24-30 SUPPLEMENTAL BUDGET RESOLUTION NO. 2024-4 FLORIDA COMMERCE COMMUNITY DEVELOPMENT BLOCK GRANT-DISASTER RELIEF FUNDING FOR PORT OF PENSACOLA

Recommendation: City Council adopt Supplemental Resolution No. 2024-4

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2024; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

17. 24-17 FY23 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG) PROGRAM: STATE - FY23-24 STATE ASSISTANCE FOR FENTANYL ERADICATION (S.A.F.E.) IN FLORIDA PROGRAM

Recommendation: That City Council approve the acceptance of the FY23 Edward Byrne Memorial Justice Assistance Grant (JAG) Program: State, agreement between the City of Pensacola and the State of Florida Department of Law Enforcement (FDLE), Office of Criminal Justice Grants in the amount of \$105,173.00, upon award of the grant. Further, that City Council authorize the Mayor to take all actions necessary to execute and administer this grant, consistent with the terms of the grant and the Mayor's Executive Powers as granted in the City Charter. Finally, that City Council adopt a supplemental budget resolution appropriating the grant funds.

Place on Regular Agenda.

18. 24-13 SUPPLEMENTAL BUDGET RESOLUTION NO. 2024-1 - FY23-24 STATE ASSISTANCE FOR FENTANYL ERADICATION (S.A.F.E.) IN FLORIDA PROGRAM - FLORIDA DEPARTMENT OF LAW ENFORCEMENT (FDLE) - AGREEMENT NO. 2023 -SAFE-SF-014: FLAIR VENDOR ID: F59-000406

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2024-1.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2024; PROVIDING FOR AN EFFECTIVE DATE

Place on Regular Agenda.

19. 24-25 ACCEPTANCE OF FLORIDA COMMERCE COMMUNITY DEVELOPMENT BLOCK GRANT AWARD AGREEMENT NO. HS003 - FRICKER CENTER

Recommendation: That City Council approve acceptance of Florida Commerce Development Block Grant Disaster Recovery Award Agreement No. HS003 for the redevelopment of the Fricker Resource Center, in the amount of \$5,500,000.00 with a \$447,425.00 local match for a total grant value of \$5,947,424.00. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer this grant, consistent with the terms of the grant and the Mayor's Executive Powers as granted in the City Charter. Finally, that City Council adopt a supplemental budget resolution appropriating the grant funds.

Special Assistant to Council Executive McLellan referenced hard copies of revised Resolution No. 2024-3 and explained the correction as it relates to this item and the following item).

Place on Regular Agenda.

20. 24-29 SUPPLEMENTAL BUDGET RESOLUTION NO. 2024-3 - FLORIDA COMMERCE COMMUNITY DEVELOPMENT BLOCK GRANT - DISASTER RELIEF FUNDING FOR FRICKER CENTER

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2024-3

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2024; PROVIDING FOR AN EFFECTIVE DATE.

Revised as indicated above.

Place on Regular Agenda.

21. 24-20 GENERAL DANIEL "CHAPPIE" JAMES, JR. MEMORIAL PLAZA STEWARDSHIP AGREEMENT

Recommendation: That City Council approve the proposed Stewardship Agreement between the City of Pensacola and General Daniel "Chappie" James, Jr. Memorial Foundation, Inc., establishing terms and conditions for the

construction, maintenance, and ongoing stewardship of General Daniel "Chappie" James, Jr. Memorial Plaza.

Place on Regular Agenda.

22. 24-14 RESOLUTION NO. 2024-8 - SUPPORTING AN APPLICATION FOR TRANSPORTATION ALTERNATIVES PROGRAM FUNDING FROM THE FLORIDA DEPARTMENT OF TRANSPORTATION

Recommendation: That City Council adopt Resolution No. 2024-8:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA; SUPPORTING AN APPLICATION TO THE FLORIDA DEPARTMENT OF TRANSPORTATION ALTERNATIVES PROGRAM TO DESIGN AND CONSTRUCT SIDEWALKS ON NORTH J STREET AND EAST MAXWELL STREET; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

23. 24-16 SUPPLEMENTAL BUDGET RESOLUTION NO. 2024-2 - LAW ENFORCEMENT TRUST FUND (LETF) PURCHASE FOR THE LIFEVIEW GROUP HUMAN TRAFFICKING TASK FORCE / HUMAN TRAFFICKING SUMMIT

Recommendation: That the City Council adopt Supplemental Budget Resolution No. 2024-2.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2024; PROVIDING FOR AN EFFECTIVE DATE.

Special Assistant to Council Executive McLellan referenced hard copies of a revised/corrected memorandum as well as Resolution No. 2024-2 and its explanation.

Place on Regular Agenda.

24. 24-21 PROPOSED ORDINANCE NO 22-23 - AMENDMENT TO SECTION 12-3-121 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, DEVELOPMENT STANDARDS AND GUIDELINES, CREATING SECTION 12-3-121(D)(9), BUILDING HEIGHT BONUSES

Recommendation: That City Council adopt Proposed Ordinance No. 22-23 on second reading:

AN ORDINANCE AMENDING SECTION 12-3-121 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, DEVELOPMENT STANDARDS AND GUIDELINES, CREATING SECTION 12-3-121(D)(9), BUILDING HEIGHT BONUSES;

PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Council Member Brahier asked questions with Assistant Planning & Zoning Manager Harding responding accordingly. Council Member Brahier suggested clarifying language to specify and enumerate review criteria. Assistant City Attorney Lindsay and Mayor Reeves made follow-up remarks. **Council Member Brahier indicated that she will work with Assistant City Attorney Lindsay to bring forward clarifying language for Council's consideration at Thursday's Council meeting.**

Place on Regular Agenda.

25. 24-22 PROPOSED ORDINANCE NO. 23-23 - CREATING SECTION 11-2-12, OF THE CODE OF CITY OF PENSACOLA, FLORIDA; PROVIDING FOR A TRAFFIC INFRACTION DETECTION PROGRAM IN ACCORDANCE WITH FLORIDA STATUTES

Recommendation: That City Council adopt Proposed Ordinance No. 23-23 on second reading.

AN ORDINANCE CREATING SECTION 11-2-11, 11-2-12, 11-2-13, 11-2-14, 11-2-15, 11-2-16, 11-2-17, 11-2-18, 11-2-19, OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR A TRAFFIC INFRACTION DETECTION PROGRAM IN ACCORDANCE WITH FLORIDA STATUTES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

26. 24-32 SERVICE AGREEMENT FOR TRAFFIC INFRACTION DETECTION & ENFORCEMENT PROGRAM - NOVOAGLOBAL, INC.

Recommendation: That the City Council approve a service agreement with Novoaglobal, Inc., for the purpose of providing a traffic infraction detection and enforcement program in the City of Pensacola, Escambia County, Florida for the Fiscal Years 2024-2029.

Place on Regular Agenda.

27. 24-23 PROPOSED ORDINANCE NO. 24-23 - CREATING SECTION 11-4-4, SECTION 11-4-5, AND SECTION 11-4-6 OF THE CODE OF THE CITY OF PENSACOLA - DANGEROUS USE OF PUBLIC RIGHTS OF WAY

Recommendation: That City Council adopt Proposed Ordinance No. 24-23 on second reading.

AN ORDINANCE CREATING SECTION 11-4-4, SECTION 11-4-5, AND SECTION

11-4-6 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA DANGEROUS USE OF PUBLIC RIGHTS OF WAY; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Council Member Bare asked questions related to the interpretation of dangerous use of public rights-of-way, such as political candidates waving. Assistant City Attorney Lindsay indicated that Assistant City Attorney Moore developed the proposed language and that she would be able to address his questions. Mayor Reeves made follow-up remarks.

Place on Regular Agenda.

28. 24-24 PROPOSED ORDINANCE 26-23 CREATING CHAPTER 7-13 OF THE CODE OF THE CITY OF PENSACOLA - REGULATION OF BUSINESSES ENGAGED IN PRUNING AND REMOVING TREES

Recommendation: That City Council adopt Proposed Ordinance No. 26-23 on second reading:

AN ORDINANCE CREATING CHAPTER 7-13 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, RELATED TO THE REGULATION OF BUSINESSES ENGAGED IN PRUNING AND REMOVING TREES; ADOPTING APPROPRIATE INDUSTRY STANDARDS; PROVIDING FOR PENALTIES FOR DEVIATION FROM INDUSTRY STANDARDS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

CONSIDERATION OF ANY ADD-ON ITEMS

None

DISCUSSION ITEMS

None

READING OF ITEMS FOR COUNCIL AGENDA

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

CITY ADMINISTRATOR'S COMMUNICATION

Referencing expected freezing temperatures tonight and tomorrow morning, City Administrator Fiddler indicated that the City will be open tomorrow.

Mayor Reeves indicated he will be leaving for the airport shortly (headed to Washington D.C.).

CITY ATTORNEY'S COMMUNICATION

Assistant City Attorney Lindsay indicated that Legal Counselor John Daniel will be in attendance for Thursday's Council meeting.

CITY COUNCIL COMMUNICATION

Council Vice President Moore commented on how nicely the renovations of the conference room turned out.

ADJOURNMENT

4:20 P.M.