

Report of City Council Action Items

April 14, 2016

Members Present: Council President Charles Bare, Council Vice President Brian Spencer, Jewel Cannada-Wynn, Larry B. Johnson Sherri Myers, Andy Terhaar, and P. C. Wu

Absent: Gerald Wingate



CONSENT AGENDA ITEMS

None

REGULAR AGENDA ITEMS

1. PUBLIC HEARING: PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE – CREATION OF R-1B AND R-NCB ZONING DISTRICTS

That City Council conduct the second of two public hearings on April 14, 2016 to consider the proposed amendment to the Land Development Code creating the R-1B and R-NCB zoning districts. – **MOTION TO APPROVE**

The motion passed unanimously.

PROPOSED ORDINANCE NO. 08-16 – *1ST READING*– **MOTION TO APPROVE**

AN ORDINANCE AMENDING SECTION 12-2-4 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; CREATING THE R-1B ZONING DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

The motion passed unanimously.

PROPOSED ORDINANCE NO. 09-16 – *1ST READING* – **MOTION TO APPROVE**

AN ORDINANCE AMENDING SECTION 12-2-7 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; CREATING THE R-NCB ZONING DISTRICT; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE

The motion passed unanimously.

2. PUBLIC HEARING: COMPREHENSIVE PLAN ZONING AND FUTURE LAND USE MAP AMENDMENTS-BELMONT DEVILLIERS NEIGHBORHOOD AREA

That City Council conduct the second of two public hearings on April 14, 2016 to consider the proposed Zoning and Future Land Use Map amendments. - - **MOTION TO APPROVE AS SUBMITTED EXCEPTING: parcels in the entire block south of Gregory, west of Donelson, north of Chase, and East of “A” Streets be rezoned C-2A (rather than staff proposed R-NCB); and 414 West Gadsden Street parcel remain R-NC (rather than staff proposed R-1B).**

The motion passed unanimously.

3. PUBLIC HEARING: REQUEST FOR ZONING AND FUTURE LAND USE MAP AMENDMENT – 4880 NORTH 9TH AVENUE

That City Council conduct the second of two public hearings on April 14, 2016 to consider the request to amend the zoning and future land use map for property located at 4880 North 9th Avenue.- - **MOTION TO APPROVE AS SUBMITTED BY ADDING: Conservation Zoning (CO) along the Creek that extends 20’ from the bank of the Creek.**

The motion passed unanimously.

PROPOSED ORDINANCE NO. 10-16 – *1ST READING* - - **MOTION TO APPROVE**

AN ORDINANCE AMENDING THE FUTURE LAND USE CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE FUTURE LAND USE MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE

The motion passed unanimously.

Report of City Council Action Items

April 14, 2016

Page 2

Members Present: Council President Charles Bare, Council Vice President Brian Spencer, Jewel Cannada-Wynn, Larry B. Johnson Sherri Myers, Andy Terhaar, and P. C. Wu

Absent: Gerald Wingate

REGULAR AGENDA ITEMS (continued)

Item 3 cont'd:

PROPOSED ORDINANCE NO. 11-16 – *1ST READING* -- **MOTION TO APPROVE**

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE ZONING MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE

The motion passed unanimously.

4. REQUEST FOR ZONING AND FUTURE LAND USE MAP AMENDMENT – 201 SOUTH STILLMAN STREET

That City Council conduct the second of two required public hearings on April 14, 2016 to consider the request to amend the zoning and future land use map for property located at 201 South Stillman Street. -- **MOTION TO APPROVE**

The motion passed unanimously.

PROPOSED ORDINANCE NO. 12-16 – *1ST READING* -- **MOTION TO APPROVE**

AN ORDINANCE AMENDING THE FUTURE LAND USE CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE FUTURE LAND USE MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE

The motion passed unanimously.

PROPOSED ORDINANCE NO. 13-16 – *1ST READING* -- **MOTION TO APPROVE**

AN ORDINANCE AMENDING THE ZONING CLASSIFICATION OF CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA; AMENDING THE ZONING MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND EFFECTIVE DATE

The motion passed unanimously.

5. PUBLIC HEARING: COMPREHENSIVE PLAN ZONING AND FUTURE LAND USE MAP AMENDMENTS-TANYARD AND SANDERS BEACH NEIGHBORHOODS, AND COMPLETION OF REMAINING AREAS

That City Council conduct the first of two public hearings on April 14, 2016 to consider the proposed Zoning and Future Land Use Map amendment. *****NO ACTION AT THIS TIME** -- **2ND PUBLIC HEARING TO BE HELD ON 5/12/16**

6. QUASI-JUDICIAL HEARING: REQUEST FOR CONDITIONAL USE APPROVAL- COMMERCIAL COMMUNICATIONS TOWER- 601 WEST STRONG STREET

That City Council conduct a quasi-judicial hearing on April 14, 2016 to consider the request for Conditional Use approval of a commercial communications tower proposed to be located at 601 West Strong Street. -- **MOTION TO APPROVE**

The motion passed 5 - 2. Council Members Cannada-Wynn and Spencer dissenting.

7. ORDINANCE CREATING A LOBBYIST REGISTRATION PROGRAM

~~That City Council adopt the proposed ordinance creating Section 2-7-1 through 2-7-4 of the Code of the City of Pensacola to create a Lobbyist Registration Program.~~ **SUBSTITUTE MOTION: That City Council postpone this item (and direct the City Attorney to review the ordinance language and provide comment).**

The motion passed unanimously.

Report of City Council Action Items

April 14, 2016

Page 3

Members Present: Council President Charles Bare, Council Vice President Brian Spencer, Jewel Cannada-Wynn, Larry B. Johnson Sherri Myers, Andy Terhaar, and P. C. Wu

Absent: Gerald Wingate

REGULAR AGENDA ITEMS (continued)

(Item 7 cont'd.)

*****THE FOLLOWING ORDINANCE WAS PULLED TO DUE ACTION POSTPONING THIS ITEM**
PROPOSED ORDINANCE NO. 14-16 – 1ST READING -- PULLED *****

AN ORDINANCE CREATING SECTION 2-7 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, ESTABLISHING A LOBBYIST REGISTRY; PROVIDING DEFINITIONS AND REQUIRING REGISTRATION BY INDIVIDUALS ENGAGED IN LOBBYING ACTIVITY; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

8. SELECTION PROCESS FOR LEGAL COUNSEL TO THE CITY COUNCIL

That City Council approve a selection process for the Legal Counsel to City Council position which includes:

- 1) Telephone interviews of the top 5-7 candidates conducted by the City Council President and Council Executive.
- 2) In-person interviews with the top three candidates at a special meeting of the City Council.

Motion died due to lack of a second.

9. CHARTER AMENDMENT WORKSHOP

That City Council conduct a workshop on Monday, May 9th following the Agenda Conference to discuss potential charter amendments for inclusion on the 2016 General Election Ballot.

The motion passed 5 - 2. Council Members Johnson and Spencer dissenting.

10. REMOVAL OF COUNCIL PRESIDENT

That, should the Council President not resign as president prior to our April 14 meeting, the Council hold a vote at that meeting to remove the Council President.

Motion died due to lack of a second.

11. APPROVAL OF MARINA MANAGEMENT INC. LEASE AMENDMENT – SOUTH PALAFOX STREET

That City Council authorize the Mayor to execute three amendments to the existing South Palafox Street Lease requested by Marina Management, Inc. These amendments will (1) correct a scrivener's error in a legal description, (2) allow the leasee of the building on the Icehouse property to obtain bank financing, and (3) approve a transfer of a portion of the Icehouse building lease back to the master leaseholder, Marina Management, Inc. Further that City Council authorize the Mayor to take all actions necessary relating to the execution of the amendments to the lease.

The motion passed 5 - 0. Council Members Johnson and Spencer abstaining.

12. ESCAMBIA/PENSACOLA 2017-2019 STATE HOUSING INITIATIVES PARTNERSHIP (SHIP) LOCAL HOUSING ASSISTANCE PLAN, RESOLUTION AND INTERLOCAL AGREEMENT

That City Council adopt a Resolution approving the Escambia/Pensacola 2017-2019 State Housing Initiatives Partnership (SHIP) Local Housing Assistance Plan (LHAP). Further, the City Council approve the SHIP Program Interlocal Agreement with Escambia County providing for joint implementation and administration of the Escambia/Pensacola SHIP Program and LHAP.

The motion passed unanimously.

Report of City Council Action Items

April 14, 2016

Page 4

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Absent: Gerald Wingate

REGULAR AGENDA ITEMS (continued)

(Item 12 cont'd.)

RESOLUTION NO. 13-16 -- **MOTION TO APPROVE**

A RESOLUTION APPROVING THE LOCAL HOUSING ASSISTANCE PLAN AS REQUIRED BY THE STATE HOUSING INITIATIVES PARTNERSHIP PROGRAM ACT, SUBSECTIONS 420.907-420.9079, FLORIDA STATUTES; AND RULE CHAPTER 67-37, FLORIDA ADMINISTRATIVE CODE; PROVIDING FOR AN EFFECTIVE DATE.

The motion passed unanimously.

13. FLORIDA DEPARTMENT OF TRANSPORTATION JOINT PARTICIPATION AGREEMENT – CONSTRUCT HANGAR IMPROVEMENTS

That City Council authorize the Mayor to execute acceptance of the Florida Department of Transportation Joint Participation Agreement # 43571769401 in the amount of \$8,599,600 for funding to construct a hangar at the Pensacola International Airport. Further, that City Council approve the grant resolution and authorize the Mayor to take all actions necessary relating to the finalization of the grants. Also, that City Council approve the supplemental budget resolution appropriating the grant funds.

The motion passed unanimously.

RESOLUTION NO. 14-16 -- **MOTION TO APPROVE**

A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR OF THE CITY OF PENSACOLA TO EXECUTE A JOINT PARTICIPATION AGREEMENT WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR THE CONSTRUCTION OF HANGAR IMPROVEMENTS AT THE PENSACOLA INTERNATIONAL AIRPORT; PROVIDING AN EFFECTIVE DATE.

The motion passed unanimously.

SUPPLEMENTAL BUDGET RESOLUTION NO. 15-16 -- **MOTION TO APPROVE**

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016; PROVIDING FOR AN EFFECTIVE DATE

The motion passed unanimously.

14. PORT BERTH 6 GRANT – SUPPLEMENTAL JOINT PARTICIPATION AGREEMENT (JPA) #AR223, FPN #42315169401, SUPPLEMENT #2

That City Council accept Supplement #2 to the above-referenced grant agreement and authorize the Mayor to execute all required documents and take all actions necessary related to execution and acceptance of this Supplemental Joint Participation Agreement (JPA). Further, that City Council adopt a Supplemental Budget Resolution appropriating the grant funds.

The motion passed unanimously.

SUPPLEMENTAL BUDGET RESOLUTION NO. 16-16 -- **MOTION TO APPROVE**

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016; PROVIDING FOR AN EFFECTIVE DATE

The motion passed unanimously.

Report of City Council Action Items

April 14, 2016

Page 5

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Absent: Gerald Wingate

REGULAR AGENDA ITEMS (continued)

15. PROJECT AGREEMENT – EMERGENCY WATERSHED PROTECTION PROGRAM MEASURES

That City Council authorize the Mayor to accept and execute the Project Agreement with the US Department of Agriculture Natural Resources Conservation Service (NRCS) related to the removal of debris and abatement of erosion problems resulting from the April 2014 flood event. Also, that City Council authorize the Mayor to take all actions necessary to execute the agreement. Further, that City Council adopt the attached supplemental budget resolution to appropriate the grant funds.

The motion passed unanimously.

SUPPLEMENTAL BUDGET RESOLUTION NO. 17-16 - - **MOTION TO APPROVE**

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2016; PROVIDING FOR AN EFFECTIVE DATE

The motion passed unanimously.

16. AWARD OF PROPOSAL – RFP #16-019 – DRIVING RANGE

That City Council award the proposal and authorize the Mayor to execute the Lease and Operating Agreement for driving range operator services with Summit Golf, Inc. at the Pensacola International Airport.

The motion passed unanimously.

17. AWARD OF CONTRACT – BID #16-022 – “L” STREET AND ZARAGOSSA STREET STORMWATER TREATMENT ENHANCEMENT PROJECT

That City Council award a contract for construction of "L" Street and Zaragossa Street Stormwater Treatment Enhancement Project to Brown Construction of Northwest FL., Inc., of Pensacola, Florida, the lowest and most responsible bidder with a base bid of \$714,347.93 plus bid alternate #1 of \$41,775.82, plus a 10% contingency of \$75,612.38 for a total amount of \$831,736.13.

The motion passed unanimously.

18. BROADSPECTRUM CONTRACT – FLORIDA DEPARTMENT OF TRANSPORTATION – STREET SWEEPING

That City Council authorize the Mayor to execute the Contract with Broadspectrum for the sweeping of the Florida Department of Transportation roadways within the City of Pensacola City limits.

The motion passed unanimously.

19. OFFICE OF CITY COUNCIL STAFF – BUDGET ANALYST

PROPOSED ORDINANCE NO. 05-16 - - **2ND READING** - - **MOTION TO APPROVE**

AN ORDINANCE AMENDING SECTION 2-4 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; CREATING SECTION 2-4-52 TO PROVIDE FOR THE CREATION OF THE POSITION OF BUDGET ANALYST TO THE CITY COUNCIL; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

The motion passed unanimously.