

Report of City Council Action Items

November 17, 2016



Members Present: Council President Charles Bare, Council Vice President Brian Spencer, Jewel Cannada-Wynn, Sherri Myers, and Andy Terhaar

Absent: Larry B. Johnson, Gerald Wingate, and P. C. Wu

CONSENT AGENDA ITEMS

None.

REGULAR AGENDA ITEMS

1. APPOINTMENT – PLANNING BOARD

That City Council appoint Melanie Nichols, a resident of the city or property owner in the city, to the Planning Board to fill the unexpired term of Taylor “Chips” Kirschenfeld, expiring July 14, 2017.

The motion by acclamation failed 4 - 1. Council Member Cannada-Wynn dissenting.

2. APPOINTMENT – ZONING BOARD OF ADJUSTMENT

City Council appointed Steven M. Shelley, who is a resident or property owner of the City, to the Zoning Board of Adjustment for a term of three (3) years, expiring July 14, 2019.

The motion by acclamation passed unanimously.

3. PUBLIC HEARING: PROPOSED AMENDMENT TO THE LAND DEVELOPMENT CODE, SECTION 12-2-24 – NORTH 9TH AVENUE CORRIDOR MANAGEMENT OVERLAY DISTRICT

City Council conduct the first of two public hearings on November 17, 2016 to consider an amendment to the Land Development Code, Section 12-2-24 - North 9th Avenue Corridor Management Overlay District. - - **NO ACTION – 2ND PUBLIC HEARING SCHEDULED FOR 12/8/16**

4. COMMUNITY SERVICE AWARD – BARBARA MAYALL

That City Council present a Community Service Award to Barbara Mayall for her service on the ECAT Citizens Advisory Committee and Escambia County Mass Transit Advisory Committee.

The motion passed unanimously.

5. COUNCIL EXECUTIVE EVALUATION AND SALARY INCREASE

That City Council review the attached one (1) year evaluation of the Council Executive and approve a 3% salary increase, effective October 1, 2016.

The motion failed 2 - 3. Council Members Bare and Terhaar assenting.

6. RESOLUTION - ELAINE O. MAGER

That City Council present a Resolution to Mrs. Elaine O. Mager to honor her fifty years of service with the City of Pensacola.

The motion passed unanimously.

RESOLUTION NO. 46-16: - - **MOTION TO APPROVE**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA, HONORING MRS. ELAINE O. MAGER FOR FIFTY (50) YEARS OF OUTSTANDING DEVOTION AND SERVICE TO PAST AND CURRENT MAYORS AND CITY COUNCIL, EMPLOYEES, AND CITIZENS OF THE CITY OF PENSACOLA.

The motion passed unanimously.

Report of City Council Action Items

November 17, 2016

Page 2

Members Present: Council President Charles Bare, Council Vice President Brian Spencer, Jewel Cannada-Wynn, Sherri Myers, and Andy Terhaar

Absent: Larry B. Johnson, Gerald Wingate, and P. C. Wu

REGULAR AGENDA ITEMS (continued)

7. FUNDING PELICAN DROP FOR 2017

That City Council approve a Supplementary Budget Resolution in order to assist in funding the Pelican Drop for 2017.

The motion passed unanimously.

SUPPLEMENTAL BUDGET RESOLUTION NO. 47-16: -- **MOTION TO APPROVE**

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

The motion passed unanimously.

8. FY 2017 STREET REHABILITATION PROJECT LIST

That City Council approve the proposed FY 2017 Street Rehabilitation Project List.

The motion passed unanimously.

*****THE FOLLOWING ITEM AND RELATED RESOLUTIONS WERE PULLED BY THE SPONSOR*****

9. PENSACOLA ENERGY FINANCING – SERIES 2016 NOTE

That City Council approve the attached resolution authorizing a financing not to exceed \$15 million to finance the acquisition and construction of certain capital improvements to the gas system and authorize the Mayor to take all actions necessary to execute the transaction. Further, provisions of the Series 2016 Note, described in the resolution, will conform to the final terms negotiated with the lender, subject to the parameters described in the resolution and upon favorable recommendation of the City's Bond Counsel, City's Chief Financial Officer, City's Financial Advisor and the City Attorney. Also, that City Council approve the supplemental budget resolution appropriating issuance and project cost.

RESOLUTION NO. 48-16:

A RESOLUTION AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$15,000,000 CITY OF PENSACOLA, FLORIDA GAS SYSTEM REVENUE NOTE, SERIES 2016, TO FINANCE AND/OR REIMBURSE THE COST OF THE DESIGN, PERMITTING, ACQUISITION, CONSTRUCTION, REHABILITATING AND EQUIPPING OF CERTAIN CAPITAL IMPROVEMENTS TO THE SYSTEM, PROVIDING FOR THE PAYMENT OF SUCH NOTE FROM THE PLEDGED REVENUES ON PARITY WITH CERTAIN OBLIGATIONS HERETOFORE ISSUED BY THE CITY; PROVIDING FOR THE SALE AND APPROVAL OF THE FORM OF SUCH NOTE; APPOINTING A PAYING AGENT AND BOND REGISTRAR FOR THE SERIES 2016 NOTE; MAKING OTHER COVENANTS AND AGREEMENTS IN CONNECTION THEREWITH; PROVIDING CERTAIN OTHER MATTERS IN CONNECTION THEREWITH; AND PROVIDING AN EFFECTIVE DATE.

SUPPLEMENTAL BUDGET RESOLUTION NO. 49-16:

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

Report of City Council Action Items

November 17, 2016

Page 3

Members Present: Council President Charles Bare, Council Vice President Brian Spencer, Jewel Cannada-Wynn, Sherri Myers, and Andy Terhaar

Absent: Larry B. Johnson, Gerald Wingate, and P. C. Wu

REGULAR AGENDA ITEMS (continued)

10. FINAL SUPPLEMENTAL BUDGET RESOLUTION – FY 2016

That City Council approve the final Fiscal Year 2016 supplemental budget resolution amending the Fiscal Year 2016 budget retroactive to September 30, 2016.

The motion passed unanimously.

SUPPLEMENTAL BUDGET RESOLUTION NO. 50-16: -- **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.

11. FY 2017 ENCUMBRANCE CARRYOVER BUDGET RESOLUTION

That City Council approve the resolution amending the Fiscal Year 2017 budget.

The motion passed unanimously.

SUPPLEMENTAL BUDGET RESOLUTION NO. 53-16: -- **MOTION TO APPROVE**

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

The motion passed unanimously.

12. AWARD OF CONTRACT – BID # 16-035 LANGLEY AVENUE AT HIBISCUS ROAD DRAINAGE IMPROVEMENT PROJECT

That City Council award a contract for construction of Langley Avenue at Hibiscus Road Drainage Improvement Project to J Miller Construction, Inc., of Pensacola, Florida, the lowest and most responsible bidder with a base bid of \$89,435.00 plus a 10% contingency of \$8,943.50 for a total amount of \$98,378.50.

The motion passed unanimously.

13. AWARD OF CONTRACT – BID # 16-043 CARPENTER CREEK STORMWATER REMEDIATION AT 9TH AVENUE PROJECT

That City Council award a contract for construction of Carpenter Creek Stormwater Remediation at 9th Avenue Project to Brown Construction of Northwest Florida, Inc., of Pensacola Florida, the lowest and most responsible bidder with a base bid of \$343,609.69 plus a 10% contingency of \$34,360.97 for a total amount of \$377,970.66.

The motion passed unanimously.

Report of City Council Action Items

November 17, 2016

Page 4

Members Present: Council President Charles Bare, Council Vice President Brian Spencer, Jewel Cannada-Wynn, Sherri Myers, and Andy Terhaar

Absent: Larry B. Johnson, Gerald Wingate, and P. C. Wu

REGULAR AGENDA ITEMS (continued)

14. AWARD OF CONTRACT – BID # 16-044 EMERGENCY WATERSHED PROTECTION PROGRAM BAYWOODS GULLY WEST PHASE I PROJECT

That City Council award a contract for construction of Emergency Watershed Protection Program Baywoods Gully West Phase I Project to J Miller Construction, Inc., of Pensacola, Florida, the lowest and most responsible bidder with a base bid of \$567,223.00 plus a 10% contingency of \$56,722.30 for a total amount of \$623,945.30.

The motion passed unanimously.

15. DECLARATION AND DISPOSAL OF SURPLUS CITY PROPERTY – 1015 NORTH “E” STREET

That Council declare the City-owned improved real property located at 1015 North “E” Street, Parcel Identification Number 000S009060013048, as surplus and authorize the Mayor to engage the services of a real estate professional from the City’s list of qualified real estate professionals to market and sell the parcel.

The motion passed unanimously.

16. DECLARATION AND DISPOSAL OF SURPLUS CITY PROPERTY – 300 BLOCK WEST INTENDENCIA STREET

That City Council declare the City-owned real property located at 300 Block West Intendencia Street, Parcel Identification Number 000S009070600038, as surplus and authorize the Mayor to engage the services of a real estate professional from the City’s list of qualified real estate professionals to market and sell the parcel.

The motion passed unanimously.

17. REPEAL OF ORDINANCE NO. 30-96 AND SEC 11-2-11 OF THE CITY CODE, COMBAT AUTO THEFT

PROPOSED ORDINANCE NO. 44-16: 2ND READING -- **MOTION TO APPROVE**

AN ORDINANCE REPEALING ORDINANCE NO. 30-96 OF THE CITY OF PENSACOLA, FLORIDA, IN ITS ENTIRETY AND REPEALING SEC. 11-2-11 OF THE CODE OF THE CITY OF PENSACOLA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE. (**Ordinance No. 30-16**)

The motion passed unanimously.

18. AMENDMENT TO THE POLICE OFFICERS’ RETIREMENT FUND CREATING SECTION 9-5-21.5

PROPOSED ORDINANCE NO. 46-16: 2ND READING -- **MOTION TO APPROVE**

AN ORDINANCE CREATING SECTION 9-5-21.5 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE POLICE OFFICERS’ RETIREMENT FUND TO COMPLY WITH THE REQUIREMENTS FLORIDA LAW; CREATING A DEFINED CONTRIBUTION PLAN FOR PARTICIPANTS OF THE POLICE OFFICERS’ RETIREMENT FUND; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE. (**Ordinance No. 31-16**)

The motion passed unanimously.

Report of City Council Action Items

November 17, 2016

Page 5

Members Present: Council President Charles Bare, Council Vice President Brian Spencer, Jewel Cannada-Wynn, Sherri Myers, and Andy Terhaar

Absent: Larry B. Johnson, Gerald Wingate, and P. C. Wu

REGULAR AGENDA ITEMS (continued)

19. AMERICAN CREOSOTE WORKS TAX SALE

That City Council authorize City staff to enter a bid of up to \$10,000 at the American Creosote Works Tax Sale, December 5, 2016, and conduct necessary due diligence to comply with the Bona Fide Prospective Purchaser (BFPP) criteria under CERCLA Section 101(40) to protect from Superfund Liability. **Further, that City Council adopt a supplemental budget resolution allocating \$13,000 from the Local Option Sales Tax fund to provide funding.**

The motion failed 4 - 1. Council President Bare dissenting.

*****THE FOLOWING RESOLUTION WAS PULLED DUE TO THE ABOVE ITEM FAILING*****

SUPPLEMENTAL BUDGET RESOLUTION NO. 54-16:

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