



City of Pensacola

City Council

Agenda - Final

Thursday, March 25, 2021, 5:30 PM

Council Chambers, 1st Floor

Members of the public may attend the meeting in person; however, there will be limited seating capacity. Consistent with CDC guidelines, attendees will be required to sit at least 6 feet apart and to wear face coverings that cover their nose and mouth.

The meeting can be watched via live stream at cityofpensacola.com/428/Live-Meeting-Video. Citizens may submit an online form at <https://www.cityofpensacola.com/ccinput> BEGINNING AT 3:00 P.M.

ROLL CALL

INVOCATION

PLEDGE OF ALLEGIANCE

Council Member Sherri Myers

FIRST LEROY BOYD FORUM

AWARDS

APPROVAL OF MINUTES

1. [21-00304](#) APPROVAL OF MINUTES: REGULAR MEETING DATED MARCH 11, 2021

Attachments: [Draft: Regular Meeting Minutes Dated 3/11/21](#)

APPROVAL OF AGENDA

CONSENT AGENDA

2. [21-00176](#) AIRPORT - APPROVAL OF LEASE NO. HSBP-7120-L-IN0487 BETWEEN THE CITY OF PENSACOLA AND THE UNITED STATES OF AMERICA - CUSTOMS AND BORDER PROTECTION

Recommendation: That City Council approve lease No. HSBP-7120-L-IN0487 between the City of Pensacola and the United States of America for airport property located at 4121 Maygarden Road, Pensacola, Florida, for use by the U.S. Customs and Border Protection. Further, that City Council authorize the Mayor to take all actions necessary to execute the lease.

Sponsors: Grover C. Robinson, IV

Attachments: [Airport CBP GAF Lease No HSBP-7120-L-IN0487](#)

3. [21-00246](#) AIRPORT - EASEMENT AGREEMENT WITH GULF POWER FOR ELECTRIC SERVICE AT GENERAL AVIATION FACILITY CUSTOMS AND BORDER PROTECTION FACILITY.

Recommendation: That City Council approve the easement agreement for electric service installed by Gulf Power for the development of 4121 Maygarden Road. Further, that City Council authorize the Mayor to take all actions necessary to execute the easement agreement.

Sponsors: Grover C. Robinson, IV

Attachments: [Gulf Power Easement for Electric Service 4121 Maygarden Road](#)

4. [21-00220](#) AWARD OF CONTRACT FOR ITB #21-005 REPLACEMENT OF EXISTING MAQUAY CHILLER AT THE DOWNTOWN PENSACOLA LIBRARY

Recommendation: That the City Council award a contract for ITB #21-005 Replacement of the existing MaQuay Chiller at the Downtown Pensacola Library to Prime Mechanical, Inc. of Pensacola Florida, the lowest and most responsible bidder with a base bid amount of \$171,000, plus a 10% contingency of \$17,100 for a total amount of \$188,100. Further, that Council authorize the Mayor to execute a contract and take all actions necessary to complete the project.

Sponsors: Grover C. Robinson, IV

Attachments: [ITB #21-005 Tabulation of Bids](#)
[ITB #21-005 Final Vendor Reference List](#)

5. [21-00247](#) AWARD OF CONTRACT INVITATION TO BID (ITB) #21-014 ROGER SCOTT TENNIS CENTER REPAIRS - HURRICANE SALLY PROJECT
- Recommendation:** That City Council award a contract to Harris-Inman Construction Company, Inc. for ITB #21-014 Roger Scott Tennis Center Repairs - Hurricane Sally Project for \$102,101.00 and a 20% contingency of \$20,420.20 for a total amount of \$122,521.20.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [Tabulation Sheet](#)
[Final Vendor Reference List](#)
6. [21-00270](#) APPOINTMENTS - PARKS AND RECREATION BOARD
- Recommendation:** That City Council reappoint Alejandra Escobar-Ryan, Rand Hicks, and Michael C. Wolf to the Parks and Recreation Board for a term of three (3) years, expiring March 31, 2024.
- Sponsors:** Jared Moore
- Attachments:** [Member List](#)
[Application of Interest - Alejandra Escobar-Ryan](#)
[Application of Interest - Rand Hicks](#)
[Application of Interest - Michael C Wolf](#)
[Ballot](#)
7. [21-00282](#) APPOINTMENT - WESTSIDE COMMUNITY REDEVELOPMENT BOARD
- Recommendation:** That City Council reappoint Jimmie Perkins to the Westside Community Redevelopment Board who is either a redevelopment area resident, member of an area neighborhood association or owner or operator of a business located in the redevelopment area, to a three year term expiring January 31, 2024.
- Sponsors:** Jared Moore
- Attachments:** [Member List](#)
[Application of Interest - Jimmie Perkins](#)
[Ballot](#)
8. [21-00297](#) REASSIGNMENT OF COUNCIL MEMBERS TO EXTERNAL BOARDS, COMMISSIONS & AUTHORITIES FOR COUNCIL TERM 2020-2022
- Recommendation:** That City Council remove Council Member Myers from the Pensacola Escambia Development Commission (PEDC) and the Transportation Planning Organization (TPO). Further the Council assign Council Member Broughton to the PEDC and Councilman Jones to the TPO.
- Sponsors:** Jared Moore

REGULAR AGENDA

9. [21-00272](#) EXTENSION OF ORDINANCE NO. 15-20 REQUIRING THE MANDATORY WEARING OF FACE COVERINGS IN BUSINESSES WITHIN THE CITY LIMITS.
- Recommendation:* That City Council extend Ordinance No. 15-20 requiring the mandatory wearing of face coverings in businesses within the City Limits until April 22, 2021.
- Sponsors:* Sherri Myers
- Attachments:* [Ordinance No. 15-20](#)
10. [2021-16](#) RESOLUTION 2021-16 - CITY COUNCIL ENCOURAGES THE WEARING OF FACE COVERINGS WITHIN PUBLIC SETTINGS AND BUSINESSES WITHIN THE CITY.
- Recommendation:* That City Council adopt Resolution No. 2021-16:
- A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA ENCOURAGING THE WEARING OF FACE COVERINGS IN PUBLIC SETTINGS AND WITHIN BUSINESSES WITHIN THE CITY OF PENSACOLA; AND PROVIDING AN EFFECTIVE DATE
- Sponsors:* Jared Moore
- Attachments:* [Resolution No. 2021-16](#)
11. [21-00264](#) FIRST ADDENDUM TO THE PARTIAL ASSIGNMENT TO VALENCIA DEVELOPMENT CORPORATION OF THE OPTION AGREEMENT BETWEEN THE CITY OF PENSACOLA AND STUDER PROPERTIES, LLP
- Recommendation:* That City Council authorize the Mayor to execute the First Addendum to the Partial Assignment to Valencia Development Corporation of the Option Agreement between the City of Pensacola and Studer Properties, LLP.
- Sponsors:* Grover C. Robinson, IV
- Attachments:* [FIRST ADDENDUM TO THE PARTIAL ASSIGNMENT TO VALENC](#)

12. [21-00299](#) FIRST ADDENDUM TO THE PARTIAL ASSIGNMENT TO INSPIRED COMMUNITIES OF FLORIDA, LLC, OF THE OPTION AGREEMENT BETWEEN THE CITY OF PENSACOLA AND STUDER PROPERTIES, LLP
- Recommendation:** That City Council authorize the Mayor to execute the First Addendum to the Partial Assignment to Inspired Communities of Florida, LLC, of the Option Agreement between the City of Pensacola and Studer Properties, LLP.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [First Addendum to the Partial Assignment to Inspired Communities o](#)
13. [21-00298](#) FIRST ADDENDUM TO THE PARTIAL ASSIGNMENT TO SILVER HILLS DEVELOPMENT, INC., OF THE OPTION AGREEMENT BETWEEN THE CITY OF PENSACOLA AND STUDER PROPERTIES, LLP
- Recommendation:** That City Council authorize the Mayor to execute the First Addendum to the Partial Assignment to Silver Hills Development, Inc., of the Option Agreement between the City of Pensacola and Studer Properties, LLP.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [First Addendum to the Partial Assignment to Silver Hills Developmen](#)
14. [21-00263](#) LEGAL OPINION REGARDING THE MAYOR'S POLICIES REGARDING COUNCIL MEMBERS COMMUNICATING WITH MAYORAL STAFF AND COMPLIANCE WITH CITY CHARTER SECTION 4.04 - PROHIBITIONS (B) - INTERFERENCE WITH ADMINISTRATION.
- Recommendation:** That City Council request a legal opinion from the City Attorney as to whether the Mayor's policies regarding Council communicating with Mayoral staff complies with Section 4.01 (b) of the City Charter.
- Sponsors:** Sherri Myers
15. [21-00266](#) LEGAL OPINION - REQUEST FOR A LEGAL OPINION FROM THE CITY ATTORNEY REGARDING THE CHARTER AMENDMENT PROCESS
- Recommendation:** That the City Council request a legal opinion from the City Attorney seeking to determine if the second sentence in the Charter for the City of Pensacola ("Charter") Section 8.02.(b) Initiation by Petition that reads - "Each petition proposing amendments to this Charter shall be commenced in the same manner as an ordinance proposed by initiative in Article VII of this Charter." - is preempted by Section 166.031 Charter Amendments, Florida Statutes.
- Sponsors:** Sherri Myers

16. [21-00277](#) LEGAL OPINION - UNDER WHAT LEGAL AUTHORITY, IF ANY, CAN THE GOVERNOR VOID, NULLIFY OR REPEAL AN ORDINANCE OF A CITY OR MUNICIPALITY.
- Recommendation:** That City Council request a legal opinion from the City Attorney asking the following question:
- Under what legal authority can the Florida Governor void, nullify or repeal an ordinance of a City or Municipality?
- Sponsors:** Sherri Myers
- Attachments:** [Governor's Executive Order 21-65](#)
17. [21-00262](#) OFFICE OF CITY COUNCIL STAFF - LEGAL AIDE (LEGAL COUNSEL TO THE CITY COUNCIL)
- Recommendation:** That City Council direct the Council Executive to begin the search for a Legal Counsel to the City Council.
- Sponsors:** Sherri Myers
18. [21-00265](#) CREATION OF A CITY COUNCIL WEBPAGE
- Recommendation:** That City Council direct the Council Executive to work with IT in creating a webpage that will give public information regarding issues the Council is working on as well as projects happening in each district.
- Sponsors:** Sherri Myers
19. [21-00207](#) FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) SUBGRANT FOR HIGHWAY TRAFFIC FUNDS
- Recommendation:** That City Council accept the FY 2021 Florida Department of Transportation (FDOT) Subgrant for Highway Traffic Safety Funds in the amount of \$36,000. Further, that City Council authorize the Mayor to take all actions necessary relating to the finalization of the grant. Finally, that City Council adopt the supplemental budget resolution appropriating grant funds.
- Sponsors:** Grover C. Robinson, IV
- Attachments:** [FDOT Subgrant for Highway Traffic Safety Funds, Contract No: G1S](#)
[Supplemental Budget Resolution No. 2021-12](#)
[Supplemental Budget Explanation No. 2021-12](#)

20. [2021-12](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-12 FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) SUBGRANT FOR HIGHWAY TRAFFIC FUNDS
- Recommendation:* That City Council adopt Supplemental Budget Resolution No. 2021-12.
- A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR FISCAL YEAR ENDING SEPTEMBER 30, 2021; PROVIDING FOR AN EFFECTIVE DATE.
- Sponsors:* Grover C. Robinson, IV
- Attachments:* [Supplemental Budget Resolution No. 2021-12](#)
[Supplemental Budget Explanation No. 2021-12](#)
21. [12-21](#) PROPOSED ORDINANCE NO. 12-21 - REGULATIONS FOR BREEDING DOMESTICATED ANIMALS, PROVIDING FEE FOR LOCAL BUSINESS TAX FOR HOBBY BREEDERS
- Recommendation:* That City Council approve Proposed Ordinance No. 12-21 on first reading:
- AN ORDINANCE CREATING SECTION 4-2-45 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING REGULATIONS FOR THE BREEDING OF DOMESTICATED ANIMALS; REQUIREMENTS FOR LICENSURE AND PERMITTING FOR HOBBY BREEDERS; PROVIDING FOR DEFINITIONS; AMENDING SECTION 7-2-9 TO PROVIDING FEE FOR LOCAL BUSINESS TAX FOR HOBBY BREEDERS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.
- Sponsors:* Sherri Myers
- Attachments:* [Proposed Ordinance No. 12-21](#)
[PHOTOS PROVIDED BY SPONSOR](#)

22. [11-21](#) AN ORDINANCE AMENDING SECTIONS 14-2-132 AND 14-2-133 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA

Recommendation: That City Council approve Proposed Ordinance No. 11-21 on first reading:

AN ORDINANCE AMENDING SECTIONS 14-2-132 AND 14-2-133 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, ADOPTING THE PENSACOLA REGULATIONS TO IMPLEMENT CHAPTER 1 OF THE FLORIDA BUILDING CODE; ADOPTING APPENDICES J AND Q OF THE FLORIDA BUILDING CODE, RESIDENTIAL; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Sponsors: Grover C. Robinson, IV

Attachments: [Proposed Ordinance No. 11-21](#)
[Proposed Chapter 1 Florida Building Code, As Adopted by the City o](#)

COUNCIL EXECUTIVE'S REPORT

MAYOR'S COMMUNICATION

COUNCIL COMMUNICATIONS

CIVIC ANNOUNCEMENTS

SECOND LEROY BOYD FORUM

ADJOURNMENT

Any opening invocation that is offered before the official start of the Council meeting shall be the voluntary offering of a private person, to and for the benefit of the Council. The views or beliefs expressed by the invocation speaker have not been previously reviewed or approved by the City Council or the city staff, and the City is not allowed by law to endorse the religious or non-religious beliefs or views of such speaker. Persons in attendance at the City Council meeting are invited to stand during the invocation and to stand and recite the Pledge of Allegiance. However, such invitation shall not be construed as a demand, order, or any other type of command. No person in attendance at the meeting shall be required to participate in any opening invocation that is offered or to participate in the Pledge of Allegiance. You may remain seated within the City Council Chambers or exit the City Council Chambers and return upon completion of the opening invocation and/or Pledge of Allegiance if you do not wish to participate in or witness the opening invocation and/or the recitation of the Pledge of Allegiance.

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.