



City of Pensacola

CITY COUNCIL

Regular Meeting Minutes

September 14, 2023

5:30 P.M.

Council Chambers

Council President Wiggins called the meeting to order at 5:30 P.M.

ROLL CALL

Council Members Present: Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier, Teniade Broughton, Jared Moore, Allison Patton

Council Members Absent: None

Also Present: Mayor D.C. Reeves

INVOCATION

Moment of Silence

PLEDGE OF ALLEGIANCE

Council Member Jennifer Brahier

AWARDS

Mayor Reeves presented and read in entirety the following proclamations recognizing: 1) September as *Childhood Cancer Awareness Month*; and 2) September as *National Suicide Prevention & Action Month*.

FIRST LEROY BOYD FORUM

The following individuals addressed Council regarding issues related to high costs of living, housing affordability, wages, inflation, homelessness, and panhandling (including policing of), and lack of solutions:

Sarah Brummet
Honor Bell, III
Layla C.

Michael Kimberl
Charlie Dyell

Council Member Broughton made follow-up remarks.

FIRST LEROY BOYD FORUM (CONT'D.)

Sherri Myers: Addressed Council regarding the artist who in 1986 painted the mural in City Hall outside of Council Chambers, Patrick Gabriel. She indicated she has been researching and trying to locate him and encouraged Council to recognize his work.

The following citizens addressed Council regarding the recent approval of the City's Active Transportation Plan (ATP):

Moira Johansen

Christian Wagley

Brian Wyer: Provided an update on a joint event held by the City of Pensacola, Gulf Coast Minority Chamber of Commerce, and the Office of Supplier Diversity.

APPROVAL OF MINUTES

1. [23-00706 APPROVAL OF MINUTES: REGULAR MEETING DATED AUGUST 17, 2023; AND SPECIAL MEETING DATED SEPTEMBER 6, 2023](#)

A motion to approve was made by Council Member Brahier and seconded by Council Member Bare.

The motion carried by the following vote:

Yes: 7	Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier, Teniade Broughton, Jared Moore, Allison Patton
No: 0	None

APPROVAL OF AGENDA

A motion was made by Council Member Moore and seconded by Council Member Brahier.

The motion carried by the following vote:

Yes: 7	Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier, Teniade Broughton, Jared Moore, Allison Patton
No: 0	None

CONSENT AGENDA

2. [23-00427](#) PORT OF PENSACOLA - TRIUMPH GULF COAST GRANT AGREEMENT - AMERICAN MAGIC HIGH PERFORMANCE MARITIME CENTER AT THE PORT OF PENSACOLA

Recommendation: That City Council approve the acceptance of the Triumph Gulf Coast Grant Agreement for Project #315 in the amount of \$8,500,000 for the renovation and finish out of the partially completed warehouse 10 at the Port of Pensacola, to include a 50-foot addition and partial match for construction of a dock and boat ramp. Further, that City Council authorize the Mayor to take the actions necessary relating to the acceptance and execution of this grant, consistent with the terms of the agreement and the Mayor's Executive Powers as granted in the City Charter. Also, that City Council adopt a resolution accepting the grant award and authorizing the Mayor to execute the grant.

3. [23-00583](#) AWARD OF BID NO. 23-034 PENSACOLA INTERNATIONAL AIRPORT PARKING GARAGE REHABILITATION

Recommendation: That City Council award Bid No. 23-034 for Parking Garage Rehabilitation to Gutknecht Construction Company, the lowest most responsible bidder, in an amount not to exceed \$1,827,326.00 plus 10% contingency in the amount of \$182,732.60 for a total contract price not to exceed \$2,010,058.60. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer the contract and complete the work, consistent with the bid, contracting documents, and the Mayor's Executive Powers as granted in the City Charter.

4. [23-00617](#) AWARD OF QUOTE - EAST CROSS STREET SPEED TABLES CONTRACT

Recommendation: That City Council award this contract for speed tables on East Cross Street to Gulf Beach Construction, the lowest and best responsible bidder, for a base price of \$54,285.00 plus 10% contingency, for a total contract price of \$59,713.50. 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.

CONSENT AGENDA (CONT'D.)

5. [23-00638](#) AWARD TRAFFIC SIGNALIZATION AND STREET LIGHTING CONTRACT INGRAM SIGNALIZATION CONTRACTOR

Recommendation: That City Council award this contract to Ingram Signalization, Inc., at an estimated annual amount of \$714,810. 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.

6. [23-00664](#) AWARD OF QUOTE - JEFFERSON STREET CITY GARAGE - SECURITY SYSTEM REPLACEMENT

Recommendation: That City Council approve the award of quote in the amount of \$198,365.56 to Iron Bow Technologies, Inc. for the replacement of the Jefferson Street City Garage Security System. Further that City Council authorize the Mayor to take the actions necessary to execute and administer a contract and complete the work, consistent with the quote and the Mayor's Executive Powers as granted in the City Charter.

7. [23-00605](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER JARED MOORE - DISTRICT 4.

Recommendation: That City Council approve funding of \$1,750 to OnBikes Pensacola and \$500 to the Wingman Foundation from the City Council Discretionary Funds for District 4.

8. [23-00625](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL VICE PRESIDENT CASEY JONES - DISTRICT 3

Recommendation: That City Council approve funding of \$1,000 to the Wingman Foundation from the City Council Discretionary Funds for District 3.

9. [23-00644](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL PRESIDENT DELARIAN WIGGINS - DISTRICT 7

Recommendation: That City Council approve funding of \$930 for the design, production and installation of a welcome sign for the Tanyard Neighborhood from the City Council Discretionary Funds for District 7.

CONSENT AGENDA (CONT'D.)

10. [23-00672](#) INTERLOCAL AGREEMENT FOR COMMUNITY POLICING INNOVATIONS FOR FISCAL YEAR 2024

Recommendation: That City Council, based on action taken by the Community Redevelopment Agency (CRA), approve an interlocal agreement with the City of Pensacola to provide Community Policing Innovations within the Urban Core Community Redevelopment Area for the Fiscal Year 2024 in an amount not to exceed \$259,400.

11. [23-00637](#) APPOINTMENT OF SPECIAL MAGISTRATES

Recommendation: That City Council appoint Matthew J. Hargraves, Ralph Peterson, Tracey Robinson-Coffee, and John B. Trawick as Special Magistrates for the City of Pensacola.

12. [23-00679](#) APPROVAL OF PARKS AND RECREATION BOARD RECOMMENDATION, CHANGING MEETING DATES AND TIMES

Recommendation: That City Council approve the Parks and Recreation Board recommendation, changing their meeting date to the third Tuesday of the month and changing the meeting time to 10:00 A.M.

A motion to approve consent agenda items 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12 was made by Council Member Moore and seconded by Council Member Jones.

The motion carried by the following vote:

Yes: 7	Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier, Teniade Broughton, Jared Moore, Allison Patton
No: 0	None

REGULAR AGENDA

Brief procedural discussion took place regarding the order of items.

A motion was made by Council Member Bare and seconded by Council Member Moore that Item 22, 2023-062 be moved prior to Item 13, 23-00627.

The motion carried by the following vote:

Yes: 7	Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier, Teniade Broughton, Jared Moore, Allison Patton
No: 0	None

22. [2023-062 RESOLUTION NO. 2023-062 - DESIGNATION OF STATE ROADWAY TO HONOR LEWIS BEAR JR., AS "LEWIS BEAR JR. WAY"](#)

Recommendation: That City Council adopt Resolution No. 2023-062:

[A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA, IN SUPPORT OF THE DESIGNATION OF 9TH AVENUE, FROM BAYFRONT PARKWAY TO CERVANTES STREET, AS "LEWIS BEAR JR. WAY"; PROVIDING FOR AN EFFECTIVE DATE.](#)

A motion to adopt was made by Council Member Patton, seconded by Council Member Jones.

Mayor Reeves made comments.

Belle Bear addressed Council.

Council Members Patton and Bare made follow-up remarks.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

Yes: 7	Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier, Teniade Broughton, Jared Moore, Allison Patton
No: 0	None

REGULAR AGENDA (CONT'D.)**13. [23-00627](#) AWARD OF QUOTE - PORT OF PENSACOLA TEMPORARY MULTI-PURPOSE TENANT WAREHOUSE**

Recommendation: That City Council award this contract for a temporary multipurpose warehouse to Big Top Manufacturing/Southern Truck & Equipment Inc., the lowest and most responsive bidder, for a base price of \$139,159 plus contingency in the amount of \$13,915.90 for a total contract price of \$153,074.90. 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.

A motion to approve was made by Council Member Moore and seconded by Council Member Patton.

Mayor Reeves (sponsor) referenced additional information emailed to Council Members based on discussion during agenda conference. Port Director Merritt responded accordingly to questions from Council Members.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

Yes: 7	Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier, Teniade Broughton, Jared Moore, Allison Patton
No: 0	None

14. [23-00620](#) PUBLIC HEARING: TO CONSIDER ADOPTION OF AN INVENTORY LIST OF CITY-OWNED REAL PROPERTY APPROPRIATE FOR AFFORDABLE HOUSING

Recommendation: That City Council conduct a public hearing on September 14, 2023, to consider adoption of an inventory list of City owned real property appropriate for affordable housing.

A motion to approve was made by Council Member Bare and seconded by Council Member Jones.

Mayor Reeves (sponsor) explained the purpose of adopting the inventory list.

Public input was heard from Sam Young. Council Member Broughton asked follow-up questions which he responded to accordingly.

REGULAR AGENDA (CONT'D.)

The motion (to approve Public Hearing Item 14, 23-00620) carried by the following vote:

Yes: 7 Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier,
 Teniade Broughton, Jared Moore, Allison Patton
No: 0 None

15. [2023-059](#) RESOLUTION NO. 2023-059 - ADOPTING AN INVENTORY LIST OF CITY OWNED REAL PROPERTY APPROPRIATE FOR USE AS AFFORDABLE HOUSING

Recommendation: That City Council adopt Resolution No. 2023-059:

A RESOLUTION OF THE CITY OF PENSACOLA, FLORIDA
ADOPTING AN INVENTORY LIST OF CITY OWNED REAL PROPERTY
APPROPRIATE FOR USE AS AFFORDABLE HOUSING; PROVIDING AN
EFFECTIVE DATE.

A motion to adopt was made by Council Member Brahier and seconded by Council Member Patton.

The motion carried by the following vote:

Yes: 7 Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier,
 Teniade Broughton, Jared Moore, Allison Patton
No: 0 None

16. [23-00642](#) ADMINISTRATIVE PLAN AMENDMENT FOR THE PENSACOLA HOUSING DEPARTMENT HOUSING CHOICE VOUCHER PROGRAM

Recommendation: That City Council approve an amendment to the Administrative Plan for the Pensacola Housing Department Housing Choice Voucher Program.

A motion to approve was made by Council Member Patton and seconded by Council Member Broughton.

The motion carried by the following vote:

Yes: 7 Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier,
 Teniade Broughton, Jared Moore, Allison Patton
No: 0 None

REGULAR AGENDA (CONT'D.)

17. [23-00635](#) APPROVAL TO REALLOCATE LOST IV FUNDING FOR SAFETY IMPROVEMENTS AROUND THE 17TH AVENUE TRAIN TRESTLE, WAYSIDE PARK, AND BAYOU TEXAR

Recommendation: That City Council approve the reallocation of funds from LOST IV - Wayside East Seawall to LOST IV - Wayside/17th Ave Safety Improv.

A motion to approve was made by Council Member Moore and seconded by Council Member Brahier.

Mayor Reeves (sponsor) indicated that this project covers partial improvements. City Engineer Hinote and Mayor Reeves responded accordingly to questions from Council Members Patton and Bare elaborating on the scope of the project.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

Yes: 7	Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier, Teniade Broughton, Jared Moore, Allison Patton
No: 0	None

18. [23-00669](#) TERMINATION OF LEASE AGREEMENT WITH PENSACOLA SPORT ASSOCIATION

Recommendation: That the City Council, based on action taken by the Community Redevelopment Agency (CRA) Board, terminate the lease agreement with the Pensacola Sports Association (PSA) for the property located at 101 West Main Street as of 11:59 p.m. central standard time on September 30, 2023.

A motion to approve was made by Council Member Bare and seconded by Council Member Brahier.

Mayor Reeves and Council Member Bare made comments.

There being no further discussion, the vote was called.

The motion carried by the following vote:

Yes: 7	Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier, Teniade Broughton, Jared Moore, Allison Patton
No: 0	None

REGULAR AGENDA (CONT'D.)

19. [23-00674](#) APPROVAL TO REALLOCATE LOST IV FUNDING FOR THE CHAPPIE JAMES FLIGHT ACADEMY CLASSROOM EXPANSION PROJECT

Recommendation: That the City Council approve the reallocation of funds from LOST IV - Women's Veteran's Memorial and LOST IV - Energy Conservation & Efficiency for construction of the General Chappie James Flight Academy Classroom Expansion project.

A motion to approve was made by Council Member Patton and seconded Council Member Brahier.

Council Member Bare indicated that he has concerns about this project, although he will support it.

There being no further discussion, the vote was called.

The motion carried by the following vote:

Yes: 6	Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier, Jared Moore, Allison Patton
No: 0	None
Abstained:	Teniade Broughton

Discussion took place between Council Executive Kraher and Legal Counselor Daniel regarding Council Member Broughton's abstention. Council President Wiggins called for second vote.

The motion carried by the following vote:

Yes: 6	Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier, Jared Moore, Allison Patton
No: 0	None
Abstained:	Teniade Broughton

REGULAR AGENDA (CONT'D.)

20. [23-00659](#) STATE OF FLORIDA - FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION GRANT AGREEMENT NO. 21130 - AMENDMENT NO 1. SANDERS BEACH KAYAK FISHING TRAIL ACCESS UPGRADES PROJECT

Recommendation: That City Council approve the State of Florida - Florida Fish and Wildlife Conservation Commission (FWC) Grant Agreement No. 21130 Amendment No. 1 providing additional funds in the amount of \$1,291,210 for Construction Services, for the Sanders Beach Kayak Fishing Trail Access Upgrades. Further, that City Council authorize the Mayor, or his designee to take all actions necessary to accept and execute the grant amendment. Finally, that City Council adopt a supplemental budget resolution to appropriate the grant funds.

A motion to approve was made by Council Member Patton and seconded by Council Member Bare.

The motion carried by the following vote:

Yes: 7 Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier,
 Teniade Broughton, Jared Moore, Allison Patton
No: 0 None

21. [2023-069](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2023-69- STATE OF FLORIDA - FLORIDA FISH AND WILDLIFE CONSERVATION COMMISSION GRANT AGREEMENT NO. 21130 - AMENDMENT 1- SANDERS BEACH KAYAK FISHING TRAIL ACCESS UPGRADES PROJECT

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2023-069

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023; PROVIDING FOR AN EFFECTIVE DATE.

A motion to adopt was made by Council Member Jones and seconded by Council Member Brahier.

The motion carried by the following vote:

Yes: 7 Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier,
 Teniade Broughton, Jared Moore, Allison Patton
No: 0 None

REGULAR AGENDA (CONT'D.)

(Item 22, Resolution No. 2023-062 was moved to the top of the regular agenda.)

23. [2023-054](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2023-054 - ACCEPTING FUNDING FROM TRIUMPH GULF COAST - GRANT AGREEMENT LETTER - DESIGN AND CONSTRUCTION OF THE AMERICAN MAGIC HIGH PERFORMANCE MARITIME CENTER AT THE PORT OF PENSACOLA

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2023-054.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023; PROVIDING FOR AN EFFECTIVE DATE.

A motion to adopt was made by Council Member Patton and seconded by Council Member Brahier.

The motion carried by the following vote:

Yes: 7 Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier,
 Teniade Broughton, Jared Moore, Allison Patton
No: 0 None

24. [23-00611](#) PENSACOLA INTERNATIONAL AIRPORT - FISCAL YEAR 2023 DEFENSE COMMUNITY INFRASTRUCTURE PILOT (DCIP) PROGRAM

Recommendation: That City Council approve and authorize the Mayor to execute the acceptance of a Defense Community Infrastructure Pilot Program Grant in the amount of \$4,952,000 to provide funding for construction of an Aircraft Parking Apron, upon award of the grant. Further, that City Council authorize the Mayor to take the actions necessary relating to the acceptance, execution, and administration of the grant, consistent with the terms of the agreement 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.

A motion to approve was made by Council Member Jones and seconded by Council Member Brahier.

The motion carried by the following vote:

Yes: 7 Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier,
 Teniade Broughton, Jared Moore, Allison Patton
No: 0 None

REGULAR AGENDA (CONT'D.)

25. [2023-057](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2023-057 - PENSACOLA INTERNATIONAL AIRPORT - FISCAL YEAR 2023 DEFENSE COMMUNITY INFRASTRUCTURE PILOT (DCIP) PROGRAM

Recommendation: That City Council Adopt Supplemental Budget Resolution No. 2023-057.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023; PROVIDING FOR AN EFFECTIVE DATE.

A motion to adopt was made by Council Member Patton and seconded by Council Member Jones.

The motion carried by the following vote:

Yes: 7	Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier, Teniade Broughton, Jared Moore, Allison Patton
No: 0	None

26. [2023-058](#) RESOLUTION NO. 2023-058 SUPPORTING FLORIDA DEPARTMENT OF TRANSPORTATION (FDOT) TEMPORARY ROAD CLOSURE - SR 30 (US 98) GREGORY STREET FROM PALAFOX STREET TO EAST OF 14TH AVENUE

Recommendation: That City Council adopt Resolution No. 2023-058.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA, SUPPORTING A TEMPORARY ROAD CLOSURE PURSUANT TO COMPLETION OF THE MILLING AND RESURFACING OF SR 30 (US 98) GREGORY STREET FROM PALAFOX STREET TO EAST OF 14TH AVENUE, FPID 434678-1-52-01.

A motion to adopt was made by Council Member Bare and seconded by Council Member Patton.

Some discussion took place among Council with Mayor Reeves (sponsor), Deputy Administrator Forte, and FDOT District 3 representative Ricky Dodd, Project Manager with Moffat & Nichol responding accordingly to questions.

Upon conclusion of discussion, the vote was called.

REGULAR AGENDA (CONT'D.)

The motion (to adopt Resolution No. 2023-058) carried by the following vote:

Yes: 7 Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier,
 Teniade Broughton, Jared Moore, Allison Patton
No: 0 None

27. [2023-063](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2023-063 -
APPROPRIATING FUNDING FOR GENERATOR AT FIRE STATION 4

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2023-063.

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND
APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023;
PROVIDING FOR AN EFFECTIVE DATE.

A motion to adopt was made by Council Member Brahier and seconded by Council Member Patton.

The motion carried by the following vote:

Yes: 7 Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier,
 Teniade Broughton, Jared Moore, Allison Patton
No: 0 None

28. [2023-064](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2023-064 -
AUTHORIZING THE USE OF LOST IV FUNDING FOR SAFETY
IMPROVEMENTS AROUND THE 17TH AVENUE TRAIN TRESTLE, WAYSIDE
PARK AND BAYOU TEXAR

Recommendation: That the City Council adopt Supplemental Budget Resolution No. 2023-064:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND
APPROPRIATIONS
FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023; PROVIDING FOR
AN EFFECTIVE DATE.

A motion to adopt was made by Council Member Brahier and seconded by Council Member Patton.

REGULAR AGENDA (CONT'D.)

The motion (to adopt Resolution No. 2023-064) carried by the following vote:

Yes: 7 Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier,
 Teniade Broughton, Jared Moore, Allison Patton
No: 0 None

29. [2023-071](#) SUPPLEMENTAL BUDGET RESOLUTION 2023-071 - SAENGER
THEATER CAPITAL FUND BALANCE

Recommendation: That City Council adopt Supplemental Budget Resolution
No. 2023-071.

[A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND
APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2023;
PROVIDING FOR AN EFFECTIVE DATE.](#)

**A motion to adopt was made by Council Member Jones and seconded by
Council Member Brahier.**

Council Executive Kraher referenced hardcopies at Council's places of a revised memorandum with Special Assistant to Council Executive McClellan explaining the correction to the funding amount (on file with background materials).

There being no discussion, the vote was called.

The motion carried by the following vote:

Yes: 7 Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier,
 Teniade Broughton, Jared Moore, Allison Patton
No: 0 None

REGULAR AGENDA (CONT'D.)**30. [20-23 PROPOSED ORDINANCE NO. 20-23 - CREATING SECTION 8-1-23 OF THE CODE, PROHIBITING THE OBSTRUCTION OF PUBLIC SIDEWALKS](#)**

Recommendation: That City Council approve Proposed Ordinance No. 20-23 on first reading.

AN ORDINANCE CREATING SECTION 8-1-23 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, PROHIBITING THE OBSTRUCTION OF PUBLIC SIDEWALKS; PROVIDING FOR PENALTY; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

A motion to approve on first reading was made by Council Member Bare and seconded by Council Member Broughton.

Public input was heard from Sherri Myers. She provided copies to Council Members of design guidelines for sidewalks providing a pedestrian travel zone.

Council Member Bare made a motion to amend the (draft) proposed ordinance, Section 8-1-23 (a), second sentence following the comma, striking ~~36 inches~~ and replacing with 48 inches.

No second.

Council Member Broughton referred to Section 2 of the proposed ordinance which provides a severability clause. Mayor Reeves (sponsor) suggested that Council hear from all public speakers prior to discussion.

Additional public input was heard from Carolyn Grawi and Michael Kimberl.

Mayor Reeves indicated that he is agreeable to amending the proposed ordinance to address concerns and bring back during second reading (on 9/28/2023).

Discussion ensued among Council with Mayor Reeves fielding comments and questions.

Council Member Bare made a motion to amend the (draft) proposed ordinance, Section 8-1-23 (a), second sentence following the comma, striking ~~36 inches~~ and replacing with 48 inches and Council Member Moore seconded.

Council Member Moore asked questions with Mayor Reeves and Assistant City Attorney Vanessa Moore responding accordingly. **Council Member Moore withdrew his second to the motion to amend.** Discussion continued. **Council Member Bare withdrew his motion to amend.**

REGULAR AGENDA (CONT'D.)

Council Member Brahier made a motion to amend the (draft) of Proposed Ordinance No. 20-23, Section 8-1-23 (a), second sentence before the comma, striking ~~36 inches~~ and replacing with 60 inches, second sentence following the comma, striking ~~36 inches~~ and replacing with 48 inches.

No second.

There being no further discussion, the vote was called.

The motion (to approve P.O. No. 20-23 as presented) carried by the following vote:

Yes: 6	Delarian Wiggins, Casey Jones, Jennifer Brahier, Teniade Broughton, Jared Moore, Allison Patton
No: 1	Charles Bare

31. [21-23 PROPOSED ORDINANCE NO. 21-23 AMENDING TITLE IV-HEALTH AND SANITATION OF THE CITY CODE - ELIMINATING CURBSIDE RECYCLING SERVICE AND INCREASING GARBAGE COLLECTION TO TWICE WEEKLY](#)

Recommendation: That City Council adopt Proposed Ordinance No. 21-23 on first reading.

AN ORDINANCE AMENDING TITLE IV OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, AMENDING HEALTH AND SANITATION SECTION 4-3-40, DEFINITIONS; SECTION 4-3-43, SOLID WASTE OR REFUSE TO BE PROPERTY OF THE CITY; SCAVENGING; SECTION 4-3-44, DETERMINATION OF SERVICE PROVIDERS; SECTION 4-3-45, BURYING OF RECYCLABLES, SOLID WASTE, REFUSE, OR HAZARDOUS MATERIALS OR SUBSTANCES; SECTION 4-3-46, STORING OR PLACEMENT OF RECYCLABLES, SOLID WASTE OR REFUSE; SECTION 4-3-47, PLACEMENT OF RECYCLABLES, SOLID WASTE OR REFUSE IN GUTTERS OR STREETS PROHIBITED, DECLARED NUISANCE; SECTION 4-3-60, COLLECTION SCHEDULE; SECTION 4-3-61, PLACEMENT FOR COLLECTION; SECTION 4-3-81, CITY-OWNED WHEELED CONTAINERS; SECTION 4-3-97, FEES AND SURCHARGES; PROVIDING FOR SEVERABILITY, REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

A motion to approve on first reading was made by Council Member Brahier, seconded by Council Member Bare.

REGULAR AGENDA (CONT'D.)

Council Member Bare referenced a hand-out at Council's places suggesting revisions and made a motion to amend the (draft) of Proposed Ordinance No. 21-23 as follows: Section 4-3-40 – Definitions, restore the definition of *Recyclables* (rather than strike); and Section 4-3-60 Collection Schedule, add language (before the last sentence of the first paragraph): "City of Pensacola sanitation customers will receive a minimum of two pickups per week, pickup are inclusive of solid waste or refuse and/or recyclables" and Council Member Brahier seconded.

Discussion took place among Council with input from Mayor Reeves (sponsor).

Upon conclusion of discussion, the vote on the motion **to amend** was called.

The motion carried by the following vote:

Yes: 7	Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier, Teniade Broughton, Jared Moore, Allison Patton
No: 0	None

Public input was heard from Sherri Myers.

Some follow-up discussion took place.

Upon conclusion of discussion, the vote on the **main motion as amended** was called.

The main motion as amended carried by the following vote:

Yes: 7	Delarian Wiggins, Casey Jones, Charles Bare, Jennifer Brahier, Teniade Broughton, Jared Moore, Allison Patton
No: 0	None

COUNCIL EXECUTIVE'S REPORT

None

MAYOR'S COMMUNICATION

Mayor Reeves addressed Council regarding the following: 1) the new position being added to the Police department to address mental health issues and other social issues; 2) an award in the amount of \$1 million for an urban forestry grant; 3) thanked City staff, Council staff, and City Council for a great budget cycle; 4) Annual Resident Satisfaction Survey end 9/15; and 5) encouraged everyone to vote for Pensacola International Airpoty as best small airport in *USA TODAY'S Readers' Choice Awards*.

COUNCIL COMMUNICATIONS & CIVIC ANNOUNCEMENTS

Council Member Brahier made comments in appreciation of the CRA community policing officers and acknowledged the officer in the back of Chambers.

Council Member Jones inquired of the stairway/decking infrastructure at Scenic Bluffs. Mayor Reeves responded accordingly indicating that it is currently closed indefinitely due to unsafe structural conditions and no funding budgeted at this time for rebuilding.

Council Member Patton announced the upcoming *Real Change Escambia Community Event* which will focus on opioid addiction education and will provide resources to attendees.

Council Member Bare made comments regarding the movement within neighborhood associations for tree trust fund dollars to fund planting of trees on private property and how it relates to the tree canopy survey, and asked for an update. Mayor Reeves responded as to City staff's coordinated efforts in bringing a proposal forward for Council's consideration. Additionally, Council Member Bare announced an upcoming clean-up event on Pensacola Beach.

Council President Wiggins commented on the recent anniversary of 9/11 and expressed his appreciation for first responders.

SECOND LEROY BOYD FORUM

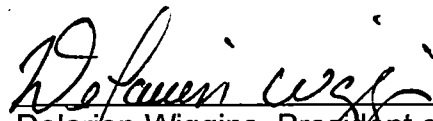
None

ADJOURNMENT

WHEREUPON the meeting was adjourned at 7:57 P.M.

Adopted: September 28, 2023

Approved:


Delarian Wiggins, President of City Council

Attest:


Ericka L. Burnett, City Clerk

FORM 8B MEMORANDUM OF VOTING CONFLICT FOR COUNTY, MUNICIPAL, AND OTHER LOCAL PUBLIC OFFICERS

LAST NAME—FIRST NAME—MIDDLE NAME Broughton	NAME OF BOARD, COUNCIL, COMMISSION, AUTHORITY, OR COMMITTEE City Council
MAILING ADDRESS 413 FAIRFAX DR	THE BOARD, COUNCIL, COMMISSION, AUTHORITY OR COMMITTEE ON WHICH I SERVE IS A UNIT OF:
CITY Pensacola FL	☒ CITY ☐ COUNTY ☐ OTHER LOCAL AGENCY
DATE ON WHICH VOTE OCCURRED	NAME OF POLITICAL SUBDIVISION: Council member
	MY POSITION IS: ☒ ELECTIVE ☐ APPOINTIVE

WHO MUST FILE FORM 8B

This form is for use by any person serving at the county, city, or other local level of government on an appointed or elected board, council, commission, authority, or committee. It applies to members of advisory and non-advisory bodies who are presented with a voting conflict of interest under Section 112.3143, Florida Statutes.

Your responsibilities under the law when faced with voting on a measure in which you have a conflict of interest will vary greatly depending on whether you hold an elective or appointive position. For this reason, please pay close attention to the instructions on this form before completing and filing the form.

INSTRUCTIONS FOR COMPLIANCE WITH SECTION 112.3143, FLORIDA STATUTES

A person holding elective or appointive county, municipal, or other local public office **MUST ABSTAIN** from voting on a measure which would inure to his or her special private gain or loss. Each elected or appointed local officer also **MUST ABSTAIN** from knowingly voting on a measure which would inure to the special gain or loss of a principal (other than a government agency) by whom he or she is retained (including the parent, subsidiary, or sibling organization of a principal by which he or she is retained); to the special private gain or loss of a relative; or to the special private gain or loss of a business associate. Commissioners of community redevelopment agencies (CRAs) under Sec. 163.356 or 163.357, F.S., and officers of independent special tax districts elected on a one-acre, one-vote basis are not prohibited from voting in that capacity.

For purposes of this law, a "relative" includes only the officer's father, mother, son, daughter, husband, wife, brother, sister, father-in-law, mother-in-law, son-in-law, and daughter-in-law. A "business associate" means any person or entity engaged in or carrying on a business enterprise with the officer as a partner, joint venturer, coowner of property, or corporate shareholder (where the shares of the corporation are not listed on any national or regional stock exchange).

ELECTED OFFICERS:

In addition to abstaining from voting in the situations described above, you must disclose the conflict:

PRIOR TO THE VOTE BEING TAKEN by publicly stating to the assembly the nature of your interest in the measure on which you are abstaining from voting; and

WITHIN 15 DAYS AFTER THE VOTE OCCURS by completing and filing this form with the person responsible for recording the minutes of the meeting, who should incorporate the form in the minutes;

APPOINTED OFFICERS:

Although you must abstain from voting in the situations described above, you are not prohibited by Section 112.3143 from otherwise participating in these matters. However, you must disclose the nature of the conflict before making any attempt to influence the decision, whether orally or in writing and whether made by you or at your direction.

IF YOU INTEND TO MAKE ANY ATTEMPT TO INFLUENCE THE DECISION PRIOR TO THE MEETING AT WHICH THE VOTE WILL BE TAKEN:

- You must complete and file this form (before making any attempt to influence the decision) with the person responsible for recording the minutes of the meeting, who will incorporate the form in the minutes. (Continued on page 2)

APPOINTED OFFICERS (continued)

- A copy of the form must be provided immediately to the other members of the agency.
- The form must be read publicly at the next meeting after the form is filed.

IF YOU MAKE NO ATTEMPT TO INFLUENCE THE DECISION EXCEPT BY DISCUSSION AT THE MEETING:

- You must disclose orally the nature of your conflict in the measure before participating.
- You must complete the form and file it within 15 days after the vote occurs with the person responsible for recording the minutes of the meeting; who must incorporate the form in the minutes. A copy of the form must be provided immediately to the other members of the agency; and the form must be read publicly at the next meeting after the form is filed.

DISCLOSURE OF LOCAL OFFICER'S INTEREST

I, Tenadi Broughton, hereby disclose that on August, 20 23:

(a) A measure came or will come before my agency which (check one or more)

- ☐ inured to my special private gain or loss;
- ☐ inured to the special gain or loss of my business associate, _____;
- ☐ inured to the special gain or loss of my relative, _____;
- ☐ inured to the special gain or loss of Chappie James Museum, by whom I am retained; or
- ☐ inured to the special gain or loss of _____, which is the parent subsidiary, or sibling organization or subsidiary of a principal which has retained me.

(b) The measure before my agency and the nature of my conflicting interest in the measure is as follows:

I may return to the museum as an employee.

If disclosure of specific information would violate confidentiality or privilege pursuant to law or rules governing attorneys, a public officer, who is also an attorney, may comply with the disclosure requirements of this section by disclosing the nature of the interest in such a way as to provide the public with notice of the conflict.

9/14/2023

Date Filed

Tenadi Broughton
Signature

NOTICE: UNDER PROVISIONS OF FLORIDA STATUTES §112.317, A FAILURE TO MAKE ANY REQUIRED DISCLOSURE CONSTITUTES GROUNDS FOR AND MAY BE PUNISHED BY ONE OR MORE OF THE FOLLOWING: IMPEACHMENT, REMOVAL OR SUSPENSION FROM OFFICE OR EMPLOYMENT, DEMOTION, REDUCTION IN SALARY, REPRIMAND, OR A CIVIL PENALTY NOT TO EXCEED \$10,000.