



# City of Pensacola

## CITY COUNCIL

### Regular Meeting Minutes

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March 24, 2022

5:30 P.M.

Council Chambers

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Council President Hill called the meeting to order at 5:35 P.M.

#### ROLL CALL

**Council Members Present:** Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers

**Council Members Absent:** None

Members of the public may attend the meeting in person. City Council encourages those not fully vaccinated to wear face coverings that cover their nose and mouth.

The meeting can also be watched live stream at: [cityofpensacola.com/428/Live-Meeting-Video](https://www.cityofpensacola.com/428/Live-Meeting-Video).

#### To provide input:

- Leroy Boyd Forum, for items not on the agenda: citizens may submit an online form here <https://www.cityofpensacola.com/ccinput> **beginning at 3:00 P.M. until 5:30 P.M. only** to indicate they wish to speak during LeRoy Boyd Forum **and include a phone number. Staff will call the person** at the appropriate time so the citizen can directly address the City Council using a telephone held up to a microphone.
- Agenda Items, for specific items on the agenda: citizens may submit an online form here <https://www.cityofpensacola.com/ccinput> **beginning at 3:00 P.M. until that agenda item has been voted upon** to indicate they wish to speak to a specific item on the agenda **and include a phone number. Staff will call the person** at the appropriate time so the citizen can directly address the City Council using a telephone held up to a microphone. **Any form received after an agenda item has been voted upon will not be considered.**

#### INVOCATION

Moment of Silence

**PLEDGE OF ALLEGIANCE**

Council Member Jennifer Brahier

**FIRST LEROY BOYD FORUM**

**Julia Herbst:** Introduced herself as the Gulf Coast Program Coordinator for Solar United Neighbors (SUN) and provided information on their organization, communications with City Sustainability Coordinator Jackson, and that they will be participating in the upcoming *Ciclovía* event on March 26<sup>th</sup>.

**Margaret Hostetter:** Referenced her previous request for a license to use the right-of-way adjacent to her property at 1715 East Gonzalez Street (Item No. 21-00452 which Council unanimously denied on 6/17/21) which was based on a code violation of her use of the right-of-way and suggested Council reconsider her request. She indicated (alleged) violations of illegal right-of-way usage continues throughout the area and suggested the City compile a list of “do’s and don’t’s” regarding usage of City right-of-way for dissemination to all citizens.

Council Member Myers made follow-up remarks concurring with Ms. Hostetter and suggested Council schedule a workshop on this issue.

**AWARDS**

On behalf of Mayor Robinson, City Administrator Fiddler presented a proclamation to Rabbi Mendel Danow with Chabad of Pensacola recognizing *Education & Sharing Day*. Following the reading of the proclamation, Rabbi Mendel made comments.

**APPROVAL OF MINUTES**

1. [22-00322 APPROVAL OF MINUTES: REGULAR MEETING DATED MARCH 10, 2022](#)

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

**The motion carried by the following vote:**

|        |   |
|--------|---|
| Yes: 7 | Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers |
| No: 0  | None  |

## APPROVAL OF AGENDA

**A motion to approve the agenda was made by Council Member Moore and seconded by Council Member Wiggins.**

**The motion carried by the following vote:**

Yes: 7      Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
Casey Jones, Jared Moore, Sherri Myers  
No: 0      None

## CONSENT AGENDA

2. [22-00265](#) APPOINTMENTS - PARKS AND RECREATION BOARD

**Recommendation:** That City Council reappoint Antonio Bruni, David Del Gallo, Mike O'Donovan, and Maranda Sword to the Parks and Recreation Board for a term of three (3) years, expiring March 31, 2025.

3. [22-00266](#) APPOINTMENTS - ENVIRONMENTAL ADVISORY BOARD

**Recommendation:** That City Council appoint Katie Dineen who is an employed or retired environmental professional, or member of local environmental organizations or business with an interest in City environmental issues; and appoint John Dittmar as at-large resident or property owner of the City to a term of two (2) years, expiring March 1, 2024.

4. [22-00267](#) THIRD AMENDMENT TO LEASE AGREEMENT BETWEEN THE CITY OF PENSACOLA AND HARBOURVIEW CORPORATION ON THE BAY

**Recommendation:** That the City Council approve the Third Lease Amendment between the City of Pensacola and Harbourview of Pensacola LLC for the parking garage located across from their building at 25 West Cedar St. Further, that City Council authorize the Mayor to take all necessary actions to execute and administer the lease amendment.

5. [22-00123](#) AWARD OF BID NO. 22-018 COMMENDENCIA SLIP HURRICANE REPAIRS PROJECT

**Recommendation:** That City Council award Bid #22-018 Commendencia Slip Hurricane Repairs Project to Emerald Coast Constructors, Inc., of Pensacola, Florida the lowest and most responsible bidder with a base bid of \$459,372.50 plus a 10% contingency in the amount of \$45,937.25 for a total amount of \$505,309.75. Further, that City Council authorize the Mayor to execute the contract and take all action necessary to complete the project.

**CONSENT AGENDA**

**A motion to approve consent agenda items 2, 3, 4, and 5 was made by Council Member Wiggins and seconded by Council Member Brahier.**

**The motion carried by the following vote:**

Yes: 7      Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
Casey Jones, Jared Moore, Sherri Myers  
No: 0      None

**REGULAR AGENDA**

6.      [22-00192 PUBLIC HEARING: PROPOSED AMENDMENT TO SECTION 12-6-6 PROTECTED TREES](#)

**Recommendation:** That City Council conduct a public hearing on March 10 24, 2022 to consider a proposed amendment to Section 12-6-6 Protected Trees.

Development Services Director Morris addressed Council regarding the proposed amendment.

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

Public input was heard from Margaret Hostetter who provided a hand-out related to a commercial development at 2660 Creighton Road (on file with background materials).

Development Services Director Morris responded to numerous questions from Council Members Brahier and Myers.

Upon conclusion of discussion, the vote was called.

**The motion carried by the following vote:**

Yes: 7      Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
Casey Jones, Jared Moore, Sherri Myers  
No: 0      None

**REGULAR AGENDA (CONT'D.)**

7. [09-22 PROPOSED ORDINANCE NO. 09-22 - AMENDMENT TO THE LAND DEVELOPMENT CODE - SECTION 12-6-6 PROTECTED TREES](#)

**Recommendation:** That City Council approve Proposed Ordinance No. 09-22 on first reading.

AN ORDINANCE AMENDING SECTION 12-6-6 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, PROTECTED TREES, PROVIDING FOR SETBACK DEVIATION PROCESS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**A motion to approve on first reading was made by Council Member Moore and seconded by Council Member Jones.**

**The motion carried by the following vote:**

Yes: 7            Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
Casey Jones, Jared Moore, Sherri Myers  
No: 0            None

8. [22-00273 PUBLIC HEARING: PROPOSED AMENDMENT TO SECTION 12-11-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, APPEALS, MODIFICATIONS, AND VARIANCES; CREATING SECTION 12-11-2 \(F\), MODIFICATIONS OF THE COMMUNITY REDEVELOPMENT AREA URBAN DESIGN OVERLAY STANDARDS](#)

**Recommendation:** That City Council conduct a Public Hearing on March 24, 2022, to consider the proposed amendment to Section 12-11-2 of the Code of the City of Pensacola, Florida, Appeals, Modifications, and Variances; creating Section 12-11-2 (f), Modifications of the Community Redevelopment Area Urban Design Overlay standards.

CRA Assistant Administrator D'Angelo addressed Council regarding the proposed amendment.

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

There being no discussion or public input, the vote was called.

**The motion carried by the following vote:**

Yes: 7            Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
Casey Jones, Jared Moore, Sherri Myers  
No: 0            None

**REGULAR AGENDA (CONT'D.)**

9. [13-22 PROPOSED ORDINANCE NO. 13-22 - AMENDMENT TO SECTION 12-11-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, APPEALS, MODIFICATIONS, AND VARIANCES; CREATING SECTION 12-11-2 \(f\), MODIFICATIONS OF THE COMMUNITY REDEVELOPMENT AREA URBAN DESIGN OVERLAY STANDARDS](#)

**Recommendation:** That City Council approve Proposed Ordinance No. 13-22 on first reading:

AN ORDINANCE AMENDING SECTION 12-11-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, APPEALS, MODIFICATIONS, AND VARIANCES; CREATING SECTION 12-11-2 (f), MODIFICATIONS, OF THE COMMUNITY REDEVELOPMENT AREA URBAN DESIGN OVERLAY STANDARDS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

**A motion to approve on first reading was made by Council Member Jones and seconded by Council Member Moore.**

**The motion carried by the following vote:**

Yes: 7      Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
                 Casey Jones, Jared Moore, Sherri Myers  
No: 0      None

10. [22-00217 REQUEST FOR VOLUNTARY ANNEXATION - BAPTIST HOSPITAL-OWNED PROPERTIES.](#)

**Recommendation:** That City Council approve the request for the voluntary annexation of two (2) parcels owned by Baptist Hospital.

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

**The motion carried by the following vote:**

Yes: 7      Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
                 Casey Jones, Jared Moore, Sherri Myers  
No: 0      None

**REGULAR AGENDA (CONT'D.)**

11. [10-22 PROPOSED ORDINANCE NO. 10-22 - REQUEST FOR VOLUNTARY ANNEXATION - BAPTIST HOSPITAL OWNED PROPERTIES](#)

**Recommendation:** That City Council approve Proposed Ordinance No. 10-22 on first reading.

AN ORDINANCE INCORPORATING AND ANNEXING A CERTAIN AREA CONTIGUOUS AND ADJACENT TO THE CITY OF PENSACOLA INTO THE CITY OF PENSACOLA, AND DECLARING SAID AREA TO BE A PART OF THE CITY OF PENSACOLA; REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

**A motion to approve on first reading was made by Council Member Moore and seconded by Council Member Wiggins.**

**The motion carried by the following vote:**

Yes: 7            Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
Casey Jones, Jared Moore, Sherri Myers  
No: 0            None

12. [22-00219 REQUEST FOR VOLUNTARY ANNEXATION - 315 EAST SELINA STREET AND 4908 CHANEY STREET.](#)

**Recommendation:** That City Council approve the request for the voluntary annexation of two (2) parcels located at 315 East Selina Street and 4908 Chaney Street.

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

Development Services Director Morris responded to questions from Council Member Myers.

There being no further discussion, the vote was called.

**The motion carried by the following vote:**

Yes: 7            Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
Casey Jones, Jared Moore, Sherri Myers  
No: 0            None

**REGULAR AGENDA (CONT'D.)**

13. [11-22 PROPOSED ORDINANCE NO. 11-22 - REQUEST FOR VOLUNTARY ANNEXATION - 315 EAST SELINA STREET AND 4908 CHANEY STREET.](#)

**Recommendation:** That City Council approve Proposed Ordinance No. 11-22 on first reading.

AN ORDINANCE INCORPORATING AND ANNEXING A CERTAIN AREA CONTIGUOUS AND ADJACENT TO THE CITY OF PENSACOLA INTO THE CITY OF PENSACOLA, AND DECLARING SAID AREA TO BE A PART OF THE CITY OF PENSACOLA; REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

**A motion to approve on first reading was made by Council Member Wiggins and seconded by Council Member Moore.**

**The motion carried by the following vote:**

Yes: 7      Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
Casey Jones, Jared Moore, Sherri Myers  
No: 0      None

14. [22-00221 REQUEST FOR VOLUNTARY ANNEXATION - RICHARDS MEMORIAL UNITED CHURCH PROPERTY](#)

**Recommendation:** That City Council approve the request for the voluntary annexation of the portion of the Richards Memorial United Church lying outside the City limits.

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

Council Member Jones made comments.

Public input was heard from C. Marcel Davis.

Development Services Director Morris responded accordingly to questions from Council Member Brahier.

Upon conclusion of discussion, the vote was called.

**The motion carried by the following vote:**

Yes: 7      Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
Casey Jones, Jared Moore, Sherri Myers  
No: 0      None



**REGULAR AGENDA (CONT'D.)**

15. [12-22 PROPOSED ORDINANCE NO. 12-22 - REQUEST FOR VOLUNTARY ANNEXATION - RICHARDS MEMORIAL UNITED METHODIST CHURCH PROPERTY](#)

**Recommendation:** That City Council approve Proposed Ordinance No. 12-22 on first reading.

AN ORDINANCE INCORPORATING AND ANNEXING A CERTAIN AREA CONTIGUOUS AND ADJACENT TO THE CITY OF PENSACOLA INTO THE CITY OF PENSACOLA, AND DECLARING SAID AREA TO BE A PART OF THE CITY OF PENSACOLA; REPEALING CLAUSE, AND PROVIDING AN EFFECTIVE DATE.

**A motion to approve on first reading was made by Council Member Moore and seconded by Council Member Jones.**

**The motion carried by the following vote:**

Yes: 7            Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
Casey Jones, Jared Moore, Sherri Myers  
No: 0            None

16. [22-00288 FUNDING AMENDMENT FOR HARNESSING OPPORTUNITY AND POWER OF EDUCATION, INC. \(H.O.P.E.\)/HUTS 4 OUR FRIENDS, INC.](#)

**Recommendation:** That City Council approve a change in the scope of services provided by H.O.P.E. Foundation/Huts 4 our Friends.

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

Caleb Houston, Founder and Director of H.O.P.E. addressed Council and clarified that the change in scope of services does not include Huts 4 Our Friends. He responded accordingly to questions from Council Members regarding his lease and intended operations at 3101 North Davis Highway. Finance Director Lovoy also responded to questions related to stipulations for funding of operations and/or lease payments for H.O.P.E.

**Council Member Myers withdrew her second to the motion and Council Member Jones withdrew his motion. *The motion died.***

Some follow-up discussion took place related bringing the issue forward again for consideration if circumstances of Mr. Houston's operations are able to align with Council's goal assist with funding of organizations which provide shelter for homeless individuals.

**REGULAR AGENDA (CONT'D.)**

17. [2022-037 RESOLUTION NO. 2022-037 - ENCOURAGING THE ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS TO ADOPT AN ORDINANCE REGARDING THE DEFACEMENT OF PROPERTY](#)

**Recommendation:** That City Council adopt Resolution No. 2022-037:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA ENCOURAGING THE ESCAMBIA COUNTY BOARD OF COUNTY COMMISSIONERS TO ADOPT AN ORDINANCE REGARDING THE DEFACEMENT OF PROPERTY; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND EFFECTIVE DATE.

A motion was initially made by Council Member Myers (sponsor) without a second.

Discussion took place regarding procedural clarification of Council's Rules and Procedures related to sponsor's ability to introduce an item. City Clerk Burnett and City Attorney Pepler responded accordingly to questions.

Council Member Myers was provided an opportunity to explain the intent of the resolution she is proposing and indicated she is willing to withdraw it from consideration. Council Member Broughton made comments.

**A motion to adopt Resolution No. 2022-037 was made by Council Member Brahier and seconded by Council Member Broughton.**

Discussion took place among Council.

Public input was heard from Margaret Hostetter.

Discussion continued.

**A substitute motion was made by Council Member Myers and seconded by Council Member Brahier that City Council send a letter to the Escambia County Board of County Commissioners Chairperson (written by City Attorney Pepler) asking how they are addressing graffiti and request an update on their efforts.**

Some discussion took place regarding the substitute motion and clarification as to the intent of sending the letter.

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

**The substitute motion carried by the following vote:**

Yes: 4      Ann Hill, Delarian Wiggins, Jennifer Brahier, Sherri Myers  
No: 3      Teniade Broughton, Casey Jones, Jared Moore

**REGULAR AGENDA (CONT'D.)**

18. [2022-034](#) RESOLUTION NO. 2022-034 ESTABLISHING THE POLICY FOR ACQUISITION OF REAL PROPERTY

**Recommendation:** That City Council adopt Resolution No. 2022-034:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA ESTABLISHING THE POLICY FOR ACQUISITION OF REAL PROPERTY; PROVIDING SEVERABILITY; PROVIDING AN EFFECTIVE DATE.

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

Public input was heard from Renee Borden.

City Attorney Peppler made follow-up remarks regarding Ms. Borden's comments.

Discussion took place among Council with City Attorney Peppler and Property Lease Manager Stallworth responding accordingly to questions.

Upon conclusion of discussion, the vote was called.

**The motion carried by the following vote:**

|        |   |
|--------|---|
| Yes: 7 | Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers |
| No: 0  | None  |

19. [22-00174](#) PORT OF PENSACOLA - FLORIDA SEAPORT GRANT PROGRAM AND SEAPORT INVESTMENT PROGRAM GRANT NO. 445548-1-94-03 - UPLAND CARGO IMPROVEMENTS INITIATIVE

**Recommendation:** That City Council authorize the Mayor to execute Florida Seaport Grant and Seaport Investment Program grant No. 445548-1-94-03, for Upland Cargo Improvements Initiative in the amount of \$1,524,565. Further, that City Council authorize the Mayor to take all actions necessary to accept, execute and administer the grant. 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 Moore.**

**REGULAR AGENDA (CONT'D.)**

**The motion (to approve Item 19, 22-00174) carried by the following vote:**

Yes: 7      Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
Casey Jones, Jared Moore, Sherri Myers  
No: 0      None

20. [2022-028 SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-028 FLORIDA SEAPORT GRANT PROGRAM AND SEAPORT INVESTMENT PROGRAM GRANT NO.445548-1-94-03 - UPLAND CARGO IMPROVEMENTS INITIATIVE](#)

**Recommendation:** That City Council adopt supplemental Budget Resolution 2022-028:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022; PROVIDING FOR AN EFFECTIVE DATE.

**A motion to adopt was made by Council Member Moore and seconded by Council Member Wiggins.**

**The motion carried by the following vote:**

Yes: 7      Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
Casey Jones, Jared Moore, Sherri Myers  
No: 0      None

21. [22-00253 STATE OF FLORIDA OF ENVIRONMENTAL PROTECTION \(FDEP\) GRANT NO. LPA0210, BAYOU CHICO STORMWATER STUDY](#)

**Recommendation:** That City Council authorize the Mayor to execute State of Florida Department of Environmental Protection (FDEP) Grant No. LPA0210 to conduct a study to evaluate possible erosion and stormwater runoff issues into Bayou Chico and provide conceptual solutions to mitigate these issues. Further, that City Council authorize the Mayor to take all actions necessary to accept, execute and administer the grant. Finally, that City Council adopt a supplemental budget resolution appropriating the grant funds.

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

**The motion carried by the following vote:**

Yes: 7      Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
Casey Jones, Jared Moore, Sherri Myers  
No: 0      None

**REGULAR AGENDA (CONT'D.)**

22. [2022-031 SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-031 - BAYOU CHICO STORMWATER STUDY - GRANT](#)

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2022-031:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022, PROVIDING FOR AN EFFECTIVE DATE.

**A motion to adopt was made by Council Member Moore and seconded by Council Member Wiggins.**

**The motion carried by the following vote:**

Yes: 7      Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
                 Casey Jones, Jared Moore, Sherri Myers  
No: 0      None

23. [22-00261 JOINT PARTICIPATION AGREEMENT BETWEEN STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND CITY OF PENSACOLA - LANDSCAPING OF THE STATE ROAD 289 N 9TH AVE STATE ROAD 742 CREIGHTON ROAD INTERSECTION](#)

**Recommendation:** That City Council authorize the Mayor to execute a joint participation agreement between the State of Florida Department of Transportation and the City of Pensacola for landscaping installation on State Road 289 North 9th Avenue at State Road 742 Creighton Road Intersection, Pensacola, Florida. Further, that City Council adopt a Supplemental Budget Resolution appropriating funding for this project.

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

Council Member Myers made brief comments.

There being no further discussion, the vote was called.

**The motion carried by the following vote:**

Yes: 7      Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
                 Casey Jones, Jared Moore, Sherri Myers  
No: 0      None

**REGULAR AGENDA (CONT'D.)**

24. [2022-033 SUPPLEMENTAL BUDGET RESOLUTION JOINT PARTICIPATION AGREEMENT - LANDSCAPING OF THE STATE ROAD 289 N 9TH AVE STATE ROAD 742 CREIGHTON ROAD INTERSECTION](#)

**Recommendation:** That the City Council adopt Supplemental Budget Resolution No. 2022-033:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022; PROVIDING FOR AN EFFECTIVE DATE.

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

**The motion carried by the following vote:**

Yes: 7            Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
                         Casey Jones, Jared Moore, Sherri Myers  
No: 0            None

25. [22-00284 DECLARATION OF SURPLUS AND DISPOSITION \(SALE\) OF REAL PROPERTY - CORNER OF LEONARD AND PALAFOX STREETS](#)

**Recommendation:** That City Council declare as surplus a small portion of the real property located at the corner of Leonard and Palafox Streets (Parcel Ref No. 182S305001000000) and authorize the Mayor to dispose of this portion of the parcel via direct negotiation with the State of Florida Department of Transportation (FDOT) per their Purchase Agreement for the right of way acquisition. Also, that City Council waive section 3 of the Policy for Disposition of City-Owned Real Property regarding the pre-disposition notice to property owners within a 300-ft radius of the subject parcel. Finally, that City Council authorize the Mayor to take all actions necessary and execute any documents related to the disposition and sale of this property.

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

City Administrator Fiddler responded to questions from Council Member Broughton.

**The motion carried by the following vote:**

Yes: 7            Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
                         Casey Jones, Jared Moore, Sherri Myers  
No: 0            None

**REGULAR AGENDA (CONT'D.)**

26. [2022-035](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-035 - DISPOSITION (SALE) OF REAL PROPERTY - CORNER OF LEONARD AND PALAFOX STREETS

**Recommendation:** That City Council adopt Supplemental Budget Resolution No. 2022-035:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2022; PROVIDING FOR AN EFFECTIVE DATE.

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

**The motion carried by the following vote:**

Yes: 7            Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
                         Casey Jones, Jared Moore, Sherri Myers  
No: 0             None

**\*\*\*THE FOLLOWING ITEM WAS WITHDRAWN BY THE SPONSOR\*\*\***

27. [06-22](#) PROPOSED ORDINANCE NO. 06-22 - AMENDING SECTION 3-1-8 - ADDING PROVISIONS FOR THE PURCHASE OF OUTSIDE LEGAL SERVICES

**Recommendation:** That City Council approve Proposed Ordinance No. 06-22 on first reading:

AN ORDINANCE AMENDING SECTION 3-1-8 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; ADDING PROVISIONS FOR THE PURCHASE OF OUTSIDE LEGAL SERVICES; PROVIDING FOR SEVERABILITY, REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

**Withdrawn.**

**REGULAR AGENDA (CONT'D.)**

**\*\*\* THE FOLLOWING ITEM WAS WITHDRAWN BY THE SPONSOR\*\*\***

28. 08-22 PROPOSED ORDINANCE NO. 08-22 - AMENDING SECTION 3-3-1 REGULATING CONTRACTING AND PURCHASE OF LEGAL SERVICES

**Recommendation:** That City Council approve Proposed Ordinance No. 08-22 on first reading:

AN ORDINANCE AMENDING SECTION 3-3-1 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; REGULATING CONTRACTING AND PURCHASE OF LEGAL SERVICES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE

**Withdrawn.**

**\*\*\* THE FOLLOWING ITEM WAS WITHDRAWN BY THE SPONSOR\*\*\***

29. 14-22 PROPOSED ORDINANCE NO. 14-22 - CREATING SECTION 2-3-5 OF CITY CODE - APPLICATION OF CERTAIN CHEMICALS PROHIBITED IN CITY FACILITIES WHILE OPEN TO THE PUBLIC AND REQUIREMENTS FOR SAFETY DATA

**Recommendation:** That City Council approve proposed Ordinance No. 14-22 on first reading:

AN ORDINANCE CREATING SECTION 2-3-5 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; APPLICATION OF CERTAIN CHEMICALS PROHIBITED IN CITY FACILITIES WHILE OPEN TO THE PUBLIC PROHIBITED AND REQUIREMENTS FOR SAFETY DATA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

**Withdrawn.**



**REGULAR AGENDA (CONT'D.)****30. [16-22 PROPOSED ORDINANCE NO. 16-22 - CREATING CHAPTER 7-12 OF THE CITY CODE - REQUIREMENTS FOR BOOTING A VEHICLE](#)**

**Recommendation:** That City Council approve Proposed Ordinance No. 16-22 on first reading:

AN ORDINANCE CREATING CHAPTER 7-12 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING DEFINITIONS; REQUIRING OCCUPATIONAL BUSINESS LICENSE; PROVIDING REQUIREMENTS FOR BOOTING; PROVIDING SIGN NOTICE REQUIREMENTS; ESTABLISHING BOOTING RATES; ENFORCEMENT AND PENALTIES OF BOOTING; PROVIDING A PROCESS FOR CITIZEN COMPLAINTS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

**A motion to approve on first reading was made by Council Member Moore and seconded by Council Member Jones.**

Council Member Jones (sponsor) addressed Council indicating he has received some feedback from the Downtown Improvement Board (DIB) and that he intends to work with the City Attorney's office to possibly revise language which he will bring forward at second reading.

Discussion ensued among Council with Council Member Jones and City Attorney Pepler responding accordingly to questions. Council Executive Kraher also provided input.

Upon conclusion of discussion, the vote was called.

**The motion carried by the following vote:**

|        |   |
|--------|---|
| Yes: 7 | Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers |
| No: 0  | None  |

**COUNCIL EXECUTIVE'S REPORT**

None

**MAYOR'S COMMUNICATION**

City Administrator Fiddler referenced Mayor Robinson's absence this evening indicating he had another commitment.

**COUNCIL COMMUNICATIONS**

Council Member Brahier referenced a previous discussion related to an air filtration system for Council Chambers to be funded by American Rescue Plan Act (ARPA) dollars. City Administrator Fiddler indicated he will look into the issue and report back to Council. Council Member Brahier also encouraged Council Members to watch meetings of the Charter Review Commission which are live streamed.

Council Member Myers referenced a previous discussion with Mayor Robinson in 2019 regarding Florida Department of Transportation (FDOT) funding for beautification projects for the City of Pensacola and City of Gulf Breeze. City Administrator Fiddler addressed the issue and indicated he will look into the issue and report back to Council.

Council Member Broughton made follow-up remarks regarding Item 16, 22-00288 *Funding Amendment for Harnessing Opportunity and Power of Education, Inc. (H.O.P.E.)/Huts 4 Our Friends, Inc.* (which the motion to approve died) and indicated she hopes there might be other options for Mr. Houston’s organization to receive funding. Further, she does not support the closing of his facility. Council President Hill made follow-up comments pointing out that the funding from the General Fund has not been reallocated and that ARPA funding may also be a possibility for funding Mr. Houston’s organization.

**CIVIC ANNOUNCEMENTS**

Council Member Moore reminded of the upcoming *Ciclovía* event on March 26<sup>th</sup>.

**SECOND LEROY BOYD FORUM**

**Margaret Hostetter:** Made follow-up remarks regarding Item 16, 22-00288 *Funding Amendment for Harnessing Opportunity and Power of Education, Inc. (H.O.P.E.)/Huts 4 Our Friends, Inc.* (which the motion to approve died) and referenced information on the Escambia County Property Appraiser’s website related to the property and building which he leases at 3101 North Davis Highway.

**ADJOURNMENT**

WHEREUPON the meeting was adjourned at 8:53 P.M.

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Adopted: \_\_\_\_\_

Approved: \_\_\_\_\_  
Ann Hill, President of City Council

Attest:

\_\_\_\_\_  
Ericka L. Burnett, City Clerk