



City of Pensacola

CITY COUNCIL

Agenda Conference Minutes

December 12, 2022

3:30 P.M.

Hagler/Mason Conference Room

The agenda conference was called to order by Council President Wiggins at 3:30 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

The meeting can also be watched live stream at: cityofpensacola.com/428/Live-Meeting-Video.

PRESENTATION ITEMS

None

REVIEW OF CONSENT AGENDA ITEMS

1. [22-01161](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL PRESIDENT DELARIAN WIGGINS - DISTRICT 7

Recommendation: That City Council approve funding of \$500 to Youths Left Behind Corp. from the City Council Discretionary Funds for District 7.

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

2. [22-01166](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER JARED MOORE - DISTRICT 4.

Recommendation: That City Council approve funding of \$1,000 to ARC Gateway, \$1,000 to the Pensacola's Finest Foundation and \$1,000 to the Escambia Sheriff's Foundation from the City Council Discretionary Funds for District 4.

Place on Consent Agenda.

3. [22-01167](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL MEMBER JENNIFER BRAHIER - DISTRICT 1

Recommendation: That City Council approve funding of \$5,000 to Pensacola Habitat for Humanity and \$1,000 to Project Empower of Northwest Florida from the City Council Discretionary Funds for District 1.

Place on Consent Agenda.

4. [22-01192](#) LEASE RENEWAL - FOURTH AMENDMENT TO THE BANK OF AMERICA ATM FACILITY LEASE AGREEMENT

Recommendation: That City Council approve the Fourth Amendment to the ATM Facility Lease Agreement between the City of Pensacola and Bank of America, N.A

Place on Consent Agenda.

5. [22-01197](#) PLACEMENT OF A PARK BENCH AND NAME PLATE IN BARTRAM PARK, UNDER AN OAK TREE OVERLOOKING THE SCULPTURE IN HONOR OF LOUISE HOLLIDAY HOLDEN

Recommendation: That City Council approve the placement of a park bench and name plate in Bartram Park, under an oak tree overlooking the sculpture in honor of Louise Holliday Holden.

Council Executive Kraher referenced hardcopies of a revised memorandum clarifying the request is for placement of a plaque on an existing bench.

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

6. [22-01073](#) AWARD OF CONTRACT RFP NO. 22-047 FOR OPERATION OF PUBLIC PARKING FACILITY AT PENSACOLA INTERNATIONAL AIRPORT

Recommendation: That City Council approve the ranking of the selection committee for RFP No. 22-047 for operation of the public parking facility at Pensacola International Airport and award a contract to LAZ Florida Parking, LLC, submitting the best proposal. Further, that City Council authorize the mayor to take those actions necessary to execute and administer this contract consistent with the proposal, contracting documents, and the Mayor's Executive Powers as granted in the City Charter.

Place on Consent Agenda.

7. [22-01136](#) AIRPORT - APPROVAL OF AMENDMENT NO. 1 TO LEASE NO. HSBP-7120-L-IN0487 WITH THE UNITED STATES OF AMERICA - CUSTOMS AND BORDER PROTECTION

Recommendation: That City Council approve the Amendment No. 1 to Lease No. HSBP-7120-IN0487 between the City of Pensacola and the United States of America. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer this Amendment, consistent with the terms of the agreement and the Mayor's Executive Powers as granted in the City Charter.

Place on Consent Agenda.

8. [22-01151](#) AMENDMENT NO. 1 TO INTERLOCAL AGREEMENT FOR GRANT ADMINISTRATION SERVICES FOR ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) GRANT #04-79-07378 WITH EMERALD COAST REGIONAL PLANNING COUNCIL

Recommendation: That City Council approve Amendment No. 1 between the City of Pensacola and Emerald Coast Regional Planning Council. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer this Amendment, consistent with the terms of the agreement and the Mayor's Executive Powers as granted in the City Charter.

Place on Consent Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

9. [22-01181](#) CITY OF PENSACOLA 2022 AFFORDABLE HOUSING INCENTIVE PLAN REVIEW REPORT

Recommendation: That City Council approve the City of Pensacola 2022 Affordable Housing Incentive Plan Review report submitted by the Affordable Housing Advisory Committee (AHAC) for submission to the Florida Housing Finance Corporation in accordance with Section 420.9076, Florida Statutes.

Council Member Bare requested this item be **moved to the Regular Agenda**.

Place on Regular Agenda.

10. [22-01182](#) COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) LEGAL SERVICES PROGRAM AGREEMENT WITH LEGAL SERVICES OF NORTH FLORIDA, INC.

Recommendation: That City Council approve a Legal Services Program Agreement between the City of Pensacola and Legal Services of North Florida, Inc. for \$20,000 under the Community Development Block Grant (CDBG) Program. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer the Program Agreement consistent with the terms of the Agreement and Mayor's Executive Powers as granted in the City Charter.

Place on Consent Agenda.

11. [22-01050](#) APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH PENSACOLA OUTRIGGER CANOE CLUB RELATED TO UTILIZATION OF BAYVIEW PARK

Recommendation: That the City Council approve a Memorandum of Understanding with the Pensacola Outrigger Canoe Club and the City of Pensacola Parks and Recreation Department for specific responsibilities of both parties during utilization of Bayview Park. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer this memorandum of understanding, consistent with the terms of the agreement and the Mayor's Executive Powers as granted in the City Charter.

Council Member Bare requested this item be **moved to the Regular Agenda**.

Place on Regular Agenda.

REVIEW OF CONSENT AGENDA ITEMS (CONT'D.)

12. [22-01183](#) APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH PENSACOLA CHILDREN'S CHORUS FOR "PENSACOLA SINGS" TO OFFER A CHORUS PROGRAM TO BENEFIT AND ENRICH YOUTHS

Recommendation: That the City Council approve a Memorandum of Understanding with the Pensacola Children's Chorus for "Pensacola Sings" and the City of Pensacola Parks and Recreation Department. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer this memorandum of understanding, consistent with the terms of the agreement and the Mayor's Executive Powers as granted in the City Charter.

Council Member Bare requested this item be **moved to the Regular Agenda**.

Place on **Regular Agenda**.

REVIEW OF REGULAR AGENDA ITEMS

13. [22-01164](#) APPOINTMENT - COMMUNITY REDEVELOPMENT AGENCY BOARD CHAIRPERSON

Recommendation: That City Council appoint one member of the Community Redevelopment Agency Board as Chairperson for a period of one year, expiring December 2023.

Council Member Moore (nominated by Council Member Brahier) withdrew his name from consideration. He suggested the item be placed on the Consent Agenda since only one nominee remains. *There were no objections.*

Place on **Consent Agenda**.

14. [22-01179](#) APPOINTMENT - COMMUNITY REDEVELOPMENT AGENCY BOARD VICE CHAIRPERSON

Recommendation: That City Council appoint one member of the Community Redevelopment Agency Board as Vice Chairperson for a period of one year, expiring December 2023.

Council Member Moore suggested the item be placed on the Consent Agenda since there is only one nominee. *There were no objections.*

Place on **Consent Agenda**.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

15. [22-01027](#) PUBLIC HEARING - ADOPTION OF AMENDMENT TO THE COMPREHENSIVE PLAN - COASTAL MANAGEMENT ELEMENT.

Recommendation: That City Council conduct the second of two required public hearings on December 15, 2022 to adopt the proposed amendment to the City's Comprehensive Plan specific to the Coastal Management Element.

Place on Regular Agenda.

16. 29-22 PROPOSED ORDINANCE NO. 29-22 - ADOPTION OF AMENDMENT TO THE COMPREHENSIVE PLAN - COASTAL MANAGEMENT ELEMENT

Recommendation: That City Council adopt Proposed Ordinance No. 29-22 on second reading.

AN ORDINANCE APPROVING FOR ADOPTION, FOLLOWING THE REQUIRED STATUTORY REVIEW PROCESS BY THE STATE OF FLORIDA, AMENDMENTS TO THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA, FLORIDA, COASTAL MANAGEMENT ELEMENT; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Council Member Bare referred to language within the draft proposed ordinance related to formatting reflecting proposed new language. Planning & Zoning Manager Cannon indicated that she would review and provide a corrected draft if necessary. Council Member Brahier inquired about accountability related to use of state funding for waterfront development with Planning & Zoning Manager Cannon responding accordingly.

Place on Regular Agenda.

17. [22-01028](#) PUBLIC HEARING - ADOPTION OF AMENDMENT TO THE COMPREHENSIVE PLAN - PROPERTY RIGHTS ELEMENT.

Recommendation: That City Council conduct the second of two required public hearings on December 15, 2022, to adopt the proposed amendment to the City's Comprehensive Plan specific to the Property Rights Element.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

18. [27-22](#) PROPOSED ORDINANCE NO. 27-22 - ADOPTION OF AMENDMENT TO THE COMPREHENSIVE PLAN - PROPERTY RIGHTS ELEMENT

Recommendation: That City Council adopt Proposed Ordinance No. 27-22 on second reading.

AN ORDINANCE APPROVING FOR ADOPTION, FOLLOWING THE REQUIRED STATUTORY REVIEW PROCESS BY THE STATE OF FLORIDA, AMENDMENTS TO THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA, FLORIDA, PROPERTY RIGHTS ELEMENT; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

Place on Regular Agenda.

19. [22-01127](#) QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - GROVE PARK SUBDIVISION

Recommendation: That City Council conduct a quasi-judicial hearing on December 15, 2022, to consider approval of the Final Subdivision Plat, Grove Park Subdivision.

Place on Regular Agenda.

20. [22-01174](#) 2023 CITY COUNCIL MEETING SCHEDULE

Recommendation: That City Council adopt the 2023 City Council Meeting Schedule.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)21. [22-01204](#) ASSIGNMENT OF COUNCIL MEMBERS TO EXTERNAL BOARDS, COMMISSIONS & AUTHORITIES FOR COUNCIL TERM 2022-2024

Recommendation: That the following external assignments be filled for a two-year period, until new City Council Members take office in November of 2024:

EXTERNAL BOARD ASSIGNMENTS 2022-2024

Pensacola & Perdido Bays Estuary Program (1 & 1 Alt) - Moore / Bare (alt)

Community Action Program (1) -- Bare

Community Drug & Alcohol Commission (1) -- Wiggins

Community Enterprise Investments, Inc. (1) -- Broughton

Tourist Development Council (2) - Jones, Broughton

Transportation Planning Organization (5) - Wiggins / Moore / Jones / Bare / Patton

Juvenile Justice Council (1) -- Wiggins

Our Corner (formerly Keep Pensacola Beautiful) (1) -- Jones

Pensacola Escambia Development Commission (2) - Bare / Patton

Emerald Coast Regional Council (1) -- Patton

Ex-Officio Officer Downtown Improvement Board (1) -- Brahier

Ex Officio Officer Human Relations Commission (1) (Set to expire 10/1/2023) - Broughton

Eastside Redevelopment Board -- Brahier

Westside Redevelopment Board -- Brahier

Urban Core Redevelopment Board -- Moore

Affordable Housing Advisory Committee (Term expiring 8/19/23) -- Wiggins

Council Member Brahier suggested the item be placed on the Consent Agenda. *There were no objections.*

Place on Consent Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

22. [22-01188](#) APPROVAL TO ALLOCATE A PORTION OF LOST IV FUNDING FOR THE PAVING OF THE FIRST CITY ART CENTER PARKING LOT

Recommendation: That City Council approve the transfer of LOST IV funding in the amount of \$60,000 from the Pavement Management project to a project for the rehabilitation of the parking lot at the First City Art Center parking lot located at 1060 N. Guillemard St.

Council Member Bare asked questions related to the funding of the parking lot rehabilitation with Public Works & Facilities Director Tootle responding accordingly.

Place on Regular Agenda.

23. [2022-115](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-115 - FY 2023 ENCUMBRANCE CARRYOVER BUDGET RESOLUTION

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2022-115.

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

Place on Regular Agenda.

24. [2022-124](#) RESOLUTION NO. 2022-124 SUPPORTING AN APPLICATION FOR TRANSPORTATION ALTERNATIVES PROGRAM FUNDING

Recommendation: That City Council adopt Resolution No. 2022-124.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA; SUPPORTING AN APPLICATION FOR TRANSPORTATION ALTERNATIVES PROGRAM FUNDING TO DESIGN AND CONSTRUCT A MULTI-USE PATH AT HOLLICE T. WILLIAMS PARK; PROVIDING FOR AN EFFECTIVE DATE.

Place on Regular Agenda.

REVIEW OF REGULAR AGENDA ITEMS (CONT'D.)

25. [56-22](#) PROPOSED ORDINANCE NO. 56-22 AMENDING SECTION 6-3-2 OF THE CITY CODE - PROHIBITING SMOKING AND USE OF VAPOR-GENERATING DEVICES WITHIN PUBLIC PARKS

Recommendation: That City Council approve Proposed Ordinance No. 56-22 on first reading;

AN ORDINANCE AMENDING SECTION 6-3-2 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; PROHIBITING SMOKING AND USE OF VAPOR-GENERATING DEVICES WITHIN CITY OF PENSACOLA PUBLIC PARKS; PROVIDING EXCEPTIONS AND GRAMMATICAL AMENDMENT CLARIFYING (a); PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Some discussion took place with comments and questions from Council Members Bare, Jones (co-sponsor), and Brahier with Parks & Recreation Director and Mayor Reeves responding accordingly.

Place on Regular Agenda.

26. [57-22](#) PROPOSED ORDINANCE NO. 57-22 - AMENDING SECTION 9-3-3 - RELATED TO ADDING JUNETEENTH TO THE OFFICIAL HOLIDAYS OBSERVED BY THE CITY

Recommendation: That City Council approve Proposed Ordinance 57-22 on first reading;

AN ORDINANCE AMENDING SECTION 9-3-3 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; ADDING JUNETEENTH TO THE OFFICIAL HOLIDAYS OBSERVED BY THE CITY; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

Council Executive Kraher referenced hardcopies of a revised memorandum (also adding Presidents' Day. He also advised that agreements with employee unions will come to Council for approval at the January meeting along with second reading and adoption of the amendments.

Place on Regular Agenda.

CONSIDERATION OF ANY ADD-ON ITEMS

Reference was made to hardcopies at Council's places for **an add-on item:**

22-01176 REHIRING OF YVETTE MCLELLAN AS COUNCIL STAFF WITH THE TITLE OF SPECIAL ASSISTANT TO THE COUNCIL EXECUTIVE.

A motion to add-on the item was made by Council Member Brahier and seconded by Council Member Jones.

The motion carried by the following vote:

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

Council Member Brahier suggested the add-on item be placed on the Consent Agenda. Council President Wiggins objected indicating that he would like the opportunity for discussion of the item.

DISCUSSION

None

READING OF ITEMS FOR COUNCIL AGENDA

City Clerk Burnett read as presented above. *No objections.*

COMMUNICATIONS

CITY ADMINISTRATOR'S COMMUNICATION

None

CITY ATTORNEY'S COMMUNICATION

City Attorney Peppler indicated he looks forward to working with the new Mayor and Council Members.

CITY COUNCIL COMMUNICATION

Council Member Brahier addressed Council regarding the lack of resources for minors addicted to opioids.

Council Member Bare made follow-up remarks regarding his request(s) to move three items from the Consent Agenda to the Regular Agenda (as indicated above) for the purpose of expressing concerns and asking questions. He indicated that he will work through the proper channels to communicate with the appropriate staff prior to the 12/15 Council meeting.

Council Executive Kraher provided a handout and addressed Council regarding meeting reminders to assist in general decorum, courtesy, and efficiency in the conduct of meetings.

ADJOURNMENT

4:07 P.M.