



City of Pensacola

CITY COUNCIL

Regular Meeting Minutes

February 23, 2023

5:30 P.M.

Council Chambers

Council President Wiggins called the meeting to order at 5:31 P.M.

ROLL CALL

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

Council Members Absent: None

Also Present: Mayor D.C. Reeves

INVOCATION

Moment of Silence

PLEDGE OF ALLEGIANCE

Council Vice President Casey Jones

FIRST LEROY BOYD FORUM

Brian Wyer: Addressed Council and provided handouts related to activities of the Gulf Coast Minority Chamber of Commerce regarding: 1) *An Evening with Bob Zellner – Civil Rights Activist*; and 2) *How to do Business with your Local Government Workshop* (on file).

Dominic Lauber: Addressed Council regarding issues related to open container regulations and access of sidewalks/right-of-way downtown.

AWARDS

None

APPROVAL OF MINUTES

1. [23-00196](#) APPROVAL OF MINUTES: REGULAR MEETING DATED FEBRUARY 9, 2023

A motion to approve was made by Council Member Bare 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

APPROVAL OF AGENDA

A motion to approve the agenda as presented was made by Council Member Bare and seconded by Council Member Moore.

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. [23-00094](#) AWARD COOPERATIVE GSA PURCHASE CONTRACT TO CYCLOMEDIA FOR DATA COLLECTION AND PLAN COMPLETION FOR DESIGN OF THE CITY'S PAVEMENT MANAGEMENT PROGRAM

Recommendation: That City Council award this contract to CYCLOMEDIA, the lowest and best responsible bidder, for a base price of \$177,040.00 plus 0% contingency in the amount of \$0.00 for a total contract price of \$177,040.00. 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. Finally, that City Council approve the transfer of \$202,040 from the Pavement Management Program project in LOST IV to the Roger Scott Pool/Bathroom project in LOST IV AND to approve the transfer of \$202,040 from the General Fund allocation for the Roger Scott Pool/Bathroom project for the award of the CYCLOMEDIA and Central Square contracts.

CONSENT AGENDA (CONT'D.)

3. [23-00117](#) AWARD OF QUOTE FOR THE COLLEGE PARKWAY SIDEWALK PROJECT

Recommendation: That City Council award the contract for the College Parkway Sidewalk Project to Gulf Beach Construction of Gulf Breeze, Florida, the lowest and most responsible bidder, for a base price of \$ 53,170.00 plus a bid alternate of \$12,560 for the total contract value of \$65,730.00 along with a 10% contingency amount of \$ 6,573.00. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer this contract and complete the work, consistent with the bid, contracting documents, and the Mayor's Executive Powers as granted in the City Charter.

4. [23-00122](#) APPROVAL OF THE LOCALLY FUNDED AND THREE-PARTY ESCROW AGREEMENTS BETWEEN THE STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION AND THE CITY OF PENSACOLA, FLORIDA FOR THE CONSTRUCTION OF THE PALAFOX STREET ROAD DIET FROM CERVANTES STREET TO SCOTT STREET

Recommendation: That City Council approve the Locally Funded and Three-Party Escrow Agreements between the City of Pensacola and FDOT. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer this agreement, consistent with the terms of the agreement and the Mayor's Executive Powers as granted in the City Charter.

5. [23-00134](#) AWARD OF MASTER AGREEMENT FOR ARCHITECTURAL AND ENGINEERING SERVICES FOR AIRPORT IMPROVEMENTS AT PENSACOLA INTERNATIONAL AIRPORT

Recommendation: That City Council award contracts to Garver Engineers, LLC dba Garver, LLC, Atkins North America, Inc., and RS&H, Inc. for professional engineering and architectural services related to airport improvements at the Pensacola International Airport requested through RFQ #22-056 for an initial term of three years. Further, that Council authorize the Mayor take the actions necessary to negotiate, execute, and administer the necessary contracts, including the two one-year renewal options specified in the RFQ, consistent with the terms of the contracts and the Mayor's Executive Powers as granted in the City Charter.

6. [23-00149](#) DISCRETIONARY FUNDING ALLOCATION - CITY COUNCIL VICE PRESIDENT CASEY JONES - DISTRICT 3

Recommendation: That City Council approve funding of \$1,000 for the Pensacola High School Baseball Boosters, Inc. from the City Council Discretionary Funds for District 3.

CONSENT AGENDA (CONT'D.)

7. [23-00145](#) APPOINTMENTS - WESTSIDE COMMUNITY REDEVELOPMENT BOARD

Recommendation: That City Council appoint two (2) individuals to the Westside Community Redevelopment Board that are either a redevelopment area resident, member of an area neighborhood association or owner or operator of a business located in the redevelopment area, to fill two (2) unexpired terms ending January 31, 2024.

8. [23-00167](#) APPOINTMENT - BOARD OF TRUSTEES - POLICE OFFICERS' RETIREMENT FUND

Recommendation: That City Council reappoint Bryan Ball to the Board of Trustees - Police Officers' Retirement Fund for a term two (2) years expiring December 31, 2024.

9. [23-00089](#) CONTINUING SERVICES CONTRACTS FOR RFQ # 23-003 PROFESSIONAL ENGINEERING CONSULTING SERVICES

Recommendation: That City Council authorize the Public Works and Facilities Department to negotiate contracts with Atkins North America, Inc., AVCON Inc., Baskerville-Donovan, Inc., Geosyntec Consultant Inc., HDR Engineering, Inc., Jacobs Engineering Group Inc., McKim & Creed Inc., and Volkert Inc. for continuing professional engineering consulting services requested through RFQ #23-003 for an initial term of three years. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer these contracts, consistent with the terms of the contracts and the Mayor's Executive Powers as granted in the City Charter.

A motion to approve consent agenda items 2, 3, 4, 5, 6, 7, 8, and 9 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

REGULAR AGENDA**10. [23-00125](#) HOME INVESTMENT PARTNERSHIPS PROGRAM INTERLOCAL AGREEMENT WITH ESCAMBIA COUNTY**

Recommendation: That City Council approve the HOME Investment Partnerships Program (HOME) interlocal agreement with Escambia County providing for the City of Pensacola's participation in the HOME program to implement Homebuyer Assistance activities. Further, that City Council authorize the Mayor to take the actions necessary to execute and administer the agreement, consistent with the terms of the agreement and the Mayor's Executive Powers as granted in the City Charter.

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

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

11. [23-00085](#) PUBLIC HEARING: REQUEST FOR FUTURE LAND USE MAP AND ZONING MAP AMENDMENT - 2401,2409,2421,2431 CREIGHTON ROAD AND 6880 TIPPIN AVENUE

Recommendation: That City Council conduct a Public Hearing on February 23, 2023, to consider the request to amend the Future Land Use Map and Zoning Map for 2401, 2409,2421,2431 Creighton Road and 6880 Tippin Avenue.

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

Planning & Zoning Manager Cannon explained the proposed amendments as outlined in the memorandum provided in the agenda package dated 2/23/23 (on file).

Meredith Bush, ACIP/Attorney with Clark Partington and Will Akin, Principal with Capital Growth Real Estate representing the developer responded accordingly to questions from Council Member Bare. Planning & Zoning Manager Cannon also responded to questions.

Public input was heard from the following individuals:

Robert Murrer

John Hudson

There being no further discussion, the vote was called.

REGULAR AGENDA (CONT'D.)

Council Member Bare asked a procedural question regarding public hearings with City Clerk Burnett responding accordingly.

There being no additional discussion, the vote was called (on Item 11, 23-00085).

The motion carried by the following vote:

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

12. [02-23 PROPOSED ORDINANCE NO. 02-23 - REQUEST FOR FUTURE LAND USE MAP AMENDMENT- 2401, 2409, 2421, 2431 CREIGHTON ROAD AND 6880 TIPPIN AVENUE](#)

Recommendation: That City Council approve Proposed Ordinance No. 02-23 on first reading:

AN ORDINANCE AMENDING THE COMPREHENSIVE PLAN AND FUTURE LAND USE MAP OF THE CITY OF PENSACOLA, FLORIDA; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

Some discussion took place with Planning & Zoning Manager Cannon responding accordingly to questions.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

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

REGULAR AGENDA (CONT'D.)

13. [03-23 PROPOSED ORDINANCE NO. 03-23 - REQUEST FOR ZONING MAP AMENDMENT - 2401, 2409, 2421, 2431 CREIGHTON ROAD AND 6880 TIPPIN AVENUE](#)

Recommendation: That City Council approve Proposed Ordinance No. 03-23 on first reading.

AN ORDINANCE AMENDING THE ZONING CLASIFICATION FOR CERTAIN PROPERTY PURSUANT TO AND CONSISTENT WITH THE COMPREHENSIVE PLAN OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE ZONING MAP OF THE CITY OF PENSACOLA; REPEALING CLAUSE AND 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: 6	Delarian Wiggins, Casey Jones, Jennifer Brahier, Teniade Broughton, Jared Moore, Allison Patton
No: 1	Charles Bare

14. [23-00156 REFERRAL TO THE ENVIRONMENTAL ADVISORY BOARD \(EAB\) REGARDING PROPOSED AMENDMENTS TO CITY CODE SECTION 12-6-10\(C\) - TREE PLANTING TRUST FUND](#)

Recommendation: That City Council refer to the EAB, proposed amendments to Section 12-6-10(c) of the City Code - Tree Planting Trust Fund, for review and recommendation.

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

Council Member Bare (sponsor) referenced the proposed amendments and explained his intent in referring this issue to the EAB.

Public input was heard from Margaret Hostetter.

Discussion ensued among Council. Mayor Reeves also provided input.

REGULAR AGENDA (CONT'D.)

Council Member Moore offered an amendment (regarding Item 14, 23-00156) to proposed language in Section 12-6-10(c)(1) as follows: ~~The tree planting trust fund shall not be utilized for the removal of trees or vegetation~~ Any tree planting trust fund proposal for the utilization of the removal of trees or vegetation of any dollar value the must come before the EAB and City Council to confirm an exigent circumstance exists of justifying that expense. Brief discussion took place regarding amending proposed language which is being referred to the EAB for their recommendation with input from City Clerk Burnett and City Attorney Peppler. **Council Member Jones seconded the motion to amend. Council President Wiggins suggested that language be added to include the City's arborist in the review process. Council Members Moore and Jones agreed.**

Discussion ensued regarding the motion to amend with City Attorney Peppler responding accordingly to questions.

Following discussion, **the motion to amend proposed language in Section 12-6-10(c)(1) was restated as follows: ~~The tree planting trust fund shall not be utilized for the removal of trees or vegetation~~ Any proposal utilizing the tree planting trust fund for the removal of trees or vegetation shall be reviewed by the City arborist, the environmental advisory board, and the City Council to ensure adherence to the overall (tree) canopy health.**

The vote was called on the motion to amend.

The motion to amend carried by the following vote:

Yes: 5	Delarian Wiggins, Casey Jones, Teniade Broughton, Jared Moore, Allison Patton
No: 2	Charles Bare, Jennifer Brahier

There being no further discussion, the vote was called on the **main motion as amended.**

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

REGULAR AGENDA (CONT'D.)

15. [2023-014](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2023-014 - TREE REMOVAL

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2023-014.

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

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

Council Member Bare (sponsor) addressed Council regarding the intent of the resolution.

Public input was heard from Margaret Hostetter.

Discussion ensued among Council. Mayor Reeves and Council Executive Kraher also provided input.

Upon conclusion of discussion, the vote was called.

The motion failed by the following vote:

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

REGULAR AGENDA (CONT'D.)

16. [07-23 PROPOSED ORDINANCE NO. 07-23 - AMENDING SECTIONS 6-3-10, 6-3-12, 6-3-15 AND 6-3-19 OF THE CODE OF THE CITY OF PENSACOLA - ALLOWING DOWNTOWN IMPROVEMENT BOARD \(DIB\) TO OPERATE PALAFOX MARKET WITHIN PLAZA FERDINAND](#)

Recommendation: That City Council adopt Proposed Ordinance No. 07-23 on second reading.

AN ORDINANCE AMENDING SECTIONS 6-3-10, 6-3-12, 6-3-15 AND 6-3-19 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; ALLOWING DOWNTOWN IMPROVEMENT BOARD (DIB) TO OPERATE PALAFOX MARKET WITHIN PLAZA FERDINAND; REQUIRING INTERLOCAL AGREEMENT BETWEEN DIB AND CITY TO GOVERN OPERATION OF PALAFOX MARKET; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE. [\(Ordinance No. 03-23\)](#)

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

Mayor Reeves responded to questions from Council Member Bare; and Council Member Brahier 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

COUNCIL EXECUTIVE'S REPORT

Council Executive Kraher referenced an upcoming workshop that was tentatively scheduled for March 13th will be rescheduled due to conflicts. He also thanked Mayor Reeves and City staff for providing signed parking accommodations for Executive Assistant to City Council Mager.

Council President Wiggins inquired about scheduling of an update to be presented to Council from the Opioid Abatement Funding Advisory Board. Council Executive Kraher indicated it has yet to be scheduled.

MAYOR'S COMMUNICATION

Mayor Reeves commended City crews that did a great job cleaning up downtown following Mardi Gras events. He also advised of upcoming submittals of grant applications for various projects.

Council Member Wiggins inquired of parade signage to advise those parking downtown on parade event days.

COUNCIL COMMUNICATIONS & CIVIC ANNOUNCEMENTS

Council Member Bare thanked Pensacola Energy and Sanitation Services staff for addressing needs and concerns of an elderly citizen related to natural gas and sanitation billing/services.

Council Member Broughton advised of an upcoming reunion of descendants of John Sunday.

Council Member Moore also commended the clean-up work of City crews following Mardi Gras events.

Council Member Patton commended the participation of City employees in this year's *Point in Time Count* assisting with collecting data related to homelessness.

Council Member Jones commended Pensacola Energy staff for their prompt response to a gas leak near his home.

SECOND LEROY BOYD FORUM

Margaret Hostetter: Addressed Council regarding funding of tree removal and maintenance.

ADJOURNMENT

WHEREUPON the meeting was adjourned at 6:33 P.M.

Adopted: _____

Approved: _____
Delarian Wiggins, President of City Council

Attest:

Ericka L. Burnett, City Clerk