



City of Pensacola

CITY COUNCIL

Regular Meeting Minutes

February 10, 2022

5:30 P.M.

Council Chambers

Council President Hill called the meeting to order at 5:31 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

Also Present: Mayor Grover C. Robinson, IV (arrived 6:09)

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 Jared Moore

FIRST LEROY BOYD FORUM

Gloria Horning: Addressed Council regarding increased costs over the last three (3) years related to utilities and housing and indicated more American Rescue Plan Act (ARPA) funding should be allocated to assist citizens to address these increased costs, as well as homelessness.

Fred Gassman: Addressed Council regarding the billing/mailing cycle of sanitation and natural gas utilities indicating there is insufficient time between receipt of the bill and the due date. He also indicated that the cost of natural gas is expensive.

Anthony Caldwell: Addressed Council regarding an upcoming event on March 12th at Raymond Riddle Park for *Youth Trust Bowl*.

Council Member Broughton made follow up remarks.

Lesia Gibson: Addressed Council regarding her concerns related to a holistic homeless resource center located at 2200 North Palafox Street referencing its close proximity to Pensacola High School and indicated it is a detriment to the neighborhood and businesses.

Council Member Brahier made follow-up remarks.

The following individuals addressed Council regarding increased electric rates since January 1st under Florida Power & Light (FP&L):

Karoline Nova
Melissa Pino
Larry Downs, Jr.
Sarah Brummet
Jasmine Brown

Brandy Johnson
Tanya Zettek
Hugh King
Lance Burney

Daryn Flanders: Addressed Council regarding the relocation of individuals who were encamped in Hollice T. Williams Greenway under the I-110 overpass thanking the City for their efforts and relayed his recent interactions with some of the individuals.

AWARDS

Mayor Robinson read a proclamation into the record recognizing February 11th, 2022 as *General Daniel "Chappie" James, Jr. Day*. Lee Hansen, Founding Member of the General Daniel "Chappie" James, Jr. Memorial Foundation accepted the proclamation on behalf of the family and made follow-up remarks.

APPROVAL OF MINUTES

1. [22-00170 APPROVAL OF MINUTES: REGULAR MEETING DATED JANUARY 20, 2022](#)

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

Council Member Moore requested Item 18 (22-00135) *Feasibility Study for a Summit Boulevard Road Diet* be moved up and placed following Item 7 (22-00152).

No objections.

There being no 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

CONSENT AGENDA

2. 22-00041 AWARD OF BID NO. 22-011 - PLAZA DE LUNA HURRICANE REPAIRS PROJECT

Recommendation: That City Council award Bid No. 22-011 Plaza De Luna Hurricane Repairs Project to Emerald Coast Constructors, Inc., of Pensacola Florida, the lowest and most responsible bidder with a base bid of \$1,227,630.00 plus a 10% contingency in the amount of \$122,763.00 for a total amount of \$1,350,393.00. Further, that City Council authorize the Mayor to execute the contract and take all action necessary to complete the project.

3. 22-00109 PUBLIC WORKS AND FACILITIES - AWARD OF BID #22-013 "I" STREET STORM PIPE REHABILITATION PROJECT

Recommendation: That City Council award Bid #22-013 "I" Street Storm Pipe Rehabilitation Project to Nu-Pipe, LLC of Charleston, South Carolina, the lowest and most responsible bidder with a total bid of \$319,926.10 plus a 10% contingency in the amount of \$31,992.61 for a total amount of \$351,918.71. Further, that City Council authorize the Mayor to execute the contract and take all actions necessary to complete the project.

4. 22-00136 AWARD OF BID NO. 22-002 - GARDEN STREET LANDSCAPE PROJECT FROM "A" STREET TO ALCANIZ STREET

Recommendation: That the City Council award Bid No. 22-002 for Garden Street Landscaping from "A" Street to Alcaniz Street to The Wallace Company, the lowest and most responsive bidder in the amount of \$564,391.80 plus a 10% contingency in the amount of \$56,439.32 for a total amount of \$620,831.12.

A motion to approve consent agenda items 2, 3, and 4 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

REGULAR AGENDA**5. [22-00047](#) QUASI-JUDICIAL HEARING - FINAL SUBDIVISION PLAT - THE LANDING AT DEVILLIERS**

Recommendation: That City Council conduct a quasi-judicial hearing on February 10, 2022, to consider approval of the Final Subdivision Plat - The Landing at DeVilliers.

Council President Hill read into the record a description of the requirements for conducting a quasi-judicial hearing. She indicated that this issue is not contested, therefore, they may dispense of the formalities but must receive appropriate evidence into the record.

Development Services Director Morris provided a summary of the issue as outlined in the memorandum, including attachments, and provided overhead slides regarding the subject subdivision plat. She responded accordingly to questions from Council Members. Mayor Robinson (sponsor) also provided input.

Upon conclusion of discussion, Council President Hill indicated she will entertain a motion.

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

6. [22-00151](#) APPROVAL OF THE TERM SHEET BETWEEN THE CITY OF PENSACOLA AND INSPIRED COMMUNITIES OF FLORIDA, LLC (INSPIRED) FOR THE DEVELOPMENT OF LOTS 4 AND 5 AT THE COMMUNITY MARITIME PARK

Recommendation: That the City Council approve in concept the term sheet between the City of Pensacola and Inspired Communities of Florida, LLC. The Mayor or designee will then use this term sheet to negotiate a final lease that will be returned to City Council for their approval.

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

Council Executive Kraher referenced hardcopies at Council's places of a memorandum from City Attorney Pepler with a revised term sheet (on file with background materials).

REGULAR AGENDA (CONT'D.)

Mayor Robinson (sponsor of Item 6, 22-00151) made comments referring to discussion during agenda conference. Andrew Rothfeder, agent with Kuhn Realty, LLC representing the City addressed Council. Dennis E. Pemberton, Jr., Executive Managing Director and Bailey Pope, Senior Vice President of Design & Sustainability, both with The Dawson Company, representing Inspired Communities of Florida, also addressed Council (via Microsoft Teams) regarding their intention to include affordable housing within the development.

Discussion ensued among Council (regarding Item 6, 22-00151 and related Item 7, 22-00152) with Mayor Robinson, City Attorney Peppler, Mr. Rothfeder, Mr. Pemberton, and Mr. Pope responding accordingly to comments and questions. During discussion, Council Member Myers referred to hardcopies at Council's places she provided of Ordinance No. 20-21 (City Code Section 12-3-109) related to density transfers, with Development Services Director Morris clarifying the application of the code. Finance Director Lovoy and Deputy City Administrator Miller also responded to questions.

Public input was heard from the following individuals:

Melissa Pino
Gloria Horning

Larry Downs, Jr.

Further discussion took place among Council with Mayor Robinson, City Attorney Peppler, and Finance Director Lovoy responding accordingly to questions.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

Yes: 5	Delarian Wiggins, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers
No: 2	Ann Hill, Jennifer Brahier

REGULAR AGENDA (CONT'D.)

7. [22-00152](#) APPROVAL OF THE OPTION AGREEMENT BETWEEN THE CITY OF PENSACOLA AND INSPIRED COMMUNITIES OF FLORIDA, LLC (INSPIRED) FOR LOTS 4 AND 5 AT THE COMMUNITY MARITIME PARK

Recommendation: That City Council approve and authorize the Mayor to execute the Option Agreement between the City of Pensacola and Inspired Communities of Florida LLC. for the exclusive right to develop Parcels 4 and 5 of the Vince J. Whibbs Jr. Community Maritime Park, until August 31, 2023 as well as allow for one 6-month extension at the Optionee's discretion.

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

Hardcopies were provided at Council's places of a memorandum from City Attorney Pepler with a revised option agreement (on file with background materials).

Mayor Robinson (sponsor) made brief comments.

Discussion took place among Council. Council Member Brahier expressed some concerns with language in the proposed option agreement. City Attorney Pepler responded accordingly to questions.

Council Member Brahier offered a friendly amendment that language be clarified in Section 3 of the Option Agreement to specify "...to extend the Option Term for a single additional six (6) calendar months..."

Public input was heard from Melissa Pino.

Discussion continued with Council Member Brahier clarifying her friendly amendment. She also expressed further concern regarding possible transfer or reassignment of tax abatements with Mayor Robinson and City Attorney Pepler responding. Council Member Brahier made a motion to amend that there not be provisions allowing transfer or reassignment of tax abatements but withdrew the motion (prior to it being seconded).

Upon conclusion of discussion, the vote was called on the motion upon clarification of the friendly amendment (as stated above).

The motion carried by the following vote:

Yes: 6	Delarian Wiggins, Jennifer Brahier, Teniade Broughton, Casey Jones, Jared Moore, Sherri Myers
No: 1	Ann Hill

REGULAR AGENDA (CONT'D.)18. [22-00135](#) FEASIBILITY STUDY FOR A SUMMIT BOULEVARD ROAD DIET

Recommendation: That City Council authorize the Mayor to transfer funds within the American Rescue Plan Act (ARPA) Fund to provide funding for expenses related to a Road Diet Feasibility Study on Summit Boulevard

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

Council Member Moore (sponsor) explained the reasoning for bringing this forward for a study. Council Member Brahier made comments in support.

Public input was heard from the following individuals:

Zac Lane
Travis Peterson

Garrett Henderson
Travis Coleman

Discussion took place among Council with Deputy City Administrator Forte responding accordingly to questions. Council Member Myers expressed concern that similar needs have not been addressed on Langley Avenue between 9th Aveune and Davis Highway. Mayor Robinson responded to comments.

Council Member Moore clarified it is not his intent to exceed expending more than \$75,000 to conduct the appropriate feasibility study and is looking to City staff to seek cost efficient professional services. Deputy Administrator Forte concurred.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

Yes: 6 Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,
 Casey Jones, Jared Moore
No: 1 Sherri Myers

REGULAR AGENDA (CONT'D.)

8. [22-00077](#) PORT OF PENSACOLA - FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT NO. 445548-1-94-02, LANDSIDE IMPROVEMENTS

Recommendation: That City Council authorize the Mayor to execute Florida Seaport Transportation Economic Development (FSTED) Grant No. 445548-1-94-02 for Hurricane Sally-related landside improvements in the amount of \$453,131. 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 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

9. [2022-021](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-021 FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT NO. 445548-1-94-02, LANDSIDE IMPROVEMENTS

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2022-021

A RESOLUTION AUTHORIZING AND MAKING REVENUE 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 Jones 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

REGULAR AGENDA (CONT'D.)

10. [22-00096](#) PORT OF PENSACOLA - FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT NO. 445549-1-94-03, WATERSIDE IMPROVEMENTS

Recommendation: That City Council authorize the Mayor to execute Florida Seaport Transportation Economic Development (FSTED) Grant No. 445549-1-94-03 for Hurricane Sally-related waterside improvements in the amount of \$628,581. 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 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

11. [2022-024](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-024 FLORIDA SEAPORT TRANSPORTATION ECONOMIC DEVELOPMENT (FSTED) GRANT NO. 445549-1-94-03, WATERSIDE IMPROVEMENTS

Recommendation: That City Council adopt supplemental Budget Resolution 2022-024

A RESOLUTION AUTHORIZING AND MAKING REVENUE 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 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

REGULAR AGENDA (CONT'D.)

12. [22-00044](#) PENSACOLA INTERNATIONAL AIRPORT - STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSPORTATION GRANT AGREEMENT NO. 435717-7-94-01

Recommendation: That City Council approve the acceptance of the Public Transportation Grant Agreement No. 435717-7-94-01 in the amount of \$275,000 to provide partial funding for the construction phase of the rehabilitation of the North half of Taxiway A at the Pensacola International Airport. Further, that City Council approve the grant resolution and authorize the Mayor to take all actions necessary relating to the acceptance and execution of the grant.

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

13. [2022-013](#) RESOLUTION NO. 2022-013 - STATE OF FLORIDA DEPARTMENT OF TRANSPORTATION PUBLIC TRANSPORTATION AGREEMENT NO. 435717-7-94-01

Recommendation: That City Council adopt Resolution No. 2022-013.

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF PENSACOLA TO EXECUTE THE PUBLIC TRANSPORTATION GRANT AGREEMENT NO. 435717-7-94-01 WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION FOR TAXIWAY A REHABILITATION - CONSTRUCTION AT THE PENSACOLA INTERNATIONAL AIRPORT; PROVIDING AN EFFECTIVE DATE.

A motion to adopt 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.)

14. [22-00084](#) TRANSFER OF FUNDS WITHIN THE AMERICAN RESCUE PLAN ACT (ARPA) FUND TO PROVIDE FUNDING FOR EXPENSES RELATED TO THE CLOSURE OF THE I-110 ENCAMPMENT

Recommendation: That City Council authorize the Mayor to transfer funds within the American Rescue Plan Act (ARPA) Fund to provide funding for expenses related to the closure of the I-110 encampment.

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

Mayor Robinson (sponsor) explained the intent of the transfer of funds with Finance Director Lovoy addressing costs associated. Parks & Recreation Director Cooper clarified related expenses and reimbursement of expense related to the I-110 encampment. Discussion took place among Council with Mayor Robinson and Parks & Recreation Director Cooper fielding comments and questions.

Public input was heard from the following individuals:

Michael Kimberl
Larry Downs, Jr.

Melissa Pino

Discussion continued among Council with Finance Director Lovoy explaining the funding source and intent related to the funding amount. Mayor Robinson and Parks & Recreation Director Cooper continued fielding additional comments and 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

REGULAR AGENDA (CONT'D.)**15. [22-00094](#) PLAYGROUND EQUIPMENT PURCHASE AND INSTALLATION - BAYVIEW PARK**

Recommendation: That City Council approve the purchase and installation of a playground structure for Bayview Park Playground from Kompan, Inc., through Omini Partners cooperative purchasing (Contract #2017001135) for \$301,818.54 plus a requested 10% contingency of \$30,181.85 for a total amount of \$332,000.39. Further, that City Council authorize the Mayor to take all actions necessary to execute the contract and complete the project.

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

Council Member Myers reiterated her concerns related to the design and accessibility of the playground equipment, as discussed during agenda conference, and offered suggestions for different types of equipment. Parks & Recreation Director Cooper responded to her comments and questions.

Discussion took place among Council with Mayor Robinson and Parks & Recreation Director Cooper fielding comments and 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

16. [22-00132](#) WORKSHOP ON THE CLIMATE MITIGATION AND ADAPTATION TASK FORCE RECOMMENDATIONS

Recommendation: That City Council schedule a workshop to get a presentation on the Climate Mitigation and Adaptation Task Force report and recommendations. Further, that Council authorize the Council President and Council Executive to schedule the workshop.

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

Council Member Myers (sponsor) explained her intent in requesting the scheduling of a workshop.

REGULAR AGENDA (CONT'D.)

Public input was heard from the following individual (regarding Item 16, 22-00132)

Gloria Horning (no longer in attendance)

Larry Downs, Jr.

Discussion took place among Council with Council Member Myers fielding comments and questions. Council Executive Kraher also provided input.

Based on discussion, **Council Member Myers withdrew Item 16, 22-00132 and indicated she will sponsor as a discussion item for the monthly workshop scheduled for March 21st (rather than a separately scheduled workshop).**

17. [22-00055 DISPARITY STUDY REGARDING HIRING PRACTICES WITHIN THE CITY AND THE IMPACT ON WOMEN](#)

Recommendation: That City Council allocate \$50,000 to hire a consultant to look at the hiring practices of the City of Pensacola and the impact of the practices on women.

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

Council Member Myers (sponsor) explained her intent in bringing this issue forward referring to background materials provided in the agenda package and handouts at Council's places (on file). Mayor Robinson pointed out that references to premium pay provided through ARPA funding is not related to hiring practices which is being alluded to.

Discussion ensued among Council. At the request of Mayor Robinson, Public Works & Facilities Director Tootle described how hiring is handled for her department. Council Member Myers fielded comments and questions.

Based on discussion, **Council Member Myers withdrew the item and requested Mayor Robinson provide a report on recruitment practices. Mayor Robinson agreed.**

19. [22-00146 RECOMMENDATION TO THE CHARTER REVIEW COMMISSION REGARDING A CITIZENS' BILL OF RIGHTS](#)

Recommendation: That City Council send a recommendation to the Charter Review Commission to entertain adding a Citizens' Bill of Rights to the Pensacola City Charter, modeled after the City of Miami Citizens' Bill of Rights.

Council Member Myers (sponsor) made comments and then withdrew the item.

REGULAR AGENDA (CONT'D.)

20. [2022-025](#) RESOLUTION NO. 2022-025 - SUPPORTING A MAINTENANCE AGREEMENT FOR US 90 OVER BAYOU TEXAR BRIDGE (FPID ID: 218608-4-52-01) WITH THE FLORIDA DEPARTMENT OF TRANSPORTATION

Recommendation: That City Council adopt Resolution No. 2022-025:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA SUPPORTING A MAINTENANCE AGREEMENT FOR US 90 OVER BAYOU TEXAR BRIDGE (FPID ID: 218608-4-52-01); PROVIDING FOR AN EFFECTIVE DATE.

A motion to adopt was made by Council Member Jones 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. [2022-018](#) SUPPLEMENTAL BUDGET RESOLUTION NO. 2022-018 - APPROPRIATION OF FUNDING FOR ADDITIONAL PERSONNEL AND EQUIPMENT IN INSPECTIONS

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2022-018:

A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS TO BUDGET 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 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. [02-22](#) PROPOSED ORDINANCE NO. 02-22 - AMENDING SECTION 3-1-11 COUNCIL RESERVE (GENERAL FUND)

Recommendation: That City Council approve Proposed Ordinance No. 02-22 on first reading.

AN ORDINANCE AMENDING SECTION 3-1-11 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, COUNCIL RESERVE (GENERAL FUND) TO PROVIDE THE FINANCE DIRECTOR THE AUTHORITY TO DETERMINE IF ANNUAL INTEREST EARNINGS SHOULD BE APPLIED TO THE RESERVE BALANCE; 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 Brahier.

Discussion took place among Council as to the intent of the proposed amendment with Finance Director Lovoy and Mayor Robinson providing clarification.

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

23. [01-22](#) REVISED: PROPOSED ORDINANCE NO. 01-22 - PROPOSED AMENDMENT TO CHAPTER 7-9 OF THE CODE OF THE CITY OF PENSACOLA - DOCKLESS SHARED MICROMOBILITY DEVICES PILOT PROGRAM

Recommendation: The City Council adopt Proposed Ordinance No. 01-22 as revised on second reading:

AN ORDINANCE OF THE CITY OF PENSACOLA, FLORIDA AMENDING CHAPTER 7-9 OF THE CODE OF THE CITY OF PENSACOLA TO REGULATE A DOCKLESS SHARED MICROMOBILITY DEVICE PILOT PROGRAM; PROVIDING FOR INDEMNIFICATION AND INSURANCE; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. ([Ordinance No. 02-22](#))

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

REGULAR AGENDA (CONT'D.)

Discussion (on Item 23, P.O. No. 01-22) took place among Council regarding possible impacts of the proposed amendments and issues related to enforcement. Mayor Robinson responded accordingly. He also reiterated, as discussed during agenda conference, staff will analyze impacts of the amendments on the pilot program and present an update to Council in March.

Public input was heard from Larry Downs, Jr.

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

24. [03-22 PROPOSED ORDINANCE NO. 03-22 - AMENDMENT TO LAND DEVELOPMENT CODE SECTION 12-3-31 \(6\) AND TABLE 12-3-31.12 - COMMUNITY REDEVELOPMENT AREA \(CRA\) URBAN DESIGN OVERLAY](#)

Recommendation: That City Council adopt Proposed Ordinance No. 03-22 on second reading:

AN ORDINANCE AMENDING SECTION 12-3-31 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, COMMUNITY REDEVELOPMENT AREA (CRA) URBAN DESIGN OVERLAY DISTRICT STANDARDS; REVISING SECTION 12-3-31 (6) MODIFICATIONS AND APPEALS AND TABLE 12-3-31.12 GLAZING REQUIREMENTS; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE. **(Ordinance No. 03-22)**

A motion to adopt 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

REGULAR AGENDA (CONT'D.)

25. 05-22 PROPOSED ORDINANCE NO. 05-22 - AMENDING SECTION 11-4-182 OF THE CITY CODE - USE OF RIGHTS-OF-WAY BY WIRELESS COMMUNICATIONS FACILITIES

Recommendation: That City Council adopt Proposed Ordinance No. 05-22 as revised on second reading:

AN ORDINANCE AMENDING SECTION 11-4-182 OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; USE OF RIGHTS-OF-WAY BY WIRELESS COMMUNICATIONS FACILITIES; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE. (**Ordinance No. 04-22**)

A motion to adopt 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

26. 2022-026 RESOLUTION NO. 2022-026 - EXPRESSING ITS OPPOSITION TO THE SENATE BILL 280 WHICH REQUIRES LOCAL GOVERNMENT TO PREPARE AND PUBLISH A "BUSINESS IMPACT STATEMENT" BEFORE ADOPTING AN ORDINANCE AFTER OCTOBER 1, 2022.

Recommendation: That City Council adopt Resolution No. 2022-026.

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA EXPRESSING ITS OPPOSITION TO THE SENATE BILL 280 WHICH WOULD SEVERELY HAMPER THIS COUNCIL'S LEGISLATIVE AUTHORITY TO PROTECT THE HEALTH, SAFETY, AND WELFARE OF ITS CITIZENS; PROVIDING AN EFFECTIVE DATE.

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

Council Member Myers and Mayor Robinson (sponsor) made comments.

Public input was heard from Larry Downs, Jr.

REGULAR AGENDA (CONT'D.)

There being no further discussion, the vote was called (on Item 26, Res. No. 2022-026).

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

Mayor Robinson provided brief updates on a few projects.

COUNCIL COMMUNICATIONS

Council Members Broughton and Wiggins advised of recent events and happenings within the community.

CIVIC ANNOUNCEMENTS

None

SECOND LEROY BOYD FORUM

Larry Downs, Jr.: Made follow-up remarks related to Item 17, 22-00055 *Disparity Study regarding Hiring Practices within the City and the Impact on Women.*

ADJOURNMENT

WHEREUPON the meeting was adjourned at 11:07 P.M.

Adopted: _____

Approved: _____
Ann Hill, President of City Council

Attest:

Ericka L. Burnett, City Clerk