



# City of Pensacola

## CITY COUNCIL

### Regular Meeting Minutes

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February 24, 2022

5:30 P.M.

Council Chambers

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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 (left 9:39), Sherri Myers (arrived 5:39; left 10:12)

**Council Members Absent:** None

**Also Present:** Mayor Grover C. Robinson, IV (arrived 5:58)

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 President Ann Hill

**FIRST LEROY BOYD FORUM**

Council Executive Kraher referenced the discussion from 2/22/22 Agenda Conference of Item No. 22-00211 *Ruling in Vickery V. City of Pensacola (North Spring Street Heritage Oak) - Request for Rehearing* and clarified there is not an add-on action item being brought forward for Council's consideration during tonight's meeting. He wanted to announce this in case anyone in the audience was in attendance for that issue, then they should speak during LeRoy Boyd Forum.

**Margaret Hostetter:** Addressed Council regarding the *Vickery V. City of Pensacola (North Spring Street Heritage Oak)*.

Council President Hill asked City Attorney Pepler for an update on the possibility of filing for a rehearing. Assistant City Attorney Lindsay providing a briefing on her review of the issue. **She invited direction from Council whether there is desire to move forward with filing for rehearing. She responded accordingly to questions. Council President Hill asked if it would be appropriate for Council to take a straw vote with City Attorney Pepler indicating "yes" and that he is supportive of Assistant City Attorney Lindsay moving forward with the process.**

**A motion to take a straw vote was made by Council Member Brahier and seconded by Council Member Hill that City Council encourage Assistant City Attorney Lindsay to move forward to file a request for rehearing regarding *Vickery V. City of Pensacola (North Spring Street Heritage Oak)*.**

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

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

**Gloria Horning:** addressed Council regarding increased electric rates since January 1<sup>st</sup> under Florida Power & Light (FPL), increased costs related to other utilities, insurance, and taxes. She also spoke to issues related to building within flood plains and sea level rise.

Council Member Broughton asked Dr. Horning follow-up questions which she responded accordingly.

**Brandy Johnson:** Addressed Council referencing the petition circulating on <https://www.change.org/> in protest of the extreme rate increase by FPL with signatures reaching 17,000 as of today. She called on City officials to act and suggested an investigation NextEra Energy (parent company) and FPL.

Council Member Broughton asked Ms. Johnson follow-up questions which she responded accordingly.

**Melissa Pino:** Addressed Council regarding issues of homelessness related to American Rescue Plan Act (ARPA) funding approved by Council to various organization and questioned how such programming is being carried out for the benefit of homeless individuals. She also made comments regarding response to her recent public records request.

## AWARDS

Mayor Robinson recognized and presented proclamations to the following individuals for working collaboratively with the City to find solutions to homelessness in the Pensacola community:

Connie Bookman, *Pathways for Change*  
John Johnson, *Opening Doors of Northwest Florida*  
Melissa Johnson, *Fearless Community, Inc.*  
Vince Whibbs, Jr., *ReEntry Alliance Pensacola, Inc. (REAP)*

Mayor Robinson also presented a Certificate of Appreciation to Melissa Johnson and indicated a Key to the City of Pensacola will be presented to her at a future date.

## APPROVAL OF MINUTES

1. [22-00214 APPROVAL OF MINUTES: REGULAR MEETING DATED FEBRUARY 10, 2022](#)

**A motion to approve 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  |

## APPROVAL OF AGENDA

**A motion to approve the agenda was made by Council Member Jones 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

## CONSENT AGENDA

2. [22-00116](#) APPOINTMENTS - AFFORDABLE HOUSING ADVISORY COMMITTEE

**Recommendation:** That City Council approve the following seven (7) Escambia County appointees as members to the Affordable Housing Advisory Committee for a term of three (3) years, expiring December 31, 2024:

George Ed Brown, Jr.  
Laura Gilmore  
Brenton Goodman  
Patricia Mackovic  
Deborah Mays  
Maya Moss  
John Shelton

3. [22-00163](#) APPOINTMENTS - ENVIRONMENTAL ADVISORY BOARD

**Recommendation:** That City Council reappoint Kristin Bennett, William "Blaise" Butts, Katie Fox, Michael Lynch, and P. Massey who are employed or retired environmental professionals, or members of local environmental organizations or businesses with an interest in City environmental issues; and reappoint Kelly Hagen, Kyle Kopytchak, and Neil Richards at-large residents or property owners of the City to a term of two (2) years, expiring March 1, 2024.

**A motion to approve consent agenda items 2 and 3 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

**REGULAR AGENDA****4. [22-00189](#) FEASIBILITY STUDY -- ELECTRIC UTILITY**

**Recommendation:** That City Council request that an RFP be developed to conduct a feasibility study regarding an electric utility. Further, that the RFP be returned to City Council for approval prior to advertisement and that the approved RFP be advertised within 60 days of City Council's action. Finally, that City Council allocate \$75,000 for the feasibility study.

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

Public input was heard from the following individuals:

|                  |                   |
|------------------|-------------------|
| Walter Arrington | Warren Rhea       |
| Delilah Stovall  | Avi Rieber        |
| Pam Rauch        | Pueschel Schneier |
| Dashaun McKenzie | Gloria Horning    |
| Doc Jody         | Hugh King         |
| Bryan Seifstein  | Melissa Pino      |
| Chiara Chappotin | Carollyn Taylor   |
| Melanie Nichols  | Kevin Wade        |
| Beverly Perry    | Sarah Brummet     |
| Christian Wagley | Kelly Hagen       |

Council Members asked questions of speakers and made comments throughout public input.

Following public input, Council Member Brahier (sponsor) explained her intent for bringing this issue forward. Discussion ensued among Council. Mayor Robinson also provided input and responded accordingly to comments and questions. Finance Director Lovoy also responded accordingly to questions.

Based on discussion, Council Member Brahier indicated that she would be willing to withdraw this item from consideration at this time, but that funds should be "earmarked" for retaining professional expertise to assist City Administration in negotiating a franchise agreement with FPL. Further, Mayor Robinson indicated his willingness to meet individually with Council Members regarding negotiations.

**Council Member Brahier withdrew the (above) item for consideration.**

**REGULAR AGENDA (CONT'D.)****5. [22-00185](#) RE-ENTRY ALLIANCE PENSACOLA (REAP) ADDITIONAL FUNDING**

**Recommendation:** That City Council allocate an additional \$42,000 to Re-Entry Alliance Pensacola, Inc. for the Safe Outdoor Shelter at Camp One (the Pathways for Change property). A scope of services is attached.

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

Public input was heard from Melissa Pino. Mayor Robinson made follow-up remarks.

Discussion ensued among Council. Mayor Robinson and Finance Director Lovoy responded accordingly to questions. Council President Hill (sponsor) also provided clarification as to the intent for allocation of additional funding. Vince Whibbs, Jr., Executive Director for REAP also responded to questions.

Upon conclusion of discussion, the vote was called.

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

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

**6. [22-00117](#) CODE ENFORCEMENT AUTHORITY SPECIAL MAGISTRATE REQUEST FOR LIEN RESCIND - CASE # 18-243**

**Recommendation:** That City Council approve the recommendation from the Code Enforcement Authority Special Magistrate to rescind code enforcement fines recorded against the property located at 880 Tanglewood Drive and authorize the Mayor to execute the appropriate documents.

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

Input was heard from David Bear (DMB Property, LLC) who purchased the property, made improvements, and brought the property in compliance with all City codes.

Mayor Robinson (sponsor) made comments, as well as other Council Members. Mr. Bear was provided an opportunity to respond to comments.

Upon conclusion of discussion, the vote was called.

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

**The motion (to approve Item 6, 22-00117) carried by the following vote:**

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

7. [22-00127 ADMINISTRATIVE PLAN FOR THE PENSACOLA HOUSING DEPARTMENT HOUSING CHOICE VOUCHER PROGRAM](#)

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

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

8. [22-00177 POLICY FOR ACQUISITION OF REAL PROPERTY](#)

**Recommendation:** That City Council adopt the Policy for Acquisition of Real Property, with an effective date of February 24, 2022.

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

Property Lease Manager Stallworth explained the intent of the proposed policy. She indicated that she will bring forward a resolution for formal adoption and incorporation in *Policies of City Council*. Council Executive Kraher made follow-up remarks commending Property Lease Manager Stallworth for her work on this policy draft.

There being no further discussion, the vote was called.

**The motion carried by the following vote (with Council Member Moore no longer in attendance):**

Yes: 6      Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
                 Casey Jones, Sherri Myers  
No: 0      None

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

9. [22-00171](#) LOAN AGREEMENT WITH NATIONAL MUSEUM OF THE UNITED STATES AIR FORCE (NMUSAF) FOR DECOMMISSIONED F-4C PHANTOM II FIGHTER JET AT THE GENERAL DANIEL "CHAPPIE" JAMES MEMORIAL PLAZA IN WAYSIDE PARK

**Recommendation:** That City Council authorize the Mayor to execute the 2022-2024 Loan Agreement, SDA0443, with the National Museum of the United States Air Force (NMUSAF) Community Static Display Loan Program for the loan of historical property, a decommissioned F-4C Phantom II fighter jet, in a static display at General Daniel "Chappie" James Memorial Plaza in Wayside Park. Also, that City Council authorize the Mayor to take all actions necessary to accept, execute, and administer the Agreement and subsequent renewals of the Agreement.

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

**The motion carried by the following vote (with Council Member Moore no longer in attendance):**

Yes: 6            Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
Casey Jones, Sherri Myers  
No: 0            None

10. [2022-029](#) RESOLUTION NO. 2022-029 - ADDITIONAL ROAD DIET DESIGN - PALAFOX STREET FROM SCOTT STREET TO CERVANTES STREET - FLORIDA DEPARTMENT OF TRANSPORTATION PLANNED RESURFACING, RESTORATION AND REHABILITATION PROJECT

**Recommendation:** That City Council adopt Resolution No. 2022-029:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA, EXPRESSING SUPPORT TO THE FLORIDA DEPARTMENT OF TRANSPORTATION TO INCORPORATE ADDITIONAL ROAD DIET DESIGN ON PALAFOX STREET, FROM SCOTT STREET SOUTH TO CERVANTES STREET, INTO THEIR PLANNED RESURFACING, RESTORATION, AND REHABILITATION PROJECT; PROVIDING AN EFFECTIVE DATE.

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

Public input was heard from Melanie Nichols.



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

Discussion took place among Council (regarding Item 10, Resolution No. 2022-029) with Mayor Robinson explaining the intent of the project in coordinating with a planned project with FDOT. Public Works & Facilities Director Tootle provided details of the project and responded accordingly to questions. Mayor Robinson and Finance Director Lovoy explained the funding for the project will be brought forward through the regular annual budget process and responded accordingly to questions.

Additional public input was heard from Christian Wagley. Ms. Nichols also responded to questions from Council Member Broughton.

Some follow-up discussion took place.

Upon conclusion of discussion, the vote was called.

**The motion (to adopt Resolution No. 2022-029) carried by the following vote (with Council Member Moore no longer in attendance):**

Yes: 6            Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton,  
                         Casey Jones, Sherri Myers  
No: 0             None

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

11. [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 PULLED BY THE SPONSOR\*\*\***

12. 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.**

13. 02-22 PROPOSED ORDINANCE NO. 02-22 - AMENDING SECTION 3-1-11 COUNCIL RESERVE (GENERAL FUND)

**Recommendation:** That City Council adopt Proposed Ordinance No. 02-22 on second 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 adopt was made by Council Member Wiggins and seconded by Council Member Jones.**

**The motion carried by the following vote (with Council Members Moore and Myers no longer in attendance):**

|        |  |
|--------|--|
| Yes: 5 | Ann Hill, Delarian Wiggins, Jennifer Brahier, Teniade Broughton, Casey Jones |
| No: 0  | None   |

**COUNCIL EXECUTIVE'S REPORT**

Council Executive Kraher reminded Council Members of the upcoming special meeting scheduled for March 2<sup>nd</sup> for the purpose of conducting a quasi-judicial hearing regarding *Review of a Decision Rendered by the Architectural Review Board Concerning 43 South Palafox Place, Request for Demolition of a Contributing Structure* and reminded Council that rules relating to ex-parte communications apply.

He also made follow-up remarks regarding comments made by a speaker during the first segment of LeRoy Boyd Forum related to handling of public records requests and expressed his high regard for the handling of all a public records requests which Public Records Coordinator Graham processes.

**MAYOR'S COMMUNICATION**

Mayor Robinson advised of a recent visit to the construction site for the new Baptist Hospital which Council President Hill also attended.

Some follow-up discussion took place regarding possible negotiations with Florida Power & Light (FPL) related to a franchise agreement for electric utility and financial assistance for individuals under hardship in paying bills due to increased rates.

Mayor Robinson referenced tomorrow's schedule *Day of Caring* in coordination with United Way which City employees will participate in various community projects.

**COUNCIL COMMUNICATIONS**

Council Member Broughton shared that she recently attended a meeting of the Escambia-Santa Rosa Bar Association as a guest speaker highlighting *Black History Month*.

**CIVIC ANNOUNCEMENTS**

None

**SECOND LEROY BOYD FORUM**

Brandy Johnson (no longer in attendance).

**ADJOURNMENT**

WHEREUPON the meeting was adjourned at 10:12 P.M.

\*\*\*\*\*

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

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

Attest:

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