



City of Pensacola

CITY COUNCIL

Regular Meeting Minutes

May 27, 2021

5:30 P.M.

Council Chambers

Council President Moore called the meeting to order at 5:32 P.M.

ROLL CALL

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

Council Members Absent: None

Also Present: Mayor Grover C. Robinson, IV

Members of the public may attend the meeting in person; however, seating capacity will be restricted to 50% occupancy. Consistent with CDC guidelines, attendees will be encouraged to sit at least 6 feet apart and as indicated in Resolution No. 2021-16, City Council encourages citizens 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 Casey Jones

FIRST LEROY BOYD FORUM

Elaine Renaud: Inquired about yard waste pickup which has been running behind schedule and wanted to know when it would be back to normal.

Mayor Robinson responded providing an update.

Gloria Horning: Thanked Council Member Wiggins and City staff Deputy Administrator Fiddler and Interim Public Works & Facilities Director Forte for meeting with her at her residence (on South DeVilliers Street) to assess impacts on her property due to continued flooding. She also suggested with hurricane season beginning June 1st the storm drains and pipes are in need of being cleaned-out; and expressed gratitude for the newly installed four-way stop sign at the intersection of West Government Street and South DeVilliers Street.

Brian Wyer: Addressed Council on behalf of the Gulf Coast Minority Chamber of Commerce (GCMCC) and provided a handout for Council Members for their upcoming expo. He also provided a briefing of other activities and initiatives and thanked Mayor Robinson, Council Member Myers, Finance Director Lovoy, and Accounting Services Manager Amentler for their efforts.

Christian Wagley: Addressed Council on behalf of Healthy Gulf indicating the last state legislative session did not go well overall for climate change. He thanked Mayor Robinson for introducing a City policy for electric vehicle charging; and complimented Assistant Planning Services Director Cannon for her work on the Resilient Coastlines Program and Resilience Planning Grant.

AWARDS

None

APPROVAL OF MINUTES

1. [21-00485](#) **APPROVAL OF MINUTES: REGULAR MEETING DATED MAY 13, 2021 AND SPECIAL MEETING DATED MAY 17, 2021**

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

The motion carried by the following vote:

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

APPROVAL OF AGENDA

Council President Moore referenced the following **add-on item**:

16-21 PROPOSED ORDINANCE NO. 16-21 - AN ORDINANCE AMENDING SECTION 9-5-72 AND CREATING CHAPTER 9-10, SECTION 9-10-1 OF THE CODE OF THE CITY OF PENSACOLA (REVISED)

A motion to add-on was made by Council Member Brahier and seconded by Council Member Broughton.

Council Executive Kraher indicated this is being added-on for second reading due to inadvertently being left off the agenda.

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

A motion to approve the agenda as amended was made by Council Member Jones and seconded by Council Member Wiggins.

The motion carried by the following vote:

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

CONSENT AGENDA

2. [21-00398](#) APPOINTMENTS - CONSTRUCTION BOARD OF ADJUSTMENT AND APPEALS

Recommendation: That City Council reappoint to the Construction Board of Adjustment and Appeals Sean McLemore, electrical contractor to a term expiring March 31, 2023; Stephen Ritz, mechanical contractor to a term ending March 31, 2024; and Amir Fooladi, member at-large to a term ending March 31, 2022.

3. [21-00450](#) ASSIGNMENT OF SUBLEASE AND APPROVAL OF ESTOPPEL CERTIFICATE - HARBORMASTER BUILDING, 997 SOUTH PALAFOX STREET

Recommendation: That City Council consent to the assignment of the sublease of the Harbormaster Building (also referred to as the Jaco's Building) located at 997 South Palafox Street from Downtown Property Group USA, LLC to Harbourmaster Pensacola, LLC and approve an estoppel certificate relevant to the same transaction. Further, that City Council authorize the Mayor to execute all pertinent documents necessary to facilitate and complete this action.

4. [21-00453](#) NON-EXCLUSIVE USE AGREEMENT BETWEEN THE UNIVERSITY OF WEST FLORIDA BOARD OF TRUSTEES AND THE CITY OF PENSACOLA

Recommendation: That City Council approve the execution of the Non-Exclusive Use Agreement between the University of West Florida Board of Trustees, and the City of Pensacola, Florida for the Vince Whibbs, Sr. Community Maritime Park. Further, that City Council authorize the Mayor to take any and all actions necessary to execute the agreement.

5. [21-00470](#) COUNCIL MEMBER EMERITUS DESIGNATION FOR DR. P.C. WU.

Recommendation: That City Council confer the designation of Council Member Emeritus to Dr. P.C. WU.

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

The motion carried by the following vote:

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

REGULAR AGENDA**6. [21-00435](#) DECLARATION OF SURPLUS AND DISPOSITION OF REAL PROPERTY - RANDWICK ROAD (ADJACENT TO CAMELOT PARK)**

Recommendation: That City Council declare the real property located at Randwick Road (Parcel Ref. No. 071S292001007002) as surplus and authorize the Mayor to dispose of via direct negotiation with the Escambia County Housing Finance Authority (ECHFA), per the terms of their Interlocal Agreement with the City of Pensacola for Urban Infill Housing Development Initiatives. Further, that City Council authorize the Mayor to take all actions necessary to execute any contracts or related documents to dispose of the property.

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

Mayor Robinson (sponsor) provided background and explained the intent in bringing this issue forward for Council's consideration.

Public input was heard from the following individuals:

Sam Hinley

David Wilson

Mr. Wilson indicated his comments represent the concerns of the neighborhood and referenced petition signatures opposing the disposition of this property. (Council Member Myers provided copies to Council Members of the neighborhoods concerns and petition signatures - - on file with background information).

Discussion ensued among Council. City Attorney Woolf responded accordingly to questions and provided clarification referencing Resolution No. 37-08 which Council at that time adopted an Affordable Housing Incentive Plan under Florida Statute 420.9076 (provided in the agenda package and on file with background materials) and that this parcel was included in the listing of properties for disposition as proposed this evening. She further indicated it is likely Council will need to adopt a resolution to remove the property from such list if it is not Council's desire to dispose of this parcel in accordance with the plan and statute. Mayor Robinson also provided input.

Upon conclusion of discussion the vote was called.

The motion failed by the following vote:

Yes: 0

None

No: 7

Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins

REGULAR AGENDA (CONT'D.)**7. [21-00440](#) DISPOSITION OF REAL PROPERTY - SUBMERGED LAND IN BAYLEN SLIP ADJACENT TO FORMER SCUBA SHACK PROPERTY**

Recommendation: That City Council approve the publication of the notice of intention to dispose of submerged real property (portion of Parcel Ref. No. 000S009100001034) located in inland waterway Baylen Slip adjacent to 711 South Palafox Street (former Scuba Shack property), via lease, with acceptance of redevelopment submittals during the statutory-required notice period for City-owned parcels located in a designated community redevelopment area (CRA).

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

Public input was heard from Renee Borden.

Discussion ensued among Council with Lease Property Manager Stallworth responding accordingly to questions. Mayor Robinson also provided input.

Council Member Hill made a motion to amend, and Council Member Brahier seconded that acceptance of redevelopment submittals for said submerged real property be extended beyond the minimum statutory-required notice period of 30 days, providing for 60-days' notice period.

The motion to amend carried by the following vote:

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

The main motion as amended carried by the following vote:

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

REGULAR AGENDA (CONT'D.)

8. [21-00449 PUBLIC HEARING - PROPOSED AMENDMENTS TO THE LAND DEVELOPMENT CODE - PROVIDING FOR PROTECTION OF WATER RESOURCES AND PROMOTING STORMWATER MANAGEMENT](#)

Recommendation: That City Council conduct a public hearing on May 27, 2021 to consider proposed amendment to the Land Development Code Sections 12-3-43, 12-4-3, 12-8-4, 12-8-6 and 12-8-18.

Interim City Engineer Hinote addressed Council explaining the intent of the proposed amendments as outlined in the memorandum provided in the agenda package.

A motion to approve was made by Council Member Wiggins 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	Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins
No: 0	None

9. [20-21 PROPOSED ORDINANCE NO. 20-21: PROPOSED AMENDMENTS TO THE LAND DEVELOPMENT CODE - PROVIDING FOR PROTECTION OF WATER RESOURCES AND PROMOTING STORMWATER MANAGEMENT](#)

Recommendation: That City Council adopt the Proposed Ordinance No. 20-21 on first reading:

AN ORDINANCE AMENDING TITLE XII OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA, AMENDING THE LAND DEVELOPMENT CODE SECTION 12-3-43 BAYOU TEXAR SHORELINE PROTECTION DISTRICT; SECTION 12-4-3 PARKING LOTS; SECTION 12-8-4 EXEMPTIONS; SECTION 12-8-6 DESIGN STANDARDS FOR STORMWATER MANAGEMENT SYSTEM; AND SECTION 12-8-18 ILLICIT DISCHARGE EXEMPTIONS; TO PROVIDE FURTHER PROTECTION OF WATER RESOURCES AND PROMOTE STORMWATER MANAGEMENT; PROVIDING FOR SEVERABILITY; 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 Hill.

The motion carried by the following vote:

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

REGULAR AGENDA (CONT'D.)

10. [21-00455 REFERRAL TO PARKS AND RECREATION BOARD - REVIEW AND RECOMMENDATION FOR ALTERNATIVE FENCING FOR THE EAST PENSACOLA HEIGHTS LIONS PARK.](#)

Recommendation: That City Council refer to the Parks and Recreation Board for review and recommendation alternative fencing, currently chain link, at the East Pensacola Heights Lions Park.

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

Council President Moore (sponsor) explained the intent for bringing this issue forward for referral. Discussion took place among Council. Mayor Robinson also provided input.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

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

11. [2021-26 SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-26 - PENSACOLA ENERGY - ACQUISITION OF CAPITAL EQUIPMENT REPLACEMENT VEHICLES](#)

Recommendation: That City Council adopt Supplemental Budget Resolution No. 2021-26.

[A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021; PROVIDING FOR AN EFFECTIVE DATE.](#)

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

The motion carried by the following vote:

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

REGULAR AGENDA (CONT'D.)

12. [2021-27 SUPPLEMENTAL BUDGET RESOLUTION NO. 2021-27 - LAW ENFORCEMENT TRUST FUND \(LETF\) PURCHASES FOR THE PENSACOLA POLICE DEPARTMENT](#)

Recommendation: That the City Council adopt Supplemental Budget Resolution No. 2021-27.

[A RESOLUTION AUTHORIZING AND MAKING REVISIONS AND APPROPRIATIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 2021; PROVIDING FOR AN EFFECTIVE DATE.](#)

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

The motion carried by the following vote:

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

13. [2021-31 RESOLUTION NO. 2021-31 - PRELIMINARY ASSESSMENT RESOLUTION INDICATING CITY COUNCIL'S INTENT TO INCREASE THE CITY'S STORMWATER ASSESSMENT RATE FOR FY 2021-22 AND TO SET A MAXIMUM RATE OF EIGHTY DOLLARS \(\\$80.00\) PER EQUIVALENT STORMWATER UNIT \(ESU\).](#)

Recommendation: That City Council adopt Resolution No. 2021-31:

[A RESOLUTION OF THE CITY OF PENSACOLA, FLORIDA, RELATING TO THE PROVISION OF STORMWATER MANAGEMENT SERVICES; ESTIMATING THE COST OF STORMWATER MANAGEMENT SERVICES PROVIDED BY THE CITY'S STORMWATER UTILITY; DESCRIBING THE METHOD OF CHARGING THE COST OF STORMWATER MANAGEMENT SERVICES AGAINST ASSESSED PROPERTY; DIRECTING THE STORMWATER UTILITY DIRECTOR TO PREPARE OR DIRECT THE PREPARATION OF A STORMWATER ASSESSMENT ROLL; AUTHORIZING A PUBLIC HEARING FOR THE PROPOSED STORMWATER SERVICE ASSESSMENTS AND DIRECTING THE PROVISION OF NOTICE THEREOF; PROVIDING FOR COLLECTION; AND PROVIDING AN EFFECTIVE DATE.](#)

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

REGULAR AGENDA (CONT'D.)

Public input (regarding Res. No. 2021-31) was heard from Christian Wagley.

Based on Mr. Wagley's comments, some discussion took place among Council regarding use of Stormwater Service Assessment fund fees collected for planting of trees. Mayor Robinson and City Administrator Wilkins fielded comments and questions.

Upon conclusion of discussion, the vote was called.

The motion carried by the following vote:

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

14. [2021-32 RESOLUTION NO. 2021-32 - AMENDING THE CITY'S FINANCIAL PLANNING AND ADMINISTRATION POLICY](#)

Recommendation: That City Council adopt Resolution No. 2021-32.

[A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF PENSACOLA, FLORIDA; AMENDING THE FINANCIAL PLANNING AND ADMINISTRATION POLICY; PROVIDING SEVERABILITY; PROVIDING 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 Jared Moore, Ann Hill, Jennifer Brahier, Teniade Broughton, Casey Jones, Sherri Myers, Delarian Wiggins
No: 0 None

REGULAR AGENDA (CONT'D.)

15. [26-21 PROPOSED ORDINANCE NO. 26-21 - REPEALING SECTION 7-8-5\(f\) - MAXIMUM TOWING CHARGES FOR REMOVING INOPERABLE VEHICLES](#)

Recommendation: That City Council approve Proposed Ordinance No. 26.21 on first reading:

AN ORDINANCE REPEALING SECTION 7-8-5 (f) OF THE CODE OF THE CITY OF PENSACOLA, FLORIDA; ELIMINATING MAXIMUM CHARGES FOR TOWING INOPERABLE VEHICLES; PROVIDING FOR SEVERABILITY; 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 Hill.

Mayor Robinson (sponsor) explained the intent of bringing forward the proposed repeal referencing Escambia County's regulations. Discussion ensued among Council with Mayor Robinson and Parking Manager Dees responding accordingly to questions. City Attorney Woolf provided clarification with regard to verbiage in the proposed ordinance.

A motion to amend was made by Council Member Hill and seconded by Council Member Brahier that Section 7-8-5 (f) be maintained, only striking the maximum towing fee amount of ~~\$85.00~~ and revising to \$150.00 maximum towing fee amount and maintain all other verbiage.

Brief discussion took place with City Attorney Woolf responding to questions.

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

The motion to amend carried by the following vote:

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

The main motion as amended carried by the following vote:

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

REGULAR AGENDA (CONT'D.)

16. [21-21 PROPOSED ORDINANCE NO. 21-21 - ESTABLISHING A PROCESS AND SCHEDULE FOR THE DISTRICTING COMMISSION TO SUBMIT PLAN FOR THE REDISTRICTING OF CITY COUNCIL BOUNDARIES FOR THE NOVEMBER 8, 2022 GENERAL ELECTION](#)

Recommendation: That City Council adopt Proposed Ordinance No. 21-21, Version-1 on second reading:

AN ORDINANCE OF THE CITY OF PENSACOLA, FLORIDA; ESTABLISHING A PROCESS AND A SCHEDULE FOR THE DISTRICTING COMMISSION TO SUBMIT PLAN FOR THE REDISTRICTING OF CITY COUNCIL BOUNDARIES FOR THE NOVEMBER 8, 2022 GENERAL ELECTION; PROVIDING FOR SEVERABILITY; REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

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

The motion carried by the following vote:

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

COUNCIL EXECUTIVE'S REPORT

Council Executive Kraher advised a workshop has been scheduled for Monday, June 6th beginning at 5:30 P.M. to discuss Local Option Sales Tax (LOST) Budget Plan.

MAYOR'S COMMUNICATION

Mayor Robinson noted the passing of Don Parker and Butch Crooke. Additionally, he provided an update on yard waste pick-up service.

COUNCIL COMMUNICATIONS

Council Member Broughton informed of current happenings leading up to Florida's Territorial Bicentennial Celebration which will provide for many events taking place in July.

Council Member Hill reminded of several board(s) with open positions encouraging citizens to get involved and that the deadline for Council Member nomination(s) submittals is June 4th.

CIVIC ANNOUNCEMENTS

Council President Moore commented on the University of West Florida Argonauts participation in tonight's first game of the NCAA Regional Tournament.

SECOND LEROY BOYD FORUM

None

ADJOURNMENT

WHEREUPON the meeting was adjourned at 7:58 P.M.

Adopted: _____

Approved: _____
Jared Moore, President of City Council

Attest:

Ericka L. Burnett, City Clerk