



City of Pensacola

City Council Special Meeting

Agenda - Final

Monday, July 11, 2022, 5:30 PM

Council Chambers, 1st Floor

Consideration of Recommendations for Proposed Amendments to the City Charter. 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 be watched via live stream at cityofpensacola.com/video. Citizens may submit an online form at <https://www.cityofpensacola.com/ccinput> BEGINNING AT 3:00 P.M.

ROLL CALL

ACTION ITEMS

1. [22-00715](#) CITY CHARTER AMENDMENTS FOR THE NOVEMBER 8, 2022 GENERAL ELECTION BALLOT
Recommendation: That City Council determine which amendments to the current city charter they would like placed on the November 8, 2022 General Election ballot.
Sponsors: Ann Hill
Attachments: [Charter Amendments - Proposed Ballot Questions](#)

DISCUSSION ITEMS

ADJOURNMENT

If any person decides to appeal any decision made with respect to any matter considered at such meeting, he will need a record of the proceedings, and that for such purpose he may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

The City of Pensacola adheres to the Americans with Disabilities Act and will make reasonable accommodations for access to City services, programs and activities. Please call 435-1606 (or TDD 435-1666) for further information. Request must be made at least 48 hours in advance of the event in order to allow the City time to provide the requested services.



City of Pensacola

222 West Main Street
Pensacola, FL 32502

Memorandum

File #: 22-00715

City Council Special Meeting

7/11/2022

LEGISLATIVE ACTION ITEM

SPONSOR: City Council President Ann Hill

SUBJECT:

CITY CHARTER AMENDMENTS FOR THE NOVEMBER 8, 2022 GENERAL ELECTION BALLOT

RECOMMENDATION:

That City Council determine which amendments to the current city charter they would like placed on the November 8, 2022 General Election ballot.

HEARING REQUIRED: No Hearing Required

SUMMARY:

From January 2022 through June 2022, the Charter Review Commission (CRC) held a series of meetings. As a result of those meetings, the CRC voted on a final report of recommendations for amendments to the City Charter.

On June 27, 2022 City Council conducted a workshop to discuss the recommendations contained in the CRC's Report as well as discuss any potential amendments City Council, as a body, would like to put forth.

This Special Council Meeting will continue those discussions as well as make a determination which amendments to the current City Charter will be placed on the November 8, 2022 General Election ballot.

PRIOR ACTION:

September 9, 2021 - City Council / Mayor appointed members to the CRC

January 5 - June 15, 2022 - Meetings held by the CRC

June 15, 2022 - CRC Report to City Council approved by the CRC

June 27, 2022 - City Council held a workshop to discuss the CRC's report

FUNDING:

N/A

FINANCIAL IMPACT:

None

STAFF CONTACT:

Don Kraher, Council Executive

ATTACHMENTS:

- 1) Charter Amendments - Proposed Ballot Questions

PRESENTATION: No

PERTAINING TO ARTICLE I OF THE CURRENT CITY CHARTER OF THE CITY OF PENSACOLA – GENERAL POWERS OF THE CITY

Shall the City of Pensacola amend Article I of the current City Charter (i) to include the phrase “or this charter” within Section 1.01, (ii) create Section 1.04 – Public Utilities, (iii) create Section 1.05, defining computation of time?

Yes – For approving the amendments to Article I of the current City Charter _____

No – Against approving the amendments to Article I of the current City Charter _____

ARTICLE I – GENERAL POWERS OF THE CITY

Section 1.01. General Powers and Corporate Existence.

The City of Pensacola (“City”), located in Escambia County, Florida, shall have all governmental, corporate, and proprietary powers to enable it to conduct municipal government, perform municipal functions and render municipal services, and may exercise any power for municipal purposes except when expressly prohibited by law or this charter.

Section 1.04 Public Utilities

The City shall not renew or enter into a new franchise agreement, contract, lease, purchase agreement or memorandum of understanding for provision of utility services without securing a study on the feasibility of municipalizing that utility as well as securing a full and independent audit of the prior agreement by a certified public accountant or firm of such accountants who have no direct or indirect interest in the fiscal affairs of the City or any of its officers or elected officials. For municipalized utilities, the City shall secure a study on the feasibility of privatizing that utility no less than once every 30 years. The City shall not create or dispose of any public utility without referendum.

Section 1.05. Computation of Time.

In computing any period of time prescribed or allowed by this charter, the day of the act, event, or default from which the designated period of time begins to run shall not be included. The last day of the period so computed shall be included unless it is a Saturday, Sunday or City observed holiday, in which event the period shall run until the end of the next day which is neither a Saturday, Sunday, or City observed holiday. When the period of time prescribed or allowed is less than 7 days, intermediate Saturdays, Sundays, and City observed holidays shall be excluded in the computation.

**PERTAINING TO ARTICLE III OF THE CURRENT CITY CHARTER OF THE CITY OF
PENSACOLA – ELECTED CITY POSITIONS**

Shall the City of Pensacola amend Article III of the current City Charter to reduce the number of consecutive terms a Mayor can serve from three (3) to two (2)?

Yes – For approving the amendments to Article III of the current City Charter

No – Against approving the amendments to Article III of the current City Charter

Section 3.03. Limitations of Terms for Mayor and Council Members; Effective Date.

- (a) *Mayor.* No person shall be elected to serve as Mayor for more than three two consecutive terms. on and after the general election in November 2010.

**PERTAINING TO ARTICLE IV OF THE CURRENT CITY CHARTER OF THE CITY OF
PENSACOLA – MAYOR AND CITY COUNCIL**

Shall the City of Pensacola amend Article IV of the current City Charter regarding Mayoral powers and duties (i) to identify the Mayor as the Chief Executive Officer of the City, (ii) provide the power to the City Administrator to appoint and remove officers and employees, (iii) provide an appeal process to department heads related to suspensions, discipline and termination, (iv) designate a representative to attend City Council meetings, (v) be required to cooperate with regards to inquiries and investigations?

Yes – For approving the amendments to Article IV of the current City Charter

No – Against approving the amendments to Article IV of the current City Charter

- (a) *Powers and Duties.* The Mayor shall be the Chief Executive Officer of the City, shall exercise the executive powers of the City, and shall be responsible for the administration of all City affairs placed in their charge pursuant to this Charter. The Mayor, who shall serve in a full-time capacity, and shall exemplify good citizenship and exhibit a cooperative spirit, shall have the following powers and duties:
- (1) To exercise the executive powers of the City and To supervise all departments, including, but not limited to, the power to appoint, discipline, and remove all officers and employees, unless otherwise provided in this Charter.
- (4) To appoint a City Administrator, who shall serve at the pleasure of the Mayor,

and who shall have the power to appoint and remove all officers and employees not otherwise provided for in this Charter.

(8) To suspend, discipline, or remove a department head with or without cause. and without the consent of City Council Members, unless otherwise provided for in this Charter. Such department head may appeal any such action to the City Council who may overturn the action by an affirmative vote of a majority plus one (1) of the City Council Members.

(11) To attend, or designate a representative to attend, all meetings of the City Council with authority to participate in discussions, but without the power to vote.

(16) To cooperate with and in no way obstruct an inquiry into the conduct or dealings of any municipal office, department, agency or officer as permitted under 4.02(a)(3).

PERTAINING TO ARTICLE IV OF THE CURRENT CITY CHARTER OF THE CITY OF PENSACOLA – MAYOR AND CITY COUNCIL

Shall the City of Pensacola amend Article IV of the current City Charter regarding Mayoral powers and duties, vacancies, procedures, and prohibitions (i) to include language vesting powers within the City which are not preempted by law or this Charter to the City Council , (ii) provide for budget modifications between departments, (iii) include termination requirements for Council staff, (iv) permit vacancies filling appointment to seek full term (v) increase public notice of special meetings from twelve (12) hours to seventy-two (72) hours, (vi) include the term notifications and replace recommendations with orders within the Interference with Administration?

Yes – For approving the amendments to Article IV of the current City Charter

No – Against approving the amendments to Article IV of the current City Charter

Section 4.02. City Council.

- (a) *Powers and Duties.*** City Council Members shall exemplify good citizenship and exhibit a cooperative spirit. All powers of the City shall be vested in the City Council, except as otherwise provided by law or this Charter, including but not limited to The City Council shall have the following powers and duties:

(2) To adopt the annual budget and all other appropriations necessary for efficient City government. Any modification of specific appropriations in the budget by greater than an amount set by ordinance, including but not limited to reallocating greater than

said amount between departments, shall require consent of the City Council by an affirmative vote of a majority of City Council Members.

(6) The City Council shall establish an Office of the City Council and shall have as its staff the following who shall be responsible to the City Council through the President of the Council: (a) Budget Analyst. The City Council is authorized to employ a Budget Analyst or an individual with similar qualifications, pursuant to the City's position classification code, to assist the budgetary matters of the City Council. The City Council, by ordinance, shall define the qualifications, pay and responsibilities of said employee in accordance with the City's position classification code. The employee shall be subject to termination by a majority vote of the City Council; (b) Legal Aide. The City Council may appoint one assistant city attorney, whose salary shall be in accordance with those established for other assistant city attorneys. Said assistant city attorney shall (1) serve only in an advisory capacity to the City Council, and shall perform only such duties of a technical nature, including drafting of ordinances, legal research and providing advisory opinions, as requested by the City Council through its President, (2) perform such other duties required of him them by the city attorney with the concurrence of the President of the City Council, (3) be subject to termination by a majority vote of the City Council; and (4) be responsible to the City Council through the President of the Council. Said assistant city attorney shall not file suit or bring or defend any action in court on behalf of the City Council, Mayor, the several departments, officers, and boards of the City government except with written authorization of the City Attorney. No action or opinion of said assistant city attorney shall be construed to be the official legal position of the City, and such official legal positions and actions shall be solely within the scope and powers and duties of the City Attorney; (c) Council Executive. The City Council is authorized to hire a Council Executive. The City Council shall define the qualifications, pay and responsibilities of said employee in accordance with the City's position classification code. The employee shall be subject to termination by a majority vote of the City Council; (d) Executive Assistant. The City Council is authorized to hire an Executive Assistant. The City Council shall define the qualifications, pay and responsibilities of said employee in accordance with the City's position classification code. The employee shall be subject to termination by a majority vote of the City Council; and (e) Other Staff. The City Council may create and fill other staff positions for the purpose of assisting it in the performance of its legislative function. Such positions shall be subject to termination by a majority vote of the City Council.

(b) Vacancies.

- (1) If a vacancy on the Council is caused by death, resignation, refusal of any Council Member to serve, removal of any Council Member, the moving of a Council Member from the district from which the Council Member is elected, or for any other reason, the vacancy shall be filled for the unexpired term of the vacated seat by a majority vote of the remaining Council Members, and such vacancies shall be filled within thirty (30) days after the vacancy occurs. The appointed Council Member shall serve the

unexpired term of the previous Council Member unless the unexpired term of the previous Council Member is twenty-eight (28) months or longer. If the unexpired term is twenty-eight (28) months or longer, a person shall be elected at the next general election to fill the unexpired portion of such term.

- (2) The Council Member appointed by the Council must meet the qualifications for office as set forth in 6.03 of this Charter at the time of appointment. The Council Member appointed by the Council may seek election to the Council position at the next election.

Section 4.03. City Council Procedures.

- (a) *Meetings.* The City Council shall meet regularly at least once every month at such times and places as the City Council may prescribe. Special meetings may be held on the call of the City Council president or the Mayor or at the request of three (3) of the City Council Members to the City Clerk and, whenever practicable, upon no less than twelve (12) seventy-two (72) hours notice to each Council Member and the public, or such shorter time as the City Council president, Mayor, or three (3) City Council Members deems necessary in the event of an emergency.

Section 4.04. Prohibitions

(b) *Interference with Administration.* Except for the purpose of inquiries, notifications and investigations made in good faith, the City Council or Council Members shall deal with the City officers and employees, who are subject to the direction and supervision of the Mayor, solely through the Mayor. Neither the City Council nor Council Members shall give orders to any such officer or employee, either publicly or privately. It is the express intent of this Charter that recommendations orders for improvement of municipal governmental operations by individual Council Members be made solely to and through by the Mayor

PERTAINING TO ARTICLE V OF THE CURRENT CITY CHARTER OF THE CITY OF PENSACOLA – APPOINTED CITY POSITIONS

Shall the City of Pensacola amend Article V of the current City Charter to vest the employment activities City Clerk and City Attorney staff, including hiring, discipline, and termination to the City Clerk and City Attorney respectively?

Yes – For approving the amendments to Article V of the current City Charter

No – Against approving the amendments to Article V of the current City Charter

Section 5.01. City Clerk.

There shall be a City Clerk who shall be appointed by the Mayor with the consent of the City Council by an affirmative vote of a majority of Council Members, and whose duties

and responsibilities are as provided for by this Charter. Although an appointee of the Mayor, the Clerk shall serve the entire City government. The Clerk shall keep and have the care and custody of the books, records, papers, legal documents and journals of proceedings of the City Council and shall carry out such additional duties as may be required by the Council or the Mayor. The City Clerk may be removed from office with the concurrence of the Mayor and a majority of the City Council. Nothing in this Charter shall authorize or permit the Mayor or City Council to suspend, discharge, remove or otherwise discipline any Deputy City Clerk, Assistant City Clerk or administrative staff hired and supervised by the City Clerk. It is the intent of this section that the Deputy City Clerk, all Assistant City Clerks, and all administrative personnel under the supervision of the City Clerk perform their duties and serve at his or her pleasure without interference from the Mayor or City Council.

Section 5.03. City Attorney.

The City Attorney shall serve as the chief legal adviser to, and shall represent, elected or appointed officials, boards and commissions, and employees in the course and scope of their official duties or employment, respectively. The City Attorney shall represent the City in legal proceedings and shall perform any other duties prescribed by State law, by this Charter, or by ordinance or resolution. The Mayor shall appoint the City Attorney, with the consent of the City Council by an affirmative vote of a majority of City Council Members. The City Attorney may be removed from office with the concurrence of the Mayor and a majority of the City Council. Nothing in this Charter shall authorize or permit the Mayor or City Council to suspend, discharge, remove or otherwise discipline any Deputy City Attorney, Assistant City Attorney or administrative staff hired and supervised by the City Attorney. It is the intent of this section that the Deputy City Attorney, all Assistant City Attorneys, and all administrative personnel under the supervision of the City Attorney perform their duties and serve at his or her pleasure without interference from the Mayor or City Council.

PERTAINING TO ARTICLE VI OF THE CURRENT CITY CHARTER OF THE CITY OF PENSACOLA – ELECTIONS

Shall the City of Pensacola amend Article VI of the current City Charter for the Mayor and City Council, to (i) reduce the filing fee from three percent (3%) to one and one-half percent (1.5%), (ii) reduce the signatures needed for petition filing from five percent (5%) to two and one-half percent (2.5%) and (iii) from two and one-half percent (2.5%) to one and one-quarter percent (1.25%) during census years?

Yes – For approving the amendments to Article VI of the current City Charter

No – Against approving the amendments to Article VI of the current City Charter

Section 6.03. Qualifications, Eligibility, and Filing Fee

(b) Filing Fee. Each candidate shall pay to the qualifying officer a filing fee in the amount of ~~three percent (3%)~~ one and one-half percent 1.5% of the annual salary of the office of Mayor or office of Member of City Council, as well as an election assessment as provided by Florida law.

Section 6.06. Alternative to Qualifying Fee.

(c) Valid Signatures. The candidate may begin to seek signatures on a petition supporting his or her candidacy once the requirements of general law are met. Only signatures of City electors shall be counted toward obtaining the minimum number of signatures prescribed in this subsection. Candidates for the office of Mayor under this petition process shall obtain the signatures of a number of qualified electors equal to at least ~~five percent (5%)~~ two and one-half percent 2.5 % of the total number of registered electors in the City, as shown by the compilation by the Supervisor of Elections for the most recent general election of the City Council. A candidate for a single- member district position shall obtain the signatures of a number of qualified electors residing in the district for which the candidate seeks election equal to at least ~~five percent (5%)~~ of to and one-half percent 2.5% of the total number of registered electors in the district, as shown by the same compilation.

For the City election next following each decennial census, the required petition signatures shall be as follows:

(i) Candidates for the office of Mayor under this petition process shall obtain the signatures of a number of registered voters of the City equal to at least ~~two and one-half percent (2.5%)~~ one and one-quarter percent 1.25% of the population of the City according to the most recent decennial census.

(ii) A candidate for the office of a district City Council Member under this petition process shall obtain the signatures of a number of registered voters residing in the district for which the candidate seeks election equal to at least ~~two and one-half percent (2.5%)~~ one and one-quarter percent 1.25% of the ideal district population according to the most recent decennial census. For the purposes of this section, the “ideal district population” means the total population of the City based upon the most recent decennial census divided by the number of City Council districts.

PERTAINING TO ARTICLE VII OF THE CURRENT CITY CHARTER OF THE CITY OF PENSACOLA – RECALL, INITIATIVE, AND REFERENDUM

Shall the City of Pensacola amend Article VII of the current City Charter to (i) provide clarifying language regarding initiative exemptions, (ii) clarify timing mechanism for referendum, (iii) provide clarifying timing language for the commencement of proceedings, (iv) clarifying language within the petition process?

Yes – For approving the amendments to Article VII of the current City Charter

No – Against approving the amendments to Article VII of the current City Charter

Section 7.02. Power of Initiative.

City electors shall have the power to propose ordinances to the City Council. If the City Council fails to adopt an ordinance so proposed without any change in substance, the electors have the power to adopt or reject the proposed ordinance at a City election. The electors are not empowered to propose ordinances that extend to providing an annual budget, levying taxes, or setting salaries of City officers or employees, expending LOST funds, or compelling government speech in a particular manner.

Section 7.03. Power of Referendum.

No later than ~~Within~~ sixty (60) days following the effective date of a measure passed by City Council, City electors shall have the power to require reconsideration by the City Council of any measure passed by City Council. If the City Council fails to repeal a measure so reconsidered, the electors shall have the power to ~~approve~~ adopt or reject the reconsidered measure by petition as specified in Section 7.05 following. ~~at a City election.~~ The electors are not empowered to reconsider measures that extend to providing an annual budget, levying taxes, ~~or~~ setting salaries of City officers or employees, the expenditure of LOST funds, or government speech.

Section 7.04. Commencement of Proceedings.

Within sixty (60) days of a measure passed by City Council either adopting or rejecting the proposed ordinance or adopting or rejecting the proposed repeal of a measure, ~~A-~~any ten (10) electors may commence initiative or referendum proceedings by filing with the City Clerk an affidavit stating that they will constitute the petitioners' committee and be responsible for circulating the petition and filing it in proper form. The affidavit shall further provide their names and addresses, specify the mailing address for notices to be sent to the committee, and fully set forth the proposed initiative or identify the measure sought to

be reconsidered. Promptly after the petitioners' committee's affidavit is filed, the City Clerk, at the committee's request, shall issue the appropriate petition forms to the committee at the committee's expense.

Section 7.05. Initiative or Referendum Petitions.

(c) Statement of Circulator. When filed, petitions shall have attached an affidavit statement executed and sworn by a member of the petitioner's committee that ~~by the circulator or circulators of the petitions that~~ he, she, or they personally circulated the petitions. The statement shall further state the number of signed petitions submitted and that the ~~circulator~~ petitioner's committee believes them to be the genuine signatures of the persons whose names they purport to be.

(d) Filing Deadline. All initiative and referendum petitions must be filed with the City Clerk within sixty (60) days of the commencement date of the initiative or referendum proceedings as specified in Section 7.04 above. The City Clerk shall submit the petitions to the Supervisor of Elections within three (3) business days of receipt of the petitions.

Section 7.06. Verification of Petitions.

The petitioner's committee shall submit with the petitions ~~the completed petitions to the Escambia County Supervisor of Elections for verification as to the number of registered electors whose valid signatures appear thereon, along with~~ any fee required by general law. The Supervisor of Elections shall make a good faith effort to verify the signatures within ten (10) days of receipt of the petitions. The Supervisor of Elections shall record the date each form is received by the Supervisor of Elections, and the date the signature on the form is verified as valid. The Supervisor of Elections may verify that the signature on a form is valid only if (i) the form contains the original signature of the elector; (ii) the elector has accurately recorded on the form the date on which he or she signed the form; (iii) the form accurately sets forth the elector's name and address; and (iv) the elector is, at the time he or she signs the form, a duly qualified and registered elector of the City.

PERTAINING TO ARTICLE VIII OF THE CURRENT CITY CHARTER OF THE CITY OF PENSACOLA – CHARTER REVIEW AND CHARTER AMENDMENTS

Shall the City of Pensacola amend Article VIII of the current City Charter to, (i) define the composition of the Charter Review Commission, (ii) provide a starting year for charter review and (iii) explain the process for Charter Amendments by petition?

Yes – For approving the amendments to Article VIII of the current City Charter

No – Against approving the amendments to Article VIII of the current City Charter

(a) Charter Review Commission Established. During the month of January 2022 2031 and every ten (10) years thereafter, there shall be established a Charter Review Commission (“CRC”); provided, however, that the City Council shall have the power to establish a CRC more often in the event it so chooses.

(b) Composition. Every ten (10) years, the Mayor and City Council shall appoint nine members to the CRC. The Mayor shall appoint two (2) members and each Council Member shall appoint one member residing in their Council District. The CRC shall be composed of nine members, with at least one (1) member from each of the seven (7) Council districts of the City and no more than two (2) members coming from any one Council District. No members of the CRC shall be elected officials. Each member of the CRC shall be a City resident and elector. Vacancies shall be filled within 30 days in the same manner as the original appointments.

(c) Procedures. The CRC shall meet prior to the third week in January ~~2022~~ 2031, and every ten (10) years thereafter, for the purposes of organization. The CRC shall elect a Chair and Vice Chair from among its membership. Further meetings of the CRC shall be held upon the call of the Chair or any three members of the CRC. All meetings shall be open to the public. A majority of the members of the CRC shall constitute a quorum.

Section 8.02. Charter Amendments.

(b) Initiation by Petition. The electors of the City may propose amendments to this Charter by petition. Each petition proposing amendments to this Charter shall be commenced in the same manner as an ordinance proposed by initiative in Article VII of this Charter. Initiative petitions must be signed by City electors equal to at least ten percent (10%) of the total number of registered electors in the City, as shown by the compilation by the Supervisor of Elections for the most recent general election of the City Council. The City Council shall place the proposed amendment contained in the ordinance or petition to a vote of the electors at the next general election held within the City or at a special election called for such purpose.

PERTAINING TO THE CURRENT CITY CHARTER OF THE CITY OF PENSACOLA

Shall the City of Pensacola amend the current City Charter to remove all transitionary language needed within the initial Charter, but no longer necessary?

Yes – For approving the amendments to the current City Charter _____

No – Against approving the amendments to the current City Charter _____

Section 3.01. Form of Government.

~~With the exception of the initial transition period pursuant to Section 10.07 below,~~
~~¶~~The City shall have a Mayor-Council form of government. There shall be a City Council, which shall be the governing body of the City with all legislative powers of the City vested therein, consisting of seven (7) Council Members, one (1) to be elected from each of the seven (7) election districts of the City. There shall also be a Mayor who is elected at large and who shall not be a member of the City Council.

Section 3.02. Election and Terms.

The nonpartisan primary and general election of the Council Members and the Mayor shall be held in the manner provided in Article VI of this Charter and the terms of office for Mayor and Council Members shall be four (4) years and will commence on the fourth Tuesday in November after his or her election at 12 o'clock noon.

The base year for elections for Council Members for districts 2, 4, and 6, and the Mayor shall be 2010, and shall be for a four-year term. The base year for elections for Council Members for districts 1, 3, 5, and 7 shall be 2012 and shall be for a four-year term. These base year dates are established only for the purpose of scheduling elections and staggering terms, and do not impact the term limit requirements of Section 3.03. ~~Council Members for districts 1, 3, 5, and 7 elected in 2010 shall serve a two-year term. Terms served by the Mayor or a Council Member immediately preceding the base year dates shall not be counted in applying Section 3.03.~~

Section 3.03. Limitations of Terms for Mayor and Council Members; Effective Date.

- (a) Mayor. No person shall be elected to serve as Mayor for more than three ~~two~~ consecutive terms. ~~on and after the general election in November 2010.~~

(b) *City Council Members.* No person shall be elected to serve as a Council Member for ~~districts 1, 3, 5, and 7~~ for more than three consecutive terms. ~~on and after the general election in November 2012. No person shall be elected to serve as a Council Member for districts 2, 4, and 6 for more than three consecutive terms on and after the general election in November 2010.~~

~~(d) Commencement of Terms for Year 2010 Elections. The terms for the Council Members and Mayor elected in the 2010 general election shall commence at noon on the second Monday of January 2011 as provided for in the former City Charter, or on such earlier date as the office becomes vacant after the 2010 general election. This provision shall be effective solely for the purposes of transition from the former City Charter to Section 3.02 of this Charter.~~

~~Section 10.07. Transition.~~

~~The City Council shall adopt such ordinances and resolutions as are required to effect the transition from a nine (9) member City Council with two (2) at large elected seats to a seven (7) member City Council with no at large elected seats upon the expiration of their current respective terms. Ordinances adopted within sixty (60) days of the first Council meeting under this Charter for the purpose of facilitating the transition may be passed as emergency ordinances following the procedures prescribed by law.~~

PERTAINING TO ARTICLE IV OF THE CURRENT CITY CHARTER OF THE CITY OF PENSACOLA – MAYOR AND CITY COUNCIL

Shall the City of Pensacola amend Articles IV of the current City Charter to set the salary of the Mayor and City Council by use of a formula derived from Florida Legislature’s Office of Economic and Demographic Research, using the 2026 formula for Mayor and the 2024 formula for City Council?

Yes – For approving the amendments to Article IV of the current City Charter

No – Against approving the amendments to Article IV of the current City Charter

Compensation. ~~The salary compensation of the Mayor shall be set by ordinance~~ shall be established using the Florida Legislature’s Office of Economic and Demographic Research formula for Constitutional Officers, which shall take effect upon the Mayor assuming office following the next Mayoral election.

Compensation. ~~The salary compensation of Council Members shall be set by ordinance~~ shall be established using the Florida Legislature’s Office of Economic and Demographic Research formula for School Board Members, which shall take effect upon the Council Member assuming office following the next Council election

PERTAINING TO ARTICLE I OF THE CURRENT CITY CHARTER OF THE CITY OF PENSACOLA – GENERAL POWERS OF THE CITY

Shall the City of Pensacola amend Article I of the current City Charter to create Section 1.04 – Public Utilities- defining the process for utility franchise agreements?

Yes – For approving the amendments to Article I of the current City Charter _____

No – Against approving the amendments to Article I of the current City Charter _____

Section 1.04 Public Utilities

The City shall not renew or enter into a new franchise agreement, contract, lease, purchase agreement or memorandum of understanding for provision of utility services without securing a study on the feasibility of municipalizing that utility as well as securing a full and independent audit of the prior agreement by a certified public accountant or firm of such accountants who have no direct or indirect interest in the fiscal affairs of the City or any of its officers or elected officials. For municipalized utilities, the City shall secure a study on the feasibility of privatizing that utility no less than once every 30 years. The City shall not create or dispose of any public utility without referendum.