

March 11, 2026

Adam Cobb, Esq., City Attorney
City of Pensacola
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Via Email:
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**RE: SB 1134 / § 166.04971, Florida Statutes — Formal Demand for Compliance
Review: Fiesta of Five Flags / Fiesta Pensacola Heritage Programming**

Dear Attorney Cobb:

My name is Chaz Stevens. I am a Deerfield Beach-based municipal stress tester, governance consultant, and IMLA CLE Faculty member with a 30-year track record of debugging Constitutional issues. In 2024, Governor DeSantis signed legislation scaling back Florida's book-restriction law — with his office naming me by name as the sole reason the change was necessary. I had filed Bible ban challenges in 63 Florida school districts. I had standing in one. It did not matter.

I am currently pursuing simultaneous SB 1134 enforcement actions against the City of Fort Lauderdale — where I have served a formal demand letter on City Attorney Shari McCartney and filed an eight-custodian omnibus public records request targeting the St. Patrick's Day Parade, the Las Olas Greek Festival, and Juneteenth programming at City facilities. Pensacola is next. Kissimmee, Jacksonville, Melbourne, and others are on the docket. This is a statewide campaign and will be engaging with local individuals in each county.

II. THE LAW

SB 1134, passed by the Florida Legislature on March 10, 2026 and effective January 1, 2027, creates § 166.04971, Florida Statutes. It prohibits municipalities from funding, promoting, or taking any official action in support of “programming or activities designed or implemented with reference to race, color, sex, ethnicity, gender identity, or sexual orientation.”

Under § 166.04971(2), any existing ordinances, resolutions, rules, regulations, programs, or policies inconsistent with the statute are void on January 1, 2027. Officials who knowingly continue prohibited conduct face misfeasance and malfeasance charges under § 838.022 and § 112.52, Florida Statutes. Any city resident may sue in circuit court for declaratory relief, injunctive relief, and damages.

The statute's carveouts protect only: federal holidays (5 U.S.C. § 6103), Florida state holidays (Ch. 683), and patriotic observances (36 U.S.C. §§ 101–148). Fiesta of Five Flags and Fiesta Pensacola appear in none of those provisions.

III. THE PROBLEM: PENSACOLA SURRENDERED TO THE SPANISH. NOW DEI?

Since 1559, Pensacola has celebrated its founding under five colonial flags — Spanish, French, British, Confederate, and American. The City has formalized that celebration as Fiesta of Five Flags, now operated as Fiesta Pensacola. The event's own mission statement describes it as a celebration of heritage “a jambalaya of flavors — Native American, African, Latin, European and Asian — each adding to the richness of our shared heritage.”

That is not my characterization. That is the organizer's own description of a program designed and implemented with reference to ethnicity and national origin. Under § 166.04971(1)(b)(3), that description is the statute's trigger — verbatim.

The City's involvement goes beyond a neutral permit. The Mayor of Pensacola participates annually in the official “Surrender of the City” ceremony — an official municipal act performed in service of a program explicitly organized around national origin and ethnic heritage. The City absorbs police, fire, and sanitation costs. The Downtown Pensacola Improvement Board has made direct payments to Fiesta Pensacola. Visit Pensacola — a publicly supported tourism entity — promotes the event as a heritage celebration. Official action. Public funding. Municipal promotion. Three prongs. All present.

The anticipated defense — that the event is open to everyone and therefore not preferential treatment — does not survive contact with the statute. § 166.04971(1)(b)(3) independently prohibits programming “designed with reference to ethnicity.” No restricted access required. No preferential treatment required. Just designed with

reference to ethnicity. Fiesta Pensacola's own website supplies that element without any assistance from me.

IV. DEMAND

I demand the following within thirty (30) days of the date of this letter:

1. A written compliance review identifying which City of Pensacola funding instruments, resolutions, contracts, fee waivers, and promotional activities related to Fiesta of Five Flags and Fiesta Pensacola are potentially void under § 166.04971(2) effective January 1, 2027.
2. Written guidance from the City Attorney's Office identifying what changes, if any, the City intends to make to its support for Fiesta Pensacola before January 1, 2027, including any decision to continue, modify, recharacterize, or terminate that support.
3. An assessment of the City's obligations under § 287.139, Florida Statutes, regarding grant certification requirements for Fiesta Pensacola and any substantially similar ethnicity-referenced event receiving City funds after January 1, 2027.
4. Production of the following public records: all City Commission resolutions, proclamations, or official actions related to Fiesta of Five Flags or Fiesta Pensacola for FY 2024–2027; all contracts, fee waiver records, and direct cost accounting for City services provided to Fiesta Pensacola for FY 2024–2027; and any legal analysis prepared by the City Attorney's Office regarding SB 1134's application to City heritage programming.

I am not opposed to the Fiesta of Five Flags. I am not opposed to celebrating Pensacola's history. I think all of that is very important.

That, however, is irrelevant.

My bone, if you will, in this fight is the selective enforcement of state law. Either § 166.04971 applies equally to all ethnicity-referenced programming — including the programming the Legislature's supporters happen to enjoy — or it is unconstitutional

viewpoint discrimination. I intend to find out which. Using stress testing, the Constitution and I have done this before. Many times. We are quite good at it.

The voluntary cessation doctrine will not provide an exit. Under *Friends of the Earth v. Laidlaw Environmental Services*, 528 U.S. 167 (2000), cessation moots a case only if it is “absolutely clear” the conduct cannot reasonably be expected to recur. A heritage festival running since 1559 is not headed for permanent retirement.

Thanks to short-sighted legislative thinking and its desire for a cultural war, municipalities across Florida will soon be required to choose between cancelling their ethnic heritage celebrations or violating state law. Fort Lauderdale has already received a similar demand. Same with Broward County. And with this letter, Pensacola now joins the list. Quite a few others in the queue and soon to follow. I would encourage the City Attorney’s Office to provide a substantive written response rather than silence. Silence is also an answer, and I know how to use it.

I appreciate you, and the fine work your office does, for the residents of Pensacola.

Very respectfully submitted,

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