



MINUTES

EMERGENCY COMMISSION MEETING TUESDAY, JUNE 9, 2020 AT 5:30 P.M.

CITY OF ST. AUGUSTINE BEACH, 2200 A1A South, St. Augustine Beach, FL 32080

I. CALL TO ORDER

Mayor England called the meeting to order at 5:30 p.m.

II. PLEDGE OF ALLEGIANCE

Mayor England asked Vice Mayor Kostka to lead the Pledge of Allegiance.

III. ROLL CALL

Mayor England asked City Clerk Raddatz for roll call.

Present: Mayor England, Vice Mayor Kostka, Commissioner George (virtually), Commissioner Rumrell (virtually) and Commissioner Samora (virtually).

Also present were: City Manager Royle, City Attorney Douglas, Assistant City Attorney Lex Taylor, Police Commander Ashlock, and City Clerk Raddatz.

After roll call, Mayor England advised that this meeting is to consider one agenda item and the first order of business is to vote on allowing this as an emergency meeting because this Proclamation is time sensitive and it was not discussed at the June 1st and 2nd Commission meetings.

Motion: to approve or confirm that this meeting is an emergency in order to conduct necessary business during the month of June and that the only topic on the agenda is consideration of the attached proclamation before the Commission relating to Gay Pride Month for the month of June and is time sensitive. **Moved by** Mayor England, **Seconded by** Commissioner George.

MAYOR ENGLAND	Yes
VICE MAYOR KOSTKA	Yes
COMMISSIONER GEORGE	Yes
COMMISSIONER RUMRELL	Yes
COMMISSIONER SAMORA	No

Motion passes 4 to 1.

Mayor England asked if four votes or super majority were required.

City Manager Royle advised yes.

IV. CONSIDERATION OF PROCLAMATION TO DECLARE JUNE 2020 AS GAY PRIDE MONTH

Mayor England introduced Item IV and asked Mary Cobb (virtually), Women's March Alliance of North Florida, to come to the podium.

Mary Cobb, 258 Wisteria Road, St. Augustine, FL, advised that last year she presented proclamation for Gay Pride Month and wanted to put forward another proclamation for Gay Pride Month for 2020. She explained that she has been working Equality Florida as well as Women's March Alliance of North Florida and is very supportive of LGBTQ. She requested the proclamation to be approved and the Gay Pride fly to be flown at the City of St. Augustine Beach.

Mayor England advised that the City of St. Augustine Beach is a very welcoming, diverse community. She explained that this came to the Commission after their Regular Commission meeting and complied with Resolution 19-10. She advised that the Commission accommodated with an emergency meeting, which it may not be able to do again in the future.

Mayor England asked for Commission discussion. Being none, Mayor England then opened the Public Comments section. The following addressed the Commission:

Trish Becker, 120 Stokes Landing Road, St. Augustine, FL, advised she is a member of Women's March Alliance of North Florida and thanked the Commission for being so accommodating; she wants the safety, health and wellbeing for the visitors and residents coming to the City. She explained that kids are being made homeless because they came out to their parents and this should not be happening. She commented seeing the flag flown over city hall can make a big difference to those children.

Mayor England closed the Public Comments section and asked the Commission for any discussion. Being none, Commissioner George made a motion.

Motion: to approve the Proclamation for Gay Pride Month for June 2020. **Moved by** Commissioner George.

Commissioner Rumrell stated that he is concerned about having proclamations with different flags flying and asked for a ruling from the City Attorney. He explained that he has a cousin that is LGBTQIA and is in support of the proclamation; however, he did not want to set a precedent for flying different flags at city hall. He requested to the Commission to only fly the American flag at city hall. He commented that if the Commission agrees with some flags and not others, could there be a lawsuit against the City.

Commissioner Samora is a big advocate of the proclamation as well as other proclamations that are done. He asked those who want proclamations to be approved, to get it to the Commission in a timely manner because he objects to holding an emergency meeting for a proclamation especially when we had two meetings already last week. He agrees with

Commissioner Rumrell's concerns, which he expressed last year as well. He does not want the City's flagpole to be a lightning rod of these types of issues, especially in the times that we are in and is very uncomfortable with the Commission picking winners and losers on these groups. The Commission does not know what other groups will request their flags to be flown and feels that it is not the Commission's place to pick who the winners and losers are.

Vice Mayor Kostka commented that we are living in unprecedented times and she wondered sometimes that something that appears innocuously as flying a flag that represents who we are as individuals can create a different scenario with the best intentions. She explained that she has a huge family and its members have a variety of colors, variety of religions, and a variety of sexual orientation. Her family members have a variety of jobs and one is on welfare, which is okay. All of those differences does not make us a family and when we talk about flags and we have the flag of our country, and in the Pledge of Allegiance, it says "one nation... with liberty and justice for all." She explained that especially in these times with such a great divide, why are we not looking for ideas to bring us more together, than separate. She explained that she is not opposed to the proclamation at all but wants inclusiveness and agrees with the other Commissioners' comments not to pick winners and losers but allow the American flag to represent all of us. She advised that she is for the proclamation and would like the City Attorney's opinion on Resolution 19-10.

Mayor England asked City Attorney Douglas his opinion on Resolution 19-10 regarding legal issues.

City Attorney Douglas advised that he started with whether Commission action on this would be illegal or cause exposure and found that it would not. He explained that they could not find any cause not to do Resolution 19-10 and is in the preview of the Commission to decide whether to fly a flag on the pole or not. He commented that Commissioner Rumrell asked to bring back an ordinance that no flag should be flown other than the American flag within the City. He explained that that would be content neutral and would not expose the City to any type of potential liability or litigation.

Mayor England advised that if the Commission wants to bring an ordinance back, it would be decided at another time. She then asked Commissioner George to restate the motion to as is. She explained that if it does not carry the motion, then an alternative motion could be done.

Commissioner George advised that the way she sees the flag is that because it is a rainbow flag, it is inclusive of everybody, including those who are not a part of the LGBTQIA community. She advised that that was why she was in support of it. She commented that by Presidential Proclamation the rainbow flag was directed to be flown at most federal agencies and mentioned several cities in Florida who flew the rainbow flag. She explained that the City Attorney researched the legalities last year and it could be done again, but she wanted to know that the rainbow flag is inclusive of everyone not just that community.

Motion: to approve the proclamation for June 2020 as presented. **Moved by** Commissioner George, **Seconded by** Mayor England.

Roll Call was as followed:

Commissioner George	Yes
Mayor England	Yes
Vice Mayor Kostka	No
Commissioner Rumrell	No
Commissioner Samora	No

Motion did not pass.

Mayor England asked for another motion.

Motion: approve the proclamation but leave out the second to the last paragraph that starts with moreover. **Moved by** Commissioner George, **Seconded by** Vice Mayor Kostka.

Roll Call was as followed:

Commissioner George	Yes
Mayor England	Yes
Vice Mayor Kostka	Yes
Commissioner Rumrell	Yes
Commissioner Samora	Yes

Motion passed unanimously.

V. ADJOURNMENT

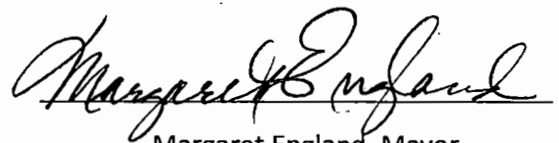
Motion: to adjourn. **Moved by** Mayor England, **Seconded by** Commissioner George.

Roll Call was as followed:

Commissioner George	Yes
Mayor England	Yes
Vice Mayor Kostka	Yes
Commissioner Rumrell	Yes
Commissioner Samora	Yes

Motion passed unanimously.

The meeting was adjourned at 5:57 p.m.


Margaret England, Mayor

ATTEST:

Beverly Raddatz

Beverly Raddatz, City Clerk