

CITY OF ST. AUGUSTINE

City Commission Special Workshop Meeting
Monday, May 8, 2026

The City Commission met in formal session on Monday, May 8, 2026 at 9:00 A.M. in the Alcazar Room at City Hall. The meeting was called to order by Mayor Nancy Sikes-Kline, and the following were present:

1. Roll Call: Nancy Sikes-Kline, Mayor/City Commissioner
Barbara Blonder, Vice Mayor/City Commissioner
Cynthia Garris, City Commissioner
Jim Springfield, City Commissioner
Jon DePreter, City Commissioner

Also Present: David Birchim, City Manager
Isabelle Lopez, City Attorney
Darlene Galambos, City Clerk
Meredith Breidenstein, Assistant City Manager
Reuben Franklin, Assistant City Manager
Corey Sakryd, Director, General Services
Melissa Wissel, Director, Communications
Rachel Murphy, Communications Specialist
Marcus Pinson, Mobility Manager
Jon Marston, Police Chief, City Police Department
Jabri White, Nightlife Liaison and Permit Technician
Elyse Wiemann, Senior Recording Secretary

Mayor Nancy Sikes-Kline explained the procedures and advised that there would be two more opportunities to speak; when the Ordinance was heard on first and second reading.

2. General Public Comments

The Commissioners heard from the following members of the public:

- Kenneth Chapman
- JoAnne Engel
- Thomas Horton
- Ed Swift
- Lloyd Pierce
- Tom Reynolds
- Joshua Luke
- Katherine Zodda
- Kenneth Chapman
- Dennis Jeffers

3. PROPOSED CHANGES TO ORDINANCES FOR VEHICLES FOR HIRE (CH27) AND FRANCHISES (CH14)

3.A. Workshop for Proposed Ordinance Changes for Vehicles for Hire (CH27) and Franchises (CH14) (R. Franklin, Assistant City Manager)

David Birchim, City Manager, introduced Reuben Franklin, Assistant City Manager.

Mr. Franklin provided background information regarding the proposed ordinance changes for Vehicles for Hire (VFH) and Franchises. He advised that an action items list was prepared to help guide the workshop and ensure everything was discussed.

1. Limit for pedicab operators and number of cabs per operator

Mr. Franklin stated during first reading, there were discussions regarding pedicab operators and the number of cabs per operator, and it was determined that 100 cabs were too many. He recommended limiting the number of operators to a total of fifteen, and limiting each operator to three cabs, for a total of forty-five cabs in operation at one time. He asked the Commission to consider the recommendation and requested feedback on the action item.

Discussion:

- Supported keeping the fifteen operators and capping the total of cabs to forty-five maximum and if needed, could be revised
- Agreed that 100 cabs were too many and forty-five at one time was sufficient
- Did not believe there were forty-five on the road usually, unless it was during Nights of Lights (NoL)
- Felt it should be reduced to thirty cabs as pedicabs were slower causing more congestion downtown

Mr. Franklin clarified that the suggestion was to keep the number of operators at fifteen but reduce the number of cabs an operator could have to two, resulting in a total of thirty cabs. He added the ordinance listed pedicabs as VFH not a franchise.

Discussion:

- Supported the suggestion to have a lower number of cabs
- Forty-five cabs seemed to be a lot as the downtown area was small and everyone wanted to be in the same place at the same time
- Did not want to put a company out of business but supported the idea of lowering the amount of cabs
- Questioned if the companies currently in business could be grandfathered in

Mayor Sikes-Kline said there were a total of twenty operators currently. She asked how they could move forward with the proposal of reducing the number of cabs to thirty as suggested.

Mr. Franklin replied there were only fifteen operators, not twenty. He said at this time, the number of cabs per operator was not regulated. He said he was unsure of the number of cabs operated by each company but thought it was between two and three. He said they could keep the operators at fifteen and reduce the number of cabs in operation to two or three per operator.

Discussion continued:

- City had not limited the number of cabs before, and this could limit the amount of income a great deal
- Stakeholders requested each operator should be registered and verified

Mr. Franklin said the feedback from the public and the overarching theme from all registered local businesses was they wanted regulations in place to have industry safety and would limit outside operators from operating unlicensed during the peak NoL season or during events at The St. Augustine Amphitheatre. He said the proposed ordinance added higher requirements for operators and drivers to include annual background checks, annual licenses renewals, and streamlining the process. He said there was an administrator for VFH and another for franchises, which would ensure the applications were submitted correctly, maintaining a log of those businesses that were able to operate in the City, and would be the responsible for enforcing code.

Mayor Sikes-Kline thanked Mr. Franklin and agreed that enforcement was vital and an emphasis on registration and identification was important. She said registration and qualified operators was a major goal for the City. She said having

them meet the criteria and enforcement of the regulations was needed.

Commissioner Cynthia Garris clarified that the operators in business were fifteen and each operated two or three cabs.

Mr. Franklin replied that the number of cabs per business was either one, two, or three.

Commissioner Garris asked if operators with three cabs could be grandfathered in and whether new businesses would have to follow the new criteria as outlined. She felt that could be monitored.

Mr. Franklin replied the restrictions were also being established for operators, limiting them to a total of fifteen. He said for example; if there were twenty operators at the annual renewal, those would need to be vetted and ensure complete qualifying applications were filed. He said with a limit of fifteen operators in place, a lottery system would choose the fifteen in totality with each operator having the maximum number of pedicabs.

Mayor Sikes-Kline questioned how two cabs per operator could be obtained if that was the long-term goal.

Mr. Birchim replied that if those operating now were grandfathered in overtime and through attrition, the guidelines outline in the ordinance could be obtained and maintained.

Commissioner Jim Springfield pointed out that currently there were only fifteen operators and if each only had two or three, there may not be a total of forty-five cabs.

Commissioner Barbara Blonder cautioned that if current operators were grandfathered, there was an opportunity for existing operators to add cabs up to a total of three prior to first reading.

Mr. Birchim said the Commission froze the ability to add new licenses.

Commissioner Blonder asked if the number of licenses determined the number of pedicabs allowed or only the operator.

Mr. Franklin said the City did not currently regulate the number of cabs in operation. He said the only thing the City could use was the number of cabs inspected and approved.

Commissioner Blonder said if that was the only option, she was not supportive of grandfathering in operators. She said she was in favor of the fifteen operators with two cabs per operator.

Mr. Franklin stated the ordinance would be updated to reflect the recommendations and scheduled first reading. He felt feedback would be provided by operators between now and then, and if changes were needed those could be made.

2. Set more restrictive noise regulations for Pedicabs

Commissioner Springfield felt no amplified sound would be the best solution. He said no music or loudspeakers as pedicabs were not entertainment.

Commissioner Blonder asked since regulations were being established, were they able to limit the types of communications by the driver. She said she had been told and even overheard profanity and demeaning comments. She said if the driver was licensed by the City to operate, she felt a Code of Conduct should be enacted.

Isabelle Lopez, City Attorney, replied that commercial speech was less protected, but decorum and a code of conduct could be in place. She said that people actively engaged in commerce had First Amendment rights, which could make the

issue complicated but could have decorum rules while operating.

The Commission agreed to include no amplified music and add a Code of Conduct.

3. Set penalties for VFH and Franchises

Mr. Franklin said that VFH and franchise penalties had been discussed and the consensus was that the existing penalties were too lenient. He suggested adding impoundment as a penalty, which would help limit those operating without a license. He said impoundment was successful in other cities. He said there had been a lot of discussion regarding the penalties as written and asked for feedback.

Board Discussion:

- In favor of adding impoundment
- Should have a clear indicator to identify the allowed operators
- Could use a banner or something similar to help City personnel without having to stop every vehicle

Mr. Franklin stated the penalty structure could include impoundment; however, the penalties for VFH were different and would be left up to the administrator. He said the violations were outlined in section 27-13 of the ordinance.

Commissioner Springfield said many people interpreted City code and rules. He asked if an operator could receive four violations a year without restrictions.

Mr. Franklin replied that was correct.

Commissioner Springfield said he wanted to have progressive discipline. He suggested that if an operator received four violations in one year, the next year the operator would be limited to three violations and so on, which would allow four years of operation with violations. He

said the variation of penalties did not exist but to help simplify the penalty structure it could be progressive, which would make it more difficult to keep the business.

Commissioner Blonder felt the penalties were too lenient. She said a fine structure could be included. She said this was not good for industry, the presentation of the City, and not good for business.

Mr. Birchim suggested reviewing the individual penalties. He asked if the first violation should be a warning.

There was agreement that the first violation should be a warning.

Mr. Birchim asked if the second violation would be a monetary fine as set by City code.

Commissioner Garris supported the second violation as proposed.

Commissioner Springfield commented that for the third violation some sort of suspension should be in place. He said he understood it could affect a small business, but it needed to be a suspension.

Mayor Sikes-Kline agreed with Commissioner Blonder that enforcement was being asked for by the industry and thought the penalties should be more stringent and if needed, changes could be made by a future commission. She suggested impoundment for the third violation as the operator could not deny understanding the rules.

Mr. Birchim asked if the penalties were for a six-month period or a twelve-month period.

The Board agreed the length of time for violations would be over a twelve-month period.

Mr. Birchim outlined the penalties as follows:

- First Violation: Written Warning
- Second Violation: Monetary Fine
- Third Violation: Suspension of their licensure for thirty days

Mr. Birchim said when staff suggested impoundment, towing of the vehicle, that would be left for operators in the city without a licensure. He said that was not to be used for licensed vehicles; however, that was open for debate.

Mr. Springfield asked if the penalties would apply to the driver or the operator.

Mr. Franklin replied it would apply to the licensed operator. He said on the third violation it could be a suspension for thirty days or the remainder of the year and the operator would have to reapply. He said impoundment was not for licensed operators; however, if the operator was suspended and operating without a license then they would be impounded. He added if there was a fourth violation the operator would be suspended for the remaining calendar year. He said this helped simplify the penalty structure and outline the length of time for violations.

The Board agreed with the penalties as suggested.

Mr. Franklin said that was the penalties for VFH, including pedicabs. He said section 14-24 outlined the penalties for franchises and noted it would include horse carriage companies; however, carriage company penalties were in a different section of the ordinance. He outlined the penalties:

- First Violation: Written Warning
- Second Violation: Per violation no more \$150, then \$100 for day thereafter the continued violation occurs
- Third Violation: Within 6 months if a third violation was received would be a

hearing with the City Commission and no more than a 30-day suspension

Commissioner Springfield questioned if there were any documented violations in the past and what the violations were.

Mr. Birchim replied that trolley and trains did not have any violations that he could recall.

Commissioner Springfield asked if traffic tickets were included as a violation.

Mr. Birchim replied tickets were not included; however, that data could be provided.

Ms. Lopez replied that traffic violations were state statute violations with their own processes and not part of the commercial regulatory scheme for franchises. She said there could be a rule for the number of traffic violations, which could result in some sort of ramification with their franchise.

Commissioner Springfield asked what 'violation' included.

Mr. Franklin replied that a violation was anything stated in the ordinance, such as:

- Driving off route
- Operating more vehicles than allowed
- Operating without the proper inspection

Mr. Birchim added that there were quiet zones located in places throughout the route.

Commissioner Garris felt the trolleys, and horse and carriages were completely different and should not be categorized together. She said both carried passengers; however, the routes and rules were not the same.

Commissioner Springfield stated he liked the step-by-step violations for the horse and carriages and felt if they were not

included in this section, it should be outlined elsewhere in the code.

Mr. Franklin suggested eliminating the six-month period and changing it to a calendar year, then both VFH and franchises would be in alignment.

Discussion:

- Agreed that VFH and franchises should be treated the same
- Preferred the calendar year instead of the six-months
- Appeal process for pedicabs should be added
- Felt having one administrator in charge of the VFH overtime could create an issue
- Should include a review process especially for suspensions

Mr. Birchim stated that could be added to the VFH.

Mayor Sikes-Kline asked if this was in line with other cities that were operating motorized and non-motorized vehicles.

Mr. Franklin replied that franchises were unique. He said the City of Key West and the City of St. Augustine had franchises. He said other cities that had non-motorized VFH set a \$500 penalty and then suspensions.

Mr. Franklin introduced Jonathan Paul, NUE Urban Concepts, the City's mobility consultant.

Mr. Paul explained that the reason that the VFH and franchises were treated differently and an appeals process was included was because the franchises had a much higher investment capital requirement.

Commissioner Springfield stated that VFH were not much different from a tier one. He said a VFH that had one or two pedicabs

and used this as their primary income, a suspension could impact them greatly

Mr. Birchim clarified an appeals process for tier one, which was the trolleys and trains and tier two, which was golf cart tours.

Commissioner Blonder felt the appeals process should be included for both.

Mr. Franklin reviewed the penalties for the Horse Carriages, which were:

- First Violation: \$100 fine, which was a reduction from the \$150 for trolleys and trains
- Upon three violations within a six-month period, a hearing with the City Commission would be held to review violations and could result in a suspension for a period not to exceed thirty days

Board Discussion:

- Felt penalties should be more stringent than other categories as it involved animal welfare
- Higher standards should be followed to protect animals

Mayor Sikes-Kline said the language in the ordinance should be specified to say, 'written warning'.

Commissioner Springfield asked if the written warning would come from Jabri White, Nightlife Liaison and Permit Technician.

Mr. Birchim replied in the affirmative.

Commissioner Springfield noted the first warning for horse carriages was not a written warning but the fine.

Commissioner Blonder commented that the fine was only \$100, which was not a large fine.

Commissioner Springfield agreed that a fine should be applied for the first violation. He suggested verbally warning drivers when they obtained their license that any infraction would result in fine.

Mr. Franklin advised that the first penalty was a fine.

Discussion Continued:

- Felt the fine was a cost of doing business fine and not a significant deterrent
- Felt the \$5,000 fine was excessive
- \$5,000 fine was only if there were five or more violations within a twelve-month period
- The \$5,000 fine would only be issued after a hearing with the City Commission
- Suggested the initial penalty to be increased to at least \$500

4. Include exclusion areas for neighborhoods

Mr. Franklin said it was discussed to exclude certain areas for those providing tours. He said the Commission would be allowed to restrict areas based on congestion, but the ordinance did not have a provision for excluding residential areas. He asked if exclusion areas should be added to the ordinance.

Mayor Sikes-Kline and Commissioner Blonder agreed it should be added and based on different factors that were able to be determined by the City Commission.

Commissioner Springfield asked if this was only for tours and did not include pedicabs. Mr. Franklin replied that it would be for tours, as the nature of a pedicabs was transportation.

Mr. Birchim commented that the tier-one operators were not included, since their routes were already established.

Commissioner Blonder stated pedicabs providing a tour through residential neighborhoods should not be allowed as it was disruptive.

Mayor Sikes-Kline said she had a request from the Lighthouse Park Neighborhood Association to not allow pedicabs in the area.

Mr. Franklin commented that many tours went in the area to reach the Lighthouse.

Commissioner Blonder commented that there were alternative ways to reach the Lighthouse than going through the residential neighborhood.

Mayor Sikes-Kline suggested providing routes to limit the traffic within the neighborhoods.

Mr. Franklin said if this was an added provision, it could be on a case-by-case basis. He said if this was added they would provide an alternative route to access the location such as the Lighthouse.

Mr. Birchim stated this was providing the City Commission with the authority to create exclusionary zones.

Commissioner Springfield asked for clarification on the VFH being used for transportation even if they provided tours. He said if he wanted a pedicab to pick him up and bring him downtown would that not be allowed in neighborhoods.

Mr. Franklin replied that the transportation aspect for pedicabs would not be included when setting the exclusionary zones

Commissioner Blonder asked if a neighbor was able to provide evidence of a pedicab or a VFH violation and reported it with photo or video proof, would that be enough to issue a warning or violation.

Mr. Birchim replied that it would not be enough for a warning or violation.

Commissioner Blonder asked if the operator would be notified that a complaint or violation was reported.

Mr. Birchim replied in the affirmative.

5. Set the work period for horses

Corey Sakryd, General Services Director, provided a handout¹ that highlighted the topic for discussion. He thanked Dr. Carissa Wickens, Associate Professor and Extension Equine Specialist at the University of Florida (UF), Department of Animal Sciences, Tim Wilson St. Johns County Extension Director, UF, and Bryan Green Agricultural and Consumer Protection Inspector, Florida Department of Agriculture and Consumer Services (FDACS) as they were very helpful in updating and establishing the safety protocols outlined in the ordinance.

Mr. Sakryd referenced Chapter 14 Section 14-74, Animal-drawn vehicle safety during operation. He said the current regulation was not to allow an animal to work more than six days, in a seven-day period. He said the recommendation from UF was to keep the days in place; however, adopt the Wet Bulb Globe Temperature (WBGT) and when it reached a certain temperature, not to allow an animal to work more than five days in a seven-day period.

Commissioner Springfield said his concern was more about how long the horses were allowed to work in a twenty-four-hour period. He said as it was written they were able to work eight consecutive hours with a one and half hour break and then another eight hours. He understood that was impossible with time and not having guests, but it was allowed. He suggested the working hours to be limited to eight hours in a twenty-four-hour period.

Mr. Sakryd replied that section 14-74 (J), would be as suggested, and the rest would

be stricken, and noted that had been discussed with the UF team.

6. Set the temperature cutoff for horses

Commissioner Blonder said she had researched humidity and discovered that the National Weather Service did not use wet bulb temperature but surface sensory to measure relative humidity using instruments called hygrometers, which were more accurate than handheld devices.

Mr. Sakryd said for Section 14-79, Equine heat. UF recommended adopting the WBGT standard, since it was preferred over temperature and humidity as it considered air, temperature, humidity, sun and wind. He said the current weather stem system at the City Marina offered this in real time.

Commissioner Blonder said she was pleased this was available at the City Marina and asked what the recommendation for temperature was.

Mr. Sakryd replied that Dr. Wickens had provided a chart by Dr. Stewart, University of Georgia Cooperative Extension. He said the heat guidelines were used for racehorses, Dr. Wicken felt these guidelines would apply.

- < 82.5°F WBGT (<28°C): No changes to recommended format.
- >82.5-86°F WBGT (28-30°C): Some precautions to reduce heat load on horses will be necessary.
- 86-89.5° F WBGT (30-32°C): Additional precautions to those above to limit overheating of horses will be necessary.
- 89.5-91.5°F WBGT (32-33°C): These are hazardous climatic conditions for horses to compete in and will require further modifications to the competition.
- > 92°F WBGT (33°C+): These environmental conditions are probably

¹ Attached to original packet

not compatible with safe operations. Further veterinary advice will be required before continuing.

Mr. Sakryd added that due to the upcoming construction project, passenger pickup would be moved from the Bayfront, and a proposed location was the Plaza de la Constitución, which would reduce the heat load as there was more shade.

Commissioner Blonder supported the recommendations.

Commissioner Springfield said this was set for non-pavement and these horses were on pavement. He said he wanted to be below 92 degrees and suggested 90 degrees as he thought it more restrictive and safer for everyone.

Mr. Sakryd said this had been discussed with Dr. Wickens regarding the pavement, and she said the horses were shod, which offered some protection.

Commissioner Blonder commented that it was better to err on the side of caution for both the animals and the passengers.

Commissioner Springfield said he had spoken to some of the carriage owners, and they informed him that there were not many riders when it was that hot.

Mr. Sakryd referred to action item five, set work period for horses, and noted the days allowed to work could be changed from six days a week to five days a week. He said as temperatures increased from June through September, the number of days the horses were allowed to work could be decreased.

Commissioner Blonder stated she was supportive of that proposal. She said one reason she liked that proposal was that the nighttime temperatures were higher than they had been historically, which in return increased the recovery time.

Commissioner Springfield reiterated that more restrictive was better. He thanked Mr. Sakryd for providing all the information from experts in this field.

Commissioner Blonder thought everyone could be proud that all voices were being heard and that the Commission was responding to each situation, while erring on the side of caution without eliminating the industry. She said she hoped these decisions could help improve the situation and hoped the penalties would be more discouraging of practices that were not conducive to how the City wanted to be represented.

Mr. Franklin clarified that a WBGT would be used and ceasing operation would be reduced from 92 degrees to 90, and the Weather Stem Station, provided by the City Marina, would be used first to determine the temperature cutoff. He said that information was accessible to anyone online. He stated that based on the recommendations from Dr. Wicken there would be a reduction in the number of days that a horse could work during the hotter months.²

7. Set insurance requirements for VFH and Franchises

Mr. Franklin stated that the VFH insurance requirements were the minimum as defined by State statutes, which would include pedicabs and any other VFH. He said the insurance requirements for tier two and horse carriage operators were increased above the State minimum to a \$1 million combined policy, and tier one insurance was not altered. He reviewed the insurance requirements from other cities in comparison to what the City was proposing. He stated the City had above what most other cities required.

Commissioner Blonder said as a personal driver without passengers her insurance

² Break from 10:38a.m.- 10:52a.m.

policy was the \$1 million combined as suggested and thought it was a reasonable request for a commercial enterprise. She said it ensured the safety of the community and patrons of the businesses.

Commissioner Springfield commented he felt there should be insurance to protect the City. He said if there was an accident and the insurance limits were too low; the City could become a target for a lawsuit.

Mr. Franklin noted that as suggested the requirements for VFH would be the same requirement as the tier two and horse carriage insurance requirements and if the state statute increased to above the City requirement the state minimum would be referred to as the new guideline.

Commissioner Blonder stated the City would not be the only city requiring higher insurance policies.

Mr. Franklin replied that, other than Miami, the City would have a higher insurance requirement, as most other cities required a \$500,000 combined policy.

Commissioner Garris asked how much these types of insurance would cost for vendors. She said some businesses could lose revenue due to the increased insurance rate requirements.

Mr. Franklin stated after speaking with stakeholders regarding the insurance requirements there were only two or three insurance companies that would provide coverage for these types of businesses, and it was expensive. He said some were paying \$12,000 a year with the requirements as they were. He said he spoke to the Herbie Wiles Insurance agency, and that was how the \$1 million combined policy was determined. He said the cost would not be overbearing but it was expensive to insure these types of vehicles.

Commissioner Garris requested a cost analysis be provided at first reading.

Mr. Franklin replied that he could provide an example of what policies like these could cost.

Commissioner Blonder commented that any serious business would want to ensure their liabilities, as it would reduce their exposure.

8. Set limit for Tier 2 Franchise operators, number of vehicles per operator and passengers

Mr. Franklin stated there were around twenty franchises that operated as a tier two currently. He said the proposed ordinance limited the tier two franchisees to fifteen with three vehicles per franchisee, as several operators were already using three vehicles.

Commissioner Blonder asked how many existing businesses operate three vehicles.

Mr. Franklin replied that after speaking with stakeholders, there were two or three businesses that used three vehicles which typically took place during NoL when the demand peaked. He stated one stakeholder, Mr. Horton, who spoke today, stated he operated five vehicles.

Mayor Sikes-Kline asked if there were any operators that operated four vehicles.

Mr. Franklin noted that he was unsure if four vehicles were used at the same time as the business could have multiple vehicles and only operate two or three as the others were used as backup vehicles. He said this would not limit the number of vehicles the business had but would limit the business to three vehicles on the street.

Mr. Franklin added that the City did not want to eliminate any current businesses; however, businesses would not be

transferable. He said the application period for new franchise would only be opened if it fell below fifteen. He said some businesses may not apply to become a franchise based on the fees. He added the passenger limit was increased from nine to eleven, as more operators were using larger vehicles, and staff did not want to require two seats to be removed to have only nine passengers. He said the City wanted to have a standard recommendation that the vehicles were designed for nine or eleven passengers and one driver to avoid enforcing the removal of seats.

Discussion ensued:

- Supported having nine seats instead of eleven
- Did not want to reward unlawful behavior as some operators put the seats back in, making it difficult to enforce the seat rule
- Language in ordinance should be linked to seats and not passengers
- Should require the vehicle to meet the criteria required
- Agreed that nine seats and one driver was suitable
- Felt having eleven seats and one driver was too large of a vehicle for the City
- City was twenty-seven colonial blocks, and it was hard to have a lot of people in the same area at the same time
- Agreed that nine seat vehicles were appropriate because at any time 540 people could be given a tour at same time
- Questioned how many people were able to fit on a trolley or train vehicle

Ed Swift, Historic Tours of America, commented that the daytime fleet carried seventy-two passengers and the nighttime fleet held forty passengers. He said he thought the Red Trains held less due to the design.

Commissioner Springfield said that were 2,300 passengers at the maximum allowed number of vehicles.

Commissioner Garris clarified that the vehicles would have a total of ten, with nine passengers and one driver.

Mr. Franklin replied that was correct. He reiterated that they were in agreeance to reduce the number of passengers from eleven to nine, keeping the allotted franchises at fifteen; however, allowing existing operators to apply for a franchise, and overtime, fifteen franchises would be achieved. He asked how many vehicles each operator would be allowed.

Commissioner Blonder suggested reducing the number of vehicles to two and grandfathering in the ones that currently had no more than three.

Commissioner Garris agreed with the suggestion proposed by Commissioner Blonder.

Commissioner Springfield said he did not feel that it made a difference as most operated two but during peak season was when three were in operation.

Mayor Sikes-Kline favored allowing three vehicles per operator, but congestion was a concern, and she was reminded as Mr. Swift told them, trolleys could hold seventy-two passengers, which could eliminate roughly the same number of cars off the street.

9. Create another tier for smaller operators (six (6) passengers or less)

Mr. Franklin explained that staff had explored creating another tier for smaller operators, which would create another layer. He said if the recommendation was to limit the passengers to nine (9), he did not feel this would be necessary. He stated the fees and inspections would be around

the same timeframe for inspections and the franchise fees would be similar. He advised that for tier two, franchises the fee was \$2,000 annually.

Board Discussion:

- Insurance could be an issue for operators and creating a tier with six passengers could reduce the cost
- Felt creating another tier was unnecessary

Mr. Birchim advised that if there was a need for another tier it could be created at any time.

10. Create another Franchise tier for pedicabs

Mr. Franklin said after hearing from stakeholders, there were about four pedicab operators that provided tours. He said staff did not see a need for it at this time; however, if it was needed it could be created in the future.

Mayor Sikes-Kline asked how this became a point of discussion.

Mr. Franklin replied that during first reading of the ordinance it was brought up.

Mayor Sikes-Kline felt this should be discussed further.

Commissioner Springfield felt there was a conflict with allowing pedicabs to provide tours as other tour operators would not be allowed in a neighborhood.

Mayor Sikes-Kline replied that staff would have discretion on tour zones. She said there may be other ways to address this first but understood the concern.

Commissioner Springfield stated that the St. Johns County Sheriff was assigned to the State task force for Electric (e) bikes. He said new regulations for e-bikes would

be forthcoming, which would include pedicabs.

Commissioner Blonder emphasized the need for enforcement of e-bikes, as she had two close-call experiences. She said the speed of the e-bikes was higher than the allowed speed on San Marco Avenue.

Commissioner Blonder asked about water taxis since the City owned the submerged lands, she was unsure if regulations that could be established. She said there was irresponsible action taking place including excessive noise and public drunkenness.

Ms. Lopez replied that the navigable waters could not be regulated. She said the City could regulate where these operations could depart from but the City did not own the waters of the State or United States. She said in terms of noise ordinance violations, noise emanating from vessels was regulated by the City.

11. Set limit for number of medallions per Horse Carriage Franchise

Mr. Franklin said in the first reading of the ordinance, each franchise was allowed to have five medallions; however, after discussion that was reduced to three medallions with fifteen medallions for the industry in total. He said that was policy existing that existed by the Commission.

Discussion:

- In support of having three medallions per franchise, with a maximum of five vendors
- Felt if a vendor had five medallions currently, they should be allowed to keep those, and any new vendors should not be allowed to have more than three
- Questioned if re-routing would be done for the horses since the seawall project was starting

Mr. Birchim commented that the re-route should be presented at an upcoming meeting.

Mr. Franklin said from stakeholder engagement, he learned that not all vendors wanted to have three medallions. He asked if the Commission was open to allowing more franchises.

Commissioner Blonder asked what that would do to staff oversight. She said with more franchises, more would have to be monitored.

Mr. Franklin replied that it could increase and there was limited space at the transfer station.

12. Set ownership transfer requirement for Franchises

Mr. Franklin said there had been discussions regarding ownership transfers. He said directions were needed for the following questions:

- Were franchises transferrable or did they have to be forfeited
- Was a tier 2 operator allowed to own a tier 1; could horse carriage owners be allowed to own a tier 1 or 2 franchise

Mr. Franklin added that they were trying to include language to stop a monopoly from occurring, not allowing one entity to own more medallions or permits. He said they were limited to only one ownership stake in each franchise.

Commissioner Springfield said he supported the idea of a franchise owner being allowed to sell the business but with sale approval from the City.

Mr. Birchim clarified if a franchise held the same name and the only change was the Chief Executive Officer (CEO), that was able to be transferred to a new CEO with the approval of the City Commission since the City was the lessee. He said if a

business was sold and the name and CEO changed, that would be a new entity and would require the business to go through the lottery process.

Mayor Sikes-Kline commented that was what she understood.

Commissioner Springfield said at that point the business owner was not selling a 'business' but would have gone out of business or bankrupt.

13. Set the methodology for selecting Franchisee

Mr. Sakryd said in Chapter 14 section 14-55, Franchise Application Requirements, staff had questions regarding what should be included in the new ordinance. He asked for feedback on the following questions:

- Do we include in the new ordinance language that disqualifies a company/person from obtaining a new franchise because of past non-compliance under the old franchise ordinance.
- Do we allow anyone to apply for the first round of franchises under the new ordinance without taking into consideration an applicant's prior compliance with the old franchise rules. And, if this franchisee loses their franchise because of non-compliance with the new ordinance, then they are not qualified to re-apply for a new franchise in the future
- Do we allow anyone to apply for a franchise without taking into consideration their compliance with the old or new franchise rules moving forward

Commissioner Blonder asked for clarification between point one and two.

Mr. Birchim replied moving forward should the old franchise rules be applied when applying for a new franchise or should

everything be reset after the adoption of the new ordinance, the people applying would not be penalized if they were non-compliant with the old franchise rules.

Commissioner Springfield commented that clarified number one; however, he explained that question two points out if a current franchisee was a violator now and then under the new guidelines, they received a new violation the owner would lose their franchise.

Mr. Birchim said once a franchise owner was under the new ordinance, they had to abide by those guidelines and if violated they would lose their franchise.

After clarification, Commissioner Springfield and Blonder agreed that number two was the best option.

Mayor Sikes-Kline agreed, and said once the new ordinance was approved, consideration of the previous compliance should be reviewed. She said a clause in the ordinance should state 'moving forward franchise applicants would not be qualified to apply if a franchise was lost due to non-compliance'.

Commissioner Blonder asked if point one and two were incorporated into the ordinance would they be contradictory of each other.

Mayor Sikes-Kline felt that they were similar and intertwined with each other.

Commissioner Springfield disagreed and felt they were different. He said number 1, stated if owner was a past violator they could not work. He said number 2, stated if a past violator, they could apply, but if one violation took place, they would lose their franchise.

Commissioner Garris agreed she was in favor of number 2.

Commissioner Blonder suggested a language revision. She suggested outlining what the goals were and her goal was to preclude past violators. She felt that past behavior predicted future behavior.

Commissioner Springfield stated that the City had a poor track record with enforcement. He added that Mr. White was now on board to standardize the process. He said there were past violators that were in operation today, but moving forward with the new guidelines, strict requirements and punishments were in place and this would provide a second chance.

Commissioner Blonder disagreed. She said the City should be more restrictive, especially dealing with animal welfare.

Mr. Franklin asked if there was a time frame that should be used for past violations and how much of an impact that should have on the application.

Commissioner Blonder suggested implementing a probationary period for former franchise owners applying for a new license. She stated that a single violation during this time would result in the immediate revocation of the franchise.

Commissioner Springfield and Mr. Birchim commented that a probationary period was a good compromise.

Agreeing with Commissioner Springfield, Commissioner Garris felt owners deserved a chance to correct their behavior. She pointed out that past poor enforcement meant owners might not have realized they were not in compliance.

Mr. Birchim clarified that not only was a part of the qualifications conducted, but the business also had to be a registered corporation, licenses were in good standing with the State, pass a background check and other requirements. He said this was to target past violations and how those should be handled.

14. Set methodology for fees to account for staff time

Mr. Franklin said the fees were not addressed in the ordinance. He said if the ordinance was passed a fee schedule would be provided as part of the annual budget. He said the fees would be the billable hours associated with staff time.

Mr. Birchim commented that this would be exactly how the fees were setup for Short-Term Rentals (STR) as it would reimburse staff time to administrate the program.

Mr. Franklin added that during peak season, a part-time employee may need to be hired to assist with enforcement.

Commissioner Springfield stated that Mr. White was great; however, he had taken on more workload since assuming the position. He said that position was specifically to assist with the nightlife. He said this position was designed to be on call at night observing. He stated that fees set should be for a full-time employee, instead of taking away from the nightlife as he felt it was under control. He said this position needed someone who was familiar with horses and golf carts. He said at this time, he was unsure if Mr. White had the authority to remove carts or horses from work if deemed unfit.

Commissioner Garris questioned if a vehicle had been provided to Mr. White to assist him with transportation, since there were many locations, he had to get to for his job responsibilities.

Mr. Birchim said a job description would need to be created and determine the pay for the position, then dividing the pay by the number of operators.

Commissioner Blonder agreed that additional staff would be required, emphasizing that the City should avoid imposing more to be done with fewer resources.

Mayor Sikes-Kline commented that the nightlife was not under control because since the nightlife discussion there had been issues, and one that took place this week. She said a promise made to the community was hiring someone to assist with nightlife enforcement. She said Mr. White's job tasks have increased beyond what was requested. She stated she was concerned about adding additional staff but agreed it was a full-time position. She said there were many vehicles on the road, and it was the City responsibility to ensure community safety. She said moving forward, she felt fee changes should be handled by City staff. She said the Commission could help set fee structure, but the actual fee could be determined by staff, and the Commission could be given notification.

Ms. Lopez stated that state law noted that fees could only be charged based on how much it cost the City, which was determined by data and analysis. She said City code stated that fees were reviewed annually through the budget process. She said this allowed the Commission to provide input; however, if fee determinations were changed there would be several changes required throughout City Code

Commissioner Springfield commented that the annual carriage franchise fee of \$1,000 was too low.

Mr. Franklin replied that carriage franchises were \$1,000 per year per medallion, and the tier 2 fee was \$2,000 yearly.

Commissioner Blonder questioned the last time the fees were increased.

Mr. Franklin replied that the fee for Tier 2 was new, and for the carriages it was a flat rate of \$1,000.

Commissioner Blonder felt the fees would be determined by staffing. She said she

wanted to have recommendations from staff at first reading.

Mr. Birchim noted that franchise fees varied and asked that the commissioners consider establishing an equitable fee structure for Tier 2 franchises.

Commissioner Blonder asked for reasonable recommendations for fees be presented at first reading with an explanation.

4. Public Comments:

The Commissioners heard from the following members of the public:

- Chris Taylor
- Tom Reynolds
- Scott York
- Michael Collins
- Blaise Morrell
- Shannon Beck
- Joshua Luke
- Jason Wall
- Patricia Ramos
- Katherine Zodda
- Manda Gerber
- Dave Chatterton
- Lloyd Pierce
- Jason Judge

Final Comments from Commissioners:

Commissioner Springfield felt limiting golf cart rentals would be beneficial. He said if an electric carriage were to be used, a medallion should be provided. He said carriage owners should be allowed to substitute an electric carriage for a horse carriage if they chose too. He requested that a proposal to assist with the horse urine be addressed since the manure was being contained. He noted that there was a 'use or lose' policy for medallions within a six-month period, and he was unsure how that could be tracked unless staff were required to track it. He thanked Mr. Franklin, Mr. Birchim, and Mr. Sakryd for their hard work.

Commissioner Garris said Lloyd Pierce spoke in concern about being able to transfer or will his business to someone else and she said that should be looked into to ensure that could be done. She said light music for tours should be allowed if it was not amplified. She thought the number of vehicles allowed in Tier 2 should be discussed further when presented at first reading.

Commissioner Blonder thanked staff, the mayor, and her fellow commissioners for the progress made during the workshop. She thanked the public for attending and providing feedback as it was very important to hear from the community.

Mayor Sikes-Kline emphasized that it was great that those in the industry attended the workshop to provide feedback regarding the ordinances. She said both were comprehensive and felt it would be successful because of community input and support. She was concerned with transportation and tours being conducted in the same vehicle and asked for that to be discussed further.

5. Adjournment

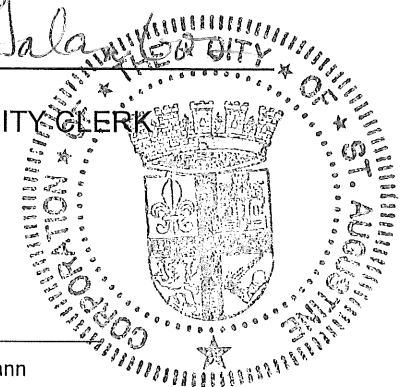
There being no further business, the meeting was adjourned at 12:35 P.M.³



Nancy Sikes-Kline, MAYOR



Darlene Galambos, CITY CLERK



³ Transcribed by Elyse Wiemann