

City of Coral Gables City Commission Meeting
Agenda Item I-1
August 25, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason
Commissioner Pat Keon
Commissioner Vince Lago
Vice Mayor Frank Quesada
Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia

Public Speaker(s)

Javi Vazquez, Special Counsel for the City

Agenda Item I-1 [9:46:09 a.m.]

Update regarding discussion with FPL and Miami-Dade County regarding power lines along Metrorail.

Mayor Cason: We are going to go out of order because we have an expert here. I-1 will be next.

City Attorney Leen: Yes. Thank you Mr. Mayor. Mr. Mayor, Item I-1 relates to the direction from the City Commission to me and to Special Counsel and to City staff to look into the issue of having the power lines along U.S.-1 be placed in tandem with the Metrorail and should be connected to the Metrorail; and what we were asked to do was to hire Special Counsel to contact the County and FPL, as well as to obtain experts that could look into the matter to see if that was feasible. I'm going to turn the matter over to Javi Vazquez, who is the Special Counsel that we

hired from Berger Singerman; and then I'm going to add a little bit, based on my discussions with FPL as well. Mr. Vazquez.

Mr. Vazquez: Thank you Mr. Lean. Mr. Mayor and Commission members, my name is Javi Vazquez, and I'm with the law firm of Berger Singerman, and as Craig Leen mentioned, we were retained by the City to take a look at some of the analysis that was being conducted relating to the feasibility of co-utilization of the Metrorail guide-ways support system for the Florida Power and Light transmission infrastructure. My partner Floyd Self, in Tallahassee was a big reason that our firm was retained based on his significant experience in the utilities space, in the energy space, and many, many years of working very closely with the Public Service Commission. The infrastructure in question, as we all know, is the Davis-Miami, 230k transmission line associated with the Turkey Point Unit 6 and 7 Project. One of the things we came upon early in our engagement was the final report prepared by Florida Power and Light dated November 2010, and it was revised in July of 2011, and that report concluded that the co-utilization was not feasible for two reasons. One of the reasons had to do with cost and we can get into cost at another time, I'm going to focus a little bit more on the second reason, which had to do with the fact that their conclusion that the interaction of the high voltage transmission lines had a physical rail structure presented unacceptable safety hazard that could not be mitigated; and that's kind of like where we put on the brakes on this thing, and said wait a minute, we are talking about safety hazards that according to certain experts are not able to be mitigated. One of the things that we did is that we reached out to a very respectable firm, engineering firm that we all know, which is Gannet Fleming, Mr. Jose Abreu is the Senior Vice President of that company and somebody that this community respects tremendously, and somebody that I have tremendous amount of confidence in. So we were not just going to take this report on its face and accept it as a final truth. So, I asked Gannet Fleming to take a look at this and I will say that Gannet Fleming has put a considerable amount of time pro bono for the City into this matter; and I'm not going to engage into how many hours, but it was a considerable amount of time and I can also say that the project directors for this kind of work agreed with the Florida Power and Light conclusion as it relates to the safety hazards that are presented and the inability to mitigate them. At that point when we learned – we did learn that there are segments where this co-utilization can happen, but

as far as the entire review those safety concerns could not be mitigated. Once Gannet Fleming gave us their feedback after some time and they took a considerable amount of time to look at this, and once they came back to us and said, listen, we agreed that this is not something that can be mitigated. At that point, I sent a note to Mr. Leen and I kind of put the brakes on this, first because I don't want the City to be paying our time any further when it comes to issues of public safety and hazards that perhaps could not be mitigated, and for that reason Mr. Leen asked us to be here today and I'll turn it back to you Craig.

City Attorney Leen: Before its open to Commission questions, I would just like to add one item. I met with Steve Scroggs who is a very senior staff member at FPL to talk about this very subject as well. And what he told me was that they are not looking to proceed with the power poles this year, they are looking now to proceed next year. And it did seem to me that there may not be, it didn't seem to be a sense of urgency on the matter. For example, under our settlement agreement, we have six months to evaluate FPL's new application. There hasn't been a new application yet. I know that there is a lot going on with the nuclear reactor and whether that would proceed or not, and I know that there is still litigation ensuing related to that. So, I felt at this point that there was at least some good news for us. Obviously, we fully stand behind the settlement, but of course we would prefer not to have the high power poles going down U.S.-1 and we'd like more time to see if another solution can be found. So, I did want to tell you that there was some positive aspect to that. The other thing that came up was that FPL did say that they also didn't want to pay the \$1.3 million settlement amount. I took another look at the settlement agreement, and it's my view that they would owe that amount whether or not, that was basically a settlement of the case. Obviously, they don't proceed at all and we never have the power poles, there may not be a basis to have the \$1.3 million, but if they do proceed, in my view, we would have a right to that \$1.3 million, and if they don't provide it to us, we won't grant a permit for the power poles based on the settlement agreement and we could reopen our lawsuit. I'm not saying we should reopen our lawsuit, I'm just saying, I think that we need to insist that if we are going to follow the settlement agreement, FPL needs to follow every part of the settlement agreement as well.

Mayor Cason: Didn't they say that regardless of whether the nuclear power plant was expanded that they would need to harden them and therefore they would be putting in bigger poles?

City Attorney Leen: They did say that, Mr. Mayor. The issue though is, and you are absolutely right, the issue though is, there is a couple. First, I think there was a little bit of a disagreement between the City and FPL as to how urgent that hardening would need to be and how large those poles would need to be. But underlining all of that, if the high voltage power line doesn't go forward and it ends up being a lower voltage power line, my understanding is that, that would affect the necessary height of the poles and the size of the poles as well, because there is a certain distance that there has to be that, that sort of high voltage power line, and that might affect everything. In fact, we might be able to reopen the matter with Gannet Fleming if that high voltage power line is not the one that ends up being installed, because for whatever reason the new reactors don't go forward. So, I think that there is still a big open question and all I wanted to say was, we can continue to standby the settlement agreement, but at this point it hasn't been invoked in terms of the application for a permit.

Mayor Cason: Commissioner Quesada, I think several months ago, when he asked us to take a look at this again, has some examples of ten cities or something that had done it – is there some technical reason?- was the soil different?- or something in those cities that were able to do it?

Mr. Vazquez: The examples that have been found are examples of shorter spans, examples of bridges, but a specific example of a Metrorail-type system with the voltages involved that's....

Vice Mayor Quesada: That's the big difference. So, I know we've all been concerned about this; we've all discussed it since I've been at the forefront. I've tried to be at the forefront for us, try to lead. I met with Javi several times, I've met with Gannet Fleming, I've met with County Mayor Jimenez on this topic, I've met with the Underline folks, and everyone is on the same page that they want to be able to attach the lines to the Metrorail. The big difference – and Gannet Fleming is actually the same engineering company that did the project in Chicago, Seattle, and Victoria, Canada, so they are the experts on this. So we used the experts who've done it before. The big

difference here is the voltage on these lines that what we need here is much greater than in the other examples. Not to get too technical, I'm not an engineer, but what I was explained is, because the Metrorail obviously when its driving over certain areas the structure actually shifts on the weight and so the loads are different at different times, with the types of power lines that they want to put in, they have to ground them with these large copper structures and those large copper structures have to come down every so often. If a car were to crash into them or if there would be some sort of incident, it creates a significant hazard that no engineer would sign off on to allow that kind of project. So one thing that we were discussing is having Gannet Fleming do their own study, but it would cost upwards of \$100,000. In our conversations, I also met with one of the executives of FPL to have this conversation and they said to me, look, we would love to attach, we want to make it as unsightly as possible. Then I started negotiating and say well, if you want to make it as unsightly as possible, why don't you guys pay for it?- and then they focused back, but I tried, I'm always trying, I will tell you.

Mr. Vazquez: If I could add something to your point Commissioner. This conversation is concentrating on the feasibility issue relating to the safety hazard created. We are not necessarily agreeing with them when it comes to their estimation of 11.7, somewhere between \$11.7 (million) and \$15 million per mile, which is the second reason that Florida Power and Light gave for the problem, we are not necessarily agreeing with that, because that starts getting close to the undergrounding cost and we don't necessarily agree on that. This conclusion...

Vice Mayor Quesada: That's a good point. We didn't concede that we should be paying for it at all, at any point in these conversations, we are just talking about pure feasibility, can it be done or cannot be done. So what they told us, seven years ago FPL performed their own study to determine if they are going to attach to the Metrorail. We didn't know about that, we found out about it. When I had that meeting with FPL, with Craig had a separate meeting with FPL, we said, give us a copy, send it over to Javi, send it over to Gannet Fleming, let them review it, let them analyze it, and that's when Gannet Fleming, the experts throughout the country, throughout North America looked at it and said, you know something, this FPL study is on point, its

accurate, our findings would be exactly the same, and there is a sound engineering basis and scientific basis. So therefore, from a safety perspective it can't be done.

Commissioner Lago: Can I ask you a quick question Vice Mayor? So I mean it seems that you have done, along with Mr. Vazquez and the City Attorney, you've done an incredible amount of due diligence and exhausted every opportunity and every angle.

Vice Mayor Quesada: I wouldn't say exhausted, we are going to continue to use other avenues.

Commissioner Lago: I mean you've basically done everything in your power and you are going to continue, I know you are, to try to find a way to attach it to the Metrorail, but let's go beyond that, let's say it's unfeasible. Obviously, when you are talking about the engineering firm who has done multiple projects of this magnitude, when they speak it resonates and it's something which makes a lot of sense. Have we exhausted every opportunity in reference to potentially going underground?

Vice Mayor Quesada: The problem is the last time we had this conversation, this Commission...was before the election of Commissioner Slesnick...and I think you should be briefed on those conversations or Mr. Foeman, if you don't mind, if you can give Commissioner Slesnick the minutes specifically to the FPL discussions that we've had, because they were quite lengthy and we had an Executive Session as well on the topic, but it really comes down to cost. I mean at one time this dais, again prior to Commissioner Slesnick, we talked about a bond, we talked about a referendum, we talked about a number of different avenues of trying to being able to pay to make that happen. So, when I had the conversation with FPL one of their executives from, is it Juno Beach?- I forget exactly where they are headquartered, the conversation was, well why should we have to pay for it?- you should be paying for it. That was what I kept reiterating to them is, look, from our perspective it's not fair that someone in Pensacola who is not getting the benefit of the undergrounding be also a part of paying for it, because essentially the entire network would pay for your undergrounding. And I said, look there are ways around

that, we can work something out, certain geographical location, span over time, different things that we can do and she was just unwilling to listen to that, those thoughts.

Commissioner Lago: You know what's interesting. I spoke to....

Vice Mayor Quesada: They are afraid of setting the precedent, but all of a sudden the underground for us here and not have to underground the entire state...

Commissioner Lago: I had a meeting with the City Manager and the City Attorney yesterday, and the City Attorney mentioned the....as potentially being an opportunity; and again, I know that we haven't had much discussion in reference to that, could that be a potential, but that may allow us to spread the cost over 30, 15, 10 years, depending on....

City Attorney Leen: I had mentioned an impact fee.

Commissioner Lago: Sorry, I apologize.

City Attorney Leen: An impact fee for new development in Miami.

City Lago: Yes.

City Attorney Leen: Because ultimately the power need that's driving this is the power that's needed for downtown Miami and all the development that's occurring there.

Commissioner Lago: And that's also what the Vice Mayor just stated. I think that Commissioner Slesnick would be in your benefit to get all the information in reference to where the actual power is needed, because the City of Coral Gables is not growing like the City of Miami is growing. So it seems to me that a lot of that power that's being required and the reason they have to upgrade the poles...

Vice Mayor Quesada: We are a pass-through.

Commissioner Lago: Yes, we are basically a pass-through, as Vice Mayor just stated. Again, I want to try to do it like you are doing, exhaust every opportunity, if we cannot attach it to the Metrorail, can we maybe find a way to go underground and maybe talk to the adjacent cities? We have City of South Miami, we have Pinecrest.

Vice Mayor Quesada: Yes, but the problem is we have two and-a-half miles of frontage on U.S.-1. I think the last quote we got, Javi; correct me if I'm wrong, \$17 million a mile.

Mayor Cason: It could be more than that....

City Attorney Leen: As opposed to \$60 million was the study.

Mr. Vazquez: There was an issue having to do with certain segments that still could be undergrounded. You couldn't underground the entire segment.

Commissioner Slesnick: And I wanted to ask, it seems like we have a lot of land in the Underline, especially near the University of Miami and so forth, if the power lines could go underground for like three miles or two miles and then come back up.

Mayor Cason: That was the idea, but the cost was based on a conservative estimate of soil types, which could go much higher than \$60-\$70 million.

Commissioner Lago: Again, I know that we've had multiple discussions, but just to jog my memory. Did we finally ever discuss with major firms, like for example, Mastec, which does billions of dollars of underground lines a year throughout the country and internationally. Have we talked to a firm of that magnitude which has that experience to get a real number in reference to see if it's really feasible?

Vice Mayor Quesada: Let me just do a brief recap of what we discussed a few months back. Remember there was an administrative proceeding going on with the State of Florida determining whether who had the rights to move forward with FPL? Because we deal with the Public Service Commission and it was Berger Singerman that was also assisting us in that in the Tallahassee office. The Public Service Commission, their procedure when it comes to FPL it goes to the Governor, the final decision with the Governor. Remember during that time pursuant to our Franchise Agreement that we have with FPL related to the power poles and everything that deal with our City, we sued them for breach of contract related to that Franchise Agreement. Because the final decision was with the Governor and because the Governor's opinion comes out two days before, a draft comes out two days before, before it's actually implemented, we had the benefit of knowing whether we are going to win or lose. When we saw that every municipality was going to lose and FPL was going to win, we negotiated a settlement because we said, might as well get something instead of nothing, and that's where we got that \$1.3 million --- Well there were several aspects to that settlement agreement, but part of that settlement agreement, now I'm getting to your question. Part of that settlement agreement included that FPL was going to give us all the requirements of hiring an outside contractor, if we wanted to, to perform the undergrounding, that they would give us specifications and that was really a cost benefit of about \$200-\$250,000, just getting those specifications, and we were going to be allowed to use it with the contractor, it would not have to be one of their preferred vendors, so that they could not control the price. We can test the open market to get the best price possible. I don't think we ever got there.

Commissioner Lago: That's why I was trying to jog my memory.

Vice Mayor Quesada: Because you know what happened at that point we said, hold on a second, just the prices to begin with, the starting point is crazy, let's try to attach it to the Metrorail, and that's where it sort of stopped.

Commissioner Lago: And Javi, you can give us a little more information, but I think our backs are against the wall right now. We got to kind of make a decision on what we are going to do.

Obviously, we can continue to press in reference to attaching to the Metrorail, or does this Commission, do my colleagues believe that maybe we should try to find a firm, for example, I'm in the industry, but I think the giant in the industry would be a company like Mastec or another giant who is an international player who has this experience and go out there and say, look, here are the specifications, can you give us a simple...

Commissioner Slesnick: Second opinion.

Commissioner Lago:...second opinion; can you give us a pre-construction proposal in regards to cost?

Vice Mayor Quesada: Because Mastec is considered a business resident in the City, their offices are in Douglas Entrance. I reached out to their CEO and I said, you know something, informally do these numbers make sense, just because I have a personal relationship with him, and he said, yes, FPL numbers do make and the open market maybe get something a little bit cheaper, but it's not going to be any more than five or ten percent off of that number. So maybe its \$18 million, maybe its \$17 million, but it's not going to be – yes the delta it's very narrow, it's not going to be \$6 million all of a sudden.

Mayor Cason: And it could be a lot higher depending on what you find underground.

Mr. Vazquez: When we combine the cost factors associated with attaching to the infrastructure, and now that we know we have significant public safety issues, I feel obligated to caution the Commission from proceeding that route. I also continue to hear how important the Underline is, how important not having the transmission infrastructure going overhead. I would love to see the City continue its efforts to revisit the undergrounding of the lines, especially since we have hit a little bit of a wall on the possibility of attaching.

Vice Mayor Quesada: My biggest concern, I think the Underline is going to be spectacular from a pedestrian mobility aspect, from a beautification. I would love to see our law in public park in

from of our City, and also the entrance to the University of Miami. I mean guys; you know that entrance to the University of Miami I don't want to have those lines above. Even though FPL has told us, there are going to be less power poles...

Commissioner Slesnick: Power poles...?

Vice Mayor Quesada: Yes the poles are less....

Commissioner Slesnick: I know, but they are power poles.

Vice Mayor Quesada: Their diameter, they are huge.

Mr. Vazquez: Sometimes in life you feel like if you didn't turn every stone. I would applaud this Commission's efforts, especially Commissioner Quesada; he is spearheading this effort, as it relates to the fact that you did turn every stone. You are not going to feel that you didn't explore every possibility.

Commissioner Keon: Even if we don't attach it to the Metrorail, is there a possibility of running it along the Metrorail with its own support...? So it's not attached to the Metrorail, it doesn't affect the loading on the Metrorail or anything else.

Vice Mayor Quesada: Hold on a second, but then are you implying that the actual power lines be at the same height as the Metrorail?

Commissioner Keon: I'm talking about you would have to encase them.

Vice Mayor Quesada: I'm sorry, you would have to what?

Commissioner Keon: You would have to encase them. You would have to encase them.

Vice Mayor Quesada: Oh, encase them.

Commissioner Keon: And you know, it could be a really interesting, you know ---

Commissioner Lago: Like a secondary Metrorail.

Commissioner Keon: It's a secondary Metrorail. You can encase them in – I'm sure that – I'm not an engineer, but I'm sure that you can insulate them, put them in separate standing thing. You know you can run a neon tube along them; you can make them a public art project and achieve the same thing without having them as big. Even if you have the poles there, if a car crashes into them, it's the same thing, if somebody crashes into those poles. So you know...you would have to encase them in some sort of a conduit of some sort that would not...

Vice Mayor Quesada: It would still be serviced by FPL...

Commissioner Keon: Absolutely – and you know they could be serviced at a very low level from them.

Commissioner Lago: It would look very similar to the Metrorail, except obviously it would have some sort of top structure on top of it. If you look at the Metrorail you only see half of it moving...

Commissioner Keon: Right.

Commissioner Lago:...because half of it is colored by the....

Commissioner Keon: Right. So what you would see is the tube that would maybe run along parallel to the Metrorail...

Mr. Vazquez: Are you saying not attaching it to the infrastructure?

Commissioner Keon: Yes – separate and independent structure that can run along, you know so you don't have that visual clutter. It's going to run along parallel to or at the same level as – it is encased, I'm sure...Do we have an engineer here that can tell us? Can you encase you know that type of line in some sort of – I would think you could.

Vice Mayor Quesada: The answer is yes. That is something that we got out of our conversation. Yes, they can be encased.

Commissioner Keon: Yes you can. And so you know, it's at a much lower level, its far easier to service and at that level, and you really, you could put neon too. Miami has lots of neon, include the University of Miami, you could do it green and orange.

Commissioner Slesnick: Javier, since Turkey Point is on the water and the City of Miami is on the water, is it possible to run the lines underwater directly to the City of Miami?

Mr. Vazquez: Now you are asking the wrong guy.

(Laughter)

Commissioner Slesnick: I mean it seems like we send...

Commissioner Lago: Just to give you an idea. I took a tour of the existing transmission lines and the corridor when I first got elected, if you call FPL they'll give you one; and I also went to visit Turkey Point, it's rather impressive. On the tour they actually tell you where the proposed lines would go and they would actually cross under the Miami River, that's where they are proposed by the City of Miami, so...

Commissioner Slesnick: So can we run them from Turkey Point up there?- I mean...

Commissioner Lago: I don't know. I don't know. What is being proposed when the new transmission lines would come, so I would imagine it is a feasible...

Mayor Cason: I think we lost that battle where they are going to go. Remember the alternate routes, we would have to lobby the whole Cabinet, that's been decided by the administration.

City Attorney Leen: Now it has been decided, we did settle the case, and as the Vice Mayor said, it was a tough settlement to do. Obviously, it went against a lot of what we wanted for that area, but we thought that it was in the best interest of the City, this Commission did, I did, I was up there in Tallahassee, because we did get a decrease in the height of the power poles. We did get a number of other things that were offered to us, which no other City has received. We are very unique in that way, and a big part of it was the lower heights for the poles. Also, the goodwill that we did obtain from FPL on this matter allows us to continue to raise these issues with them and they told me and Steve Scroggs told me that they would continue working with us, so if you want us to raise the issue of having insulated, I guess pipe of some sort, run along the Metrorail. I'm happy to raise it with him and I know that he will consider it, in large part because we did enter into the settlement, and the goodwill that it's brought and they have been very straight up with us.

Mr. Vazquez: Let me ask you a question...is the idea to run separate infrastructure parallel to the Metrorail encasing it...?

Commissioner Keon: Yes.

Mr. Vazquez: Is that what I'm hearing?

Commissioner Keon: You are going to have to put in poles anyway, these are not as big poles and the encasement is really the issue.

Mr. Vazquez: One of the reasons it may be a good idea to check into that is also the following: remember we have other cities that this 230 KB line is going to be going across and not every city is on the same page as to what they want to do with this thing. So let's assume that we would have gone underground there would have been parts of this when it hits other cities where it would have come up. This idea might be a good opportunity to explore, and we haven't even looked at it, for purposes, for the simple reason that is, if it is feasible then it gives you a really nice solution when it gets to that transition between Coral Gables and the other cities that may not want to do that. It's a big priority for us and I include myself as the City of Coral Gables.

Vice Mayor Quesada: But – OK. So, I think it's important before we do anything, Mr. City Attorney, you need to look at the settlement agreement again from this angle, perspective that we are discussing, because this is what I recall, the settlement agreement has been several months since I've reviewed it. Obviously, review it and make sure we are within our bounds to do it. From what I recall, what we settled, we have the control to determine our fate in the sense of, we can go underground, we just have to pay for it, we can do this separate structure, we have to pay for it. And what we settled, it gives us the authority to have that control unlike the other cities that didn't settle it, they no longer have that control.

City Attorney Leen: That is true, except that we have past one date already and we did make an election not to underground.

Commissioner Keon: OK. So we are not. We are over-grounding.

City Attorney Leen: This is within the bounds of the settlement, but it would be something, I'm sure that FPL would say that we would have to front a lot of the cost for, if not all of it. I know they've said that they would reduce...

Vice Mayor Quesada: Obviously, you read the settlement recently.

City Attorney Leen: There is the \$1.3 million, then also they've said that they would, the cost for the power poles would be reduced...anything that we did.

Commissioner Lago: I understand maybe FPL would come to us and say, listen, you've got to cover some portion of this new idea, new concept, but at the end of the day they are going to have to exchange all the poles that are existing, so there is some sort of delta there.

City Attorney Leen: There would be a delta...

Commissioner Lago: There is a delta there. I just want to exhaust the idea that Commissioner Keon just referenced, because I think that it may be something interesting. It may actually work, because at the end of the day we are looking at...you already have the Metrorail that's going to be a buffer, that's already there, it's a screen, some sort of extent. So let's exhaust it and see what happens because...

Vice Mayor Quesada: And the way you need to express it, which is true, Commissioner Keon's idea is making their lives easier, it's easier to service the lines.

Commissioner Keon: But it could really serve – really it would enhance the Underline, it really could become sort of our project in a sense.

Commissioner Lago: Another opportunity for shade could be another opportunity for shade.

City Attorney Leen: What I think is going to happen though is – that would be great, we would definitely look into it based on this Commission's direction. I want to be specific though. We are going to go to FPL, I'm sure they are going to be open to it, they've been open to everything else and they do appreciate the settlement we entered into. So, there is goodwill. They are going to want us to – I will ask them to pay for an engineer to look at this, but if we end up having to pay for the engineer to look at this, but if we end up having to pay for the engineer and perhaps try to

offset that in the future off the \$1.3 million, but let's say right now we have to pay for an engineer, I need authorization, the City Manager and I, specific authorization.

Vice Mayor Quesada: Well you have authorization to get a quote.

Mayor Cason: Also, it may be – first of all, is it technical is it safe? They may have some arguments, so we don't even get into that, but if they say it's safe, feasible, and maybe expensive then we can move into the next...

Mr. Vazquez: It may not be a whole lot of time to piggyback on the subject that's been analyzed, to see do we even go that route.

City Attorney Leen: But is the Commission really to authorize some funding for the engineer to look into the matter?- they may not start working until we agree to pay.

Commissioner Keon: But can we go back to Gannet Fleming actually work with you on that and just say to them, is this feasible?

City Attorney Leen: Yes, but we have....

Commissioner Keon: OK.

Vice Mayor Quesada: I am going to make a motion to pay Gannet Fleming a reasonable hourly rate as determined by the City Attorney and the City Manager to move forward with the preliminary discussions in moving forward, so that they can continue looking into this for us. And continue having Berger Singerman represent us in this process preliminarily to obtain preliminary information. If a further study needs to be done that's going to be significant cost that if it's over, I don't want to say a number, significant cost that the City Attorney and the City Manager bring it back to us for a formal vote. Again, I'm digressing from my motion for a second. When I spoke to Javi Vazquez and Gannet Fleming, we had a meeting, the three of us,

Gannet Fleming thought that the study that FPL had already done cost \$100,000. If we were going to spend something like that it's got to come back to us so we can discuss it, because we are going to have more information at that point, because I'm sure that when you speak to Gannet Fleming or Javi speaks to Gannet Fleming they are going to say, well yes it absolutely can be done, or no, it's the same situation that we have with the Metrorail line; and I think in 30 seconds we'll be going to have that answer and Javi will get back to us and let us know.

Commissioner Lago: And also what would happen is very simple. If it is a possibility, having the specifications that we were able to obtain, the Vice Mayor was able to obtain, that along with our City Attorney and Javi Vazquez working on the team, they'll be able to give us a preliminary proposal of what the cost would be very, very quickly, if it is a possibility. So at that point when you come back to us and say, listen the cost is \$25,000, \$10,000, \$50,000, whatever the study may be, to give you a feasibility study in reference to whether this is even possible. Some simple renderings that can work with our staff, Public Works Director, they can work with the City Manager, the City Attorney to really find out if this is even feasible. I don't think it's that far-fetched in my opinion.

Mayor Cason: Do we know whether Miami-Dade is doing any – they never answered our letter, the letter I sent to them about a year ago. Are they looking at other solutions or are they giving up?

Mr. Vazquez: I would not know. I have limited my work to the City of Coral Gables.

City Attorney Leen: Miami-Dade County did tell me that they had prepared a letter to FPL. We haven't pursued it with them because of the fact of this safety issue. They are ready to proceed, but we need to be able to tell them that it's safe. So you know they might be able to do this instead. What I suggest is, I'm going to follow your direction with the City Manager, we'll reach out to Gannet Fleming, and we'll authorize a reasonable rate for them to put something together. If it's going to be a very expensive study, we are going to come back to you. If it's something that's in \$10-\$20-\$30,000, we'll go forward.

Mayor Cason: Alright. So we have a motion to that effect.

Commissioner Keon: I'll make the motion.

Mayor Cason: Commissioner Keon makes the motion. Second.

Vice Mayor Quesada: I'm sorry, what motion is this?- is this the one I proposed?

Commissioner Keon: The one you proposed.

Vice Mayor Quesada: OK. Yes – second.

Mayor Cason: OK. Commissioner Quesada seconds. City Clerk.

Commissioner Keon: Yes

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Mayor Cason: Yes

(Vote: 5-0)

Mayor Cason: Thank you.

Mr. Vazquez: One last thing before I go just for the record. First of all, on behalf of the City I take the liberty of saying, on behalf of the City, I think a tremendous debt of appreciation is owed to Gannet Fleming. They put a lot of time not charging us a dollar for this and this has given us a lot of comfort knowing that we've hit this with professional, technical advice; and secondly, what I want to say is, this next phase that you have all agreed to, there is not going to be a lot of....involved, so I'm also very comfortable knowing that there is not going to be any

expenses on my end until its needed. I'm going to be taking the liberty also to speak to Craig, to take a hard look at the settlement agreement on some issues and use some ideas that I have and as always we thank you for the opportunity to represent the Beautiful City.

Vice Mayor Quesada: Continue to be creative on this topic. Thank you.

Commissioner Lago: Javi great work.

[End: 10:18:27 a.m.]