

**City of Coral Gables City Commission Meeting
Agenda Item D 1-2
March 27, 2018
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

**Mayor Raul Valdes-Fauli
Vice Mayor Pat Keon
Commissioner Vince Lago
Commissioner Frank Quesada
Commissioner Michael Mena**

City Staff

**City Manager, Cathy Swanson-Rivenbark
City Attorney, Miriam Ramos
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Assistant City Manager, Peter Iglesias
Chief Procurement Officer, Celeste Walker**

Public Speaker(s)

Agenda Item D [9:33:20 a.m.]
Consent Agenda 1-2 – Blue Ribbon Committee Meeting of February 7, 2018

Mayor Valdes-Fauli: Next is the Consent Agenda.

Commissioner Quesada: So moved.

Commissioner Lago: Second.

Mayor Valdes-Fauli: I have a question.

City Attorney Ramos: Please give the Clerk a second to read his statement.

City Clerk Foeman: Before the vote adopting the Consent Agenda is taken, is there anyone who wishes additional discussion or review of any item on the Consent Agenda.

Mayor Valdes-Fauli: I have a question. I would like to ask the City Manager to report on the Blue Ribbon Committee and its proceedings. I read the minutes and I was present at one of the meetings and in my opinion they are very, very qualified, competent committed people, but they were just – it's a historical review of what had happened. Madam City Manager you want to make a comment?

City Manager Swanson-Rivenbark: Certainly sir. Did you want to approve the Consent Agenda and then open that up for discussion?- because Celeste Walker who is the staff liaison for the Blue Ribbon Committee can give you a report, but this was the presentation of minutes, so it would behoove the Commission to approve the Consent Agenda and then we are happy to discuss the item.

Mayor Valdes-Fauli: Alright. It's been moved, is there a second?

Commissioner Lago: Second.

Mayor Valdes-Fauli: All those in favor say aye.

All: Aye.

Mayor Valdes-Fauli: Opposed. OK. It's approved. Yes ma'am, good morning.

City Manager Swanson-Rivenbark: So, I'll remind you that Celeste Walker is our Assistant Finance Director for Procurement. She came three days before Irma. She has tremendous experience in Procurement, including Miami-Dade County. I asked her to be the staff liaison for the Blue Ribbon Committee. Each one of you appointed a member of the Blue Ribbon Committee. You also allowed other appointments, including Director Fernandez was able to present appoint, Assistant City Manager Iglesias was able to appoint and I was able to appoint as well. That committee was called, the committee did convene. We are happy to tell you what they have reviewed thus far and the direction they are going.

Procurement Officer Walker: Good morning.

Mayor Valdes-Fauli: Good morning Irma.

(Laughter)

Procurement Officer Walker: Good morning. Again, the Blue Ribbon Committee has convened twice; the first time on March the 7th, which is the meeting the Committee minutes that you just approved, and again on March the 14th. Specifically you asked them to review the City's preparedness and sort of make recommendations. At this point in time the Committee has asked for information and presentations were made by staff with regards to our communication efforts, our response for emergency with staff and our preparedness, and so they are continuing their process to ask questions. The next meeting, I believe is on April the 11th, which is that time they have asked for information with regards to FPL and our City Attorney will be present for that particular meeting. So no recommendations have been made at this time; at this time they are just gathering information and listening to presentations from staff for information that they've requested.

Mayor Valdes-Fauli: Thank you.

Commissioner Quesada: I'd like them to look at as well, I don't know if it's in there, I know it's comprehensive, we are looking at everything. I thought our communication was strong; we used the Intelligence App, is the Blue Ribbon Committee looking into that at all?

City Manager Swanson-Rivenbark: So, they spent about an hour and-a-half reviewing all of the communication outreach of what was done with the call center, what was done with Facebook, with Twitter, with Instagram, and all of the social media. But, we've also been able to present to them is, not everyone is connected to E-NEWS. When somebody says, I heard nothing about it. Did they read the Herald where we had it posted on ad?- did they subscribe to E-NEWS, so that we can push out information; and so what we are also doing is, for those people which I often quote my mother, she doesn't do computer. How do we make sure that they are aware as well? So we are creating, and you are going to see it in your magazine, the magazine that goes to all homes, you are going to see a new phone number that is mirroring what we are saying on Facebook that you can call and get a message. You are also seeing some other a possibility of radio station so that on the hour you can be updated so that if you are not connected from social media how can you also get this kind of information. So, I think the board was exhaustively impressed with the amount of communication that had been pushed out pre, during and post storm and many of them had no idea when you took them aside and said, do you subscribe to E-NEWS?- they didn't; and so the more we can push out how people can subscribe, we have so many different tools, but if people don't hear them, listen to them, and have advantage of them they are not effective. So that's why we are also looking at the very low tech radio as well as phone so that people can stay informed. But it was an hour and-a-half presentation on communication this very last meeting. So you will see that come in your minutes.

Commissioner Lago: So, let me ask you a quick question, because my appointee accepted a job outside of the State of Florida, which is a shame because he was incredible.

City Manager Swanson-Rivenbark: He is going to Washington, D.C. for FEMA.

Commissioner Quesada: Who was your appointment?

Commissioner Lago: His name escapes me.

City Manager Swanson-Rivenbark: Carlos Castillo.

Commissioner Lago: Yes, Carlos Castillo. I mean the guy is brilliant when it comes to response and FEMA. It's a shame that we lost him. So, I'm going to actually be looking for somebody new throughout the process right now. And, if anybody has anybody who they could potentially recommend that could fill his shoes, I'd be more than willing to listen. When do you think that...

Mayor Valdes-Fauli: I'm sorry to interrupt, but think of appointing a person in the communications field or....

Commissioner Lago: If anybody has a name or somebody who could help out, I'd be more than willing to appoint that person. When do you think we'll wrap this up, because again, the reason why I brought up the Blue Ribbon Committee is because we hadn't had a hurricane in 15 years, so the whole point is, I want to take all the information that we have and it's not just for internal use, I want to disseminate that. I want people in this community to understand, 51,000 people that live in the City of Coral Gables that we did our due diligence, we reviewed the process. We got fortunate, we were very fortunate in regards to the impact of the hurricane. I know some people may say unfortunate and I didn't have electricity for two weeks, but I want to outline, I think this Commission wants the Blue Ribbon Committee to, again, I'm not hurrying them, I'm not rushing them. Take their time, whatever they need to do. But the sole purpose of whatever they provide us, we are going to deliver to this community. I want it in some sort of memo form, some simple outline that's going to say, this is what we encountered, this is what we could have done to combat whatever issue and this is where we rose above our expectations, and then deliver that, because by the way, not only does that help the City, but I think it will help other municipalities heed from our mistakes, things that we did well. I'm of the belief that when you look at everything after this committee has been convened and we've come to some sort of agreement in regards to where we should head, I think people are going to be pleasantly surprised that the City did an exceptional job. Can we get better?- of course. We are getting better every single day. So that would be my goal.

Mayor Valdes-Fauli: And regardless of what we do, including putting low flying planes with streamers, they are going to be people that are still going to complain that we haven't communicated.

Commissioner Lago: Of course.

Mayor Valdes-Fauli: I drove around the day after the hurricane and some people said, nobody knocked at my door to tell me that a hurricane was coming, OK. There is nothing we can do about some people, but I agree with you, we have to do the best we can.

Commissioner Lago: It's a similar situation as when we notice the community about proposals or projects that are coming before the Commission for ratification. We are the only City that notifies residents up to 1500 feet, correct? Some people say it's not enough, while other municipalities are doing 200, 250, maybe 500 feet of notification. So, I agree with you Mayor. Let me try and find somebody to appoint, I know it's sort of late in the game, but we'll move from there.

Commissioner Quesada: Is Jose Abreu on?

Mayor Valdes-Fauli: He's my appointee.

City Manager Swanson-Rivenbark: He is the Mayor's appointee.

Commissioner Lago: I would appoint him in a heartbeat.

Commissioner Quesada: Communications person who lives in the City...RBD Communications...I forget her name.

Commissioner Mena: I have a good name for you, he was actually Carlos' supervisor at one point at FIU on FEMA and hurricane related issues. I'm drawing a blank on his name.

Commissioner Lago: Is he a resident like Carlos was?

Commissioner Mena: I don't know.

Commissioner Lago: That's a tough one.

Commissioner Mena: But if he's an expert...

Commissioner Lago: Maybe we can make an exception.

Commissioner Quesada: Specialized knowledge.

Commissioner Lago: Yes like Carlos was; Carlos was the man, I hate to put it that way.

City Manager Swanson-Rivenbark: It's helpful for us to know where you want to go with this. So, the first meeting was debris and they spoke about two hours on debris and they were not interested in speaking anymore about debris at the end of the meeting. Then they spoke on communications. They would love to speak about underground utilities and there are engineers on board to do that. I know that the City Attorney has said there are certain parameters in which they could discuss that, but that they need to stay within those parameters. Next topic too is they also had a report on public safety and what the City's pre, during, and post response was. I'm interested in understanding what additional themes you would like to have discussed because they are as a board, are looking at each other saying, have we completed our role?

Commissioner Lago: Something I think is essential is talking about the new Public Safety Building, I think we should also discuss about CCTV and how will that impact the City and our response times. How can we make sure that CCTV stays active during a storm to whatever extent is possible, because again, those are eyes and ears that we can have on the ground without having to potentially compromise one of our employees going out there to review an area, have it be Miracle Mile, have it be Eighth Street, 57th Avenue.

City Manager Swanson-Rivenbark: They have discussed the Public Safety Building, because of the Emergency Operations Center, the communications, the dispatch, the 911, and the essential building that the new building would be in order for storm related activity. We haven't discussed the CCTV and what is the vulnerability or the likelihood during a storm and we certainly could review that with our IT Department and also with the Board. If there are other topics that you would like them to discuss, it's a hardworking board. I think they are in search of what you want them to do next.

Mayor Valdes-Fauli: OK. Thank you.

Commissioner Lago: Does anybody have any comments or anything that they want to add to that. If they are in search of what they need to do next, again, like I mentioned before, I think it has to be an approach of how were we impacted in reference to the hurricane?- what can we do?- what did we do?- what are other municipalities doing?

Commissioner Quesada: But hold on. From what I'm understanding, what to do next, what they are looking at is to underground utilities, is that not right?

City Manager Swanson-Rivenbark: We have several engineers that are on that. They would love to look into that.

Commissioner Quesada: Do they need our approval or our direction to be able to pursue that analysis?

City Attorney Ramos: No. The undergrounding conversation I told them is fine, as long as they keep it to the undergrounding conversation. They were interested in other aspects of FPL.

Commissioner Quesada: Such as? I mean if they are reasonably related to that topic.

City Attorney Ramos: Yes, but I just don't want to have a whole lot of public conversation about people's opinions when we have a pending lawsuit about the poles and the...

Commissioner Quesada: But that Blue Ribbon Panel is not, they are not involved in the lawsuit.

City Attorney Ramos: No, no. I know, but they are a public board of the City. So the undergrounding conversation, I told them no problem. They want to talk about...

Commissioner Quesada: Yes, but they are not decision-makers...

City Attorney Ramos: You're right.

Commissioner Quesada: It's a group of residents and they don't speak on behalf of the City, so no matter what they said; I don't see how that could have any kind of negative blowback in our pending litigation.

City Attorney Ramos: There would be no legal negative blowback, but you know, FPL's PR team uses things interestingly.

Commissioner Quesada: I would just say let them – yes, they are allowed to speak about the undergrounding utilities and anything that's reasonably related and be cognizant that there is a lawsuit.

City Attorney Ramos: And we always attend, so if we feel that they are going array...

Commissioner Quesada: If anything yes – have the City Attorney’s office say look, skip that topic.

City Attorney Ramos: Absolutely.

Commissioner Lago: I also want to make sure that we make it a focal point that they discuss the amount of qualified subcontractors we had during the cleanup process. I know that we discussed debris and all that, but I want to make sure that it becomes a focal point.

Commissioner Quesada: You know it’s interesting, I’m glad you brought that up, and I haven’t read the minutes as to their meeting...

Commissioner Lago: I don’t know if this is the appropriate time and I’ll lean over to our City Attorney, but I received a letter from a law firm this week talking about a lien that was being potentially placed and I’m in that industry and I don’t ever get those letters, because we pay people. So, I want to make sure that if we are choosing subcontractors and they don’t have a history of having previous, and by the way, this is nothing new and I know you’ve only been here a few months, this is something that I bring up every single time that we have a contract in regards to a contractor. I make sure that I bring up the litigation history; I make sure that I understand are they in any current disputes with other municipalities.

Commissioner Quesada: We had an instance once that we approved someone, we didn’t realize they had 30 different lawsuits.

Commissioner Lago: That letter that I received today is something that again...I gave it to the City Attorney, maybe the City Attorney can show it to the Blue Ribbon Panel or they can have a discussion or if not show it, maybe she can address it with the Blue Ribbon Panel because that’s something important. When you start receiving that as a municipality I think it’s critical.

Commissioner Quesada: On a similar topic, my apologies, I haven’t read the minutes of that meeting on the bulk pickup. The issue, Commissioner Lago and City Manager, I guess we all heard about it and dealt with it, was this issue that there are only so many trucks and there are only so many drivers to pick up debris, so what we didn’t realize it became a....

Commissioner Lago: Competition.

Commissioner Quesada:...a competition, a commercial dispute of who is going to pay more money. How do we address that in the future so it doesn’t happen?- because that was, I remember every morning or every evening, I remember having a conversation with the City

Manager, OK, how many trucks are we going to have tomorrow? Well it looks like this municipality is offering more money so those drivers are going over there, so it was a constant negotiation. I'm sure it's bringing Peter flashbacks of pain.

City Manager Swanson-Rivenbark: So, one of the challenges is not just how many trucks, but how low are those trucks because of our rich canopy, and so we needed to have in the residential area the size truck that wouldn't take off limbs as they were coming in to pick up limbs. But, we are out in the RFP process now. Why don't you explain where we are today?

Commissioner Quesada: But hold on a second. I just want to make sure that in the future whatever contract we award for the emergency debris pick up, I don't know what the proper terminology for it, I just want to make sure that we lock in drivers if that's possible; or the other fear is subcontractors that hiring other subs and other subs and it was just this game of you know, the margins that everyone was playing, at least that I was hearing about, I think we were all hearing about it. How do we prevent it?- Can we be proactive and contract that to protect our drivers and vehicles?

Assistant City Manager Iglesias: It's very difficult Commissioner to lock in drivers, you can't do that.

Commissioner Quesada: So in other words, should we have...

City Manager Swanson-Rivenbark: Just one second. I'd like the Procurement Director to speak on this because we are actively out in an RFQ process for storm related responses.

Procurement Officer Walker: Currently we have two RFP's that are out on the street. One is for the monitoring portion of it and that particular process is getting ready to go to the evaluation. The second one is actually debris collection or disaster pickup. That particular solicitation is out on the street and it closes April the 7th, so currently both of those are under the Cone of Silence, so it's only to a certain degree that I can actually speak to it and give some information.

City Attorney Ramos: Since we are in a duly noticed public meeting you actually...

Commissioner Quesada: We can talk all we want.

City Manager Swanson-Rivenbark: She is just being careful.

Commissioner Lago: And by the way, that's an item that you should have a discussion with, in my opinion with the Blue Ribbon Committee.

Commissioner Quesada: Yes, that's what I want to make sure.

Commissioner Lago: That's something that you want to say, listen we are changing our procedures, because again, correct me if I'm wrong, my understanding was that after 15 years of not being hit by a hurricane, we hadn't refreshed the RFQ.

Vice Mayor Keon: Didn't we have contracts in place?

Procurement Officer Walker: Yes and we currently do. These are the replacement contracts.

Commissioner Lago: We hadn't gone to market; we hadn't gone to market in sometime.

Procurement Officer Walker: Since 2009.

Commissioner Lago: Since 2009 – that's ten years almost. So the reason I'm telling you, I'm not blaming anybody, just saying. I do this for a living; I deal with these contracts – my CM contracts and my job contracts come up every two years and even if you are doing an exceptional job, they still refresh and they go to market and they give the opportunity for 100 contractors to come in and say why they are better. That's something that I think is an opportunity for us to continue to – when you go to market like that you request background information from that entity, whatever it may be; and whatever ends up happening is that you have to refresh your litigation history, you have to refresh your insurance, you have to refresh a lot of information that you didn't have maybe two years ago or that has changed in two years. Who are the owners of the company?- are you a minority company?- are you not a minority company no longer?- has there been a change in the structure of the way that you do business?- are you no longer offering a certain type of service which happens a lot of times? Those are things I think would be beneficial for us in the future.

Mayor Valdes-Fauli: We look forward to the results of the Blue Ribbon Committee. Thank you.

Commissioner Quesada: Make sure they address my point again that was our biggest sense of frustration that we would lose drivers. I don't know how we approach this?

Procurement Officer Walker: That's a difficult area to address.

Commissioner Quesada: We've got to figure it out.

Procurement Officer Walker:...the contract and we are engaging the prime, and so we don't interfere with the selection of the subcontractors. So, we have some language in place to protect us with the performance and payment bond and the process on how the subcontractors are actually selected, but we don't engage in that portion of it.

Commissioner Quesada: So, we need to aggressively be proactive about this. I don't care if it's just not the way it's been done in the past and we've got to change the way we do it. I don't care if it's the standard and the norm in the industry the way we've been doing it; we need to change that, because again, the biggest issue here is not having enough driers. We need to be able to get out there and say, oh, we only have ten drivers today, ah ah, we've got to pony up more money, so we have 50 drivers.

City Manager Swanson-Rivenbark: Just so you know, at no point I don't want the public worried; at no point do we only have ten drivers.

Commissioner Quesada: No, no, no that never happened.

City Manager Swanson-Rivenbark: But, we understand what the comments are.

Commissioner Quesada: I'm using an exaggerated example for effect.

Assistant City Manager Iglesias: Let me just say Commissioner....

Commissioner Lago: Or another instance, you can't be tied down just to one contractor or maybe...

Commissioner Quesada: I don't know what the answer is.

Commissioner Lago: What I'd like to see is...

Vice Mayor Keon: But I don't think we have. Go ahead.

Mayor Valdes-Fauli: I think that we are getting ahead of ourselves, let's wait to see what the Blue Ribbon Committee says.

Commissioner Lago: I'd like to make a motion really quickly that the minutes from this discussion right now be presented to the Blue Ribbon Committee...

Commissioner Quesada: Good idea.

Commissioner Lago: ...so that they have instructions.

Commissioner Quesada: Second.

Mayor Valdes-Fauli: All those in favor say aye.

All: Aye.

Mayor Valdes-Fauli: OK.

Assistant City Manager Iglesias: Just let you know be as aggressive as we can in getting drivers and still meeting with the FEMA criteria for doing so.

Commissioner Quesada: Perfect. Thank you.

Mayor Valdes-Fauli: Thank you very much.

Vice Mayor Keon: I think that the outcome of the collection within our City in following the rules and regulations that we followed, our reimbursement from FEMA was very, very significant.

City Manager Swanson-Rivenbark: We have aggressive to get, but we are qualified to receive.

Vice Mayor Keon: Yes. I would like us to also look at the reimbursement, we can get the numbers from other municipalities as to what their reimbursements were and the County as to what their reimbursements were versus cost and look at – that should be an issue in evaluating the program that we had in place and then how do we make that better also.

Mayor Valdes-Fauli: Alright.

Commissioner Lago: And I'd like to also see, that's a great point that you make Vice Mayor. I'd also like to see, I'd like to have the Blue Ribbon Panel made aware of what other cities did in regards to multiple contracts. I'm not talking about multiple subs; I'm talking about multiple contractors, because in this case we had one contractor who hired under...

Vice Mayor Keon: Didn't we have two?

Commissioner Lago: No. We had one contractor who hired under their auspice multiple subcontractors, which is again, maybe that worked perfectly fine, maybe we did a better job than other municipalities, but I want to analyze everything. I want to see what other cities did, how were they able to do it?- how were they able to get there? Let's take advantage of the opportunity that we have these people who are giving up of their time and are so educated and versed on this topic, so that if we are – let's say that we wait another 15 years, at least we have something in writing that we can present it to our staff and to the residents and say listen, we did our due diligence.

Mayor Valdes-Fauli: OK.

Vice Mayor Keon: I think that one of the recommendations that they make is the discussion with the County on making the County dump in those facilities available to us, which I think is an administrative issue within for our Manager and staff to begin that discussion as well that should be an inter-agency discussion as to the availability of dumping space.

City Manager Swanson-Rivenbark: Mr. Mayor if I may. This is a tremendous turnout, we are very excited. We want to remind people that we use speaker cards in Coral Gables, so if you want to speak and you don't have a speaker card, we encourage you to fill it out; and then from staff, if you don't have anything related to annexation, I'm going to ask you to remove yourselves from the room, you can watch from the monitor, so we open up additional seats so people don't have to stand.

[End: 9:56:04 a.m.]