

**CITY OF CORAL GABLES**  
**Economic Development Board Meeting Minutes**  
**Wednesday, April 5, 2017, 8:00 a.m.**  
**2121 Ponce de Leon Blvd., Suite 720, Coral Gables, Florida 33134**

| EDB MEMBERS          | J   | F   | M   | A   | M   | J   | J   | A   | S   | O   | N   | D   | COMMISSIONERS                  |
|----------------------|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|-----|--------------------------------|
|                      | '17 | '17 | '17 | '17 | '17 | '17 | '17 | '17 | '17 | '16 | '16 | '16 |                                |
| Scott Sime           | P   | P   | A   | P   |     |     |     |     |     | P   | P   | P   | Mayor Jim Cason                |
| Olga Ramudo          | P   | P   | E   | P   |     |     |     |     |     | P   | P   | E   | Commissioner Jeannett Slesnick |
| Stuart McGregor      | P   | P   | P   | P   |     |     |     |     |     | P   | E   | E   | Commissioner Pat Keon          |
| June Morris<br>Chair | P   | P   | P   | P   |     |     |     |     |     | P   | P   | P   | Commissioner Vince Lago        |
| VACANT               |     |     |     |     |     |     |     |     |     |     |     |     | Commissioner Quesada           |

A = Absent      E = Excused Absence      P = Present      X = No Meeting      Ph = Present by Phone

**STAFF AND GUESTS:**

Javier Betancourt, Director, Economic Development Department  
Leonard Roberts, Assistant Director, Economic Development Department  
Francesca Valdes, Business Development Marketing Specialist, Economic Development Dept.  
Mariana Price, Administrative Assistant, Economic Development Department  
Miriam Ramos, Esq., Deputy City Attorney, City Attorney's Office  
Matthew Anderson, Sustainability Specialist, Public Works Department

**Meeting Motion Summary:**

**A motion to approve the minutes of the March 7, 2017 meeting passed unanimously.**

**A motion to support the proposed prohibition of plastic bags passed unanimously.**

**A motion to support the proposed prohibition of outdoor smoking in the public right of way passed unanimously.**

Mrs. Morris brought the meeting to order at 8:07 a.m.

**1. Review of the March meeting minutes (Action)**

Mr. McGregor made a motion to approve the minutes of the March 7, 2017 Board meeting.  
Mr. Binelo seconded the motion, which passed unanimously.

**2. Economic Development Director's Report**

Mr. Betancourt provided a report that included:

- Streetscape construction updates
  - Contractor is confident they will finish within the predicted timeframe.
  - Owner's rep hired to oversee the project and find solutions on a daily basis.

- Construction is permitted to take place at night, though it does not take place often due to noise complaints by residents.
- Giralda Avenue streetscape construction is still on track for completion in May.
- The City is going to hold a weekly event every Saturday where the restaurants can provide breakfast, lunch, and dinner. Giralda Al Fresco begins Saturday, April 8<sup>th</sup>.
- The Commission has voted for Giralda Avenue to remain closed to traffic.
- In partnership with the blogger Coral Gables Love, the city hosted a Food Tour to promote its restaurants. Each food tour includes three different restaurants and hosts approximately 25 people. The City sponsors the restaurants, which then provide the food for free. Copper29, PizzaRev, and Wolfe's Wine will be part of the second food tour, to take place on Miracle Mile. The cost is only \$40/person.
- The City is also activating the space on Plaza Aragon with a Flower Market, beginning tomorrow and continuing every Thursday and Friday from 11 am to 6 pm until the beginning of summer.
- The second week of May is Economic Development Week. For the May 9<sup>th</sup> City Commission, the department will host an event beforehand to recognize the City's partnerships and economic development initiatives.
- The City Commission approved for the City to host block parties to celebrate the streetscape construction on each block as it is completed. The first one is to be held on May 19<sup>th</sup>.
- The Freebee contract has been approved by the Commission and is currently being rounded for signature. It will provide free transportation for patrons of the Coral Gables downtown area.

### **3. Proposed Prohibition of Plastic Bags (Action) –**

*Matthew Anderson, Sustainability Specialist, Public Works Dept.*

Mr. Anderson presented to the board the initiative taken by the City to prohibit plastic bags. Mrs. Ramos provided some background as to why the City of Coral Gables finds now to be an opportune time to push for passing this legislation. She also included the proposed prohibition on outdoor smoking in the public right of way in her presentation. The state passed a preemptive law on municipalities forbidding them from passing regulations on businesses. During that time, the City of Coral Gables happened to be in between the first and second reading of a proposed ban (now passed) on polystyrene (or Styrofoam). As a result, the Florida Retail Federation (a conglomerate of several companies, including Publix & 7-Eleven) and the State of Florida sued the City of Coral Gables—and the City won. As part of their lawsuit, the State claimed the City was in violation with not only the polystyrene preemption, but the plastic bag one as well. The judge ruled that the plastic bag preemption is unconstitutional, because ten years ago the State Legislature told the Department of Environmental Protection to conduct a study and provide recommendations. Since no actions were taken as a result of that study for ten years, the court found that the State and the Retail Federation had no grounds for suing the City. The State and the Retail Federation have filed an appeal to the Third District Court of Appeals, and the City feels very confident they can win. This is why the City finds it important to pass the plastic bag prohibition now, before the appeal is heard.

Mr. Anderson noted that the entire state of California has banned plastic bags, following Europe's example. The City has over 40 miles of coastline. Twenty-five other municipalities have done the same thing, including Miami Beach, Ft. Lauderdale, and Key West. He provided a few facts regarding plastic bags:

- Plastic bags are petroleum-based
- Plastic bags are only recycled 1-3% of the time (98% of them end up in landfills)
- Harms marine life and canals
- Sea turtles confuse plastic bags for jellyfish
- Four billion plastic bags end up in the ocean every year
- Average plastic bag is only used for 12 minutes
- Most people can do their grocery shopping with 5-6 reusable bags every trip

Mr. Anderson did research on how other municipalities banned plastic bags and incorporated the best measures used from other city ordinances. The ban mainly targets single-use plastic bags. Exemptions include compostable bags, recyclable, and reusable bags. They're also looking at exempting biodegradable bags, produce bags (to carry fruits & vegetables), prescription drug bags, dry-cleaning bags, door-hanger bags, newspaper bags, garbage bags, pet waste bags, yard waste bags, and even plastic bags brought in by customers (the idea being if you already have it, you might as well reuse it). Anyone that pulls a special event permit would be allowed to have plastic bags (which would include kids' piñata bags).

Those who would be most affected by the ban would be retailers, grocery stores, supermarkets, and restaurants. However, if a retailer comes up with an innovative way of eliminating plastic bags, the City would evaluate it. The fines would be \$50 for the first offense, \$100 for the second, \$150 for the third, and then it escalates to \$1,000, if the Code Enforcement Officers find them. The Sustainability Specialist, along with the Parks & Recreation Department, is going to work on an extensive education campaign.

As far as the previously passed ban on polystyrene, the City has witnessed 100% compliance. Even Publix has been in compliance with the polystyrene ban. Trader Joe's, Whole Foods, Aldi's, and others already do not offer plastic bags but instead provide paper bags or reusable bags. The business model for not using plastic bags already exists. Other cities throughout the state have been calling the City of Coral Gables to receive guidance on how to go about banning plastic bags. Originally the ban was to be enforced within six months, but when the Chamber asked for the extension of a year to allow time for the merchants to be in compliance, the City honored that request. It takes 85 times the amount of energy to recycle a plastic bag as it does to make it. One way of disincentivizing the use of plastic bags is to charge a small fee (typically 5-10 cents per bag).

**Mr. Sime made a motion to support the proposed prohibition on plastic bags. The motion was seconded by Mr. McGregor, and it passed unanimously.**

**4. Proposed Prohibition of Outdoor Smoking in Public Right of Way (Action) –**  
*Miriam Ramos, Esq., Deputy City Attorney, City Attorney's Office*

The City Commission first reviewed the prohibition of outdoor smoking as a discussion item as was recommended by the Economic Development Board. Mrs. Ramos provided background on the State's prohibition of smoking, which began years ago when the State ruled that smoking was not allowed in the workplace (and restaurants are a workplace). While there was some opposition from restaurants at first, they eventually came onboard because their customers appreciated it. Restaurants today are not required to provide space for smoking. The City cannot simply ban smoking. However, seeing as how the City is spending \$25+ million on the streetscape, the City has a proprietary interest in the right-of-way which attracts people to the area. The Downtown Overlay Ordinance that passed for streetscape carries the following language:

*The development review official may impose conditions, accept proffers, and establish bonus programs to address potential harms and nuisances to serve the health, safety, and welfare, and in particular, to ensure compatibility of the various uses within the right of way and its adjoining areas.*

Through Development Services, the City can define "outdoor dining permits" through conditional use language (and not imposing an outright ban). The idea is that it will either be a factor in the conditional use permit, and/or establish a bonus program that states if a restaurant wants, per se, an extra two tables, that they would need to be willing to proffer they will not offer smoking in their area. Or, perhaps, the City could lower permitting fees if restaurants agree to not allow smoking. This way, the City is in compliance with the law while accomplishing the same goal.

**Mr. Sime made a motion to support the prohibition of outdoor smoking in the public right of way. The motion was seconded by Mrs. Ramudo, and it passed unanimously.**

**5. Business Tax License Report**

A report of the latest businesses to join the City was handed out to board members.

Ms. Valdes announced new openings, which included PizzaRev, House (opened where Sushi Samba was previously located), Zucca (opened under the St. Michel Hotel), Son Cubano (opened where Anacapri was), and Café Grumpy, which is coming to Ponce de Leon Blvd. Café Grumpy became famous in New York as it was featured on HBO's hit series, "Girls." Additionally, Blue Mercury is coming to Miracle Mile, which is a boutique-style store that sells high-end cosmetics.

The meeting was adjourned at 9:28 a.m.

Respectfully submitted,

Mariana Price, Administrative Assistant - Economic Development Department