

City of Coral Gables City Commission Meeting
Agenda Item G-2
February 23, 2021
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Pat Keon
Commissioner Michael Mena
Commissioner Jorge Fors

City Staff

City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
Police Chief, Ed Hudak

Public Speaker(s)

Agenda Item G-2 [11:30 a.m.]

A discussion regarding the enforcement efforts of the City's waterways and how to improve them.

(Sponsored by Commissioner Mena)

Mayor Valdes-Fauli: G-2.

Commissioner Mena: Is Chief Hudak here? Alright. G-2 is a discussion regarding the enforcement efforts of the City's waterways and how to improve them. Just by way of background, this started somewhat -- you know, there was this photo of a manatee going around -- several of

us were tagged on Twitter and social media -- saying that this manatee had been killed in the waterway by a boater. That started -- I understand that not to be the case, and that'll be explained in a minute, but that sort of started a discussion with members of the community, members of the Waterway Board, people that live on the waterway that led to comments about, you know, increased use of boats and some, you know, perceived, you know, speeding and sort of, you know, irresponsible sort of boating on the waterway. And so I asked Chief Hudak, you know, to have his team from Marine Patrol and on his staff address sort of what their perception is of what's going on. Again, this isn't supposed to be focused on the manatee, but you can address that.

Police Chief Hudak: Alright.

Commissioner Mena: But more broadly about enforcement on the waterway and making sure that, one, either -- you know, what are we doing to address these things, and two what, if any, resources are needed, you know, to improve that so that we can do what we need to do to make sure you guys are in a position to do the best job you can as it relates to the waterway.

Police Chief Hudak: Good morning, everybody again. So, to continue where the Commissioner started, just so we can clarify, like the social media aspect of the manatee. The manatee died according to the biologist of natural causes. It was wedged underneath a boat dock. We were called, and when I say we, the Marine Patrol was called and went out there when those pictures that surfaced were taken. What you didn't see in the pictures is that the police department was there. We were assisting taking the manatee out for decomposure. So, according to the FWC biologist -- I'm sorry, by the way, Major Hoff, who's in charge of the Specialized Enforcement Division, was also a Marine Patrol Supervisor, a Marine Patrol person, so she's extremely adept to what we're dealing with. According to the FWC biologist, South Florida and the east coast have seen over 300 manatee natural deaths in the last six months -- since January, so in the last two months, for the most part, so they don't know specifically why. So, this manatee as was the other one that came up on the Riviera side not too long ago, died of natural causes. We continue to

respond to those calls. We have looked at how we patrol. Now, the Waterway Advisory Board had brought up several issues to the police department. Major Hoff meets with them on a regular basis. Like everything else, and what we saw coming out of COVID was everybody's running out, they were running out to the docks when they were open again, and we have had a plan in place. And we continue to have a plan in place. A little bit of history of the Marine Patrol Unit. Different type of patrolling that we do, so as you know -- and I've been in front of this body before when we went to like 10-hour shifts. The Marine Patrol has always been on 10-hour shifts, and the reason why we've always done that is because it just takes a lot longer to get the boats into the water, moving around and having some patrol time. The other issue that we've had is there are certain times at night that we have to -- and I insist on two officers per boat in the evening hours. Having been out there myself with them, it gets dark, but we're up on the waterways. So, there is a lot of interaction, community contact with our boating community, our residents, and our Marine Patrol. And you all know, we have dock space at Cocoplum. We also have an office space down there and an interlocal agreement with them where our officers work off-site. We also have a fully trained dive team. Now, on top of just the permanent people that you see, the Marine Patrol officers, we have auxiliary people that when we get into hurricanes, we activate that auxiliary marine patrol, put them on the boats and go out. So, for an instance, and when you see -- kind of to address some of the concerns that came up, in 2019, the Marine Patrol by itself conducted 87 traffic stops in the waterway and around and wrote 38 citations, 18 reports for 2018 -- I'm sorry, 2019. In 2020, it was 142 traffic stops, 77 citations, one arrest and 50 reports. Now again, we handle the 42 linear miles, if you will, of the waterway, but we also go 25 miles out as far as around the bay goes in our response. So, we've assisted with Stiltsville. We've assisted with overturned vehicles. This weekend, we had a kayaker flipped over. Our boats were the first ones -- our boat was the first one to get there and was able to get them back to Dinner Key Marina. So, we are in the waterways. I understand people haven't seen it, however, what we have seen is an uptick in the kayakers, paddle boards, and jet skis in the waterways coming in from the mouth, which is right off of the Le Jeune Circle. So, Major Hoff has started to reposition some of our people. From a staffing perspective, we had an individual who was serving our country who was on the Marine

Patrol and gone a majority of years, so we actually kind of re-allocated his position and added somebody. Right now, we are one position short. So, the original staffing level called for four officers and one supervisor. Now, the reason why I'm comfortable with what we have right now, that if I need another auxiliary officer to put them on the boat at night for an operation, we will. In speaking with the Manager recently, as far as equipment concern -- because I know that came up as well -- right now, we have three vessels, okay. We have -- and this is a 2004 Whitewater Boat. We have a 2012 Contender, and we have a 2009 Boston Whaler, and some of you remember that was donated by one of our residents intact. The issues that we're having that has come up in the last, I want to say two to three weeks, is that Boston Whaler, which is not a commercial grade, but a recreational grade, we're having some structural issues with it. I met with the City Manager talking about how we could take something that was donated. Can we legally? And that's going to be going through the City Attorney. Can we take a donated item, sell it off which will be my plan, work with Finance to try and replace that boat with something that is useful to us. So, we continue to look at the equipment. You know, as we continue -- and we talked about this morning, when we get even more fully staffed, you know, that's something else that I would address about putting people -- more people -- one more person I should say into that area. We do have a concerted effort on the weekends to start interacting with people coming in and out from the waterway and to the waterway inlets. You know, as -- and again, you all know I'm not really big with talking about patrol stats and things like that, because if something happens, if your boat gets stolen, if you're seeing that, crime's up a thousand percent in that area. But our patrol hours which we document in the waterways, in 2018, we had 462 patrol hours total for the unit; 2019, 652 hours; 2020, 695 hours. And so far to date, in 2021, 76 hours just doing patrol in those waterways. Now, we did change a little bit to move further up north into where the issues off Riviera have come up. There was one other ongoing complaint about a charter cruise that is not the case. We have done a full investigation with Code Enforcement, with the Marine Patrol, with the Business Bureau. There is no cruise charter working out of Coral Gables. It's just not happening. And that boat specifically that people have brought to your all's attention, we have documented eight stops with that boat alone. And at all times, they have had everything that they're required through

maritime law, so we have not seen those issues. Now, that's not to say we don't have paddle boarders and jet skiers that are driving recklessly. A lot of those people are from the neighborhoods. We haven't seen a lot of people coming in from across the waterway, if you will. But we do have people coming in and out, and we're committed, as when this first came up, to start working through the direction of Major Hoff with everything else that we've got going into that waterway area. So, I'm available for questions at this time. In talking with the Manager, like I said, as far as equipment's concerned, you know, we're working on that. We have adjusted some of the days off to make sure we have more coverage on those weekend times when we're seeing a lot more pleasure boaters out. But again, just because people don't see us out there, I can tell you, I've seen the officers out there and they're out there.

Commissioner Mena: I have a question on that and then a comment. The -- and just so I understand the numbers, just because, you know, you guys can educate me on your sort of staffing and how that works, but you're saying 10-hour shifts.

Police Chief Hudak: Yes.

Commissioner Mena: You told me 695 hours in the water. If I'm just doing like rough math, even if I go down to nine hours on -- maybe because there's time to get out there and get back in.

Police Chief Hudak: Yeah, it's about eight hours on the water.

Commissioner Mena: Okay, so eight hours. So, if you -- you know, if you divide -- again, this is just a layperson's perspective -- the 695 hours by eight, you're at 86. So does that mean that you guys are on the water 86 days of the year? Like what about -- what am I missing on the math that...

Police Chief Hudak: Well, and again, I think -- so those hours are in increments, like the patrolling increments we're in there. So, what we do, both on patrol and vehicles and in boats is we take the area check, so when an officer's in a certain area, they check off on the radio. Now, that can be geo-verified with our LPR system where the officers and supervisors know where they're at. So, we know for a fact that we have a dedicated resource, so that 86 hours is patrol time, not the entire shift. So, those are 5- or 10-minute increments or 30-minute increments or an hour increment where they are going up, almost like driving around a neighborhood.

Commissioner Mena: Okay.

Police Chief Hudak: And that's where we have -- I think we have the numbers. Do you have the numbers with you, Major?

Commissioner Mena: How many -- can I ask just in general like...

Police Chief Hudak: Sure.

Commissioner Mena: On a -- can you paint me a picture in a given week, like, you know, how many -- you know, what do the hours look like in terms of covering the -- actually out on the water.

Police Chief Hudak: Sure. So, on Monday, I mean, we're there usually from 12 o'clock in the afternoon till 2200 hours, which is 10 o'clock at night. And again, we kind of slide it back and forth because like you said, there's -- we're working with three officers and a supervisor. We are now moving people more to Friday, Saturday and Sunday nights where we have people on the water from 8 o'clock in the morning until 1800 hours. We will have two boats out, and now we will bring in somebody a little bit earlier at 8 o'clock in the morning to try to work the ramps on those weekends as well, so we stagger. We overlay it.

Commissioner Mena: Yeah, I would assume -- I would think that weekend times are obviously -
- I mean, I don't know what your stats bear out, but I would think that's when you're going to see
the most people out on the boat and you're likely to see the most, you know, incidents or whatever,
you know.

Police Chief Hudak: Correct.

Commissioner Mena: So...

Police Chief Hudak: There is...

Commissioner Mena: As opposed to like 10 hours on a Monday. You know, I don't know -- you
guys know better than me, but from noon to 10 o'clock on a Monday, is that -- I guess my question
is, is that an efficient use of those 10 hours, or is it better to allocate those hours to weekend time
so that you're covering...

Police Chief Hudak: No, we can move -- we move -- and again, it's adjusting the days off because
in those 10-hour shifts, we are -- you know, we give them three days off, so it's the 4-10 shift, if
you will.

Commissioner Mena: Right.

Police Chief Hudak: I mean, we do have other things that they have to patrol, do whatever during
the week. So, the Major has -- and again, this was pre-COVID, what the schedule was. Since her
taking over and since COVID, we have seen after almost a year now, where there's a lot more
people coming out on the weekends because for the longest time, we were patrolling to keep
everybody out. So, now this is the latest adjustments since this came to light and to kind of address
what we were seeing as well through social media to us. So, I mean -- and again, the calls for

service -- to answer your question, Commissioner -- what we get -- in 2018, the unit received five 91 -- for the year, five 911 calls for a total -- with three self-initiated. And '19, 11 self-initiated calls, eight 911 calls for '18. In 2020, when we went into COVID, we shot up to 50, so we had 22 self-initiated calls by the officers and 28 calls, 911 people calling in suspicious people because the waterway were closed. And so far in 2020 and 2021, the self-initiates were three, and we had one call for service, which was the manatee that started the conversation.

Commissioner Mena: Right.

Police Chief Hudak: So, you know, the traffic stop and citations, they're increasing because we had somebody who was deployed serving our country, so they were gone a lot more than they were here. So, now that we've actually kind of made that change last year -- in 2019, we made that change, we've seen an increase in productivity.

Commissioner Mena: Yeah, look, needless to say, you know, from my perspective, I'm very deferential to you guys and how you believe you should be staffing some of these things, and all the things that are involved with Marine Patrol. All I'm trying to express is from the perspective of the residents, I think what they're looking for is to have more visibility on weekends because they feel like, particularly in the afternoon/evening times when people are coming back in from, you know, being out on the boat and maybe a day of drinking on the boat, and that they tend to see more, you know, irresponsible sort of driving in the waterways. I think that's what they're looking for, just to make sure that we have those periods covered. The other thing on that note is, I've spoken to not only members of the Waterway Board but I spoke to the Gables Estates -- the director of their neighborhood association, Guilaine Sosa, who had had a meeting recently with some of the Marine Patrol officers. And you know, one of the things she mentioned, which I think is actually a really good idea, is having a bit of like an education campaign, whether it's organizing community meetings. Because some of it is people that actually live in these neighborhoods. It's not always, you know, people that don't. You know, about what the difference is between being

idle and no wake zones and all that kind of stuff, and really educating people on, hey, listen, once you come into the waterway, here's what you can and can't do, even for kayakers, you know, people to the extent they're swimming in there, you know, whatever there is. But to try to have a campaign to just keep people informed about what the appropriate behavior is in addition to the visibility and the communication, maybe even your Marine Patrol guys, you know, can -- she had suggested, I think to them, if they would be interested in maybe doing like a Zoom meeting with residents to kind of talk about, hey, you know, this is what -- how you all should be doing this. And I know we had a communication about that they're going to focus more on actually issuing citations versus warnings.

Police Chief Hudak: Correct.

Commissioner Mena: And I know for example, that Gables Estates already sent out a communication to its own residents saying, hey look, you know, we've talked to police. We're having these conversations. Please be responsible. Don't be the residents who actually live here who are getting these citations, you know.

Police Chief Hudak: Right.

Commissioner Mena: Let's act the way we should be on the waterway. So, those are the type of things I've spoken about with different residents, not just her, other people as well, about, you know, what can we do. But I think mostly it's, again, on that weekend time period, they're really looking for just, you know, having a little bit more. Listen, you're only going to have so much visibility if you have a boat out there with two guys.

Police Chief Hudak: Right.

Commissioner Mena: You know, it's a lot of area to cover, and you know, you can't be everywhere. But I think just a little -- you know, if you kind of like go along and pick different sort of channels within the waterway and every weekend kind of maybe focus on one, and people start to see that, I think it'll send the message that there's going to be a little more enforcement, especially on the weekends.

Police Chief Hudak: Well, without -- so and please let me just clarify. Okay, when Major Hoff took over and we looked at the analysis of where our resources were on the weekends, she identified, and I concur with the fact that we could do a better job of our staffing on the weekends for the volumes. So again, we -- you know, it wasn't like I'm saying, we were out there as much as we should have been on the weekends. We are going to be now. The equipment is something that it's an ongoing thing. And again, working with the Manager and Finance, you know, we're going to put together something where we can kind of get the equipment that we think we need. I'm not going to come back and say we need more than we have to.

Commissioner Mena: No, but you guys -- look, you guys shouldn't be like -- I hear what you're saying. And listen, I appreciate what led to it, right. You were donated this boat. It's a Boston Whaler. That was very generous and we're very grateful, but we're talking about a boat. You know, it's not -- it's expensive, but it's...

Police Chief Hudak: Right.

Commissioner Mena: You know, you should have a third boat that works for you.

Police Chief Hudak: Right.

Commissioner Mena: Period, end of story. And if we need to get you those resources, we'll do that. And it shouldn't even frankly be contingent on what we can or can't do with that other boat.

I appreciate that approach, and you know, we're very grateful and we certainly want to make sure we tread carefully with that, but you should have what you need, and if it's a boat, it's not that significant of an expense that we can't make that happen, and it's something we should prioritize if it's something you guys need. And so I want to make sure you guys understand that from our perspective -- from my perspective, at least.

Police Chief Hudak: I do. And to your other point, just -- I don't want to lose -- yes, without saying where we have adjusted our area patrols, we are putting more of a presence in something - - in areas that have become more traveled or traversed by the jet skis, which is relatively new. I mean, we haven't seen, you know, people coming down the waterways, going out into the bay, and then turning and coming around in jet skis. So, the paddle boarding -- because I -- we had a long discussion about coming off of Ponce and people -- and now we kind of have that under control. But you know, we -- it is an ongoing thing. It is an ongoing assignment that the Major has, and I'm comfortable that we are making the changes that we need to make to address the issues that are coming forward.

Commissioner Mena: One quick last question/point, and then I'm -- I have nothing else. I appreciate you guys addressing all these issues. We spoke, I want to say three years ago or so, about the possibility of implementing technology at sort of the ingress and egress points. At the time, there was discussions of, could you have a camera? There was some concern from residents about privacy, and we had that whole discussion. I guess my question is, is there technology that could be implemented in those places -- and it may or may not be a camera, but maybe it's something that actually helps you track and monitor like traffic flows in different waterways, so that you know, sort of like what we have really on the street.

Police Chief Hudak: The Shield 12s.

Commissioner Mena: Yeah, the Shield stuff. That type of technology so that you guys know, hey listen, we know that on Saturday afternoons, this ingress and egress point has more traffic than this one, and we know that on Wednesdays, this one -- you know, whatever the information is. Is that something that we've looked into, talked about, that we could implement to help you guys efficiently allocate the Marine Patrol officers that you do have to cover these areas.

Police Chief Hudak: So, to be candid with you on that, I know we had talked about that as an agency a few years ago. I wasn't deeply involved in those conversations. I know that was discussed about putting that out there in certain areas, Gables by the Sea, you know, different areas wanted to do that. Again, the operational plan, I think it's a great idea, and I think we will continue to look at it with IT, because I think now we're at the point, even with the new building that our technology, I mean, it's pretty impressive to me that we're able to see some of the things we see as we kind of figure out -- the community intelligence center, you know, at the new building. So yes, we could use that. We will continue to work on that. I think it got kind of put off by the wayside, due to construction, but that's something that I believe would assist us. And I don't want anybody to think otherwise of our Marine Patrol people. I mean, you know, don't forget now Sergeant Wynn is the Officer of the Year. Last year's Officer of the Year were two of our Marine Patrol people.

Commissioner Mena: Oh, terrific.

Police Chief Hudak: They're doing their best.

Commissioner Mena: But they can't be everywhere. Yeah, they can't be everywhere at one time. It's impossible.

Police Chief Hudak: And that is -- but that's why we do the area checks so we have an idea where they're at.

Vice Mayor Lago: Can I just add one thing, Mayor?

Mayor Valdes-Fauli: Yes, please, brief.

Vice Mayor Lago: Like Commissioner Mena mentioned, I mean, they do an exceptional job, so they have to be commended obviously for their efforts. And I know it's very difficult on weekends. Everybody wants to be in the Gables; great access, safe, great community, right in the heart of downtown, you can go in and out of anywhere. So, people want to be in this community, and I understand that, and you know, this is not only about Coral Gables residents. This is about everyone who comes and visits us. But we do have a little bit of an issue, for example -- and I know it's tough to kind of navigate those waters. No pun intended. And that is the issue of life vests.

Police Chief Hudak: Yes.

Vice Mayor Lago: With the young kids, especially paddle boarders. And the interesting thing about it is I was at a resident's house about two weeks ago in Cocoplum, and we were sitting outside on their porch talking for about two hours, and one of the points that this gentleman made was about the amount of paddle boarders that he witnesses that are not wearing the proper life vests and a whistle.

Police Chief Hudak: So...

Vice Mayor Lago: Then the worst part about it is that when you're sitting there as an elected official and you're watching them just come by, and it's the parents who are wearing the life vest, the parents are wearing the life vest, but the children aren't wearing life vests, and it's one after

another, one after another. So, I don't know what options we have at our disposal besides giving somebody a citation.

Police Chief Hudak: Listen, I learn something every day, because I'm not a boater per se.

Vice Mayor Lago: And this is at the entrance of the Cocoplum Circle, by the way.

Police Chief Hudak: And the Major pointed something out. The maritime law is you have to have it on the vessel, so if you're a paddle boarder, you don't have to wear it.

Vice Mayor Lago: Wow.

Police Chief Hudak: All you have to do is have it on the vessel.

Vice Mayor Lago: Did you know that?

Police Chief Hudak: Everybody we stop...

Vice Mayor Lago: I didn't know that.

Police Chief Hudak: Everybody we stop has had the life vest over the paddle board. They are in compliance and there's nothing we can do. Now, I don't write the laws. We just enforce them, so to your point -- and I believe I think we've talked with the individual that had brought it up. Yes, they do, but if you look at how we enforce on the boats -- and these were some people called us in about what they thought was a party boat. There was enough vests on the boat that it passed all the maritime inspections and we moved forward.

Vice Mayor Lago: And I'm sorry to interrupt you, but the problem with that train of thought and those laws obviously, is this gentleman explained to me -- I'm not a boater.

Police Chief Hudak: Yeah.

Vice Mayor Lago: I'm on the waterway on other people's boats, you know.

Police Chief Hudak: I'm right there with you.

Vice Mayor Lago: On other people's boats. I'm not a waterway expert, but you know, he told me -- he explained to me about an individual that was visiting his boat and fell off the boat and ended up...

Police Chief Hudak: Yes.

Vice Mayor Lago: Dying years ago on the waterway. Again, you know, these types of circumstances can be avoided, can be avoided when somebody has a life vest, and especially when you see those young kids out there, and I guess we have our hands tied on this front.

Police Chief Hudak: This is a tough situation, and again, I think, you know...

Vice Mayor Lago: But I think it's important to tell people like that gentleman who was right at the beginning of Cocoplum, and when you're sitting out there and you're just spending two hours outside on the porch, and the amount of people driving -- not driving by, excuse me, going by on the water without their life vest on, it's staggering. And then the little boats with 8, 9, 10 people in it, it's overwhelming. And a lot of them are the young kids that are not wearing it and you see the parents with the life vest on.

Police Chief Hudak: No. And Commissioner Mena, just so you know, we do have like a crime watch group for boating. They have not been active because of COVID. I mean, the best way to do that is in person. However, I commit to you all that we will start reaching out, even if we have to have the certain socially distant areas where we can do that, and we can start putting some of these...

Commissioner Mena: And engage with the neighborhood associations.

Police Chief Hudak: Yes.

Commissioner Mena: Because all those communities down there, their neighbor associations are very active, and really those people that are living on those waterways are the ones that have the best insight really into what's going on and what they've seen.

Police Chief Hudak: We're working on some things with the taxing districts and the signage and stuff that we're working on at the direction of the Manager and I think we can incorporate along those lines, because most of these gated communities are also have the Marine Patrol side of it, so we will put in a component of that presentation to the homeowners' associations, what we're looking -- what we need from them as far as that.

Mayor Valdes-Fauli: Okay. Anything else, Commissioner Mena?

Commissioner Mena: That's all I have.

Mayor Valdes-Fauli: Thank you, Chief. Thank you very much.

Police Chief Hudak: Thank you.

Commissioner Mena: Thank you, guys.

City Manager Iglesias: And Commissioner Mena, we have a presentation next Commission meeting on our IT initiatives for our Community Information Center. We're trying to -- we have a pilot program coming up with some German technology that our IT Director found about a year ago, and we have changed that technology to make it compatible with the environmental conditions in South Florida, hurricanes and so forth, and we'll be presenting that next Commission meeting.

Mayor Valdes-Fauli: Thank you.

City Manager Iglesias: So that you can see what those initiatives are.

City Manager Iglesias: Thank you. And like I said, if you guys can look into what the options are for that type of technology, again, that's not something we need to figure out in the next month, but in the long term, what can we do. And then again, to me, that -- I don't want to hear about these situations with boats anymore. I've heard about it with the Sea Witch. I've heard about it with this boat. We need to address those. And whatever you need from us to make that happen, let's make it happen.

City Manager Iglesias: We will. We just -- it just happened -- they just...

Commissioner Mena: No, no, I understand.

City Manager Iglesias: The failure happened just recently, and the Police Chief was investigating what the failure and what the repairs could be, and we just discussed it recently, so...

Commissioner Mena: Yeah.

City Manager Iglesias: So that's why it's -- it's something that just happened.

Mayor Valdes-Fauli: Thank you.

Commissioner Mena: Thank you.