

**City of Coral Gables City Commission Meeting
Agenda Items E-4
December 8, 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)

Mark Trowbridge, President of the Coral Gables Chamber of Commerce

Agenda Item E-4 [Start: 11:46:40 a.m.]

An Ordinance of the City Commission of Coral Gables, Florida, amending the City of Coral Gables Code by creating Section 2-801, "Prohibition on use of Polystyrene" in Article VIII Procurement Code and amending the City Code by creating Section 62-230 "Prohibition on use of Polystyrene" in Article VIII, Special Events, and amending the City Code by creating Article VIII, "Sale, Use of Distribution of Polystyrene by Businesses within the City" in Chapter 34, Nuisance of the City Code; providing for a repealer provision, severability clause codification and providing for an effective date. (Sponsored by Commissioner Lago).

City Attorney Leen: I'll read E-4 into the record.

Commissioner Lago: I'm going to defer E-4.

City Attorney Leen: You are going to defer it?

Commissioner Lago: Yes, I'm going to defer it. I want to make sure this comes before the Commission, its ready, there are no issues here. The only issue that was overlooked was that I wanted staff to have a sit-down with the Chamber and with the BID and get their input and maybe any concerns that they may have, or any procedures that we could implement that they recommend. So if we could defer this to the next meeting, I would request from staff to have a sit-down with the Chamber and with the BID and really go over this ordinance, which is ready to go today. I know that this Commission supports it, but I want to make sure we have buy-in from the people who are stakeholders in this community, which is the business community. So I really appreciate if we could just defer this.

Mayor Cason: There is one item that I would like you to take a look at on this is the time period for getting ready. Is three months right?

Commissioner Lago: And that's what I was going to mention. I was going to mention and through the City Manager and City Attorney we had a discussion at the pre-agenda meeting, and that was it really has to be at a minimum six months, and we have to have an extensive education opportunity for the individuals who may have a hoard of Styrofoam or polystyrene in their garage.

Mayor Cason: Including the City may have some.

Commissioner Lago: Including the City which may have some.

Mayor Cason: I just used some down in Key West.

Commissioner Lago: And then really, really implement an educational campaign which addresses this issue, because the last thing we want to do is we are not targeting people. We don't want to fine people, we just want people to get on board and understand that this is a process that works. Do you want to say something Mr. Trowbridge?

Mr. Trowbridge: Mark Trowbridge from the Coral Gables Chamber of Commerce and thank you very much Commissioner, Mr. Mayor, Commissioners. Yes, we would absolutely welcome the

opportunity to sit down and talk a little bit in more detail in terms of not only sort of the scope of the ordinance, but certainly the implementation. If you look at the ordinance when it talks about Section No. 6, that's the shortest part of the ordinance, and it just says, "the City shall undertake an educational campaign." Obviously to me, if we are looking at 180 days versus 90 days gives us the opportunity to really put that together. I was even thinking about our own Farmers Market, that's going to be an education process for the dispensary items that they use to sell items and that's upcoming. The 90 days unfortunately takes us through the holidays and trying to put that together with some other priorities, so we would welcome that. I'm sure Marina from the BID would be glad to participate, when you look at our restaurants and our retail. There are some interesting exemptions too, so I'm assuming that because we are not-for-profit that that exempts us, but we would want to be leaders and participants in that as well for events like the Farmers Market, the Burgerlicious event that we do, our 5K, things like that, so.

Commissioner Lago: Mark let me ask you just a quick question, because the City Attorney just brought this point up to me, and also Marina, would you feel comfortable deferring the item today or would you want to go through First Reading and then any changes can be made at Second Reading?- what do you prefer?

Mr. Trowbridge: There is nothing in here other than maybe the implementation timeline that I think is kind of glaring in terms of giving us more time. I think the rest of it seems to make sense; and I think just a general understanding from our part, which we can do with staff between First and Second Reading, to talk a little bit about how they understand what the exemptions are and what it means with the certain thresholds and the penalties, because again, I think that's just an education process. I don't have an issue with that, obviously there are two readings on this, but I wanted to make sure that we stood up and asked for that opportunity to come back and knowing that it will be a period of time beyond the Second Reading the implementation will begin.

Commissioner Lago: I want to just ask Mr. Anderson, who is here with us. Do you prefer that we defer this or we go through First Reading and we make any changes? We can have a meeting between staff and the BID and the Chamber within the next month. We have the holidays right

now and the changes could be made between First and Second Reading. What do you prefer? I just want to keep the ball rolling.

Mr. Anderson: Completely up to the Commission.

City Attorney Leen: Do you mind Mr. Mayor, if I read it?

Mayor Cason: Why don't you read it, and by the way, do we have any speaker cards on this?

City Clerk Foeman: No Mr. Mayor.

Mayor Cason: So we'll close the public hearing.

City Attorney Leen: But wait I haven't read it, I haven't actually done....

Mayor Cason: You read it and then we'll close the public hearing.

City Attorney Leen: Item E-4 is an Ordinance of the City Commission of Coral Gables, Florida, amending the City of Coral Gables Code by creating Section 2-801, "Prohibition on use of Polystyrene" in Article VIII Procurement Code and amending the City Code by creating Section 62-230 "Prohibition on use of Polystyrene" in Article VIII, Special Events, and amending the City Code by creating Article VIII, "Sale, Use of Distribution of Polystyrene by Businesses within the City" in Chapter 34, Nuisance of the City Code; providing for a repealer provision, severability clause codification and providing for an effective date. This is sponsored by Commissioner Lago. I was told on First Reading that we were going to change the three months to six months, unless you no longer...

Commissioner Lago: I don't have an issue with six months. Commissioner Keon is our appointment to the Chamber and I should have deferred to her. You feel comfortable with going with First Reading and making any necessary changes?

Commissioner Keon: You can make any changes...

City Attorney Leen: And if I may Mr. Mayor, I would also ask, if its OK with the Mayor that we incorporate the comments that were just made into this First Reading, if you are OK with that.

Mr. Trowbridge: That would be great. So that section 10 that you are referring to, taking that from the 90 days after Second Reading to 180 days.

Mayor Cason: Yes.

Mr. Trowbridge: OK.

Commissioner Lago: I just want you to be aware also. Beside that change, everything is in play.

Mr. Trowbridge: Sure.

Commissioner Lago: So when you sit down with staff and you have a discussion through the Manager, I want to make sure that staff and the BID and the Chamber really give their input, because I want to get buy-in, because I think that when the business buys-in I think the residential component will also buy-in also, because we are going to be doing all that marketing and the residents are going to see it.

Mr. Trowbridge: Could I also ask. I know that the City has a Green Advisory Board, were there any other comments from that group?

Commissioner Lago: I have a resolution that we deferred, not deferred but we are going to hear it at the end, it was part of the Consent Agenda, and one of the items that they mentioned here that they are basically proposing to the Commission to push forward was disposable plastic bags and also the issue of polystyrene.

Mr. Trowbridge: So that's in their minutes. I'll read that.

Commissioner Lago: Yes, its in their minutes and also they have a resolution that they brought that they are proffering for the Commission's consideration.

Commissioner Keon: Also between First and Second Reading, we should sit down with the Events Committee and somehow work this into the information on events so that people know when they have an event here, like the Kiwanis or whatever, that they can't use stryofoam.

Mr. Trowbridge: In reality most of those are non-profit organizations, so I guess technically how it is now, but I think they should lead by example.

Commissioner Keon: Right – we need to work out with events.

Commissioner Slesnick: We also should have something on the application forms that come through for the special...

Commissioner Keon: So they need to work it out – yes. So that somehow the people are aware of it and whatever.

Mayor Cason: So on First Reading, do we have a motion?

City Attorney Leen: Oh Mr. Mayor, my mistake, could you close the public hearing again.

Mayor Cason: We close the public hearing.

Commissioner Keon: I'll make the motion.

Commissioner Lago: I'll second the motion.

Mayor Cason: Commissioner Keon makes the motion, Commissioner Lago seconds. City Clerk.

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Mayor Cason: Yes

(Vote: 5-0)

[End: 11:53:50 a.m.]