

City of Coral Gables City Commission Meeting
Agenda Item F-1
February 9, 2016
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 Coral Gables Chamber of Commerce

Agenda Item F-1 [10:10:26 a.m.]

Update and discussion regarding City Commission support for legalizing Uber, Lyft, and other ride sharing networks. (Sponsored by Commissioner Keon)

City Attorney Leen: Mr. Mayor?

Mayor Cason: That's fine. Let's do it.

City Attorney Leen: Thank you Mr. Mayor. Item F-1 is an update and discussion regarding City Commission support for legalizing Uber, Lyft, and other ride sharing networks sponsored by Commissioner Keon. Good news – the City's voice was heard. As just a little bit of history, the City has been taking up this issue for a while now and the City passed a resolution urging Miami-Dade County to take action relating to Uber and Lyft. Then the Commission indicated that it would be willing to pass an ordinance legalizing or stopping enforcement of the County Code related to Uber and Lyft and other ride sharing networks so they could operate in Coral Gables, but the Commission agreed to wait a few months to allow the County to take action first.

The County has taken action, at least on First Reading, there were two proposed ordinances relating to ride sharing networks. One which was supported by the ride sharing networks and also the County, at least Commissioner Bovo, he sponsored an item. There was another item by the Chair Jean Monestime, the Chair of the Commission which the ride sharing network did not support. I know that the Chamber of Commerce and the City of Coral Gables supported Commissioner Bovo's proposed legislation. What ended up happening at the Commission meeting and I know Mark sat there in the front row the whole time and there were a lot of people at the Commission meeting. I was there for much of the time and we were able to speak with a number of our County Commissioners; and what ended up happening was Chair Monestime withdrew his item and Commissioner Bovo's item passed on First Reading. And so, we are just coming back to give you a status report and then Mark was going to speak a little bit about it, and I know that Commissioner Keon had some comments as well about what should the City do at this point, and so with that, if its OK Mr. Mayor, I would turn it over.

Mayor Cason: Mark.

Mr. Trowbridge: Good morning everybody, Mark Trowbridge, the Coral Gables Chamber of Commerce, 224 Catalonia Avenue. Craig gave you a great recap. I think I'll just add to that, that there were a number of other organizations there besides our Chamber, and we've been working on this for now close to two years, and those include the folks from the Beacon Council, the Convention and Visitor's Bureau, the Hotel Association, the Downtown Miami DVA, the Greater Miami Chamber, amongst others. It was about a five-hour exercise in discussion about this ordinance and as Craig said, there were actually two filed Bills, if you will, that had come on the agenda, and at the last minute the Chairman pulled his Bill and allowed for conversation and greater discussion about Vice Chairman Bovo's Bill. So that's the one that's moving forward. At this point its going to a workshop. Confirmed last night that that workshop is going to be on February 25th, so we are still a couple of weeks away from that discussion. From there which will basically be what you all will do in the workshop, there really is no public input, but an opportunity for you all to work through some of the nuances or in this case that, that are in the new legislation. I think it's important to also remind everybody that this also includes legislation that will address some of the challenges in the limousine and taxi industry, so in some way you might think of it as relief for them that would be provided with Uber. So I think that some things get left out of the conversation that there will be action, sort of codify what's going on as those industries have evolved. Many of those ordinances are quite old, and so in addition to what's happening in the shared ride industry there will be some opportunities to address what is happening, obviously in the taxi and limousine industry. Just as a reminder, one of the reasons that the Chamber and many of our business partners and business organization partners are still stalwart with this is, is isn't just an issue of free enterprise, its really the challenges that we have in Coral Gables related to the existing industry. As you know, we are somewhat in the zone for

the taxis and so the fare to come to Coral Gables is not nearly as attractive to a taxi driver as it would be to go to the Port of Miami, which is a \$27 base fare, or to go to Miami Beach, which could be upwards of \$50 for a fare. To come into Coral Gables it runs around \$20 or so dollars plus a tip, and so we are a bit of a competitive disadvantage for our visitors and folks who want to take a cab because we aren't a high fare. And so, we hear anecdotal stories on a weekly basis from our hoteliers and from individuals themselves who have been thrown out of cabs, have been berated because they are going to Coral Gables and have had other challenges as well; and obviously if that's the front door to get you back to our community that's a terrible way to do business. So we are more adversely affected by this and obviously by addressing that issue along with what's going to happen in the peer-to-peer transport business, I think we are going to see a definite improvement, not only in the industry, but certainly for Coral Gables. As Craig mentioned, this Bill is sponsored by the Vice Chairman Steve Bovo, he happens to also Chair the Transportation Committee, so after the workshop that's where this Bill will go. This legislation will then go to Committee, subcommittee work before it will come back on Second Reading. And I've talked with the folks from both Uber and Lyft, who obviously the main companies that you hear about in this conversation and they want to thank you all for your diligence and of continuing to apply some of the pressure to keep this process moving. They are working diligently with Commissioner Bovo and members of the Commission to address some of the issues. They are generally positive about the legislation that has been proffered and obviously as part of the workshop discussion will continue to work on some of those issues that may not be completely up to snuff while that is happening in parallel with the taxi and limousine industry as it has. So enforcement is still an issue. I know that there is going to be some discussion of that. When I last testified about 90 days ago, there had been over 3300 citations that had been issued with regard to folks who are using Uber or driving for Uber or both, some impoundments as well, and should that number has continued to go up enforcement is still alive and well; and what Uber has told me is that they are really dealing with those on a case-by-case basis and fighting those, mediating those, and the reality is, is that's costly, and time consuming, when what we are trying to do here, I think is come up with the best scenario. And I think you are seeing some movement. The Commission voted that day 10 to 2, to move forward into that workshop mode, which I think is a pretty strong indication of what the interest there; and we have three Commissioners, County Commissioners, who represent various parts of the Gables and all three of those folks voted initially for moving this forward in terms of the peer-to-peer transport. So the Chamber remains resolute with this. We passed a resolution nearly a year ago supporting peer-to-peer transport and we stand strongly with our peer Chambers and business organizations to continue moving this forward, but I will be remiss if I didn't remind you that Coral Gables has more challenges with regard to the industry than maybe some of our neighboring municipalities just because of that zone and our proximity. While it's a great asset to tell everybody we are five miles from the airport and it's a ten minute ride, and that's a wonderful positive part, having the

business community and the multi-national community here, this is one of those challenges that makes that less right.

Mayor Cason: Two questions. One, we have a special fare, you are going to put the meter on for the Gables...

Mr. Trowbridge: Right – zones.

Mayor Cason: Two zones. I don't think we want in all of this process to lose those special fares.

Mr. Trowbridge: No. I don't think that's on the table...

Mayor Cason: Its not on the table?

Mr. Trowbridge:...we can certainly work through Craig as they are looking at the legislation for the industry that's existing. There are a number of zones; there is a flat fare obviously to go to the port, that's the \$27. If you are going to Miami Springs you may have to use the Blue Cab, its \$14, and we average, I think somewhere between \$19 and \$22 for our zones, plus tip obviously.

Mayor Cason: Did Uber and Lyft make any comments about our legislation? What would they prefer us to do as they work through with the County?

Mr. Trowbridge: Oh, they are very appreciative that we have continued to raise the dialogue on this. There aren't any other municipalities that are doing that. I know Craig has been very gracious in keeping his colleagues at the County Commission informed and obviously we've waited, I think a fair amount of time, and to be fair we had seen in the last 90 days movement. There were two, sort of very different Bills filed and ultimately one that was carried forward on First Reading. There is a workshop scheduled, I don't know if that date has been widely publicized, I know that its going to be on February 25th, and then it will go to Committee. We are still talking about a period of time, we are still talking about significant enforcement issues, we are still talking about the fact that this has not been fully legalized and so, Uber is somewhat operating and its competitors or I should say its peers without the full support of the law, if you will, and I know that isn't how they want to compete and provide service, I'm sure. So that's why they've been working so diligently and working, not only with organizations like ours, but being grateful to what you all are doing as well during this interim time period.

Mayor Cason: Thank you.

Commissioner Keon: Thank you. I would really like to encourage the County to stop enforcement or to relax enforcement during this period of time, as we know we are moving to a position where these will be legalized under certain rules and regulations. I do think it's a regional issue, so I think it certainly should be under the County Commission. It affects all of our municipalities and everyone else, and I'm glad that they are also addressing the taxi industry and some of the other industries. Part of the problem here in the City of Coral Gables too, is the availability of cabs. They are just not available. I have called and I've used Uber because if I call for a cab to go to the airport they'll tell me there is not a cab available. So you are in a position where unless you have your own driver, you are at the mercy of what is out there for these reasons. Its difficult to get a cab here in the City of Coral Gables in a timely fashion. It isn't like New York where you can walk out and hail a cab on the street. You don't hail cabs here on the street, so it's all a matter of calling them and maybe the way that the medallions are structured and the control over the number of medallions limits the number of cars that are on the road, which I know supports the value of those medallions, but it doesn't support the public or the client here that is at their mercy, I'm hoping that they take a good hard look at how they do business in general with their cab industry and their cab drivers even though they have credit card machines now in their cabs, they still ask you if you'll pay in cash, which is not appropriate either.

Mr. Trowbridge: That's correct. A lot of times they'll say its not working...

Commissioner Keon: Or they'll just say listen, could you pay in cash, and we know that a lot of the cab industry is a cash business, so we have some responsibilities with regard to, or the government has some responsibility in looking at how cash businesses operate, but its really more of the availability of those services in a very timely fashion to our City and I'm sure to many other cities. So I'm very pleased that they are moving along.

Mr. Trowbridge: When we first looked at these issues related to the industry there were four opportunities to make some modifications only. Three of those were ultimately dealt with, one of those was the credit card acceptance and its been a bit of a slow process, other things included having GPS, having a SunPass and things that will facilitate the fair, if you will, but that fourth piece was related to what we are dealing with still today on the peer-to-peer transportation and that's how long it has taken. So the other three still being implemented, the ambassador program, the way inspections are done. I'm sure its somewhat public knowledge that I went through the process of becoming a certified Uber driver so that I could speak to the fact of what you had to go through, because there were conversations having taking place that there were no background checks and there were no this.

Mayor Cason: Did you pass the background check?

Mr. Trowbridge: I passed all of them actually Mr. Mayor, surprisingly so.

Commissioner Keon: He's now a licensed Uber driver.

Mayor Cason: If we want you how do we call you?

Mr. Trowbridge: Well the reason I've never taken an Uber fair is its not legal, and I don't want to have an issue with a citation or an impoundment. I haven't "moonlighted" yet, "moonlit" whatever the word may be. We were certified so that we could speak to that process....I think there were at least six different background checks and then it took a period of about one week once you apply, you have to upload your registration material, your driver's license, and obviously you insurance card, those are some of those things. And it's a wonderfully seamless process but then there are a series of benchmarks that take place then to fully certified.

Mayor Cason: But I guess the issue for us today is, we said we were going to give the County some time; do we want to give them more time?

Commissioner Keon: I think we need to allow them to go through – that's how the County legislates. They go to Committee and they seem to be interested in it...yes they are moving it in, we'd encourage, I'm sure Commissioner Bovo will move this along. It seems to be something that is important to him. I would ask them that look at the suspension of enforcement with regards to fines as long as there is the intent to move forward with this. I know that at the end of the day they want to ensure that its safe and that you are getting into a car with people that have been vetted and that know the community and whatever else. I can tell you that I think the taxi drivers actually know the City better and route themselves much better through the City than some of the Uber drivers, but nonetheless, that's really what is more readily available to us is those peer-to-peer services than the taxi industry. If they don't want to take on the whole taxi industry maybe they can at least accommodate the rest of us.

Mr. Trowbridge: When you go to the County Commission the dominant group and the dominant voice there are a very large number of cab drivers who are wearing the shirts, and they are pretty galvanized, they take their two minutes and get up and speak and are concerned about their livelihoods. Again, I think its important to note that the County is also working at sort of those older ordinances and how those need to be modified as we look at the industry in total; and by the way, these peer-to-peer transportation are just the beginning, I think of what you are going to see in other types of businesses and industries. Craig and I had a conversation about two weeks ago about Air B&B and that issue here, because many of our hotels are concerned about that happening. And obviously, we have some ordinances that already....that would not allow for

that, but again what you are really dealing with is more on the enforcement side to your point of having the people and the personnel and the opportunities to do that. And as I mentioned in the previous conversation about polystyrene, there is also a conversation happening at the state level related to Uber and peer-to-peer, so we should look at that. Its already a Bill that's passed through the House and there are things happening on the Senate side. So as our Government Affairs Committee is involved in those things and monitoring it, I think we should as well, as whether we do that through Craig or have the City's professionals who do that look at that. So there are things happening at the state level too on behalf of this...

Mayor Cason: So I guess the consensus then, if I'm not mistaken is that we will wait and see what comes out of the County. We still have this as an option if things don't go the way we want.

Commissioner Keon: Well, I think we would like to encourage them to continue the process in a very timely manner, but I would like a resolution and a vote to urge the stay or relaxation of enforcement until it is resolved.

Mayor Cason: Do we have a second on that?

Commissioner Lago: I'll second the motion.

Mayor Cason: Alright. Commissioner Keon made that motion and Commissioner Lago seconds. City Clerk.

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Mayor Cason: Yes

(Vote: 5-0)

Mayor Cason: Thank you Mark.

Mr. Trowbridge: And as soon as its legalized I'd be more than glad to pick you up, Commissioner Keon, wherever you would need to go, because I know you are having a hard time getting a cab.

Commissioner Keon: Thank you. Thank you. And I have to tell you, I need a particularly good driver because there is an issue with my timeliness.

Mayor Cason: Are you with the luxury car division?

Mr. Trowbridge: Well what I drive is decent; there is a lot of dry cleaning in the back, so if you don't mind sitting amongst that.

Commissioner Keon: Sitting among the plastic bags (laughter).

Mr. Trowbridge: I have to get rid of those now...

Commissioner Lago: Would you be considered Uber-Plus?

(Laughter)

Mr. Trowbridge: Thank you all.

Commissioner Slesnick: Mark before you leave, I just want to mention at the B.I.D. (Business Improvement District), we discussed about the possibility of having a jitney or small bus, because we are so close to the airport, going back on a circular route between the major hotels in Coral Gables and our major shopping areas on like an hourly basis where it be a fixed fee going back and forth. So, I'd like to pursue something like that, that we would stop at each hotel at a certain time, hopefully be on time, so that people coming into the airport and going back and forth, you would have that availability of shopping and getting back on a plane and leaving town.

Mr. Trowbridge: It had always been our hope that we could figure out a way to engage our trolley in that, but that conversation is a much larger one because you are dealing with other issues of liability and things like that. But I remember having a conversation with the Manager back in the day, we stood outside a small little retail store that had opened up as a place that we might be able to do that and we are going back a decade, but that conversation has been brought forth and we can look at that.

Commissioner Slesnick: Its time to maybe move that forward with the relaxation of some of this, with the taxi cab, I mean we have a lot of pressure from the taxi industry not to have that.

Mr. Trowbridge: And it was also an issue of bag storage and things like that, and now that you have at the airport a model where folks can basically store their bags there or if they are getting on a cruise, let's say, and they can do direct-check, that's something being discussed now would be direct-check right there from the airport to the cruise terminals, which means that you might have some time if you flew in at 9 in the morning and the ship leaves at 5. I think once you are sort of unburdened from carrying the bags and those things, it makes it a lot easier to think about

shopping; and again, the positivity of that proximity and having retail on Miracle Mile and the Shops at Merrick and...

Commissioner Slesnick: And Agave.

Mr. Trowbridge: And the Agave project, absolutely. I think we have some time to do that and I think its one of the reasons you all have the vision to maybe look at augmenting the trolley program because there may be an opportunity, but I think there are also a number of priorities in terms of the loops that we want to do that could facilitate that as well.

Commissioner Slesnick: And we are going to have more trolleys in service too, so.

City Manager Swanson-Rivenbark: I appreciate the Chamber's enthusiasm. We are growing the trolley service already in terms of weekends and holidays and we want to really make sure that our first priority is managing our residents and our existing businesses in and around, but we appreciate their enthusiasm in wanting to see how we can connect further.

Mayor Cason: Thank you again Mark.

Commissioner Keon: Thank you.

Mr. Trowbridge: You got it.

Commissioner Keon: I think it's a great idea.

City Attorney Leen: Mr. Mayor, just one thing because I know this has come up. You mentioned the short-term rentals, one thing I wanted to be clear and this Commission has been very strong on this and we have regulations that pre-date the statute that allows for these short-term rentals. Coral Gables does not allow short-term rentals in its residential areas. We only allow hotels in areas where hotels are allowed or Bed and Breakfast in areas where they are allowed per our Zoning Code, those are not allowed in single family zones. I know that Code Enforcement has really gone out of the way to enforce that, and I know that our Development Services Department has too. And so, if you ever see one of these please let us know, we do take action same with the Chamber, if you see that, that's not allowed in our single family zones.

Mr. Trowbridge: Most of it is going to be online Craig, so you are going to have to diligently sort of look through there and see what people are doing.

City Attorney Leen: I know that they do that. I know that they do that. Thank you.

Mayor Cason: Thanks again.

[End: 10:32:24 a.m.]