

City of Coral Gables City Commission Meeting
Agenda Item G-4
October 10, 2017
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, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia

Public Speaker(s)

Agenda Item G-4 [12:31:34 p.m.]

A discussion regarding Governor Rick Scott's appointment of Ritch Workman to the Public Service Commission and possible action urging the Miami-Dade County Legislative Delegation to use close scrutiny in deciding whether to confirm the appointment because of concerns raised in an article published in the Miami Herald on October 2, 2017. (Sponsored by Vice Mayor Keon)

Mayor Valdes-Fauli: Let's take one more item before we break for lunch and that is G-4, Vice Mayor Keon.

Vice Mayor Keon: I am going to ask Craig to speak to the issue of the Public Service Commission, but I think included in your packet is the letter that was in the Miami Herald that raised some concern for me with regard to appointments to the Public Service Commission.

City Attorney Leen: First, I should apologize there should have been a memo, so I'm going to read to you what would be in that memo. So, the Public Service Commission's mission is to

facilitate the efficient provision of safe and reliable utility services at fair prices. In furtherance of that mission it pursues a number of goals for economic regulation, regulatory oversight and service regulation and consumer assistance. The PSC exercises regulatory authority over electric, natural gas, telephone, water, and waste water utilities. It really is one of the most important public bodies in the State of Florida. The areas it regulates are described as rate-based economic regulation involving analyzing requested rate changes and conducting earning surveillance to ensure that regulated utilities are not exceeding their authorized rates of return. This is an issue that comes up from time to time with FPL, for example where they go up to the Public Service Commission to request a rate increase that's governed by the PSC. Another one is competitive market oversight entailing facilitating the development of competitive markets and issues associated with them, obviously, this is a significant issue. For example, again with FPL, which is a regulated monopoly, so the effort to have competitive market oversight can be a challenge. In addition, safety, reliability, and service monitoring promoting an uninterrupted supply of utility services to the general public and confirming that such services are provided in a reasonable and timely manner with minimal risks. The Commission has five members, they are selected for their knowledge and experience in one of several fields substantially relating to the duties and functions of the Commission. These fields include economics, accounting, engineering, finance, natural resource conservation, energy, public affairs, and law. They are appointed by the Governor from nominees selected by the Public Service Commission Nominating Council and confirmed by the Senate. They serve for four year terms. As indicated here in this item, which is a discussion regarding Governor Rick Scott's appointment of Ritch Workman to the Public Service Commission and possible action urging the Miami-Dade County Legislative Delegation to use close scrutiny in deciding whether to confirm the appointment, because of concerns raised in an article published in the Miami Herald on October 2, 2017. What's occurring is that this individual who has been nominated by the Governor is subject to confirmation now. So, this is going before the Senate and the Vice Mayor has asked that the Commission look at whether the City of Coral Gables through its City Commission should recommend action by the Legislative Delegation, such as for example, opposing the nomination. With that I will turn it over to Vice Mayor Keon.

Vice Mayor Keon: My point wasn't to ask them to not confirm, but I would like them to be based on the public information and the public record of Ritch Workman that they would make very close scrutiny as to this individual is the best available to serve on the Public Service Commission and perform the duties that are called out for members of the Public Service Commission.

Mayor Valdes-Fauli: Can I read some of the things in this article for the public record?

Vice Mayor Keon: I think that the Legislature that has served with him would know him well and knows the legislation that he has sponsored and a lot of personal issues regarding him. So please go ahead.

Mayor Valdes-Fauli: He used his term in Tallahassee to host 32 fundraisers over three years, which is – he tried to bring back dwarf tossing and his name appeared on the current list of Ashley Madison, an online dating website. He brought the utility industry two years in delay in the solar energy issue; FPL contributed \$5,000 to his political committee and the committee also raised another \$109,000 from political committees controlled by the Florida Chamber and associated industries. He halted a vote on a solar amendment; he posed with a Duke Energy lobbyist at concert. This is devastating for the industry, I mean for the public, I'm sorry, this is wonderful for the industry, this is devastating for the public and I question the Public Service Commission's ability to fairly and impartially regulate anything with Mr. Workman being on it. His lack of discretion, his lack of common sense, bringing back dwarf tossing and it's just pathetic and I would like to request from our lobbyists and from our legislators to oppose this nomination, it is pathetic and it is shameful, frankly. Comments?

Commissioner Lago: The Mayor summed it up.

Commissioner Quesada: Yes, agreed. He was appointed already, right?

Mayor Valdes-Fauli: He has to be confirmed.

Vice Mayor Keon: He has been appointed, but he has to be confirmed by the Senate. So, the only action that we can take is with our Senators, for us our Dade Delegation is to ask them to give very careful consideration to this confirmation.

Commissioner Lago: So, would you like to frame that into a motion?

Mayor Valdes-Fauli: Yes, please do.

Vice Mayor Keon: Yes, I'd like to make that motion.

Commissioner Lago: Second that motion.

Vice Mayor Keon: Thank you.

Mayor Valdes-Fauli: It's been made and seconded, will you call the roll please.

Commissioner Mena: Yes
Commissioner Quesada: Yes
Vice Mayor Keon: Yes
Commissioner Lago: Yes
Mayor Valdes-Fauli: Yes
(Vote: 5-0)

Vice Mayor Keon: Can I ask how we communicate this to our Dade Delegation?

City Attorney Leen: We are going to place that into resolution based on the minutes, which we'll ask to be expedited, so we can give that to them as soon as possible and we'll send the resolution to each Senator. Do you want it to the Representatives as well?

Vice Mayor Keon: To all of them so they are aware of it, but it's the Senate that actually confirms them.

Commissioner Lago: Would you like to send this out to other municipalities?

Vice Mayor Keon: Yes – and if we could share...

Commissioner Lago: Along with the article as an attachment.

Vice Mayor Keon: Maybe the League of Cities and our other cities.

Commissioner Quesada: And their lobbyists.

Vice Mayor Keon: And our lobbyists.

City Attorney Leen: Understood.

Commissioner Quesada: I also want to say thank you to Lance's colleague at the Miami Herald for getting that article out there.

Vice Mayor Keon: Yes. Thank you very much.

Mayor Valdes-Fauli: FPL has done it again a dwarf tosser. Well that's what the Herald says.

[End: 12:38:56 p.m.]

