

**City of Coral Gables City Commission Meeting**  
**Agenda Item D-1**  
**January 13, 2015**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

**Mayor Jim Cason**

**Vice Mayor William H. Kerdyk, Jr.**

**Commissioner Pat Keon**

**Commissioner Vince Lago**

**Commissioner Frank Quesada**

**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)**

**Fausto Gomez, City's Representative in Legislative Priorities**

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Agenda Item D-1 [Start: 9:43:23 a.m.]

Fausto Gomez, Gomez Barker Associates, Inc. regarding Legislative Priorities.

Mayor Cason: We have three personal appearances; let's start with Fausto Gomez with Gomez Barker Associates about legislative Priorities.

Mr. Gomez: Good morning Mr. Mayor, Mr. Vice Mayor, Commissioners and Madam Manager, it's great to appear before you. Mr. Mayor, Commissioners, we have, your staff and I have engaged in the process of identifying legislative priorities for the City of Coral Gables. We began the process approximately 30 to 40 days ago, where the administration asked the department directors to prepare a list of items that they were concerned about and that list was subsequently forwarded to me; and then yesterday afternoon we had a meeting over at the Police Department meeting room with the department directors where we sort of looked at the list and looked and decided what was the arc of the possible based upon the list. And based upon those memorandums, including the memorandum from Commissioner Quesada about some items, issues brought by the department directors. We've honed a draft list of priorities for your consideration, which is obviously draft form, which obviously will change based upon your input

and your concerns. Let me just outline some of the things that we thought important. Number one is, we will continue obviously to seek reimbursement to our General Fund from the Law Enforcement Trust Fund in order to pay for that communications building and the communications department debt generates \$150,000 to \$200,000 per year. As you know, every single year we need to put language in the implementing bill for our budget, in order to do so which is the only way that we can get our money back.

Mayor Cason: How much do we have left?- many decades to go?

[Laughter]

Mr. Gomez: Yes. And actually, this is going on now for 10 to 12 years, and every single year the Legislature say how much money is left and every single year your budget staff gives us the number and it is a rather significant number, but essentially it brings in \$150,000 – depends on how much you have in the Law Enforcement Trust Fund, but it will bring you over \$100,000 on an annual basis. Second item, we have been very successful in the past in securing support for infrastructure projects, particularly water projects; and we met yesterday, I had submitted to your staff the forms to submit water projects, this was issued last Friday, they are due February 7<sup>th</sup>, your staff is working on identifying waste water and storm water project needs for the City of Coral Gables. We will submit the applications and I feel confident that we'll be successful as we have in the past. Particularly Mr. Mayor and Commissioners, because of the passage of Amendment 1, the Constitutional Amendment, which as you know now dedicates 33 percent of the tax on real estate transactions for environmental concerns. That is estimated to generate \$10 billion in new funding over 20 years, close to \$700 million in new funding this Fiscal Year, all focused on environmental preservation and water. Obviously, everybody is trying to carve up that money, those interests are saying how the money should be allocated, but we believe there will be significant water projects support in Tallahassee this Legislative Session, and obviously Coral Gables is going to be the forefront so that we receive our fair share.

Vice Mayor Kerdyk: I assume you consider the environment our waterway or canals?

Mr. Gomez: Yes. If you remember, Mr. Vice Mayor, a number of years ago for the dredging of canals we received close to \$4 million.

Vice Mayor Kerdyk: \$4 million, it was a significant...

Mr. Gomez: Significant sum.

Vice Mayor Kerdyk: Are you trying to find something now for the canals and waterways?

Mr. Gomez: Your staff is looking at your priority needs...

Vice Mayor Kerdyk: OK.

Mr. Gomez: I would suggest that you talk to them specifically, but we outlined what the opportunities are, what monies are available, and they have a list of projects that the City of Coral Gables wants to move forward on both with waste water-storm water, canal dredging and things of that nature.

Commissioner Lago: And I think one of the main issues was, obviously Director Kephart can expound on the issue was the pump stations, which are a major priority to not only the City, but also the County due to consent decrees that have come down.

Mr. Gomez: If you recall last year we were able to secure close to \$600,000, in that range, both for waste water and storm water and I think it will be a good year for us again this year. Third thing is more defense than offense. Again, the Legislature is looking to reduce the share coming to municipalities from the Communication Services Tax and the Local Business Tax that could have a potential impact of close to \$6 million on your current budget. So that is an item high on my Legislative Agenda to make sure we preserve the monies that Coral Gables currently received from those two sources; and finally, in the Appropriations arena, I know that Coral Gables has put in an application for the Merrick House, and we are also going to be reviewing the applications if they have been submitted from the Coral Gables Museum, the Actors Playhouse, Fairchild Gardens, and support their individual funding request.

Commissioner Quesada: And I'll reach out to them to make sure they've submitted those applications.

Mr. Gomez: I'm sorry?

Commissioner Quesada: I said I will reach out to them and I'll make sure they've submitted them, if they haven't I'll get on...

Commissioner Lago: I'm going to help you out with that. I really want to concentrate also on Fairchild. I met with them about a month ago, and they have some needs and hopefully we can maybe get some state help to address those issues.

Mr. Gomez: So those are issues that will focus on the Appropriations arena.

Mayor Cason: We had some legislative things too, I think of the City Attorney in terms of alarms and what else was it.

Mr. Gomez: Mr. Mayor, I want to – that was the Appropriations, let me go to the policy.

Mayor Cason: OK.

Mr. Gomez: Obviously, the policy, the number one priority has to be the deem to comply on the pension, which we were successful...

Commissioner Quesada: I'm sorry?- deemed to comply what?

Mr. Gomez: Deemed to comply provision that we amended the Florida Statutes to deem to comply, so Coral Gables is deemed to comply with State Statutes on our local pension for police and fire. Pension again will be on the Legislative Agenda, local government pensions will be the focus. I think our focus has to be to make sure that the deem to comply provision that we put into statute a number of years ago, is maintained, because that provides the ability for us to negotiate with our police and fire and make sure that our plans are sound and they are secure for current and future retirees. Second, which are the items that you raised Mr. Mayor, we will support legislation to allow the police to arrest a suspect who commits a trespass of an occupied dwelling, whether or not it occurs in the presence of an officer or by reclassifying trespass in an occupied dwelling is a third degree felony. We will also support legislation that amends Chapter 49.529, Florida Statutes, to allow central monitoring verification to be bypassed so that the alarm company will directly call the police department, which would foster a more rapid response time. We are also going to be supporting the Florida League of Cities on an issue that they have brought forward now for a number of years, which is to provide minimum regular standards for residential properties that, are used in sober homes in residential neighborhoods. As you know, currently because of federal law you can take a home, a private home in a residential neighborhood and make that a sober home rehabilitation without any local regulation or local ordinance or local support. The Florida League of Cities has put that as a key legislative priority now this is like the third or fourth year. It is very crucial for communities like ours that are mostly residential that regulations be in place. Also, we are going to be supporting making texting while driving a primary offense rather than a secondary offense.

Commissioner Quesada: What do you think the likelihood of success on that is because when they first came out with the statute on the texting, it's got to be a secondary offense, if you are not wearing a seat belt the police officer, I mean it's so difficult, we've all experienced it. You are at a red light, you look over and someone's on their phone and it's just a disaster waiting to happen, not only in Coral Gables I mean anywhere. Do you have any feeling?- I'm not holding you to anything.

Mr. Gomez: I usually don't like to predict what the Legislature is going to do, but this is an issue that I think has been germinating. Everybody recognizes that the Bill had passed a couple of years ago probably was too weak. You have the major telecom carriers supporting a ban on texting while driving as a primary offense.

Commissioner Quesada: That's great. Looks like a better shot this time around.

Mr. Gomez: Actually it was House Bill 1, the first Bill filed for this Legislative Session was making texting while driving a primary offense rather than secondary offense.

Commissioner Quesada: That's great.

Mr. Gomez: And then I know that we are going to be tomorrow at a public meeting with the School Board and our residents and in light of that let me just tell you that the Governor just issued his budget recommendations for education funding K-12. He is recommending \$7,176 per FTE, which is the highest amount ever in the Florida Budget for education, and it would be an increase of \$261 million over the actual budget on an FTE basis for students. So I just wanted to lay that out there for you to prepare for the meeting tomorrow with the residents and the School Board. So that is a draft agenda that we prepared last night subsequent to the meeting with the department directors. Let me just say, I thought the meeting yesterday was very, very good, and it was good in the sense that department directors laid out concerns that they have and priorities that they have. Some of them were probably not right for this Legislative Session, others are right for future sessions, and what is most important is sort of start thinking and channeling those thoughts as how do we apply in the future for grant support and hone our priorities to make sure that we get the most support both policy-wise and preparation-wise from Tallahassee. And with that I'd be pleased to amend it or respond to any questions you may have.

Mayor Cason: Are there any funds out there for things like bicycle paths for rehabilitation of fire stations, police stations, things that we'd be facing?

Mr. Gomez: Mr. Mayor, you recall we had that conversation a while ago. The last Legislative Session the Legislature approved a \$50 million allocation for a series of inter-connected bicycle and pedestrian paths in Central Florida. One of the things that I suggested and the State Statute was changed to allow the Florida Department of Transportation (FDOT) to fund inter-connected bicycle paths and pedestrian paths on non-state roads and that's the key, because FDOT can only fund projects on state roads, non-state roads they can't, so that was amended. So one of the suggestions that I actually shared with the staff yesterday, and I believe in the memorandum with you and the Interim Manager at that period of time, was for us to put a joint application together with our surrounding communities, going all the way from south from Homestead, Cutler Bay, Palmetto Bay, Pinecrest, South Miami, Coral Gables, City of Miami, and then have a whole series of inter-connected bicycle paths that we would apply to the MPO, Metropolitan Planning Organization, as a regional application, and we would connect our bicycle paths through the Cartagena Circle, and then fund our bicycle needs as well as the other communities funding their bicycle needs through a regional application, and I believe that would be successful. That's probably too late to happen this Legislative Session, but that is something that all the communities should work together and put the application to the MPO.

Commissioner Keon: Does each City, each municipality file one or we file jointly, is that what you said?

Mr. Gomez: I would suggest that basically it's a joint application from all the municipalities.

Commissioner Keon: From all the municipalities.

Mr. Gomez: And it's a regional application rather than an individual application.

Commissioner Keon: OK. So it's a regional. Thank you – and it goes through the MPO.

Mr. Gomez: It would go to the MPO; the MPO will transmit it to the Florida Department of Transportation for inclusion in the five year work program of the Department of Transportation.

Commissioner Keon: OK. Frank you are on the MPO, yes?- right?

Commissioner Quesada: I'm still waiting for the approval. I was named by the Governor and they reached out to me eight months ago, six months ago, and then they had me do a background search. I'm told that it sometimes takes up to a year to actually get on there, so there is a vacancy on the MPO for an elected official, I've been tapped for it, I'm just waiting for them to get back to me, and I've reached out a few times and they still say, yes, just waiting for that formal appointment.

Commissioner Keon: Who is it now?- is it one of our county elected officials?

Commissioner Quesada: It's open.

Commissioner Keon: No, but who will we reach out to at this point, our county elected officials?

Mr. Gomez: The MPO is a thirteen County Commissioners, School Board representatives.

Commissioner Quesada: And County Commissioners it's Francis Suarez, City of Miami, it's Jona Wilson, I believe from Miami Beach, I think Raquel Regalado is the School Board Member.

Commissioner Keon: So who would we reach out to?- I'm assuming our County Commissioner?

Mr. Gomez: Our County Commissioner.

Commissioner Keon: OK. Those that represent our district.

Commissioner Quesada: Correct.

Commissioner Keon: So Rebeca Sosa and Commissioner Suarez.

Mr. Gomez: Any City that has over 50,000 population has a seat on the MPO and then there is one seat for all the cities that have less than 50,000 population.

Commissioner Keon: OK. OK.

Commissioner Lago: Also, two quick issues that maybe you can kind of scourer the budget in the forthcoming session to see if you can find something that can benefit the City. As you know, we are currently working on our Sustainability Plan, we have a consultant putting that together, we

should have that completed within the next six months. It's going to give us an intensive view of where we currently stand and what the plan is for the next year or two years, five, ten, fifteen, down the road in regards to our City. Do you know if there is maybe any monies available for implementation of what the Sustainability Plan is going say statewide?- recycling, I know that Commissioner Keon, as I drove through the City I thought of her today over here because today is pickup day in my neighborhood and there are cardboard boxes all over the City. So we were always under the impression that we could not recycle cardboard, but it's my impression that we can, we just have to modify the existing trucks. So to not be a long drawn out discussion in regards to this, because I know you are busy and we've got to move on, but I'm really interested in finding out if there is monies available for sustainability, some sort of implementation, maybe even a study to coincide with the current study that we are doing now, and also LED lighting. Due to Commissioner Quesada's quick thinking, we were able to get control of the 4,000 lights in the City of Coral Gables when we negotiated our deal with FPL. We currently, after almost two years of working on this, we have gotten FPL to commit to do a test run, and again I'll defer to the Manager on this because I'm not sure of the exact numbers, I think it's like 6 to 10, or 6 to 12 lights in the City are going to be retrofitted, existing light poles are going to be retrofitted to do a test run to see how the LED light fixtures work and the cost-savings associated with that, obviously the foot candles and everything that goes with LED lighting. I wanted to see if maybe we can look into also LED lighting as an opportunity to maybe get some funding for the near future if that's possible.

Mr. Gomez: I don't know about those two items. I'll find out and I'll get back to you.

Commissioner Lago: Awesome. That's all I can ask. Thank you sir.

Commissioner Keon: I think we also had a request from the police with regard to the enforcement of speed through some sort cameras or some monitoring also, that apparently is not approved at the state level, you know where the red lights apparently are and you get a ticket for them. There was a discussion about the issue of speed, is there any discussion?

Mr. Gomez: Commissioner that will not happen.

Commissioner Keon: OK.

Mr. Gomez: As a matter of fact, just last week Senate Transportation Committee meeting there was a discussion about cameras put on I-10, not for speeding but for other purposes and the Chairman of the Committee, Senator Brandies from Tampa raised a point and told the Florida Highway Patrol and the assembled people there, these will not be used for speeding, correct?- and they said, no sir, and he said, as long as I am Chairman of this Committee cameras will not – there will be no speeding cameras in the State of Florida. So I doubt that, that issue will be successful.



Commissioner Keon: Well that's pretty clear. Thank you.

Mayor Cason: And back to the second part of my question about fire stations, police stations, rehabilitation, is there any pot of money for that?

Mr. Gomez: Actually we have a discussion with your department directors yesterday briefly, as to whether where the funding is for that purpose, that really is a local government responsibility, not a state responsibility. However, there are some dollars for emergency operations centers and things of that nature, so it really becomes a question of how you market and how do you present an application, rather than if you basically say, we want support for our police and fire building, the state is going to say, that's your responsibility. If we are talking about an emergency operations center and we are a regional emergency operations center, I believe for various communities, Coral Gables is. If we sort of – it depends on how we chase it.

Commissioner Lago: The way you present it and you chase it, the verbiage and the language.

Mr. Gomez: That's correct.

Mayor Cason: There is a possibility we'd have to move the current one from the building, depending on what happens to that building, so there may be an opportunity to look for funds for the relocation of an emergency center from one building to the other.

Mr. Gomez: We had that discussion yesterday with your staff and I believe that they are looking into it as well.

Mayor Cason: OK. Any other questions? Thank you.

Commissioner Lago: Thank you.

City Attorney Leen: Mr. Mayor, one thing Fausto, I remember the Commission had passed a resolution on the prohibition of flavored tobacco as well, was that on there?

Mr. Gomez: That's already prohibited because essentially you cannot sell tobacco products to a minor in the State of Florida.

City Attorney Leen: I think that the resolution was broader because of the fact that it was prohibiting marketing and sale of flavored tobacco generally, which I was just curious, do you think that there is nothing we can do with that because it was one of the – it was just a resolution of the Commission, so I just wanted to check?

Mr. Gomez: Mr. Attorney...

Commissioner Lago: I think what we were doing at that point when we had the students....what we were doing we were showing support for a great cause and obviously for those students. I



don't know what we can do at the state level, do you think that there is anything we can do as a City and push that along?

Mr. Gomez: Well obviously, it's your agenda and if you wish to add it, I'd be glad to work on, but I do think that there is already a prohibition on the sale of tobacco products to minors, it's missing enforcement issue rather than a policy issue.

Mayor Cason: Thank you Fausto.

Commissioner Quesada: Fausto as always, you do a marvelous job for us. You've had a lot of success with us for the City, so thank you so much for everything.

Mr. Gomez: Thank you.

Commissioner Lago: Thank you for representing us so well.

Mr. Gomez: I'll see you tomorrow evening.

[End: 10:04:45 a.m.]