

**City of Coral Gables**  
**Virtual – Special/Emergency Commission Meeting**  
**June 29, 2020**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

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

**City Staff**

**City Attorney, Miriam Ramos**  
**City Manager, Peter Iglesias**  
**City Clerk, Billy Urquia**  
**Deputy City Attorney, Cristina Suarez**  
**Assistant City Manager, Ed Santamaria**  
**Public Works Assistant Director, Al Zamora**  
**Chief Procurement Officer, Celeste Walker**

**Public Speaker(s)**

**Mitch Kessler, Solid Waste Consultant for the City (B-1)**

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**A-1**

Mayor Valdes-Fauli: Good afternoon, everybody. Can you hear me?

Commissioner Keon: Yes.

Mayor Valdes-Fauli: Good afternoon this is a special Coral Gables City Commission meeting of June 29, 2020. And we shall start. There is no invocation and no Pledge of Allegiance because it's a very special meeting and we will start with an emergency ordinance, Item A-1. Cristina, you want to read it.

Deputy City Attorney Suarez: Yes sir. Good afternoon. It's an emergency ordinance of the City of Coral Gables, Florida, amending Chapter 27, State of Emergency Ordinance Section 27-2 "Mayor; powers," and creating Section 27-12, "Enforcement of Emergency Orders issued by the City of

Coral Gables; penalties;” providing for a repeater provision, severability clause, codification, enforceability, and providing for an effective date.

Mayor Valdes-Fauli: This is an amendment to the emergency order I signed a few days ago, providing for some exceptions, like kids under 2, etc. etc. Do I hear a motion?

Deputy City Attorney Suarez: So, sir just to justify if I may clarify. This is actually, it's provided providing additional authority for the city to be able through its emergency orders to provide for code enforcement proceedings to enforce its emergency orders while the city has included those penalties as part of its emergency orders. And we believe we have a basis to do so on the authority to do so. This would be by ordinance giving the city the power to do so through its emergency orders.

Mayor Valdes-Fauli: Thank you. Do I hear a motion?

Vice Mayor Lago: So moved.

Mayor Valdes-Fauli: Second.

Commissioner Mena: Second.

Mayor Valdes-Fauli: Will you call the roll please.

Deputy City Attorney Suarez: Sir, it is a public hearing, so we need to make sure that we...

Mayor Valdes-Fauli: Any member of the public that wish to speak? Any members of the public on the telephone or by email? Will you call the roll please?

Commissioner Fors

Mayor Valdes-Fauli: Commissioner Fors unmute yourself.

Commissioner Fors: Yes

Commissioner Keon: Yes

Vice Mayor Lago: Yes

Commissioner Mena: Yes

Mayor Valdes-Fauli: Yes

## **B-1**

Mayor Valdes-Fauli: Item B-1, discussion regarding commercial and residential garbage collection services and RFP 2020-015. Vice Mayor Lago and City Manager, why don't you assist and then Vice Mayor Lago will talk. This is his item.

Assistant City Manager Santamaria: Good afternoon Mr. Mayor, Ed Santamaria, Assistant City Manager Operations and Infrastructure. To discuss this item, we are going to be inviting Al Zamora, the Assistant Director who is charged with solid waste; and also, we have Mitch Kessler, who is our consultant for solid waste and who assisted in this procurement process. Mitch is trying to get on right now and I've asked the City Clerk to see if he can assist with getting him on the Zoom feed.

Mr. Kessler: I'm on Ed.

Assistant City Manager Santamaria: On Friday we did receive an agenda from Vice Mayor Lago on Friday afternoon, so we were able to look at the items on that agenda, and we are happy to answer any questions. And I turn it over to the Vice Mayor, unless Peter has anything to say.

Vice Mayor Lago: Mr. Manager you have any comments that you'd like to make?

Assistant City Manager Santamaria: I guess we proceed.

Mayor Valdes-Fauli: Is the City Manager on?

City Manager Iglesias: We have Al Zamora and our consultant Mitch Kessler on, who can answer any of the questions that you may have on the RFP process or any other issue concerning waste.

Vice Mayor Lago: Mr. Kessler, how are you? Good to see you.

Mr. Kessler: Good to see you sir.

Vice Mayor Lago: Good – and Al, thank you for being here, along with my colleagues and all the members of our great city team. I put this item on the agenda, which I don't think is really mine, I think it's all of our item, in the sense that we all have concerns about many different things that are dealing with the city's finances this year, especially we've seen what's happened over the last four months and we've taken, I don't want to say a turn for the worst, but we are seeing an increase in COVID, which is affecting a lot of the businesses in the downtown, which could potentially have serious repercussions for us financially. One of the issues that I really wanted to drill down, and I apologize to Ed, our ACM, for delivering it on Friday. I was going to deliver it on Thursday, but I just ran out of time in between work and putting together this agenda. I should have had it to you two days before. I gave you less than 24 hours and the weekend, but that's my bad, and I take full responsibility for that. I should have never done that.

Assistant City Manager Santamaria: The weekends are all blending into the work week sir.

Vice Mayor Lago: Its true. It's true.

Mayor Valdes-Fauli: Vice Mayor if you don't go up, we will not forgive you. Go on. Very comprehensive. I asked for it and its very comprehensive and I'm very pleased.

Vice Mayor Lago: Listen, I did the best that I could, but I still owe the ACM and his team an apology. I live in a certain area of the city, we all live in different areas of the city, which I think is great. It gives us a little bit of a different flavor and a different perspective. One of the areas that I'm most familiar with is that corridor that runs on 57<sup>th</sup> Avenue, and you know, on 57<sup>th</sup> Avenue, all the way from US-1 to Eighth Street. It's the corridor that I live on. It's the corridor that I take to work every day, Blue Lagoon, so I'm very familiar with that. And it's something that we've been working on to really address the swales there which are a nightmare. So, as part of my agenda, the first item that I put was a discussion on how we can address the growing concerns on private landscapers illegally dumping landscape debris. I wanted to show you something that, and I sent several of these videos and photos as I just happen to drive down 57<sup>th</sup> Avenue, and I catch people dumping from Miami-Dade County into Coral Gables. So, this is what happened, Mike, Commissioner Mena.

Commissioner Mena: I'm sorry. Somebody walked into my office.

Vice Mayor Lago: No, I thought you wanted to speak, you were on mute. So, this happened on Thursday. I mean, I think I have it on Thursday or Friday. I sent the video to staff and I want you to watch so you can see why I put point number one. So maybe our team can roll this video and give you a little bit more background. This is on. Can you hear me?

Mayor Valdes-Fauli: Yeah.

Vice Mayor Lago: This is 57<sup>th</sup> Avenue and Miller and what you see here is a gentleman who is a landscaper taking landscape debris five homes into Miller, because I ended up going that direction anyway, my parents live on Miller and 59<sup>th</sup> Avenue, two homes away from their house, that person was bringing the landscape debris over to the City of Coral Gables. You can see that's 57<sup>th</sup> Avenue, and you have Miller, and then here you have the Coral Gable side. And this is my neighborhood. So, this is what we see constantly happening in our neighborhood and I'm going to show you another picture after we finish up with this gentleman here, who falls into that pit, because that pit's a little deep there, which is also a major issue, because we've dealt with people falling into pits before, their cars, and the city's had to pay for it. I also wanted to show you a video that happened to me today when I went to get lunch at Three Chefs, and I was driving from my house and it was an actual printer. They had taken a printer and they had thrown it on to this side of 57<sup>th</sup> Avenue, which is the Coral Gables side, and all the paper was thrown all throughout the city on Sorreta. And that had been there since Sunday afternoon, because I had seen it. I went back today to take a picture of it, just so I can show it to you. I don't know if the staff had already had the chance to upload it. I sent them to him this afternoon. So maybe they weren't able to upload it in time. So, my conversations – moving on. You can see that we're having major issues. Al Zamora has mentioned before, and he can address it. I want to hear from him. Now that's a picture of the

gentleman, crossing the street going back to his residence. Can we see the next one? We have a few more pictures there.

Commissioner Keon: I don't see any of the pictures.

Mayor Valdes-Fauli: We got the point.

Vice Mayor Lago: They'll put them up. They'll put the pictures up or I can have somebody send them to you. This is a major issue, at least in my area, the area of near Eighth Street, near Coral Way, a lot of illegal dumping. It's happening constantly. It's an issue that the City of Coral Gables is paying for, our tax dollars. This is an example of my neighborhood. I don't think and by the way, this is common, this is commonplace. We called him to Code. Code Enforcement goes in there, they take care of it. Somebody goes and picks it up. We have a great team of employees that do an incredible job, but this is just an example of throw it on the City of Coral Gables side, and they'll pick it up. This is what we live with every day in my neighborhood. And I just think, it's exhausting. It's embarrassing and it's not Coral Gables standards.

Mayor Valdes-Fauli: Can I make a comment?

Vice Mayor Lago: Of course.

Mayor Valdes-Fauli: I agree with you that it is a big problem and I agree with you that it needs addressing. I truly do. I'm not discounting it. But this is a problem that is more common on 57<sup>th</sup> Avenue, bordering Miami, and on 8<sup>th</sup> Street, bordering Miami again, bordering West Miami and then Miami, then basically in the rest of the city. It's much easier for a yard man, a gardener to cross and dump that. That's something that should be addressed, but we should maybe have extra or some kind of Code Enforcement to fine these people that do that and then there's also a problem on enforcing those fights, because these are yard men and God knows what type of identification they have. Maybe we could fine their homes they work. But this is a problem Vice Mayor and I agree it's a problem. I'm not discounting it. This is a problem that's more common on 57<sup>th</sup> and on Eighth Street.

Vice Mayor Lago: Okay. And I agree with your comments, except that we've been having these discussions for years already, and Code Enforcement can only do so much. For example, they could not find that gentleman, because when he finishes dumping the waste he was gone. So, it's not like you're going to find somebody who lives outside the city. That just doesn't happen. So, you know, the idea of Code Enforcement resolving the issue, I think it's an easy answer, but it's not the actual solution. We've talked about removing all trash pits on 57<sup>th</sup> Avenue, except for certain residents, it's obviously that their ingress and egress main point is 57<sup>th</sup> Avenue, you have no other choice. Where this gentleman dumped that landscaping and where you saw that printer dumped is literally a block away from each other. That's right there on 57<sup>th</sup> Avenue. None of those homes face 57<sup>th</sup> Avenue. They're all on the main street would be Miller or Sorreta, which is a dead-end street. So that type of response doesn't work in these cases. What is the answer? And this is why I want AI, because this is going to take political will. This is going to be a very, very tough

decision and I'm telling you why I brought up the fact that you know, the economy is having major issues and I want Al to explain and put it on the record the amount of money and how much this is going up year after year after year in regards to green matter, because everybody knows that the landscapers around Miami-Dade County are leaving us for last and dumping all their waste here. And I want to put it on the record so he can explain and give us the real numbers of how much we're having to take out every single day or increase garbage fees for the residents which, as you can tell have gone up incredibly over the last nine years, and I have the figures are included in the memo, as part of my second question. So, Al, can you give us a little bit more background after seeing that video and the many discussions that we've had about what options we have at our disposal.

Director Zamora: Good afternoon, Mayor and Commissions, Al Zamora, Assistant Public Works Director. The numbers that we are speaking about, I think I've brought up a couple of times. It's 32,000 tons a year for a city our size it's just too much. There shouldn't be that amount of green waste being generated in a city of our size. We have done some things to try to eradicate it, but you, Mr. Vice Mayor, you hit it on the head, enforcement almost impossible. That means we would have to have an army of enforcers out there with cameras with co-compliance officers and catching these people in the act. Now what I can do is, give you something that might help that I did in my prior life at another municipality. And bear with me and I'll spell it out. This has nothing to do with eliminating trash or anything else.

Vice Mayor Lago: No, don't say that. Don't say that because...

Director Zamora: That's what I said. I just said that. It has nothing to do with that.

Vice Mayor Lago: But let me put it on the record, I'm sorry to interrupt you, because there's certain people that use that as a political sword, you know, they start scaring people. I got several calls this weekend – hey, I hear you are going to eliminate trash pits.

Director Zamora: No.

Vice Mayor Lago: And it's in my memo by the way, my memo that not many people read but it's here the memo that says, this is not about an eliminating trash pits. We are not having a discussion about eliminating trash pits, or valet service. Let me be clear, on the record, not about removing valet services. 150 percent I do not want to have the discussions. Go ahead.

Mayor Valdes-Fauli: Go ahead Al.

Director Zamora: Correct – and I made that clear when I started.

Vice Mayor Lago: Thank you.

Director Zamora: What I did in my prior life, we were having the same exact issues. Basically, a trash pit that is just wide open is an invitation for people to dump. It's the broken window effect. It got to the point where what we did through legislation and our cities are very similar, affluent,

they're very similar in parts, you know, in the residential part of Miami Beach anyway. The first thing we did was we adjusted the code. In the code we said, anybody, any landscaper, any contractor that does work must take the stuff with them. We understand that a hundred percent of the of the residents in Coral Gables don't have a landscaper. So, what do we do with that small percentage? We told them that you do your yard work, you do your yourself, you package it, you put it on the swale, and we'll pick it up with their municipal solid waste. You have, obviously, we pay them five free pickups a year, at no cost, up to 23 yards. That's a hundred cubic yards. If you could do a big cutting that should be more than enough for a regular home. So, what you would do is, you plan your cuttings, you'd call us. You'd schedule a pickup, you had up to 20 cubic yards, that's a truckload, five of them a year, we'd go out and pick it up. If you needed more than that, then there would be a charge.

City Manager Iglesias: Let me clarify that for one second. What we are talking about here is limiting trash pick up to five times a year without a fee. We are talking, we are currently going to every home 52 times a year. We go by every trash pit once a week. Just want to make it clear, we are also saying that all landscapers must remove their tree clippings. Owners can bag it and it will be picked up with trash. But you are also limited your trash pickups to five pickups where the people call them in, so you can schedule them appropriately a year. Is that correct?

Vice Mayor Lago: I know you want to be clear about that comment. I just want to also give you a little bit of background about where we are headed. And this is why it's important to have these discussions on the record. And this is why Zoom is a little bit difficult. You know, since 2011 to 2020 solid waste has increased nearly eleven-point two percent every single year. In 2021 it is expected to increase nearly 20 percent, which is a significant increase in the matter of one year. Obviously, we're talking about the pass through from the county and the elimination of the early payment discount. Other contributing factors as we've discussed are the issue that's happening with illegal dumping and we're going to see this number, by the way, continue to skyrocket, because if you read the last article that came out in the, excuse me, in the Wall Street Journal, which I have it here, on May 10. It talks about China's role in the international garbage community and how their that's resulting in massive increases and what we're going to see in 2021, 2022 as they stop buying recyclables. How that's going to increase the cost of sanitation and how Waste Management they recorded in that article, and how they are dealing with it. They are going to increase cost. There is no other way of dealing with this issue. Let me just finish Mayor.

Mayor Valdes-Fauli: Please finish.

Vice Mayor Lago: Mayor, I'm not in a hurry.

Mayor Valdes-Fauli: No, no, no, neither am I, but we've...

Vice Mayor Lago: This is important. What I'm trying to do here, what I'm trying to do here, we have to start discussions, because if we are going to vote to raise fees every single year and this is going to continue to go in that direction. You've seen the numbers go from \$685 to you know, \$810 here on the graph. It's the solid waste graphs that were provided by Al Zamora in his

presentation. You know, there's a lot of people in this community that are not wealthy, a lot. There's a lot of people that are in Social Security. There's a lot of people here that on pensions that have not gone up, and everything else the cost of living continues to go up; food continues to go up; the price of electricity; the price of a lot of different things keep going up. So, we just cannot continue to say, hey listen, if the price was up, we just pass it on to the residence. And these numbers, and I want Al to verify this, so this is not that I'm just making this up. The prices are going to go up even more dramatically because of what's going on with China.

Mayor Valdes-Fauli: Can I?

Vice Mayor Lago: Go ahead.

Mayor Valdes-Fauli: Finish up. Finish up.

Vice Mayor Lago: So, what I'm saying is very simply is, I don't want to make decisions today. I just want to have start having a conversation and learn and have Al educate us about what other cities are doing, because at one point we're going to have to face this. I got rid of my trash pit, Commissioner Mena got rid of his trash pit. I'm not saying to get rid of trash pits, but there has to be a discussion about whether, what are we going to do with all this landscaping that every single year keeps going up massively because landscapers are dumping in our city knowing that they will save money from having to go to the waste facility. They'll just dump it in one of our pits, that happened on my street this week. If you drive on Albino right now, you'll see a massive amount of grass clippings that are not from any residential home in our neighborhood.

Mayor Valdes-Fauli: Vice Mayor when you finish, I would like to...

Vice Mayor Lago: Go ahead. Go ahead Mr. Mayor.

Mayor Valdes-Fauli: Bring this back to, bring it back to the discussion we started having. We started discussing trash pits and you showed us a picture or two pictures; one of a printer and another one of the guys crossing Red Road. We started talking about trash pits and the discussion deviated to the economics of the trash pickup.

Vice Mayor Lago: Well, that's part of it.

Mayor Valdes-Fauli: No, it is not part of it. We either discuss trash pits or we discuss the economics and they are different discussions. They are different discussions. The solution for the trash pit is not five times a year. If it is five times a year, you're still going to have people dumping it in the trash pit in front of your house and forcing you to call for that five times a year or forcing you to call for a special pickup. These are two different discussions, very valid discussions and I agree with you that it deserves to be discussed and I'm in no hurry either, but they are different discussions. Trash pits and the economics of China and whatever it is. I am very proud of our 44,000 pickups a year and our 11,000 residences. I'm very proud of that. And I think that that's part of the Coral Gables service that we provide but, the economics of it is a different discussion than trash pits.



Vice Mayor Lago: Again, the economics is point number two, so we can either discuss it now or we can discuss it in point number two. Mr. Zamora, please move forward. Thank you.

Mayor Valdes-Fauli: Thank you Al.

Director Zamora: Are we discussing trash pits right now?

Vice Mayor Lago: Yes – trash pits.

Director Zamora: Yeah. I wanted to make sure. You asked me for my opinion on how can we control illegal dumping. That is one way that in the past, I've been able to do that. Again, it's a broken window effect. It is common knowledge among the landscapers that you can dump on the side of the road anywhere in the Gables and it will get picked up. So, what is the message we're sending to the landscapers? Bring it on. We'll pay for it. We'll pick it up. And that's, I guess, the direction you have to give us, because it's going to take a change of legislation. It's going to take a change of culture. So, you need to let us know where you want to go.

Mayor Valdes-Fauli: There will be a change in culture. You are absolutely right, and maybe this is a discussion to have in a live meeting where people can come and express their opinions, because it is a change in culture and a very important change in culture in Coral Gables. We, many years ago, 35 years ago as a matter of fact, in the 80s changed the culture. We used to mow the soils in front of homes, and we decided that that was too expensive. We were not going to mow swales anymore and the uproar was significant, but we stopped mowing swales in front of the homes. And we changed the culture, and this is another one of those that may be deserved and may be the thing to do, but we need to discuss it at length.

Director Zamora: The last thing I want to do is bring hardship and that's why I mentioned what I did on the Beach. Bringing hardship to people, they can't afford a landscaper that have to do their own work, but we have a solution for that. I don't have a problem with that. I think what we're discussing here today is, I want to say perception that we're giving the rest of Dade County is that bring it, you know, just bring your trash and we'll take care of it. And as that happens, obviously, economics play a point in it, because that one, two, three percent increase that county is going to charge us happens across the board in any municipality. There's two ways of handling that. You can increase your fees to the resident or absorb in your tax base. And at the end of the day, it's the same thing, because if I've got to spend \$70,000 more in trash, okay. I don't increase it to the resident, but that's \$70,000 less that the city has to invest maybe in a park. That's the point that I'm trying to make. That one point five, that two percent, that two and-a-half percent that the county raises its tipping fees, there is no way around that. No other municipality – everybody pays for it. That's just like water. That's just like sewer. That's just like electricity. That's a built-in cost to get rid of the waste that we collect in the city. Now where we do save our money is, how do we control the amount of waste, and I think that's what the Vice Mayor is saying. What do we do to control that amount of waste that's coming in. We know we're going to generate waste and we know we got to get rid of it. We can't burn it. We can't take it out to, you know, illegally dump it

out and in the Everglades. We have to take it to the county. So, control the amount that we're taking to the county.

Vice Mayor Lago: Go ahead Mike.

Commissioner Mena: Sorry. I was just going to add a point which is, I agree with a lot of what Al is saying. I think in between what we're referring to as illegal dumping right, so people from outside the city coming in and dumping on the swales, in between that and the economic discussion there's also, we have a lot of non-compliance by residents, not illegal dumping from outsiders. Yes, we definitely have a lot of that and that's really important. But we also just don't enforce well enough our existing rules where people put their trash out three, four days before it's getting picked up when they're really only supposed to put it out the night before. We have a lot of people who do a great job of abiding. But if we're being honest, we have a lot who don't, and they also don't comply with what material you can put in, a lot of times, and with respect to the idea that it's sort of open season for dumping and you can just put it anywhere, I think is the point Al's making about this broken window effect. I can tell you anecdotally, when I close the trash pit in my own home, I was sharing it, when I bought my house, the existing owner was already sharing it with the neighbor. So, I sort of inherited that. And when I closed mine and I let my neighbor know, I was trying to make it as easy as possible for them. So, I called the city and I said, hey, look, how do they go about registering a new trash pit on their property, if you will, letting the city know that they're now going to have one on their swale. And the answer was, oh they don't have to do that, just put anywhere on the swale and they'll pick it up, which is nice, but it's sort of symptomatic of the problem, which is again, if there's anything on a swale in our city, we're picking it up. And wow, we do a good job of picking it up and we have a lot of touches. A lot of times you're driving around the city during the week just seeing giant trash bits for days at a time with all kinds of stuff in it and it looks horrible.

Director Zamora: If I can interject a little bit. The code actually reads that if it's green waste you can have it out at any time. It's not, you know, 24 hours before you pick up. That is for furniture and everything else. Green matter, which is 80 percent of what we're talking about here, you can put out on a Monday, even if you're a pickup is on a Friday. So, I just wanted to clarify that.

Vice Mayor Lago: Al, the green matter, on the green matter. How much of an increase are you seeing year to year, would you say?

Director Zamora: I would say about 2,000 cubic tons a year, year over year over year. There is one year right before I got here...

Vice Mayor Lago: The hurricane.

Director Zamora: Yeah, Irma did a clean out and the numbers were low, because a lot of it was done under the FEMA, but I'll give you an example.

Commissioner Mena: Al, the irony here is, if I could just add. The irony is, I can tell you, and I'm not ashamed to say, I probably have one of the cheapest landscaping companies out there. I do not

pay a lot of money at all and in some respects, I get what I pay for. When I asked my landscaper, and I told him I was closing my pit that he had to take it from now on. He did not charge me one dollar more. He just took it. Now, if you're cynical, you might say, well if I just dumped it somewhere else. If you're not, you might say, okay, he just took care of it. Okay. In either event these people want and need the business and the idea that landscaping costs are going to skyrocket, because they have to take it with them. I think is, I don't know how accurate that is. I think they'll figure it out in order to keep your business. So, you know, I would love to, at a minimum, if something comes out of this discussion, I would love to address the point that Al just made about maybe we can do something about not allowing green matter to be out there indefinitely. Maybe there should be a rule about how long it can be out there at a minimum. I think that's a worthwhile discussion as well.

Director Zamora: And Commissioner, we understand, like you said, you know on a weekly basis or on a weekly basis, your landscape becomes by and he's not going to generate much, but you know, but that's where I on the Beach said, okay, you get five a year for free, because you're going to do a big cutting before the hurricane, you want to do that and that's covered with one of them. You want to do one mid-summer. You want to do one in the fall. So, if you know if you have a landscaper doing it, you're entitled to five big ones. I mean and it's scheduled so we can, we don't have piles throughout the whole city. We can schedule it where we can zone it out and say, okay. You've got a pile your day is Thursday have it out there by Thursday. That way a code compliance officer riding in the city, he knows that Thursday is Zone B, let's call it. Now if he's got a pile in Zone A, there's a problem. He needs to stop and take care of it. That would be quite...of trying to control and that controlled the illegal dumping by itself. These parameters that we put in there sent the message that we're not taking your stuff anymore. You know, it's not a free-for-all anymore. We can't afford it.

City Manager Iglesias: And if I can say something Commissioner Mena. If yard waste company is going to collect all their debris from one day and then take it to a transfer station and pay \$60-\$70 a ton for it, that's not free, that's not free.

Mayor Valdes-Fauli: That's not what? That's not what?

City Manager Iglesias: That is not free Mayor. That is not free. I'm saying if a landscaping company collects all their trash every day, that trash at the end of the day has to go to a transfer station, and they are paying \$60 to \$70 a ton to dispose of that green matter, that is not free. So, whatever they are doing, I don't know, but that's not what it cost us, that's not what it cost at the transfer station. I'm not being cynical either. I'm just saying that there are costs to doing it.

Mayor Valdes-Fauli: If I could interrupt. We are going around and around in this, and maybe we need a proposal from Vice Mayor or Commissioner Mena or somebody to discuss this at a live meeting with a proposal and...[Inaudible]...in order for us to deal with this issue.

Commissioner Mena: I'm operating under the assumption that we are going to have discussion on a lot of these issues today, not necessarily reach a conclusion to your point. I think some of these

are going to require a harder discussion for sure. I defer to the Vice Mayor on that, obviously, it's his item. But I'm willing to keep talking about this or any other item he has on the agenda.

Vice Mayor Lago: I agree with Commissioner Mena on that point. What I'd like to see is Al, who has a great expertise and knowledge over the last 25 years of being in this industry, to educate us. Send us a memo educating us on these points. What options do we have? Analyze every option. I want to put on the record, because I've gotten a few text messages that, obviously, the Commission is taking away trash pits. We are not taking away trash pits.

Mayor Valdes-Fauli: I think we are on this. We are taking away trash pits, but...

Vice Mayor Lago: Mr. Mayor, let's be, let's look at it this way. How about we look at it this way. I think it's an opportunity to be sincere about our approach. When you have somebody who's paying close to \$900 dollars a year for their trash bill, correct? And they live in a small home in North Gables and they're a retired person, who's living on a pension and Social Security, and they're paying the same amount of money as a person who lives in a 5-acre estate on the other side of Coral Gables. To me, I understand the equity in that, and the way it has to be done, but that person is under a lot of stress and as we increase these rates, for example, next year is going to be a 20 percent increase for that individual, that's very painful. That's a significant increase on a person. Like my grandmother who lived in the Gables for 50 years, lived on Minorca in a very small home, and every single time that there was a little uptick in the cost of living, you know, I heard about it. Trust me, I heard about it and that's painful.

Mayor Valdes-Fauli: Maybe we should differentiate between the 5-acre estate and the 50 by 50 lot.

Vice Mayor Lago: That's part of the conversation today on the items, on the agenda. When you talk about these issues, when you have an issue, you have an issue of a home five acres, seven acres, four acres that's producing a significant amount of green matter and a lot more waste, you have a lot more people living in the home, than somebody who lives alone, and they pay the same amount. Like you said before, we are talking about something else, we are talking about something else. I just wanted to bring that up and I'd like to hear Al, just give us ideas on what does he recommend. What does he think we could do, but the idea of saying that we are going to take away trash pits, I want to put a stop on that, because I don't want to appreciate that and when you start receiving emails? This is supposed to be a conversation about trying to save money and pass those savings on to our residents. If you look at point number two on the agenda it says, let's find ways to save money so we can pass it on to our residents, those savings. So, there won't be increases in the future. So, if you'd like, to move onto item number three. Mr. Zamora, I've had some discussions with some of the sanitation employees and I want to put it on the record, because they are concerned about the new machinery that was recently purchased and their biggest concern, and you and I have had this discussion before. It's an issue of safety, and the fact that the cages and the legs that come out. Can you tell my colleagues on the Commission and put it on the record the effect of these new machines that we just bought please?

Director Zamora: Sure. I've also had a discussion with the Mayor on this, one-on-one. I did a presentation on the benefits of going to a, what we call a self-load machine versus a crane with two dump trucks following it. There are a lot of advantages to, what I call the self-loader. First of all, it's a lot lower. We have a case, when I first got here. The other day we had one where that the trucks that we currently use, they have like a booth over the top, and with the low canopy, we blow out the windshields, we blow out the sides of this booth. The other issue that we have is, the guy that's up there cannot really control the boom as its going down, because he is sitting up high, he is not seeing it exactly what he's picking up. That's causing some issues with the trash pits. Sometimes, you know, if you don't have the finesse, you are slamming down the boom to try to get what you're getting, and you are picking up some dirt, along with the debris. The other thing that I see is that they operate looking backwards towards the truck they are loading, and human nature tells you that you're not going to get down from where you are working if you've got to go 30 feet forward to the next house. There's no way of telling what's in front of you. There are no mirrors. So, you are blindly backing up to the next house, so you don't have to...[Inaudible]. These booms, they swing. When you are turning a corner, if you don't take the time to lock them in, they'll swing out and hit somebody. And then the fifth thing is, and I cringe every time I see this on Coral Way. Its two lanes of traffic, you've got the crane in the front...[Inaudible]...in the back, that means there's sixty feet of space that nobody has time to wait for us to pick up a pile. They swing around us. Its double the problem. And the last thing is your exposure. The clamp truck, which I call the clamp truck is two trucks in one. It's a mechanism that, it's a crane the sits on the truck of a body, so all you are doing. First of all, you're almost at ground level, you're seeing what you are picking up. You're seeing how you are stacking the truck, because you're right there. Yes, there is a drawback. You're not sitting in an air-conditioned cab, but there are ways of modifying a piece of equipment where you put an umbrella under it. You know, it's something that's been around the industry a long time. Some of the municipalities, especially Miami-Dade County, it's just more of an efficiency of equipment also.

Mayor Valdes-Fauli: And a safety issue.

Director Zamora: And the safety issues are a lot less. There are no safety issues that I know of, unless you want to count that you have to sit outside, instead of an air-conditioned vehicle.

Vice Mayor Lago: And I appreciate you putting that on the record, because when I met with some of the employees who came to see me, and I know they went to see the Mayor and probably some of my colleagues also. They were concerned about the actual new machines and...[Inaudible]...you telling me that we bought them, obviously because they are more efficient and a lot safer. These individuals, they do a very stressful job and we want to make sure, obviously they are in the most safe conditions as possible.

City Manager Iglesias: The equipment being used during Irma in the north part of town, it was extremely efficient, and they were very helpful in taking care of our northern part of Coral Gables. And they worked quite a bit with our mulcher that was located at the end of Country Club Prado, very effective operation.

Mayor Valdes-Fauli: It is a safety issue.

Director Zamora: These pieces of equipment have a purpose out in rural areas where you can swing and you can move, but even in Mr. Kessler's preliminary report, it strongly talks about the self-loader. I had all self-loaders on the Beach. Private industry uses self-loaders. The county, you can see more and more of them coming on board. It's part of progress, I guess. That's one of the few things that I've been able to automate here on the Beach, I'm sorry.

Vice Mayor Lago: Don't worry about it. Don't worry about it.

Director Zamora: In the Gables and we've instituted it. Maybe Mr. Kessler wants to touch a little bit on it.

Mayor Valdes-Fauli: Thank you. Vice Mayor are you satisfied?

Vice Mayor Lago: Of course. I just wanted to put that on the record to make sure, because I know the employees were concerned about that and the city, the Manager's team, this Commission always have their interest at heart. So, we want to make sure we are keeping them as safe as possible.

Director Zamora: So does the Assistant Director sir.

Vice Mayor Lago: Yes – always, excuse me. Number six – are we enforcing cubic yard limits for trash pits. How do we deal with that? Talk to me, because that goes back to a little bit of what Commissioner Mena was saying, that you have some of these pits that just, it's happening in my neighborhood. You have massive amounts of yard clippings and instead of taking it away, just put it there and we are talking about taller than cars. What are we doing in regard to these situations? Are people being forced to pay for it?

Director Zamora: Currently the code reads, anything over one cubic yard you charge \$10 a cubic yard for it. Again, we would need an army of code compliance officers to go ahead and enforce that. The steps that we've taken – a year and-a-half ago we transferred a code compliance office to a right-of-way inspector. His job is solely to inspect the right-of-way...[Inaudible]...Since the one yard, what's on the code now, is almost impossible to enforce, what we've done is anything over five cubic yards, we will stop, tag, and charge. It is a 35 percent reduction. You know, we do our measurements, times it by point-three-five, and we charge \$10 a cubic yard for it. Some people understand, some people call City Hall, but I mean, that's what we have in place right now to deal with these 40-50 cubic yard piles. You're right – most of the piles of the city, and that's how we are handling it right now. I don't – we are doing the best we can with what we've got. We are generating some money. I can tell you an average of about \$10,000 a month is being generated through this system, which was \$10,000 less than we were getting two years ago a month. So that's what we have in place today.

Vice Mayor Lago: I congratulate you on that. I know that you are playing a big part in that, along with Devin and his team. So, I congratulate you on, again, enforcing that, because we all have to

pay for it one way or another, and it's only going to get worse as the many conversations we've had.

Assistant City Manager Santamaria: I would like to add that what Al just mentioned about that \$10,000 in revenue, we'd rather not collect it.

Vice Mayor Lago: Of course. I understand.

Commissioner Keon: Mr. Zamora, would you suggest that we change the language in the code to be five as opposed to one, if we can't enforce at that level?

Director Zamora: I hate putting laws on the books that we can't enforce. That to me is a waste of time. I would suggest that, that we come up with a number that we can all agree on.

Commissioner Keon: Could you put something together and just put it on the agenda under the City Manager?

Director Zamora: Sure.

Commissioner Keon: Alright. Thank you.

Director Zamora: Are there any suggestions from the Commission?

Commissioner Keon: If you know its five, its five. I mean, if you know what you can deal with, its five. I can't pre-judge the volume of a trash pile. I don't know that. You can tell us that. What is an average size to be the size of their trash pile?

Director Zamora: It all depends. Let me give you a mental picture of what five cubic yards look like. You take five washing machines and you line the up.

Commissioner Keon: That's a lot of waste.

Director Zamora: Yes. That's what five cubic yards is. Just to give you a picture of what you're looking at.

Commissioner Keon: But that's how you differentiate between, you know, small homes and large homes, is that you add an additional fee for the cubic yardage of the trash that's going out where you can actually say, the person that lives on a 50 foot lot on Mendoza or one of those streets in the North Gables, that has very little trash, very little yard, would then pay the basic whatever it would be, and you can then increase – because these are fees, they are not taxes, they are fees. They really are, they certainly can relate to the volume of trash that you put out there. You could look into that and come up with a recommendation based on that as to how we differentiate between Commissioner Lago's grandmother's house and a very large home that may be generates five cubic yards weekly, is a lot. Maybe if people do a major before the hurricane or after, whatever, you may have twice a year that its unlimited, but generally on a week-to-week basis it shouldn't be. I mean you're picking up trash every week at the house. It shouldn't be...[Inaudible]...five times...out there. So, the number that would be easier to enforce, that would

give you the ability to differentiate between a very small amount, as opposed to a very large amount, and that would also generate some revenue, which Commissioner Lago has suggested is to add to the fund that takes care of waste.

Director Zamora: Just to clarify on what I said. If it's under five cubic yards, we just take it, we don't do any additional. I just want to make that clear.

Commissioner Keon: I heard you say that. Right. But I think five cubic yards seems like a lot of trash.

Director Zamora: It is a lot of trash. We are being lenient that's why I ask the Commission to maybe have a discussion where do we want to be at.

Commissioner Keon: That's what I would make a recommendation.

City Manager Iglesias: Commissioner, we've had a lot of discussions over this, and we can't have a system where we are issuing thousands of these a week; and so, five cubic yards really is kind of a breaking point, because remember that compresses, as you get into the truck and so forth, and so washing machines don't compress. So that was an interesting analogy.

Commissioner Keon: Okay. And that's what I said. I don't know that number. You can come up with a number and you can propose that and if it also differentiates between the size of lots. People have written to us with that proffer. They don't think they should be charged the same thing that's on an acre or very less, whatever. Maybe you could put that on the agenda or at least propose something under the City Manager and let us have a discussion on a very specific set of guidelines.

Mayor Valdes-Fauli: Your concern Vice Mayor, this would be a very, very good proposal to discuss differentiating between the...[Inaudible]...in order for us to charge four different amounts. I think it's an adjustment to our system.

Vice Mayor Lago: I've been writing down a few ideas of what I'd like to see. I'd like to see Mr. Zamora and his team come back to us in say, a month, and say these are some ideas. I'd like to see what if you close your pit. If you close your pit voluntarily, like Commissioner Mena and myself have done, let's give them a rebate. Let's give them a rebate on how that will affect us, if they close their pit. We are going to obviously make money on them, because they are not going to be throwing away yard waste and there is going to be a win-fall for the city. Let's talk about a rebate or a discount for people who close their pits. Let's incentivize them, that's number one. Number two, we've been talking about this for two years. Mr. Santamaria, I want to see all trash pits removed on 57<sup>th</sup> Avenue, unless your home face 57<sup>th</sup> Avenue. The idea like somebody like myself can live on San Amaro and throw all my garbage on Rubina and my neighbor has to just deal with it, for as long as he's dealing with it, is just unacceptable. Just because I can't see it from my front door, its unacceptable behavior. It's not Coral Gables-esk. And I talked about this before. I woke up one morning on the way to a run, I come outside, and what motivated me to get rid of my trash pit 200 white tiles, roof tiles, were thrown on a Saturday night in my pit. I had to pick those up and I had to remove them, and I had to pay to have them removed. We've been talking about this for



a long time. I don't understand why we can't close them, sod them, put a notice on the resident's homes saying, you need to put a trash pit in front of your house. No more on 57<sup>th</sup> Avenue, unless there is a resident whose property faces 57<sup>th</sup> Avenue. You can do that on 8<sup>th</sup> Street, you can do that on 37<sup>th</sup> Avenue. These are things that will beautify...

ACM Santamaria: I'm sorry, we have done it on 57<sup>th</sup> Avenue and we've done it on Bird Road.

Commissioner Keon: You also need to look at Old Cutler, any place where those large stretches and people are coming from outside the city, are subject to...[Inaudible]...and so, one of them is certainly Old Cutler, Kendall Drive is another, and Erwin Road is particularly an issue here in the city, because it divides unincorporated...and so people just move it to the Gables side of the street, as opposed to doing it on their side. So those are fairly easy to really need to pay attention to with regard to trash. You could add those to your list.

Vice Mayor Lago: I want to address the ACM's comments right now. Yes, you have. You have been closing them, but I just gave you a video and I gave you a photo of two examples that continues. So, again, let's talk to the homeowner and eventually we have to start with the homeowner. We have to fine the homeowner.

ACM Santamaria: [Inaudible]

Vice Mayor Lago: I'm sorry.

ACM Santamaria: Something like that might be something that we'd have to add to the code.

Vice Mayor Lago: I think we have to add to the code, because at the end of the day, you're seeing somebody dump all these palm fronds every single week and its happening from all the homes in that area. Across the street in Miami-Dade County they are dumping into the city and we're paying for it. That's how we got that increase of thousands and thousands of tonnages a year for green matter.

Commissioner Mena: Who are you fining there, Vice Mayor, I guess is my question. Like the video you sent of somebody crossing the street, you are going to fine that homeowner, because somebody crossed the street.

Vice Mayor Lago: What I'm saying is, the issue there, the issue that you see is that Mr. Santamaria said that they already went and removed those trash pits on 57<sup>th</sup> Avenue that they are on the side yard, that are not facing. So, obviously it's not working, so then you have trash there. When our waste team goes to pick up that trash, they say, Oh, side yard, right it down, notify Mr. Zamora. He'll send it to Devin; Devin will get Code Enforcement and send them out there. Say listen, you can't have, we've already closed this pit on the side yard, you need to have it on your front yard. You need to have it on your front yard. All that area is going to be trees on 57<sup>th</sup> Avenue. They are going to run trees to beautify that whole area. This is the thing. When you get rid of those dumps, those holes, those pits, it will stop people from dumping there.

Commissioner Mena: I'm 100 percent with you on that. I think that's a no-brainer and I think the example you're talking about it was an actual pit, a physical pit.

Vice Mayor Lago: Yes, but they closed it. They closed it and they continue.

Commissioner Mena: Right. My concern is if somebody closes it; its closed, its grassed over; they stop using it, but somebody is still crossing the street from 57<sup>th</sup> and putting, you can't fine them for that.

Vice Mayor Lago: I know. You're right.

Director Zamora: And that's the point I wanted to make. Nobody in that video was a resident. That's why if we – it goes back to my suggestion is, if you create as a contractor, by code you've got to take it with you. Why dump it on our swales? I think that's something that we have to have a home here.

Vice Mayor Lago: That's a conversation, like the Mayor said, I want you to give me ideas. Give us ideas on that. Let's talk about it. Maybe we can give somebody a credit for not having a pit, I mean a significant credit, \$100 a year. Something that makes it worthwhile, because I will be honest with you, and I know Commissioner Mena and I have had this conversation since he got rid of his pit. I don't miss it at all. My swale is beautiful, my landscaper takes away the green matter. If I have anything to throw away, I just put it literally on my driveway and they take it away and sell it. Gone by the next day, but that's fine. So that's another thing. I think we need to revamp the cubic yard amount for trash pits, like Commissioner Keon mentioned; and I think that we also, one of the things that I mentioned to you before, and I mentioned it to Ed and Peter is, we need to use the NSA's. For example, the NSA in my neighborhood is incredible. He is on the ball. That guy is doing such a wonderful job. We can use the NSA's, they know when its trash pickup, recycling, they can maybe help out with Code Enforcement, if its something blatant. If its something like a couch has been thrown out there the day before, they can call Code Enforcement and say, listen, you have a situation, and they can assist Code Enforcement and at least notify. They are on the ground. They are going around the neighborhood. I think that could be an opportunity to use that resource that we already have.

Mayor Valdes-Fauli: Very good.

Vice Mayor Lago: On to the next item. We are almost done. Last item. I wanted to just bring up really quickly and discuss the current commercial waste hauling RFP. I don't know if anybody has had a chance to review it. It's a pretty significant RFP, its right here. I have one concern. I spoke to Miriam and I wanted to make sure to put it on the record. In regard to the RFP, I want to make sure we evaluate the way in which the RFP itself is structured. For example, presently experience and qualifications are 40 points in the RFP; and the past performance is given 20 points. Therefore, that's a cumulative total of 60 points that counts for experience. Essentially, this takes away the cost savings that can be generated through competition and ensures the incumbent will be recommended. Why do I bring that up? I bring that up because we have an incumbent that when

you add the numbers, they are already starting off with almost a 60-point lead on everybody else. So, if anybody comes in and gives us a really good price, the price is going to be three times less than experience and qualifications. Again, I always want experience, I always want qualifications. I do these RFP's all the time, but I want to be very careful that we're not just choosing somebody their number comes – I want to look at everyone.

Mayor Valdes-Fauli: [Inaudible]

Vice Mayor Lago: And I also...

City Manager Iglesias: Vice Mayor, you are assuming that that experience and qualifications only deals with experience and qualifications in the City of Coral Gables.

Vice Mayor Lago: I understand.

City Manager Iglesias: If you have multiple cities, that experience and qualifications is fine...[Inaudible]...

Vice Mayor Lago: Okay. But I also want to be very clear here. Relevant experience should not just be cities. I want it to be large jurisdictions, like the County, the School Board, should also be considered, because they also provide significant services. I don't want to exclude. I want to have a big pool of companies come in and compete for this work. This is the first time we get to see a different angle, okay. Just putting my points on the record. I want to make sure that everybody...

City Manager Iglesias: We will clarify that item, that experience is experience in the business, it's not necessarily experiences in Coral Gables, whether you are in the county, in other cities, that's all relevant experience.

Vice Mayor Lago: I just want to be careful that it doesn't seem like its written just for the incumbent.

Mayor Valdes-Fauli: We also have the bad experience, Vice Mayor, of our valet parking; and we had the low bidder and we gave it to them, and then in three months they couldn't comply with the contract. The company sold and then we were stuck with a company that couldn't perform. I agree with you that the price should be one of the main considerations, but we also want a large company and not the low bidder, a large company that will provide services over the long run. And there are three or four of those in Miami-Dade County and we should look at those, and not low companies that want our agreement and then they can't comply with it. I think that we're on the same page on this.

ACM Santamaria: Mayor, if I may, we have Al Zamora and Mitch Kessler. Both of them worked very hard on this RFP and perhaps this would be a good time to listen to both of them as to their feelings on some of the concerns surrounding the RFP.

Mr. Mitch Kessler: Sure. This is Mitch Kessler. Thanks Ed. I guess, Mr. Vice Mayor, I appreciate what you raised on that, and I think it's an important point. And just so we all know what the

coming attraction is, next week there is a pre-proposal meeting, I believe its July 2<sup>nd</sup> and following that pre-proposal meeting there is the opportunity for vendors to ask questions. So, I think the vendors will raise a number of those points that you raised, and it gives the city a chance to consider that, address it. And it's always – we've done 30 procurements in the last three years around the State of Florida for jurisdictions. And always a big policy issue, how many points to put in different areas. And that is something that can be modified and adjusted should the decision-makers think that that's appropriate. So, I just wanted to be clear. I think you raising it is a great point; and there are still two opportunities to address that issue.

Vice Mayor Lago: Listen, I have the utmost faith in yourself and Mr. Zamora and obviously the ACM and the City Manager to put together something. I read the entire RFP. I read a lot of these on a monthly basis, we compete for different procurement opportunities, but RFP's RFQ's, it was very well put together. I want to commend you on that. I just wanted to put that out there, because I want to get as many people to be able to engage in this process. This is about saving money and getting a great service – saving money while getting a great service. And I want to make sure that people aren't turned off because they feel like its cooked for one entity versus another. So that's it. That's all I wanted to say.

Director Zamora: Commissioner, I did want to add one thing. It wasn't just me and Mitch, there was a lot of talented professionals from other departments that played a big part in putting this document together; vetting it, outside from the inside. So, I want to make sure that that's understood that I wasn't just the sanitation. We had procurement, we had legal, a lot of other departments had a lot to do with this.

Commissioner Keon: Mr. Zamora, I also read the RFP and I will commend you for it, because the only thing when I read RFP's is what I'm looking for is that there are not...[Inaudible]...are solely applicable to one specific organization, and you never do that in this RFP. So...[Inaudible]...open and available to anyone who provides a service can certainly bid on this RFP.

Director Zamora: An RFP has to be something that the community needs. Every municipality is different, and we all have our own quirks; and if we need an item done, we have to put that in the RFP.

Commissioner Keon: Yes.

Vice Mayor Lago: Al, if I may just add one thing. I skipped the last point before we get into open discussion. We've been pending, for the last few years and I think we have \$500,000 in the budget for it and its item number 4, recycling update regarding the proposed recycling bins. And there has always been that back and forth about top versus no top, contamination rate increase. Where are we right now? That's a \$500,000 number. Are we finally going to order these bins? – Are we not going to order these bins? – Are we going to stay with what we have? What is your recommendation or would you like to not give me that recommendation today and put it with all the other items that we've discussed and ideas? We want you to bring us ideas.

Director Zamora: I think I've given you this recommendation a couple of times.

Vice Mayor Lago: But not on the record. You've never given it to me on the record like this.

Director Zamora: Oh, yes. I gave a presentation at one of the Commission meetings.

Vice Mayor Lago: Maybe I don't remember. Sorry about that.

Director Zamora: And me and Mr. Mena had a little conversation on it also. Two years ago, prior to me getting here, and I'm glad Mitch is here, because he was part of that presentation. It was presented as a cart, to be put in place of what we have now.

Vice Mayor Lago: I'm testing that at my house right now. I'm testing that cart at my house.

Director Zamora: Okay. That cart was built for automation and automation only. You have to – somebody's got to take it out, so they can dump it, and somebody's got to take it back to the curb, take it back to the back of the yard. The problem is the industry has changed so much that that cart is a problem. Why would I spend, if there's no way of going to curbside, those carts are \$55 a piece? That means I've got to spend half a million dollars on the carts, okay. Now I need to hire people to bring it out so my truck can dump it and hire people to bring it back. The other thing is, my...[Inaudible]...rate is going to go from 8 percent to 40 percent. So, in this system right now, recommended going to a 22-gallon can, which is \$7 a piece, which gives us the option when we go to the back door to rummage through stuff. If there is anything that doesn't belong in there, we leave it. We take these 22-gallon dumpsters – it's not the greatest system, I'm not saying that, we dump it into a cart, and we take it out to the truck. Now, if we go ahead and spend half a million dollars on these carts, the ramifications are these, and I can tell you this right now. You are going to have to add people. If you don't want to add people, you are going to have to go every 15 days instead of weekly, because there is no way – right now they're doing 1,300 homes a day. That's three trucks doing 11,000 homes a week. If I've got to go to the backyard, drag them out front and put them right back, that number is going to go in half. So right now, I have three routes that provide service once a week for 11,000 residents. If we go to the cart, that means I've got to have six trucks doing it, if we want to stay weekly. If not, we've got to go to bi-weekly and then we have the chance that our disposal is going to go through the roof. That's why I recommended the 22-gallon for now. Mr. Kessler.

Mr. Kessler: Al, I understand what you said. I'm not sure I understand the question that's being asked for recycling update. If that's talking about the industry or if that's talking about bins versus carts.

Vice Mayor Lago: Mr. Kessler just to give you a quick update. We've been talking about some new bins for some time, whether they were going to incorporate a top or not, and obviously, we've been discussing that the addition of the tops would potentially increase the contamination rate, and that's obviously something that we want to avoid, especially as I mentioned before with China, they are not buying recycling, we want to keep it as clean as possible. So hopefully, if nobody is buying it, at least they are not charging us for it, which is a big deal. So that's been a discussion.

We have \$500,000 in the line item in the budget and I want to find out what's the final plan for that. Are we going to use it? – Are we not going to use it? – Are we going to reallocate those funds for another project. Just ideas that's what it was. And what also was the recommendation was filing for new recycling bins, because we've got to make a decision.

Mr. Kessler: My understanding of that and working with staff, in particular Al is that he has a plan to do bins, if what you're suggesting, which I'm not sure, is you also want carts evaluated. I thought you were moving in the direction of bins.

Vice Mayor Lago: No, I never said I wanted carts. That was at one point where they were having a discussion if we were going to use carts and they asked a few of us to look at using a cart as an opportunity, and obviously its not working. They'll probably be taking my cart away soon, I imagine.

Mr. Kessler: Well, carts fit in a community that tends to not have backdoor service. I totally agree with Al about it, it's the wrong tool for this service you offer your residents.

City Manager Iglesias: Vice Mayor, how will you do it, but for most communities with carts they are dealing with contamination between 35 and 40 percent.

Mayor Valdes-Fauli: Commissioner, with that I think we have discussed points. Do you want to have any discussion? I think we have discussed everything that needed to be discussed for today and we would look forward to proposals from Al or from Peter, or from our ACM, is that correct.

Vice Mayor Lago: That is correct. Thank you very much.

Mayor Valdes-Fauli: Thank you for this very useful discussion and let's go onto City Manager Items, C-1.

### C-1

Deputy City Attorney Suarez: I'll read it into the record, Mr. Mayor. Its C-1 is a resolution of the City Commission of Coral Gables, Florida ("City") urging Miami-Dade County Mayor Carlos A. Gimenez and the Board of County Commissioners of Miami-Dade County, Florida, to transfer Coronavirus Aid Relief and Economic Security (CARES) Act federal funds received by Miami-Dade County to the City of Coral Gables and to other municipalities within the county based on population and further directing the City Clerk to transfer a copy of this resolution to the officials named herein.

Mayor Valdes-Fauli: Do I hear a motion?

Vice Mayor Lago: So moved.

Commissioner Keon: Second.

Mayor Valdes-Fauli: Will you call the roll please?

Commissioner Keon: Yes

Vice Mayor Lago: Yes

Commissioner Mena: Yes

Commissioner Fors: Yes

Mayor Valdes-Fauli: Yes

### C-3

Mayor Valdes-Fauli: Let's go to C-3 now. We had discussed at the last meeting to have a live July 14<sup>th</sup> meeting, what's happening with Coronavirus now and the increase in contagions. My proposal would be to have another Zoom meeting for July and consider the August meeting to be live. Do I hear a motion for that?

Vice Mayor Lago: So moved.

Mayor Valdes-Fauli: Second?

Commissioner Keon: I'll second.

Mayor Valdes-Fauli: Will you call the roll please?

Commissioner Mena: Sorry, quick question. You are suggesting to do the currently scheduled July meeting via Zoom again?

Mayor Valdes-Fauli: Yes, that's my suggestion, given what's happened.

Commissioner Mena: Have we had an update from staff on when we do it in person what the logistics would be?

City Manager Iglesias: We are looking at probably when we do it in person, it would depend on the issues, but we are looking at a hybrid meeting where we would probably do the public on Zoom and do certain presentations on Zoom. I don't believe that the City Attorney feels it would be appropriate to do parts, certainly presentations live, and the public on Zoom. So, it would be a live meeting, but with presentations on Zoom, so it would be a hybrid meeting.

Mayor Valdes-Fauli: I think what's happening with the closing of bars and the closings of swimming pools and such, I think that it would be prudent for us for our meeting, in two and-a-half or two weeks from now, to have it on Zoom again, as unfortunate as that may be, and consider postponing having a live meeting until August. I think that's a matter of prudence, given our contagions.

City Manager Iglesias: I'm sorry Mayor. The idea was to have staff present where they can come into the Commission one or two at a time, but we would have items that would be presented by

the private sector to the Commission would be through Zoom and the commenting would be through Zoom. Our staff on our items would present live, they'd come in, one or two people at one time and do that, and we would spread everyone out to try to maintain social distancing and mask at that time. So, we would be looking at really a hybrid meeting, because we can't have all those people inside the Commission Chambers at one time.

Deputy City Attorney Suarez: Just to clarify. The Governor has extended our ability to have the virtual meetings. So right now the options for you are to have a fully virtual meeting through Zoom, as we've been doing, or the hybrid meeting that the Manager has been explaining where the Commissioners could be in the room following social distancing measures with staff coming into present their items, and then the public would attend virtually. Or we could have a traditional meeting where we would have to control the public coming into maintain that social distancing at all times.

Mayor Valdes-Fauli: I think it would be very destructive from prudence and a point of view to have a truly live meeting in July and given what's happening and given what's happening in Miami-Dade County and the increase and excess and everything, it would be prudent for us to have another Zoom meeting, unfortunate Zoom meeting in July and then decide to have, or try to have the August meeting fully a live meeting. Its been moved and seconded Billy.

Vice Mayor Lago: Listen, I just wanted to add something to this. I was looking forward to hopefully having a meeting in July in person.

Mayor Valdes-Fauli: We all would.

Vice Mayor Lago: I don't know if any of my colleagues have the interest in doing it. I'm willing to listen.

Commissioner Mena: I was too. I was hoping that we could do a hybrid bridging of the meeting with all proper precautions taken with masks and social distancing, but you know, I also want to be respectful to extend anybody else is uncomfortable, but I do think at some point we have to get back to live meetings, because its very difficult to review certain items via Zoom.

Mayor Valdes-Fauli: I fully agree with you that it is difficult and I'm also looking forward to having a live meeting, but with the reaction we've had or the response we've had. We've started to close things again. I unfortunately think we should have a Zoom meeting in July and then aim for the August meeting with all of the necessary measures. Its been moved and seconded. Will you call the roll Billy?

Commissioner Keon: I seconded, but its neither here nor there to me. I am comfortable to have it in the Chamber, if that's what the majority of the people want, or if you want to do it on Zoom, I'm comfortable with that. It doesn't make any difference to me.

Mayor Valdes-Fauli: Okay, let's vote on it and depending on the reaction we'll have it live or not. Will you call the roll Billy?



Vice Mayor Lago: Commissioner Mena, did you have a comment or was it Commissioner Fors, I'm sorry.

Commissioner Fors: My only comment was that I'm also comfortable going to a hybrid meeting and going in person myself. I do think it's a sensitive decision, we are dealing with life safety and different people have different risk of this particular disease. I want to be sure that everybody that we're going to drag in as a result of our personal comfort doing it is on board and it doesn't sound like that's the case. So, for that reason I'm personally willing to do it. I don't think I'm quite ready to force anybody else to do it at this time.

Vice Mayor Lago: Well let's hold off for another meeting then.

Commissioner Keon: Okay. You can call the roll.

Mayor Valdes-Fauli: You can call the roll Billy.

Vice Mayor Lago: Yes

Commissioner Mena: Yes

Commissioner Fors: Yes

Commissioner Keon: Yes

Mayor Valdes-Fauli: Yes

City Clerk Urquia: And Mr. Mayor just to be clear, this is going to be for the July City Commission meeting and the following day we also have the Budget Workshop, which will also be via Zoom.

Mayor Valdes-Fauli: Yes – and then we also have approved that the August meeting will be either a live meeting or a partial live meeting.

City Clerk Urquia: Thank you.

Mayor Valdes-Fauli: Thank you. Okay item C-2 and C-4. Cristina.

### **C-2 and C-4 are related**

Deputy City Attorney Suarez: Yes Mr. Mayor. So, C-2 and C-4 are related, but they are alternative items. In other words, you would approve, you can approve one, but they should not be both approved. C-2 is a resolution accepting the recommendation of the City Manager to reject the award approved in Resolution No. 2020-79 (except Group F – Shelving awarded to Patterson Pope) and re-issue a solicitation for the remaining items, pursuant to Section 2-685 (i)(2)(d) of the City's Procurement Code. C-4 is a resolution accepting the recommendation of the Procurement Officer to waive the competitive process of the Procurement Code and engage WrkLab, Inc. for task chairs as a "Special Procurement/Bid Waiver," pursuant to Section 2-691 of the City's Procurement Code.

Mayor Valdes-Fauli: Thank you. Mr. City Manager.

City Manager Iglesias: Yes Mr. Mayor. This item concerns furniture for our Public Safety Building. The way that the proposal was originally bid provided for one bidder that was WrkLab that was considered non-responsive, who was the distributor for Herman Miller and the other...who was not considered non-responsive at the time. But in my opinion, it should have been because they provided a product, a chair from Global Vion that was also not...[Inaudible]...I believe that in order to get this project done quickly, I think because of our time constraints in the Public Safety Building, I believe Procurement tried to work with Pradere to come up with a proposal for the chairs and for the furniture. Our TCO is scheduled for October 1<sup>st</sup> on the Public Safety Building. So, looking at both proposals, they should have both been labeled as non-responsive. However, and it was obvious as Pradere came up with a second chair, that was considered closer to...[Inaudible]...not quite, but close to a Herman Miller chair, the bid went up from \$371 to \$497. So looking at that item and I looked at this closely last week, would be that both of them are non-responsive, but the fourth item is to look at because of the fact that we have the Public Safety Building ready for TCO on October 1<sup>st</sup>, would be to award the chairs to WrkLab and award the rest of the contract to Pradere in order to get this thing, this project completed at that time. In the future, I think we would have more time and we provided both as non-responsive and work that way. But I think it was done in an effort to move this project along. I think everybody is aware that there are problems with financial issues with not completing the Public Safety Building in time and because of that I do think that Procurement went really the extra mile. So, with that, I will have our Assistant Director for Procurement, Celeste Walker providing you some additional comments.

Mayor Valdes-Fauli: Let me set this. C-4 is awarding the contract to Pradere, except for the chairs which should be awarded to the one...

City Manager Iglesias: The distributor for Herman Miller.

Mayor Valdes-Fauli: Right. And C-2 is rejecting all of the...

City Manager Iglesias: C-2 is rejecting all bids and starting over.

Mayor Valdes-Fauli: Les Pantin wanted to speak, he is a lobbyist for Pradere, and he wanted to speak on this. Mr. Urquia can we put Pantin on?

City Clerk Urquia: He is on sir.

Mayor Valdes-Fauli: Okay, Les.

Mr. Les Pantin: We represent Pradere office products on this procurement and we would just like the opportunity to either provide Herman Miller chairs, which we are currently in the process of trying to secure those, or equal which was in the city's bid specifications that the city put out there and that this board unanimously approved on March 31<sup>st</sup>.

Mayor Valdes-Fauli: Mr. Pantin the problem here is that the users, the firefighters and the police have rejected the equal alternative, have rejected it because one of the users don't want the equal, quote/unquote chairs, they want the Herman Miller chairs.

Mr. Les Pantin: We've offered to work with city staff to procure the actual Herman Miller brand chairs.

Mayor Valdes-Fauli: At the same cost to us as if we procured them from Herman Miller directly?

Mr. Les Pantin: No from WrkLab, which...

Mayor Valdes-Fauli: What?

Mr. Les Pantin: From WrkLab which the city found non-responsive previously.

City Manager Iglesias: If we purchase them from WrkLab, Mayor, we've been two months at this. This needs to get done. Either we go ahead, and we issue the work connected to WrkLab or Pradere, or we just bid it out again and that's it. I don't have time to be working on this anymore. We've been two months.

Vice Mayor Lago: Peter, Mr. Manager just a quick question. I understand there is an issue with the equal that's being offered to substitute for Herman Miller, but why would we take away Pradere's other contract, which is perfectly fine. Is there a reason that they are non-responsive on that section of the contract...?

Mayor Valdes-Fauli: [Inaudible]

City Manager Iglesias: There are two options. One is throwing everything out and start over again. The other option is provide Pradere the contract that they have and provide WrkLab the contract for the chairs that police and fire want. That's what I would prefer to do, and so that's why I had to stop both contracts. We have two options.

Mayor Valdes-Fauli: ...respect Pradere's contract for everything but the chairs...[Inaudible].

City Manager Iglesias: [Inaudible]

Commissioner Keon: But even in 4 it doesn't say that. It doesn't say that you are going to follow through with the procurement of the other parts of the contract. It doesn't say that.

City Manager Iglesias: It does.

Commissioner Keon: Where does it say that in 4?

Deputy City Attorney Suarez: Commissioner, that would be option, the item C-2, which is to reject the award and to reissue the solicitation for all groups except for the one that was awarded to Patterson Pope. And staff can give more information, but my understanding is that under C-2, a reason would be that some of the pricing on some of the other groups that were awarded to Pradere, the pricing on that has changed as well.

Mayor Valdes-Fauli: We respect as Vice Mayor said, we respect Pradere and everything, but the chairs, and we have bought the chairs from the distributor of the Herman Miller chairs.

Vice Mayor Lago: Or why don't we just give Pradere a contract for the first portion and then go out to bid again on the second portion, which is kind have been in question...

City Manager Iglesias: No. I don't think we should do that Vice Mayor. I think we should either go for all of it. I think...

Vice Mayor Lago: Can you give me a reason why.

City Manager Iglesias: Because I think both of them were non-responsive and...[Inaudible]...and that is the correct thing to do.

Commissioner Keon: Its my understanding that WrkLab is an authorized dealer for Herman Miller.

Mayor Valdes-Fauli: For Herman Miller.

Commissioner Keon: So that's why we go to WrkLab, because they are an authorized dealer, he isn't. So, if there is an issue with the other part of the contract and pricing, can you explain that issue.

City Manager Iglesias: I think that if we issue the contract to the Herman Miller, because pricing is, there are various issues. The original price from Pradere went from \$371 to \$497, when the...chair, the proposed...was actually proposed, and when you provide a contract – For instance, if I provide you a contract for a building and you are supposed to provide impact glass, and you decide not to provide impact glass, and your bid comes in half a million dollars, and that bid is looked at – well, I will provide impact glass for another half a million, that bid should have also been non-responsive, because...[Inaudible].

Vice Mayor Lago: I haven't read the RFP, so I don't know. Does the RFP allow for an alternate?

City Manager Iglesias: It did...

Vice Mayor Lago: So...

Mayor Valdes-Fauli: Vice Mayor let me answer that. I've read this whole thing. It does allow for the alternate, but the alternate they proposed is not acceptable to police and to the firefighters, because the alternate...which is a wonderful chair, which I personally have had for 30 years. They don't like it because of their equipment, and they can't sit on it comfortably, and its hotter than the Herman Miller chairs.

City Manager Iglesias: Mayor the initial chair that they provided was not the...chair. The initial chair they provided was call the Global Vion chair, which has a 5-year warranty, its not a...equal, and it's a much lower quality.

Commissioner Mena: But we didn't disqualify them on that, did we?

All: [Inaudible]

Commissioner Mena: I understand the points that are trying to be made, but we can't Monday morning quarterback this either. We need to live by what, part of what happened. I understand the point the City Manager is trying to make – the chairs were not good enough, but you cannot say that they should have been deemed non-responsive or that they were non-responsive, because they weren't. Now I understand that we may not want that chair, I get that, okay, fine. We'll work with them on a new chair. My understanding was, there was some work done to work on new chairs, and at the end of the day we still weren't satisfied with the ultimate alternative, which is Knoll, which I would agree with the Mayor by any measure is a reasonable alternative to a Herman Miller chair, Knoll is a very reputable brand.

Mayor Valdes-Fauli: But the police and fire don't want...

Commissioner Mena: Let me finish. With that said, police and fire don't want it. I get it. But we can't say that they were not responsive, that's not a fair thing to say.

City Manager Iglesias: I think that – I disagree with you Commissioner Mena. I think – I agree with you and I disagree with you. I agree with you that – I disagree with you that they were non-responsive, but we should have called it at that time.

Vice Mayor Lago: Mr. Manager why don't you take this opportunity right now to allow them to bring in and find Herman Miller chairs and match that price? I'm asking. Since they were found to be responsive, since they were found to be responsive, we as a Commission voted on it in March, I think it was March or April. I'm perplexed because if my company would have been brought up for an award and it was voted on after being vetted, I just find it difficult to understand where now they are not in compliance. So, if we are going to give them a portion of the project, a scope, I think a hundred and something thousand dollars...

Mayor Valdes-Fauli: Yes.

Vice Mayor Lago: Why don't we just allow them, give them one last bite at the apple, say listen, we want Herman Miller and I want you to match the price.

Commissioner Mena: Can I ask...

Vice Mayor Lago: Is that feasible?

Commissioner Mena: I'd like to ask Celeste that question on that point, Vice Mayor, on that exact point. Were they ever told, hey, we are not going to go with an alternative, we only want Herman Miller, can you get Herman Miller?

Procurement Officer Celeste Walker: Commissioner, good afternoon, thank you for asking. Just to get some clarity to the situation. Initially when the bid was let, again it was let for different groups and different items. The particular item we are talking about were in Group B. When we went through our evaluation process, Pradere was informed on March 10<sup>th</sup>, three weeks prior to

this item being taken to the Commission approved that the Global chairs that they provided were not approved and will not be considered. At that time, we were allowing them to provide us with an alternate or something else for consideration. Through many reiterations of that, they provided multiple chairs for us to consider. The Knoll chair was the last and closest comparable chair that still the lead departments decided that that was not an...equal chair. So yes, they were told and were provided the opportunity to provide a chair that was comparable. With regards specifically to Herman Miller, the issue with Pradere now trying to the table to provide that chair is that they can't. And here's why. In our solicitation, we asked that they be an authorized dealer, and part of that rationale or reason is that they are the ones who can provide us with the full scope of whatever warranty comes with those particular chairs or those items. Every dealer or manufacturer states clearly that if you buy a chair from them, the only way the warranty is made whole is if you buy directly from them or an authorized dealer. Pradere has already confirmed that they are not an authorized dealer for Herman Miller, so therefore they cannot provide us the same comfort or information with regard to the warranty.

Commissioner Mena: Can I restate, I just want to restate my question, because you answered some of it, but not necessarily directly, and here's my question. You said they were asked if they are an authorized dealer.

Procurement Officer Walker: Um huh.

Commissioner Mena: We all know the answer to that is no.

Procurement Officer Walker: Correct.

Commissioner Mena: You also said, if you are not an authorized dealer you can't provide for warranty. I'm going to take that on face value that that is correct. That doesn't necessarily mean, for example, I don't know, correct me if I'm wrong, that you can't, for example, subcontract an authorized dealer from somewhere, anywhere in the country really, that can provide the same warranty and potentially the same price or better, I don't know. So, my question, it's a yes or no question. Were they ever told we only want Herman Miller; can you get it and offer the full warranty at the same price?

Procurement Officer Walker: No. They were not told. We said we would accept an or equal and that point in time became an issue to what they had to offer us with what she had available in her scope to provide at that point.

Vice Mayor Lago: Isn't that also – Celeste quick question. The thing with a lot of these products and you provide warranty, some warranties are two and five years, depending on if its...or its some sort of a window, for example. You have different warranty. So you have warranty that comes from a contractor/subcontractor, which is a one-year warranty in most cases for defects or for just bad work or installation, and then you have the manufacturer's warranty that comes from the product that is bought from, excuse me, it's the product, for example the air handler that is bought by the subcontractor from a company and then its installed on a project. So the warranty goes from

the manufacturer to the subcontractor and then the manufacturer provides those warranties from the manufacturer to the contractor saying, I give you a year or two years and if you want to buy more warranty you can, but I'm also handing to you the warranty directly from the product, which could be five or ten years, depending on whatever you're buying. So, we are actually getting warranty. We are getting warranty that comes from the manufacturer. You are not getting warranty from the seller.

Procurement Officer Walker: But you are, because that's why the manufacturer says you have to be an authorized dealer, a specific language. So, they have already established these relationships with specific people to pass that warranty through. No.

Vice Mayor Lago: You are not getting it from the manufacturer ever?

Procurement Officer Walker: You are getting it from the manufacture through the dealer. Have to be an authorized dealer to pass that warranty.

Mayor Valdes-Fauli: We have a wonderful City Manager. He has wonderful staff. We have a crucial, because of the time limit in which we acquired the property and have done this. We have to finish this building by a certain date; and we are questioning the City Manager's recommendation for \$112,000-dollar order for chairs, chairs that the firefighters and the police want. At some point we have to trust our City Manager and this is, I think, one of those points where we are arguing for the last 20 minutes \$112,000 chair order where he has made a very, very good...case that what we should do is respect Pradere for everything other than the chairs, and get the chairs directly from the authorized dealer in order for us to have the warranty. This is a City Manager recommendation on \$112,000 chair where firefighters and police have to sit, and I think we should respect his recommendation and not put ourselves to decide which chair we need.

Commissioner Mena: I have the utmost respect for our City Manager and his staff. I really do.

Mayor Valdes-Fauli: That's not being exhibited in this discussion.

Commissioner Mena: Peter - Mr. Iglesias, if you ever feel disrespected please let me know. I respect you. I was elected by the people of Coral Gables to question things and to look into things and deal with issues and I'm going to do that whether it hurts anybody's feelings or not, respectfully. That's not what this is about. I always treat people professionally and if they ever feel I don't they should let me know.

Mayor Valdes-Fauli: Well, we're not doing it in this case.

Commissioner Mena: Yes, we are. We are having a conversation, a very basic conversation. I just asked a question and I didn't get a direct answer and then I had to ask it again another way to get a direct answer. And by the way, I think its actually more than \$112,000 and I think we should be having a conversation beyond the process about how much money we are spending on chairs in the City of Coral Gables relative to other things.

Mayor Valdes-Fauli: Let's do away with chairs then....

Commissioner Mena: I mean we can buy Mercedes Benz police cars too if we want, but we have to show some prudence at some point. So, I'm going to ask those questions and if somebody might be offended by them, and I'm sorry if they are, that's not my intention at all. I think these are the questions that the residents expect us to ask when their tax dollars are being used and I think it's the questions that people that go through our competitive bidding process expect us to ask when something like this happens. All due respect to everybody. I think there was a breakdown in communication here, because I do believe that weeks ago, the question that I asked could have been posed to this person, to whom we awarded the bid, to whom the Commission already voted on it. We are not looking to take it away, maybe what we end up doing on a portion of it, but why weren't they given the opportunity potentially through the subcontractor to offer the same thing with the same warranty. I don't know the answer to that sitting here today.

Mayor Valdes-Fauli: Because they weren't able to do so.

Commissioner Mena: No. They weren't ever given the opportunity.

Mayor Valdes-Fauli: We cannot get the warranty without acquiring it from an authorized dealer and they are not an authorized dealer.

Commissioner Mena: But people get subcontractors all the time. What am I missing?

Vice Mayor Lago: And that's what I was trying to say before and I think that maybe our City Attorney can shine a little light on this in regards to this warranty issue, because I want to understand because when I put together a warranty package at the end of a project, this is not the way its handled.

City Attorney Ramos: Vice Mayor this is Miriam. Our office does not look at the warranty issue at all. What I know from staff is that if its not from an authorized dealer, apparently its extended for the full amount of the time, but we have not independently looked at them.

Vice Mayor Lago: And what is the warranty, Celeste, that you are looking for?

City Manager Iglesias: Let me ask you a question Vice Mayor, let me ask you a question.

Vice Mayor Lago: Yes.

City Manager Iglesias: Herman Miller is the chair police and fire department feel is best for them, because of a number of issues that that chair has that the Knoll does not have.

Vice Mayor Lago: How much is the Herman Miller chair?

City Manager Iglesias: The difference between the Knoll and the Herman Miller total package is \$859.

Mayor Valdes-Fauli: \$859 – not thousand dollars - \$859.



City Manager Iglesias: The total package. But let me discuss with you that. Herman Miller requires you to go through a distributor. Pradere maybe can subcontract that to the distributor and get it. But I will not pay is Pradere's premium to contract it through Herman Miller and then give it to the city. And that is what's going to happen more than likely because of the fact that Pradere is not a Herman Miller distributor. So, to get the same chairs and pay a premium above what we'd have to pay Herman Miller for is not something I'm willing to do, because I don't think that's in the best interest of the city. In order to maintain that warranty, Pradere would have to go through the Herman Miller distributor. At that point that's the price that they would get.

Commissioner Mena: How do we know that?

City Manager Iglesias: A chair with no mark-up? Are they going to give us that chair with zero mark-up?

Commissioner Mena: How do we know that's the price though? How do we know what the mark-up is for the other bidder?

Commissioner Keon: But Commissioner Mena, I don't think the issue is the price. I think the issue is the warranty and having warranties through authorized dealers is not unusual. Caterpillar does it for – you have to buy things from an authorized dealer before they will warranty it. You can't buy it from some guy down the street, the black market, however they may be able to obtain it. But in a lot of businesses, there are items that you will only enforce or recognize the warranty if it comes through the authorized dealer. So if the Herman Miller chairs and if you are going to give them Herman Miller chairs, it has to come through an authorized dealer, whether its this dealer or its Design Within Reach, or its anyone else, an authorized dealer, you are going to have to go to them if you are going to give them that chair. The other part of the contract can go to the original bidder, but the chair piece to protect the city and have the appropriate warranty is going to require that you go through an authorized dealer, is what we're being told.

Commissioner Mena: Understood. But rather – all I'm saying is, rather than a lot of the assumptions being made, which is that they can't get an authorized dealer as a sub who could potentially give us a better price. I don't know what the mark-up is with the other company. I don't know.

Commissioner Keon: But I think what Celeste said is that they can't do it as a sub. It has to come...

Procurement Officer Walker: Correct. They can't do it as a sub. It has to be a special relationship.

Vice Mayor Lago: But why is it a problem today? It wasn't a problem two months ago.

Police Chief Hudak: I can answer that question since most of my people sit on the 400 chairs we are talking about. The history of the chair within the department, we go through them hard, best way I can say. The reason why we are looking at the Herman Miller chairs was specifically put in there. The adjustability of the arms, because of people wearing gun belts, the ability so that they can go 24 hours a day, 7 days a week in communications. The other issues that we have found and

other chairs that we have tested is that it cost the department, us, a lot more money to replace them because we have not been able to get a warranty that we can honor. So, what we did when we put this RFP together, the warranty for the chairs was extremely important because as Public Works will tell you, we have like a chair cemetery of chairs that we just can't get fixed and we are constantly having to buy new ones. That's why in going to the new building, we want...across the board, whether it be a detective, a dispatcher, somebody at the front desk, or a supervisor, they are easily decontaminated, and that's why we put that out. Look, we've worked with Pradere before. We just gave the Internal Affairs office furniture, so I think we've gotten through that point. We have been specific about this type of chair and the warranty required was the fact that it would be for the life of the chair, because we work these chairs extremely hard.

Vice Mayor Lago: What is the life of the chair, if you don't mind me asking?

Chief Hudak: Twelve years – the current chairs we have now, I believe in Communications have been in service for twelve years. We do have a few over there that are working to be refurbished and put back into service, because they'll have a broken part that needs to get replaced. That's not something we can do from a subcontractor or sub-dealer, so to speak.

Mayor Valdes-Fauli: Folks, the compromise here is C-4, where we give Pradere everything, but the chairs and we acquire the chairs directly from Herman Miller distributor with the warranty. I would like to suggest that we vote on.

Vice Mayor Lago: Is the city acquiring it directly or are they using a different entity.

Procurement Officer Walker: Commissioner the city will be buying the chairs directly from WrkLab, who is an authorized Herman Miller dealer. And the answer to you other question is that the warranty on this particular Herman Miller chair is twelve years, but it's a full warranty. There is no limit, so it covers every moving part, every screw, the piece of material. So, it's a full warranty, where others have some product limitations, as far as the different material and the seats that are covered. It covers everything, so if any portion or section of the chair is defective, or no longer works, they will replace it or repair it for twelve years.

Vice Mayor Lago: So, I just want to make sure, the check to buy the chairs outside of Pradere's scope, which I'm inclined to support C-4, its going to come – the check to buy the remaining inventory for chairs is going to come from the City of Coral Gables. We are not using another party to buy these chairs, because I want to make sure that we are not using the contractor who's currently building the building. Is that correct or no?

Procurement Officer Walker: That is correct. This is a chair that was an ask solicitation issued by the city.

Vice Mayor Lago: And the city is going to pay for it? The city is going to write a check that says, City of Coral Gables, they are going to buy it themselves?

Procurement Officer Walker: Correct.

Mayor Valdes-Fauli: The city will buy it itself and we'll get the warranty from the distributor. You're absolutely correct.

Chief Hudak: Vice Mayor, to answer your question. These are things that came up in the transition where we started to take control of some of the issues, as far as the internal parts, at least for the police side, and that's kind of why you're seeing this kind of late in the game, but we decided to take control of the purchasing of what we wanted in the building, because it was specific to our job task.

Vice Mayor Lago: Ms. Walker –

Procurement Officer Walker: Yes.

Vice Mayor Lago: Just to dovetail off of Chief's comments. Are we looking at potentially seeing a change order as a result of this, or does the line item in construction have enough monies for furniture, because Herman Miller, you are talking about a \$900 chair? In my office, in my personal office, actually I have Herman Miller, I have knockoffs, the knockoffs which are probably like \$250, and I've had them in my office for about four or five years. They work perfectly fine. I just want to make sure, we are making a significant investment here and I want to make sure that \$900 is a lot of money to pay for chairs. This is not a change order, right?

Procurement Officer Walker: This has nothing to do with the construction contract.

Vice Mayor Lago: I know, but its also an FFE, budget, trust me, I know. I do this every day.

Procurement Officer Walker: Okay. So, when you day change order, this fits within the initial budget that was budgeted for this particular project.

Vice Mayor Lago: That's exactly what I wanted to hear.

Mayor Valdes-Fauli: Do I hear a motion?

City Manager Iglesias: This is a police and fire station, its not a regular building, they get a tremendous amount of use and rugged use. And we want a product that – this is not gold-plated, this is just solid good, well built product where you have parts that can be repaired and has a full 12-year warranty, and that's what we are looking for. This is not gold-plated. This is just solid construction. We have nothing gold-plated in our building, but what we do have is a solid building that will last for 50 years, that will not have the problems that we have in our current building that is falling apart.

Commissioner Mena: How many of these chairs are we buying?

Procurement Officer Walker: 435.

Mayor Valdes-Fauli: Do I hear a motion?

Commissioner Mena: I still have some questions. 435 chairs – is this also like in all, is this like guest chairs. We don't have 435 police officers sitting in chairs on a daily basis.

Procurement Officer Walker: 435 task chairs and these are desk chairs and it covers Police, Fire, Information Technology, and Communications.

Chief Hudak: So, the detectives, every detective, every desk space, they are not the secondary chairs, that's a whole different...

Procurement Officer Walker: That's a different item.

Chief Hudak: [Inaudible]...is actually providing those chairs. The number that I have, and I know the Vice Mayor said this was like 629 a chair. I'm not sure if it was 900. I haven't seen that.

Procurement Officer Walker: No. I can confirm the numbers for you.

Vice Mayor Lago: What's the number?

Procurement Officer Walker: The number is \$626.33 a chair, that's the average chair. The chair that Pradere is proposing for the Knoll chair its \$624.55. So, it's less than \$2 difference per chair, in total in all the 435 chairs that are being purchased, \$859.25.

Vice Mayor Lago: Can I ask you a quick question Celeste, and I don't want to get into the minutia, but I might as well. Are you doing a DPO here?

Procurement Officer Walker: No sir.

Vice Mayor Lago: No? Why don't we take advantage of that?

Procurement Officer Walker: This is not – this is a city-owned responsibility, not the builder, so all of the DPO's are done for products that are being done by the builder. They are doing DPO's to get the tax benefit that we already get.

Vice Mayor Lago: Yes, that's what I'm saying. I mean, if we are going to buy these and you are talking about a pretty significant amount of money, we could save, that's almost seven percent.

Procurement Officer Walker: We are already saving the seven percent because we are tax exempt. So that's the same difference. So, the only reason why the DPO's are issued through the builder is for them to save the tax difference. We already are getting the tax break, so there is no reason for us to be a DPO, plus this is a contractor responsibility.

Vice Mayor Lago: Okay. Thank you, Celeste.

Procurement Officer Walker: You're welcome.

Mayor Valdes-Fauli: Do I hear a motion on this?

Commissioner Mena: Is there any reason we can't say, because again I think the communication here between city and the bidder it wasn't necessarily as clear as it could have been in terms of the

timing. Is there any reason why we can't give them until say, the end of the week to tell us whether they can get us the same price, the same warranty and if not, go to the other person?

Commissioner Keon: The issue is...[Inaudible]...a qualified dealer...

Commissioner Mena: But why are we guessing?

Procurement Officer Walker: They are not going to be able to give us the warranty, because they are not a direct dealer.

Commissioner Mena: Then they won't get it.

Procurement Officer Walker: We would have wasted another week....

Mayor Valdes-Fauli: Why wait another week...against the clock.

Commissioner Mena: We wasted weeks and months by not telling them from the beginning that the only chair we would take is a Herman Miller chair, did we not?

Procurement Officer Walker: That was not the case saying the only chair that we would take...

Commissioner Mena: We are now.

Procurement Officer Walker: To provide a comparable chair.

Commissioner Mena: A Knoll chair is a comparable chair to Herman Miller.

Procurement Officer Walker: But that's...

Mayor Valdes-Fauli: Not for essential police officers, not according to the ones that are going to sit on them.

Commissioner Mena: But we should have known that preference weeks ago, instead of – bottom line is, we said, Herman Miller alternative and now we are saying only Herman Miller.

Mayor Valdes-Fauli: That's what our officers...

Commissioner Keon: They said equivalent – equivalent.

Commissioner Mena: But they got equivalent, its literary the same price and everybody knows that Knoll is the direct competitor of Herman Miller.

Mayor Valdes-Fauli: Not for police who are going to be the ones sitting on them.

Commissioner Mena: I'm not arguing Knoll versus Herman Miller Mayor, I'm really not. If you want Herman Miller, get Herman Miller. What I'm saying is, you should have told the person who was awarded the contract at some point it has to be Herman Miller. Can you get it? – Can you get us the same warranty at this price? – and I would just ask if they were ever told that and the answer was no.

Vice Mayor Lago: Commissioner, why don't you make a motion and allow them to the next Commission meeting to put this together...[Inaudible]...put a motion...

Mayor Valdes-Fauli: Let's hear the Fire Chief. Let's hear the Fire Chief please.

Fire Chief de la Rosa: I just want to point out that we did evaluate the Knoll chair. The concerns that we had with the Knoll chair was that in contrast to Herman Miller, the seat was not offered in a mesh. It was only offered in material or a faux leather, which the one that we evaluated already had stains. We noticed it was easy to fade and with the equipment, especially with police officers that it was subject to tear, which was not part of the warranty. The castors were not...surface like they were with the Herman Miller and the extension of the arms in or out, for folks that had equipment like a gun belt, was not available. So, it's not like we discontinued or looked at a chair that was "apples to apples." There were some limitations that in the long run made it either more cost prohibitive for us, because of frequent breaks that were not going to be covered for the warranty, and they did not have some of the added feature that the Herman Miller did. That's all I just wanted to add to that. That we did evaluate the chairs, Commissioner Mena.

Commissioner Mena: I'm not trying to...[Inaudible]...chair Chief. Listen, I'll bring a little levity to the conversation and just say, next time I'm furniture shopping, I'm inviting you and Chief Hudak with me, but...

Mayor Valdes-Fauli: Will somebody make a motion?

Commissioner Mena: There's no point. Is there any reason why we cannot give this company, say to the end of the week to us whether they can get us the Herman Miller chairs with the full warranty or not, and if Celeste is correct that they absolutely cannot do that, then we go with the other people on the chairs and they get the rest of the contract.

Vice Mayor Lago: Commissioner Mena, so moved – second. Let's go.

City Attorney Ramos: So, I just wanted to say that that's essentially the bid waiver but with a delayed effective date, presumably of next Monday, if they have a deadline of this Friday. If you are approving the bid waiver effective next Monday under those conditions.

City Manager Iglesias: I honestly think this complicates the issue. I honestly think that we have a project that we are trying to get in quickly and I think this is going to lead to further problems later on, and I truly do not want to wait until July 14<sup>th</sup>, to the July meeting, and so I think we should make a decision now. We have time to go ahead and start over again, if we wish, that's not what I would like. I think there are classic issues as to why they are not equal, simply because this is police/safety building. Its not a regular office. This is not regular office space. These are people that use equipment, use gun belts, use other things. So, there is an issue why the Knoll chair is not an or equal.

Commissioner Mena: We understand that.

City Manager Iglesias: In an office space you might say its equal. This is very specific use. It's a public safety building.

Commissioner Mena: We understand that.

City Manager Iglesias: So, to wait another week, another two weeks to find out – and then there's another bid problem, I don't really want to go through that. I think we need to make a decision and if the decision is not to – because I'm concerned that in two weeks we'll have another bid issue and that's what concerns me, and what we should have done is thrown everything out at the very beginning and that's what we should have done. We did not do that, that's why we are here now, and I just want to – and we trying to take care of that problem that occurred at the beginning now.

Mayor Valdes-Fauli: A motion has been made for us to give these people to the end of the week to come up with a Herman Miller chair at the same price and with the same warranty from Herman Miller that we would get if we acquired it from the dealer directly. Will you call the roll please?

City Manager Iglesias: And Mayor, I would like to make very clear that in that week that's not 100 percent resolved, we issue the PO for the Herman Miller chair to get the chairs in time.

Mayor Valdes-Fauli: That is...[Inaudible]...Will you call the roll please.

Commissioner Mena: I'm okay with that. Let me just make it clear. I expect that...[Inaudible]...whatever information they need to get that answer in a week.

City Manager Iglesias: One hundred percent.

Mayor Valdes-Fauli: If this is not by Monday of next week, then you go ahead and acquire the Herman Miller chairs. Will you call the roll please?

Vice Mayor Lago: Chief – Chief – Chief.

Chief Hudak: Twelve years down the line none of us are going to be here. If Herman Miller is given – where it cost us money to repair these, the Herman Miller, as the manufacturer kind of lays out exactly what the warranty is and names Coral Gables, because I really don't want to get stuck when these things break to be told, no it wasn't. So as much as we are going to award the contract to somebody else that the warranty, because its out of their authorized dealer, so to speak.

Mayor Valdes-Fauli: We have to be very, very sure that the warranty is from Herman Miller and for the 12 years. Will you call the roll Billy?

Commissioner Keon: Can we require or ask that they become a Herman Miller authorized dealer?

Mayor Valdes-Fauli: No, no, no, no. Let's not complicate it. Come on. Will you call the roll please? That would take weeks, months and then we'd have to examine the warranty. Will you call the roll Billy, please?

Commissioner Mena: Yes

Commissioner Fors: Yes

Commissioner Keon: No

Vice Mayor Lago: Yes

Mayor Valdes-Fauli: No

Mayor Valdes-Fauli: Thank you very much. And we'll hear about this by Friday of next week. Anything else to come before the meeting? Meeting adjourned.

Commissioner Mena: Wait.

Mayor Valdes-Fauli: Okay, go ahead.

Commissioner Mena: While we have you and given that, you know, with the pandemic we are still under emergency orders, and given the update we've seen that you referenced earlier, is there any thought or consideration to the possibility of potentially providing testing again and I throw it out there for discussion, and I would add to that, that given the financial circumstances maybe even do it in a way that we charge whatever the cost is, provide it at cost, so people can pay, but at least its service made available to them. I've been hearing from a lot of people who are concerned and really appreciated the testing that was provided. I've also been hearing from people who have gone to other places for testing and the process has been a little less than easy to navigate. So, I'm just throwing it out there for discussion to see what people's thoughts are on that.

Mayor Valdes-Fauli: I'm very much for the testing, except that given our experience the last time, we had a 40 to 50 percent no-show rate and the people who were being tested were those that were under 35-40 years old. And we do have a mechanism, a system where if you are over 65 or you are in a vulnerable situation/position, you call, and they will go to your house at no cost to you. We spent \$100,000, more than \$100,000, \$150,000 I think it was, for the testing and at the end of the last three or four weeks it was very disappointing; the response rates from our residents and citizens, very disappointing – Starting it again, but the financial – how many people are going to benefit for another \$150,000?

Commissioner Mena: So that's why I'm suggesting a possibility of passing through the cost, not the city making any money off, passing through the cost, where for example, I'm just brainstorming with you, people would have to pay upfront to reserve the spot and now if they don't show up, well they didn't show up.

Mayor Valdes-Fauli: I agree. It's a very good suggestion Commissioner. Let's have the City Manager...like he did the last time and report to us whenever he can, the next two or three days on this very good alternative that you have suggested.

Commissioner Mena: The only thing I would add is, you make a fair point Mayor that there were a lot of people from a younger demographic coming to get tested, but to be fair, the uptick we are seeing now is a large percentage of it is in that demographic, actually, so. Again, to me, I



understand some of the concerns, but I think if we do it, if we can get it at cost at a reasonable cost and I don't remember what the cost per head was.

City Manager Iglesias: \$100 a test.

Commissioner Mena: I think there are people that might be willing to take advantage of that. I don't know if you have the right critical mass with the lab that you used last time, but you'd have to figure that out. But if you could look into that and report back to us, I know we've been getting a lot of requests for that.

Mayor Valdes-Fauli: [Inaudible]...and report back to Commissioner Mena and all of us as to providing this alternative to our residents.

Commissioner Keon: On the city website they have listed all of the places nearby where you can get tested and most of them are private. The one is Baptist Urgent Care right here on South Dixie Highway. You can go its on the website, on our website, it lists the places, the address, and the times they are open, and their phone number. So, you can call and make the appointment to go and its charged to your insurance. When you do you can also take a look at what is on the city website. The people that I've talked to also that have called, they weren't aware of that. Some of them said they didn't know, they didn't realize it was available. They thought they had to go to the Hard Rock Stadium or something...Take a look on the website and see what you think.

Mayor Valdes-Fauli: Thank you. Anything else?

Commissioner Keon: No.

Mayor Valdes-Fauli: Thank you very much. Meeting adjourned. Thank you.