

**City of Coral Gables City Commission Meeting
Agenda Item F-2
November 10, 2015
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

**Mayor Jim Cason
Commissioner Pat Keon
Commissioner Vince Lago
Vice Mayor Frank Quesada
Commissioner Jeannett Slesnick**

City Staff

**City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Deputy City Attorney, Miriam Ramos**

Public Speaker(s)

Agenda Item F-2 [Start: 2:22:13 p.m.]

A Resolution of the City Commission of the City of Coral Gables, Florida, in support of the New York Attorney General's Office in their defense of the United States EPA's Clean Power Plan.

(Sponsored by Mayor Cason, Commissioner Keon and Commissioner Lago)

Mayor Cason: Now we'll move onto Agenda Item F-2; this is a Resolution in support of the New York Attorney General's Office in defense of the EPA's Clean Power Plan.

City Attorney Leen: Mr. Mayor, I would ask the Deputy City Attorney to speak on this item.

Deputy City Attorney Ramos: Good afternoon everyone. As you received an e-mail a couple of weeks ago, the letter that's being passed out is a sample, its still in draft form. The U.S. EPA

Environmental Protection Agency recently passed what's called the Clean Power Plan. And the Clean Power Plan essentially puts a cap on carbon emissions, the idea and the goal of the plan being that by 2030 we will have reduced by 32 percent the carbon emission levels in 2005. The idea is that reducing those carbon emissions will mitigate climate change which will in turn mitigate sea level rise, which clearly is an issue for our City. Almost immediately after the plan was passed, several of state, but most importantly the coal industry filed a lawsuit claiming that its unconstitutional and asking for a stay of enforcement while the case goes through litigation. Obviously, the EPA is fighting that in court and they've asked for different levels of support from local governments that are impacted by sea level rise, we are of course one of those governments. So the first kind of line of attack is for us to sign on to that letter, which was prepared by Broward County. Broward County is committed as is South Miami. You also have a resolution that's in your packet which talks about us essentially supporting this effort. So we could simply pass a resolution and do nothing more, we could sign onto that letter, add some of the facts about how we are affected here in the City of Coral Gables, or/and we can sign onto the Amicus Brief that is being prepared by the University of Columbia Law School, they have an environmental center, and they are submitting an Amicus Brief which a number of states and local municipalities are signing onto. City of Miami, Miami Beach and the County are in the process of considering what they are going to do right now, but it seems they are committed to doing something. So the resolution is on for your vote and then further direction from you as to whether you would like us to participate in the letter of support and also the Amicus Brief.

Mayor Cason: So how many people, how many cities in Florida have signed on to the letter?

Deputy City Attorney Ramos: So far Broward and South Miami, we would be the third. The County, Miami Beach, and City of Miami are currently taking it to their Commission.

Mayor Cason: And then later on we could move on if we decide to other steps.

Deputy City Attorney Ramos: The next step would be the Amicus Brief and we would have to let them know by December, because Columbia Law School has to file essentially their notice of who is going to be part of their Amicus.

Vice Mayor Quesada: What would it cost for us to be part of the Amicus?

Deputy City Attorney Ramos: The nice thing is nothing because its being done by Columbia Law School, we are not hiring anybody, we are just signing on.

Vice Mayor Quesada: Can we sign off on it after we've reviewed their draft, if there is something in there that we won't agree with? I would say absolutely yes, we want to be a part of it, let's just make sure we read it first before we say yes.

Deputy City Attorney Ramos: So I think we need to present our intent to be part of it and then I guess we can withdraw, if after the brief is submitted we disagree, because that's not due till the Spring.

Vice Mayor Quesada: It makes a lot of sense.

Commissioner Keon: Good.

Mayor Cason: OK.

Vice Mayor Quesada: Do we need a motion for this.

Deputy City Attorney Ramos: We need a motion for the resolution.

Vice Mayor Quesada: So moved.

Mayor Cason: Who made the motion?

Vice Mayor Quesada: I did.

Mayor Cason: Vice Mayor made the motion and Commissioner Lago seconds. City Clerk.

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Commissioner Lago: Yes

Mayor Cason: Yes

(Vote: 5-0)

Deputy City Attorney Ramos: I will submit our facts to them for the letter of support. Would you all like to sign it or would you like the Mayor to do so on your behalf?

Commissioner Lago: I'll sign it. I'll like to sign it.

Deputy City Attorney Ramos: OK. So I'll send it to all of you for signature and then I will let them know to include this in the Amicus, provided that we have an opportunity to review it when it comes forth.

Vice Mayor Quesada: Perfect. Thank you.

Commissioner Lago: Great work.

[End: 2:26:10 p.m.]