

City of Coral Gables City Commission Meeting
Agenda Items C-1, C-2, C-3, and C-4
August 29, 2017
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Raul Valdes-Fauli
Vice Mayor Pat Keon
Commissioner Vince Lago
Commissioner Frank Quesada
Commissioner Michael Mena

City Staff

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

Public Speaker(s)

Agenda Items C-1 thru C-4 [12:19:26 a.m.]

Mayor's Comments

C-1: A Discussion on the Resilient Cities Summit

C-2: A Resolution by the City Commission of Coral Gables, Florida, authorizing City staff to consider Sea Level Rise Adaptation in their discretionary decisions, directing staff to initiate the process for amending the City's Comprehensive Plan as necessary to contemplate the anticipated implications of Sea Level Rise and encouraging community associations and governments to develop, adapt and fund Sea Level Rise preparedness policies and programs.

C-3: A Resolution of the City Commission of the City of Coral Gables, Florida, reaffirming the City's commitment to the defense of Home Rule and encouraging Miami-Dade County and Municipalities to join the City in its defense of Home Rule; providing for an effective date.

C-4: A Resolution appointing Commissioner Vince Lago as the representative of the City of Coral Gables on the Transportation Planning Organization.

Mayor Valdes-Fauli: Mayor's Comments – Resilient Cities Summit. I was invited by the National League of Cities and by (ULI) Urban Land Institute, to Resilient Cities Summit in

Montpelier, Vermont, I'm sorry, Stowe, Vermont, and I attended, this was last month in July, and I went with Matt, who is here, and it was a very, very good meeting, shared many experiences with us, at least Montpelier, Vermont, Flagstar, Arizona, Freemont, California, Charleston, South Carolina, St. Augustine, Little Rock, and other cities in the United States and we were honored to be included in that and Matt helped me and I'm very happy that he went and we learned a lot there. Problems are everywhere in terms of ocean rising, in terms of water quality, Flagstaff for example is running out of water. The problems are varied, but we discussed means of addressing the problems, means of financing the solutions we come up with and I think it was a very valuable meeting and we were invited or I am planning to do so, take the lead on Florida East Coast Compact to talk about ocean rising and talk to somebody at St. Augustine about this, and September-October I will take the lead on this and start on that. Next item is a resolution authorizing City staff to consider Sea Level Rise Adaptation in their discretionary decisions.

City Attorney Leen: Mr. Mayor what this does is, as you know we have the White Paper, legal consideration surrounding the City of Coral Gables adaptation to the threat of sea level rise. Coral Gables has been a leader in the United States on addressing sea level rise and putting things in place, even 10, 20, 30, 40, 50, 90 years in advance to try to prepare our City for something that could be catastrophic. So, we thought that if we act in advance we could prepare for that so it wouldn't be, that is the idea, and that we would be at the forefront of other cities. So, that's basically what this does. It continues what the City has already started. I know Matt Anderson is here, I'm sure he'd like to speak about the technical aspects of it, but the main point I wanted to raise is, if we are going to go forward and do that and put out a White Paper then it's important that we follow through, because we've identified a problem and once you've identified a problem it's important that you take steps to address it or it can cause concern and in 30 or 40 years they'd say, well they did this White Paper, they identified all these potential problems and then they did nothing about it. So, the idea is the legal steps that can be taken following the White Paper include the Comprehensive Plan change, to include as a category sea level rise; 2) authorizing City staff, such as your Building Official, your Planning and Zoning Director, Matt, my office, the City Manager, authorizing all of us to take into account sea level rise when we are making discretionary decisions; and finally, to encourage others in our community, other stakeholders, universities, like the University of Miami, businesses, condominium associations, the School Board, which is a big one, the School Board and the County, making sure that they take into account sea level rise. So with that, if it's OK Mr. Mayor, I'd ask Matt to speak.

Mayor Valdes-Fauli: Matt's participation in this summit was great; he is very, very much looked at as a leader of this.

Mr. Anderson: Thank you Mayor for allowing me to attend with you; and I just wanted to echo what the Commission has already been talking about. Coral Gables, we are being looked at as a leader when it comes to this issue. We've done the legal paper, which I shared with a number of cities that attended that conference and have been reached out to by a number of cities throughout the state to share that paper with them and they've been really interested in looking at that and applying it in their own cities; and we've also as attending the Resilient Cities Summit, it's important for us to be part of that national discussion on resilience. A lot of cities, as the Mayor was saying are dealing with different issues with regards to drought, wild fire, here in South Florida, obviously our big issue is dealing with sea level rise, so it's important for us to be part of that national discussion and on a local effort, you know the City joined on a couple years ago with the Southeast Florida Regional Planning Compact, which I know the Mayor will be attending, along with Jessica Keller and myself, the annual summit coming up in December. So, it's very important for us to be part of, not only that national discussion, but the local discussion as well and how we are going to be leading this effort and dealing with this, not only from our own specific City, but as a region as well; and the things we are doing with regards to legal paper, putting together light our maps, we are going through and getting our final determination on our vulnerability assessment, looking at our critical City infrastructure and identifying what actions need to be taken to make sure that we are making those resilient is all extremely crucial, in addition to doing the community outreach and educating the community on this issue and things they can do on a personal level to make their own homes more resilient.

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

Commissioner Lago: So moved.

Mayor Valdes-Fauli: Second.

Commissioner Quesada: Second.

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

Commissioner Mena: Yes

Commissioner Quesada: Yes

Vice Mayor Keon: Yes

Commissioner Lago: Yes

Mayor Valdes-Fauli: Yes

(Vote: 5-0)

Mayor Valdes-Fauli: Next item is a resolution of the City Commission reaffirming the City's commitment to the defense of Home Rule – Mr. City Attorney.

City Attorney Leen: So, the issue we are having here is that Coral Gables has really taken the lead at protecting Home Rule. We are appearing right now in three cases, including the Styrofoam and plastic bag case that's in the Third District, the Home Sharing network case, Air B&B, which is pending in the Third District for an amicus curiae which means a friend of the court in that case, and then lastly, in the Miami Beach has a case involving the local minimum wage. We haven't taken any position as to whether there should be a local minimum wage or not, but we are taking a position that any decision by a court should look at Home Rule first and should interpret Home Rule broadly and preemption narrowly. So, we've been taking the lead in so many different ways. We've also adopted resolutions, for example the resolution about paint permits. We determine that in Coral Gables our permits are not about paint permits, they are really color pallet permits, it's how they've been for decades. We adopted a resolution to that effect. I mentioned to the Commission about another statute that's looking at franchises and their signs and their site plans and we've taken the position that that would violate the First Amendment to do that and to favor big business over small business or over non-commercial speech, so we've taken that stand as well and that's coming before you next time. On the wireless bill, we are looking at different ways to address encroachments into our right of way. We've taken so many stance on these issues, what this does is it asks the County and other cities to join us, because one thing we've doing is raising the Miami-Dade County Home Rule Charter over and over again and how it protects us and we believe that Dade County should also be doing that at the same time. So, we are asking them as a fellow government entity to please help us to stand up for Miami-Dade County Home Rule and that's what this resolution does.

Mayor Valdes-Fauli: Do I hear a motion?

Commissioner Lago: So moved.

Commissioner Quesada: Second.

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

Commissioner Quesada: Yes

Vice Mayor Keon: Yes

Commissioner Lago: Yes

Commissioner Mena: Yes

Mayor Valdes-Fauli: Yes

(Vote: 5-0)

Mayor Valdes-Fauli: And the last time, I would like a resolution appointing Commissioner Vince Lago as our representative in the Transportation Planning Organization. He has been very active in the TPO and it's crucial given our traffic problems and I think that we have a wonderful representation in the hands of Commissioner Lago.

Commissioner Quesada: So moved.

Commissioner Mena: Second.

Mayor Valdes-Fauli: All in favor say aye.

All: Aye.

Mayor Valdes-Fauli: Opposed.

Commissioner Lago: Look forward to serving. Thank you.

[End: 12:27:40 p.m.]