City of Coral Gables City Commission Meeting Agenda Item D-2 March 29, 2016 City Commission Chambers 405 Biltmore Way, Coral Gables, FL

<u>City Commission</u> Mayor Jim Cason Commissioner Pat Keon Commissioner Vince Lago Vice Mayor Frank Quesada Commissioner Jeannett Slesnick

<u>City Staff</u> City Manager, Cathy Swanson-Rivenbark City Attorney, Craig E. Leen City Clerk, Walter J. Foeman Deputy City Clerk, Billy Urquia

<u>Public Speaker(s)</u> Fausto Gomez Senator Miguel Diaz de la Portilla Representative Jose Javier Rodriguez

Agenda Item D-2 [0:00:00 a.m.] Legislative Report by Fausto Gomez, of Gomez Barker Associates, Inc.

Mayor Cason: Now we have a time certain item, 9:30, for a legislative report by Fausto Gomez of Gomez Baker Associates.

Fausto Gomez: Good morning, Mr. Mayor, Vice Mayor. Fausto Gomez. And what I would like to do is, Mr. Mayor, with your concurrence, is that we have Senator Diaz de la Portilla and Representative Jose Javier Rodriguez here with us who are two members of the Coral Gables Legislative Delegation. Representative Fresen is out of town and Senator Margolis could not make it. So, with your concurrence, I would like to turn it over to them, and then I'll sort of talk specifics about the accomplishments for the City of Coral Gables.

Mayor Cason: Great, thank you.

Mr. Gomez: So, Senator, Representative.

Mayor Cason: Welcome.

Senator Miguel Diaz de la Portilla: Mr. Mayor, good morning.

Mayor Cason: Morning.

Senator Diaz de la Portilla: Members of the Commission, Miguel Diaz de la Portilla. This is, you know, a lot of familiar faces, so it's great to be back home and great to be here as a resident and taxpayer here in the City of Coral Gables. It's always good to see our government doing a good job for the citizens of -- the people of Coral Gables. And you know, many of you, we go way back. Commissioner Slesnick sold me my home here in the Gables, a great move and a great buy over a decade and a half ago. And I believe City Manager Swanson and I worked together on the Cultural Affairs Board here in the City. And you know, many of you, Craig, of course, from the City Attorney days -- County Attorney days rather, Patricia Keon worked for my friend Jimmy Morales when I was a County Commissioner. And then some -- you know, Commissioner Lago, I'm old enough now that I kind of know the parents of the Commissioners, the elected officials. You know, I have much respect to you and your family. Your dad is a well-regarded physician. Of course, the Mayor I've known for a long time. And Frank and I

have shared the same alma mater, Belen Jesuit. We had a very good session in Tallahassee. I think it was a session that was characterized by harmony between the House and the Senate. Unfortunately, last session wasn't a great one when the House left three days early. But I think the session was a good session in terms of record funding levels for education, record funding levels for the environment, including over \$200 million for Everglades restoration. And as far as our City, our City Beautiful of Coral Gables, I think it was a good year as well. In just two items alone, we preserved over \$7 million in revenue to the City and that's the communication services tax that was on the chopping block, and of course, the local business tax. Those two were preserved, as well as our preservation of the City's ability to use the special law enforcement trust fund to help offset the investment you made in the communication center, which is a very, very good investment. In addition to that -- and your legislative lobbyist, who I might add, I've known for over 25 years, including Manny Reyes, whose dad I know very well, as well, actually -- they do a fine job for you in Tallahassee. They're on top of everything, whether it's budget items or important public policy issues for you here on the Commission and for our City. They really stay on top of it. And they stay on top of it by, you know, land, sea and air, as I'd like to say. You know, not only do they visit and are regularly visiting in my office, but whether it's by text or email or carrier pigeon, they get the message to us in Tallahassee to keep our constituents in mind, which, of course, we do. But you know, there are over two thousand and some items that come before us, not to mention a very fast-paced budget process, and so having effective representation in Tallahassee is very important for Coral Gables and for all the cities in the state of Florida. Again, it's my pleasure to be here. I'm here to answer any questions that you may have. And to highlight a couple of key things -- again, Fausto and Manny will go over these items. We were successful in getting some significant funding for important Coral Gables projects and amenities, including the GableStage, the Cinema Tech, the Gables museum. I did put a million dollars for the restoration/renovation of -- renovation, rather, of Miracle Mile and Giralda, but unfortunately, that was vetoed by the Governor. We did get the \$200,000 in for drainage on Miracle Mile and Giralda, and we'll be back next year to put that million dollars back in and maybe some more because I think that's an important economic development project. Of course, I think that the reason why a number of these local economic development

projects were vetoed was because the Legislature didn't fund the Governor's \$250 million, you know, economic development package, which was a package of incentives to businesses. And therefore, you know, that was -- the price was paid when the budget cuts came or the vetoes came. But you know, again, a couple -- last year, actually, we put \$2 million for the underline, which is an important, game-changing project for our entire community, including Coral Gables. And last year, it was vetoed. This year we came back again, put the \$2 million in and we survived the veto, so the \$2 million are in. So, my vow to you is that whether it's Miracle Mile renovation or any other important project that was vetoed this year, we're going to come back and put it in and increase the funding next year. And sometimes the way the process works is you have to take a couple of stabs at it if you will. But all in all, I think a very successful year. You'll hear more detail from your lobbyist, Fausto, and Manny, as well, important policy initiatives as well to preserve, as I said, your local authority and -- I'm a local government guy. I was, you know, a County Commissioner for two terms and chaired the County Commission and I believe in local government because this is the government that is closest to the people. And so, you know, as long as I am able and in a position to help, as I was and as I expect to be next year, I'll continue to fight for local autonomy and local control and, you know, the power that you have as the more direct or most direct representatives of the people to continue to serve our community. And there's a little self-interest here, too, because I am, as I said, a resident and taxpayer here in Coral Gables, so I'd like to see my city prosper. I'd like to see all the cities in Florida prosper, but you know, this is home. So thank you.

Mayor Cason: Thank you, Miguel.

Commissioner Lago: Thank you.

Commissioner Keon: Thank you.

Commissioner Lago: Thank you very much.

Senator Diaz de la Portilla: And I'll -- oh, I'll yield to Representative Rodriguez.

Commissioner Lago: Of course.

Representative Jose Javier Rodriguez: Thank you. And good morning, Mayor, Commissioners. It's good to be with you again. And you know, I want to join the Senator's remarks about the quality of your lobbying staff and your City Attorney, but I also want to commend you on being very involved yourselves in the legislative process. I heard from many of you. I know some of you made the trip up to speak with legislators and it does make an impact, and I really appreciate the -- basically, you make it easy for us to do our job in terms of representing you, which is great. If you'll indulge me -- so I wanted to talk about some of the similar topics and just hit on three sort of larger dynamics going on with the Legislature that I think were to our benefit this year of making it a positive session and hit on two policy areas that I know some of you are very keenly interested on yourselves in your capacities as Commissioners. So, the first dynamic is with the Dade Delegation. So, there's 24 state representatives and senators that represent Miami-Dade. We're a big group. We're a diverse group, not just in terms of party and other things, but just in terms of ideologically. And one of the trends that we've seen as we've worked much more effectively together, at least during my time, every year we seem to be getting better. Last year, Senator Anitere Flores was our chair, and we really started working on having longer term priorities. In front of you is an op-ed from 2014 that really lays out some of the direction we're trying to go. But with this particular session, we've had the leadership of Jose Felix Diaz as our chair. I've served as the vice chair of the Delegation. And really, we had a great, cohesive group. And while I believe that -- and I think a lot of the Delegation members would agree that a lot of our goals were modest. We got almost all of them done, and it was really a positive session and we worked cooperatively, and I think that's a really good dynamic to continue. And you know, as the Senator mentioned, the -- Ludlam Trail and the underline, you know, both got funded. There was a project that was a priority for the University of Miami's med school in terms of it dealing with the rates of hepatitis C and HIV infection. That finally passed this year as well. Also, removing some discriminatory language and statute that had to do with immigrant

children receiving public benefits that really had nothing to do with anything other than an outdated federal law that we never updated. So, overall for the Delegation, it was a great year. And I think my message to you is collectively we are getting better. And that I think is a testament to a lot of the pushback the Delegation's been getting from local leaders and the media, which I think is positive and I hope that continues. The second dynamic, as the Senator was discussing, is the -- I hate to praise it this way, but the Governor's governing style in recent years has really galvanized the Legislature. And the House, which tends to be a lot more partisan than the Senate, voted unanimously -- effectively unanimously for the budget this year, which has not happened in a very long time. Part of the reason for that is because there needed to be unity to deal with, I guess, the sort of surprise vetoes and vengeful vetoes that have happened in the recent past. And one of the most important things I think that has happened maybe if not at the top, one of the most important things for us is that, as the Senator mentioned, every year there are increases in education funding, but the big issue is where does that come from. And every year more and more and more of that increase in education funding comes from local property tax dollars. Back when Governor Jeb -- Governor Bush was in office, every three dollars of state money had two dollars of local money in the base education budget. If the Governor had had his way this year, it would have been a majority of local funding in our base education budget, which would mean basically the state has been gradually disinvesting from base K-12 education. That changed this year. That alone was my reason for voting for the budget. There were \$486 million added to the budget so that increases in education funding would not rely almost 90 percent on local property taxes, and that is a very good thing, something we should continue. So, that's just an example of what that bipartisanship meant, but also bicameral. As the Senator mentioned, you know, the House tends to be a little bit more aggressive or ideological on certain issues and the Senate tends not to be, and it's created a lot of rancor in recent years. But again, if you looked at it from the outside, you wouldn't have seen that, and I think, from my perspective, the democrats, republican senators, representatives, at least compared to last year, certainly did our job, and I think that's a positive thing. The third dynamic is simply for districts. I think many of us know that, you know, gerrymandering has an influence on policy. And I think one of the great things this year is that the fair district process

has sort of gotten to its end and there are new state senate districts. And I mention that because it has had an impact on policy and on cooperation in Tallahassee, and I think it's a good positive thing. So -- and two policy issues that I promised I'd get back to you on and so this is the opportunity to do it, right; we're up here in front of you. But one has to do with sexual assault, and I know that's an issue that is very important. Some of you have spoken about it. A bill that I worked on for two years with Senator Joe Abruzzo and prosecutors which deals with helping law enforcement to be able to enforce domestic violence and stalking injunctions that finally passed this year. Senator Diaz de la Portilla this year joined the momentum and co-sponsored it, and I want to thank you for doing that, as well. And the other thing that I know many of you were engaged in had to do with the backlog of rape test kits. So, I know many of you have read in the news -- I know the Attorney General Pam Bondi has made it a real priority to deal with the backlog in the rape test kits. Not only did legislation pass which requires -- you know, has a definite procedure that would help get that done, but also the Legislature fully funded FDLE's request to get the backlog done within three years. So, I want to thank you again for your advocacy on that and for your support on that. And the other thing is sea level rise. I know that's something that you all have taken leadership on. And you know, I think from -- one of the things that I guess is dismaying from this year as well as prior years is what happens with our water projects. The water projects, particularly in the House, is kind of an opaque process. And every single one of your water projects has to do with mitigating sea level rise in one way or the other. And I want to say that there's a small bipartisan group of us who worked together this year under the leadership of Rep. Kristin Jacobs, in Broward, to put forward a proposal that would have required state agencies to coordinate their operations specifically with respect to the results of sea level rise, with extreme weather events, inland flooding, coastal flooding. That didn't advance, but I think it was the first time we saw a definitive effort by legislators to try to move the ball forward in terms of sea level rise. And honestly, the way that we see it is how can we at the state level get more money and more funds and more discretion into your hands because the leadership's coming from local governments, particularly this city, in terms of trying to deal with the issues of sea level rise. So, I want to thank you for that, and look forward to continue working with you on all these issues, so thank you.

Vice Mayor Quesada: I got to say thank you to both you guys. And also, Senator Gwen Margolis and Senator Flores. They -- I'm sorry (INAUDIBLE)...

Representative Rodriguez: And Rep. Fresen too.

Vice Mayor Quesada: And Representative Fresen. Because we guys -- we call you a lot. I'll be honest. I know I do all the time. Every time we see an issue -- and Fausto's obviously been great since inception. But you guys have been great. You always pick up our phone calls. We text you. We bug the crap out of you, and you guys are always there to answer and really help us out. So, the residents are fortunate to have both of you representing us and the rest of the Dade Delegation that represents Coral Gables. So, thank you so much for all your effort. Thank you for the comprehensive report and everything that you guys have been doing. You know, when I was going through the report, Fausto, I mean, congratulations. I know we -- you know, there were some that we didn't get, you know, the million dollars for Miracle Mile, but I feel like we got a lot more this year than we have in the past. Actor's Playhouse, GableStage, Fairchild, the Cinematheque and Coral Gables Museum. Obviously, we always want more from the state, but hey, this is -- I think it was a pretty good job this year on those amounts, in addition to the other issues that you guys brought up. So, thank you so much for working hard and being great representatives of our city. Thank you so much.

Senator Diaz de la Portilla: And Mr. Mayor and Commissioners, if I may. I'd be remiss if I didn't recognize Erik Fresen's -- Representative Fresen's very good and solid work on behalf of our City. In the budget process, you know, we worked very, very, very closely in order to fund our priorities. And Representative Fresen can't be here today, but I assure you he's worked very, very well and very, very hard just on the education issue alone to get record levels of funding for public education. He was a champion on that issue, and I worked very closely with him on that. As well as, you know, paying for the local effort and providing that 0.29 millage relief for the local share, if you will, of public education, having the state pay for that. Erik Fresen worked

very, very hard on that. Couldn't be here today, but I just want to bring it to your attention that he's a tremendous advocate for our City.

Representative Rodriguez: And absolutely. It was a great year in comparison in terms of what we were able to accomplish. It doesn't mean it doesn't sting, two vetoes in particular, which you know, the Senator mentioned in terms of one million out of the one point two for Miracle Mile, and of course, our museum here. But it is a dynamic that we hope to build on in terms of being able to fund these things. And I think, again, I mentioned the water projects as probably the area we need to dig into the hardest. I know that you all had a lot of very important ones that didn't make it through, and that is largely because of the, I have to say, opaque process that we currently have, and many of us, Republicans and Democrats, have been hammering on that topic.

Mayor Cason: Thank you.

Commissioner Slesnick: Mr. Mayor, could we have our photo taken with our representatives while they're here?

Mayor Cason: Sure, sure.

Commissioner Keon: Could I -- I'd like to speak to just a couple of things. It really was my pleasure to visit you in Tallahassee during this legislative session. You do a wonderful job, you really do. It is such a pleasure to be able to go to your offices and sit down and talk to each of you and to meet the other legislators from around the state that you work with. So, thank you very, very much for that. I'd like to thank Senator Diaz de la Portilla for some of the things that he didn't hear and didn't allow it to go forward. Thank you very much for some of the things that just didn't advance because of your efforts. I also, in regard to our water projects, you know, not only is it so important to us locally to deal with our water projects, but we really have to -- the monies that the residents of the state voted for Everglades restoration have to go to Everglades restoration. You know that one of the biggest threats to Florida, particularly to South

Florida, from sea level rise and global warming is the potential intrusion of saltwater into our aquifer. The only way that we can deal with that and the best way we can deal with that is through the Everglades restoration and to return that to the ecosystem that it once was that really sustained fresh drinking water for our whole state, but particularly, you know, below the lake. It is essential that you push the government to do -- and put the money into Everglades restoration. You know, I know -- I think so often people look at it as, you know, just maybe an environmental issue and because you want the sea of grass to return to what it is. It isn't. It's so that we can have a sustainable, fresh drinking water supply for our state. We see throughout the west and throughout our country the problems with water and the lack of water and the unavailability of fresh water, both for irrigation, but primarily for drinking. We should never have that property in the state of Florida. And if they restore the Everglades, we won't have that problem. That is an essential, essential element that our government has to care for because there's not one single individual in this state that can do that. We voted for those funds and they have to go back into it. It is essential for the preservation of our drinking water. So, we're going to have a -- we will have -- the third of our three-part series we have done on sea level rise is April 13 at the museum at -- it's at 6 o'clock. I hope if any of you are in town that, you know, you will come by and you will attend. But thank you again for all of your efforts on our behalf.

Commissioner Lago: Could I just add one quick thing? Both of you, thank you gentlemen for being here. I just wanted to -- make sure Fausto is back there; yes, he is, and Manny. I wanted to say thank you to all of you and just to dovetail off what the Vice Mayor said. I think I've spoken to Fausto and Manny three or four times this week alone. I'm constantly in contact with them and we're very grateful to have them, along with both of you, representing us at the state level. I also want to compliment both of you and Fausto and Manny and all our -- you know, Pepe Diaz, Erik Fresen, Anitere Flores, in reference to the rape kits. You guys were there. I spoke to Representative Rodriguez. We had a conference call with Roxy (INAUDIBLE). She obviously has been an advocate on behalf of that and you made sure that that was pushed forward along with your help, Senator. But there are a few things that I want to touch upon. And I wrote a letter to the Governor last week, and I put it up on my Facebook page, and I've

gotten some support from state leaders and local leaders who have basically resent that letter to the Governor. And it was in reference to what my dear colleague, Commissioner Keon, is mentioning. It was a three-part letter. Number one, it was the issue of polystyrene. I'm at a loss of words in reference to how this community can work hand in hand with the business community with the Chamber, the Chamber pushes forth this agenda, says that the business community is 110 percent behind it, you guys can support us so much, and then our ban can be banned via a Department of Agriculture amendment, which the only way to stop it was from a veto by the Governor, which we know would have never happened, which Fausto -- which is, again, way beyond my pay grade. He was able to explain it to me on several occasions how intertwined this was. So, to me, I've spoken to our City Attorney and we're looking, along with our incredible lobbying team, to see if somehow we can address this issue locally and then bring it to the state again next year. By the way, my letter has gone unanswered in regards to -- I haven't received an answer. We sent it certified mail, so obviously, they got it.

## Mayor Cason: (INAUDIBLE) answer.

Commissioner Lago: Yeah, he's not going to answer. To me, it makes absolutely no sense. And the funny thing about it was that we actually took measures to bring relief to hospitals who require polystyrene for, you know, a whole host of issues, and for entities like Publix, which require it for deli meats and meat. And by the way, this was shot down by the Publix lobby. It's in print, which, to me, you're going against the constituent base that every time I brought this up is super excited in the fact that we're removing a product that pollutes our -- like the Mayor has eloquently stated before -- over 40 miles of waterfront property in just Coral Gables alone. This is already outlawed in Hawaii. This is already outlawed in California. You had a bunch of cities throughout the state of Florida that pushed this ban forward and got approved. We, on a third reading, 5-0 vote, approved it to retroactively get in line with the other cities that got approved throughout the state. And for somehow, some way, the Governor decided to, instead of listening to the Coral Gables chamber, the businesses that we vetted -- and we took a long time to vet it -- and the residents, he sided with special interests, which, in my opinion, is embarrassing. That's

number one. Number two, well, Commissioner Keon mentioned, is Amendment 1 and the issue that almost 75 percent of the voters of this community, in 2014, supported Amendment 1. That is a mandate. If I get elected with 75 percent -- if you get elected with 75 percent, you know, that's a coup. You know, that is something that is absolutely spectacular. If the residents are telling you that they want Everglades restoration and for two years in a row you turn your back on Everglades restoration and restore the Everglades, to me, you know, I don't know what direction we're headed in. And I commend all of your efforts to being at the forefront and leading in that, but I just think we've fallen way short. And by the way, what the Commissioner mentioned -- I'm just going to push a little bit further. You see what's going on in California. You see that in Brazil, in certain parts of Brazil the water gets turned off at 9 o'clock. How does that make any sense? You have cities with droughts. I don't want to be the bearer of bad news, but if you continue through this catastrophic trend, we could see ourselves in a few years in a very, very tough position. You already see what's going on in regards to fish die-off. You already see what's going on in regards to the Everglades. And I think that we're putting ourselves and we're being narrow minded. I think that we need to broaden our view and really take into account that we are a state that depends on tourism. We're a state that depends on agriculture and fishing. If you don't protect the waterways and if you don't protect our natural resources, we're going to be in a lot of trouble in a few years. The final issue that I wanted to mention, besides the polystyrene and the issue of Amendment 1 and why I can't fathom how we're not supporting Amendment 1 after the mandate, is I'm going to be tackling -- and hopefully, my colleagues will be supporting like they supported me on the polystyrene ban, 5-0 three votes. I'm going to be supporting and I'm working on legislation in regards to plastic bags. SB 306 and HB 143 would have authorized coastal municipalities to establish pilot programs to regulate or ban disposable plastic bags. Coral Gables would have been incorporated under the coastal definition. The bill died in committee. I need your support next year.

Vice Mayor Quesada: You have it.

Commissioner Lago: California, all-out ban. Hawaii, all-out ban. It just makes sense. Paper or bring your own bags. We're a very educated and affluent community. We should hold ourselves accountable and hold ourselves to a higher standard. Do not allow special interests to win on these issues. We must protect the environment here. And by the way, like I mentioned before, I'm a Republican -- conservative Republican. You can be a conservative Republican and you can also make sure that you protect the environment. It just makes good financial sense.

Commissioner Keon: I'd also like you to, you know, is to take a look at the Public Service Commission and really have a really strong Public Service Commission that is really willing to look at and regulate utilities and work on behalf of the general public and not on behalf of those utilities.

Mayor Cason: Photo. You want to say something?

Representative Rodriguez: Yeah. Can I just briefly address? Well, thank you and, to your comments, amen, amen, amen. Very quickly, I think a lot of the topics you mentioned are related. Amendment 1, last -- it was passed overwhelmingly last year. It was not just violated. It was blatantly violated from, you know, the perspective of many of us. The good thing -- and I think the only good thing I can say about those issues is that this year House Bill 989 passed, which specifically takes some of those monies, \$200 million, to estuaries and Everglades restoration every year, and that's something we need to build on and support. The issue of sending the water south, I think that is a really critical issue. And when I'm talking about that, I'm talking about Everglades restoration and other water projects. What we're seeing in north Florida with -- well, not in north Florida, but north of us with the fish die-offs, that will continue to happen as long as we don't finish the job of these Everglades restoration projects.

Commissioner Lago: Let me just add one thing...

Representative Rodriguez: Yeah.

Commissioner Lago: If I could interject. And I just want to mention what the Senator so eloquently discussed at the beginning of his presentation, this idea of the tit for tat kind of, you know, you didn't vote for \$250 million, and I'm going to come back and I'm going to veto. The museum, \$200,000 is essential, and let me tell you why, because it was for sustainability education.

Vice Mayor Quesada: Right, (INAUDIBLE).

Commissioner Lago: I mean, guys, we're shooting ourselves in the foot here, you know. I talked to Fausto. I don't know -- I talked to Erik Fresen. I mean, they were -- you guys were at the front line fighting for that. You are basically stopping the education by the museum to all the young public school kids that come to the museum looking for, not only background and some in-depth guidance in regards to what is the City of Coral Gables, that's great. George Merrick founded the City of Coral Gables. We're the first planned community. That's great, but we got to move beyond that. We have to educate our young children who use the museum and that money was going to go directly to them to show them the importance of simple things like recycling, simple things like the Everglades. Why are the Everglades important, like Commissioner Keon mentioned. A lot of people don't know that salt water intrusion is happening, that every time you dig a well, you have to dig a well even deeper. We've got to get away from the idea that somebody else in the future is going to correct these problems. We have to take ownership. I'm very proud of the senators that represent us, the state representatives, and most importantly, our lobbyists who are here who are -- I mean, I was writing Fausto emails last night I think at 11 o'clock at night. I mean -- and I know that he goes and talks to you guys and makes it accessible. So, I don't want people to think that I'm upset. I'm very excited about the fact that we got \$200 million for a portion of Everglades restoration, but I think it's time that we really take ownership and understand you can't be the state of Florida if you don't protect the state of Florida. It doesn't make any sense. And we can do both things. This is coming from a general contractor, okay. I'm a general contractor. I'm not an attorney. I have a vested interest

in continuing to build in South Florida, but I understand the importance that if we don't take the necessary measures like our City Mayor who has been an advocate of the last five years, along with Commissioner Keon, of making sure that people understand that sea level rise is a reality. I mean, if you're a denier of sea level rise, I mean, in this day and age, I don't understand what type -- who -- what are you believing in because anybody who can rationally put together what's going on currently in this community in South Florida -- I mean, attend Commissioner Keon's third symposium. Get educated. I mean, we have some of the brightest minds in South Florida who are going to be there, who have been there who will explain to every single person what is going on in regards to sea level rise. So, to me, it's a little disheartening. It's disheartening, but I'm also excited that we're continuing to spread the word and I ask your help in regards to its full potential. Thank you for your hard work.

Senator Diaz de la Portilla: Thank you. Thank you very much.

Commissioner Keon: Thank you.