



From: Chuck Savitt

To: Alban, Xavier E., Gibbs, Domini (City Attorney), McNulty, Kerri L., Gilbert, Jane

Date: Feb 20, 2018 at 4:00 PM

Subject: Media coverage

Attachment(s): 2

Check out this excellent story that just ran today in The VERGE. It does a very good job of summarizing much of what Vic and Matt presented.

https://www.theverge.com/2018/2/20/17031676/climate-change-lawsuits-fossil-fuel-new-york-santa-cruz

Charles C. Savitt

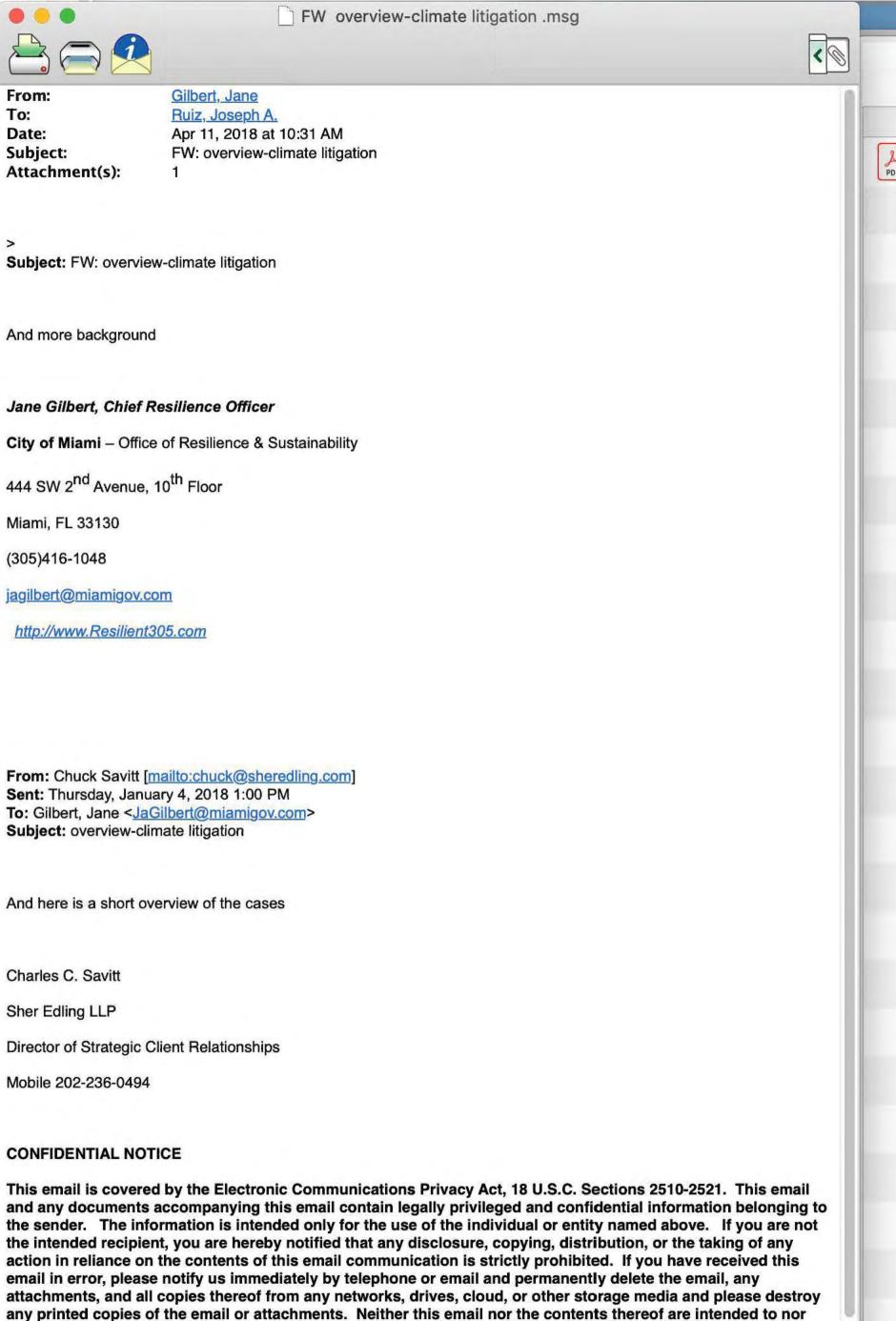
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Director of Strategic Client Relationships

Mobile 202-236-0494

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Save Name Size Backgrounder1.4. 738.50 KB 18 - One-Pager -



From: To:





Gilbert, Jane Ruiz, Joseph A.

Date: Apr 11, 2018 at 10:30 AM Subject: FW: Media coverage

Attachment(s):

I'll send a meeting invite but this is who we are meeting on Monday and whom spoke with Kerri McNulty, Xavier Alban, and Domini Gibbs in February.

Jane Gilbert, Chief Resilience Officer

Office of Resilience and Sustainability

City of Miami

444 SW 2nd Avenue, 10th Floor

Miami, FL 33130

(305)416-1048

jagilbert@miamigov.com

www.resilient305.com

"Serving, enhancing and transforming our community."

From: Chuck Savitt [mailto:chuck@sheredling.com]

Sent: Tuesday, February 20, 2018 4:00 PM

To: Alban, Xavier E. <XEAlban@miamigov.com>; Gibbs, Domini (City Attorney) <DGibbs@miamigov.com>; McNulty, Kerri L. <klmcnulty@miamigov.com>;

Gilbert, Jane <JaGilbert@miamigov.com>

Subject: Media coverage

Check out this excellent story that just ran today in The VERGE. It does a very good job of summarizing much of what Vic and Matt presented.

https://www.theverge.com/2018/2/20/17031676/climate-change-lawsuits-fossil-fuel-new-york-santa-cruz

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FW good to talk.msg		
	₹◎	
		Save
From: susy torriente < <u>SusanneTorriente@miamibeachfl.gov</u> >		
Date: Tuesday, February 20, 2018 at 5:02 PM		Name Size
To: "Bada, Kristy" < <u>KristyBada@miamibeachfl.gov</u> > Cc: Chuck Savitt < <u>chuck@sheredling.com</u> >		RFQ 2017-300-KB 163.00 KB
Subject: FW: good to talk		Form Approved
		image001.jpg 17.50 KB
Hi Kristy		RFQ 2017-300-KB 637.50 KB Bus Care Analysis
		2
Can you please send Chuck Savit a copy of the business case RFQ as well as the manager's memo on the last agenda? Thanks so much.		Commission Item 133.50 KB Memo.pdf
Susy		
MIAMIBEACH		
Susanne M. Torriente		
Assistant City Manager/Chief Resiliency Officer		
Office of the City Manager		
1700 Convention Center Drive		
Miami Beach, FL 33139 305-673-7000 x6486		
susytorriente@miamibeachfl.gov		
From: Chuck Savitt [mailto:chuck@sheredling.com]		
Sent: Friday, February 16, 2018 2:12 PM		
To: Torriente, Susanne < <u>SusanneTorriente@miamibeachfl.gov</u> > Subject: good to talk		
Susy, thanks for taking the time got me caught up on your work. Very exciting to know about the RF grant and the team of TA folks you have put together.		
Just a reminder, please send me your RFQ and other narrative you have put together about the project, goals, outcomes expected, and methodology. I will then put you in touch with Laurie Mazur at Island Press who is running t	he	
Resilience Program with Kresge and JPB.		
Best,		
Chuck		
Charles C. Savitt		
Sher Edling LLP		
Director of Strategic Client Relationships		
Mobile 202-236-0494		
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agreement or by court order.		



From: "Bada, Kristy" < KristyBada@miamibeachfl.gov>

Date: Wednesday, February 21, 2018 at 7:35 AM To: Chuck Savitt <chuck@sheredling.com>, susy torriente <SusanneTorriente@miamibeachfl.gov>

Subject: RE: good to talk

Mr. Savitt,

Per your request attached is the RFQ and Commission Item. If you require additional information please advise.

Thank you,

MIAMIBEACH

Kristy Bada, Contracting Officer III

Procurement Department

1755 Meridian Avenue, 3RD Floor, Miami Beach, FL 33139 Tel: 305-673-7000 Ext. 6218 / KristyBada@miamibeachfl.gov

We are committed to providing excellent public service and safety to all who live, work and play in our vibrant, tropical, historic community.

From: Chuck Savitt [mailto:chuck@sheredling.com] Sent: Tuesday, February 20, 2018 6:30 PM

To: Torriente, Susanne; Bada, Kristy

Subject: Re: good to talk

Thanks so much. We think a few other cities we are working with that are part of the RF 100 Cities network will be interested. Looking forward to reviewing.

Best, Chuck

Charles C. Savitt

Sher Edling LLP

Director of Strategic Client Relationships

Mobile 202-236-0494

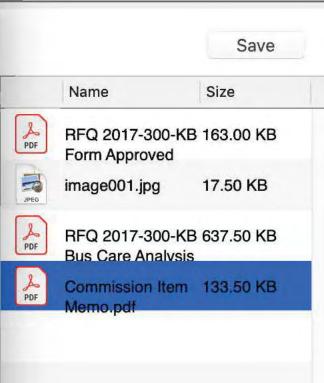
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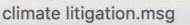
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Date: Tuesday, February 20, 2018 at 5:02 PM

From: susy torriente <<u>SusanneTorriente@miamibeachfl.gov</u>>

To: "Bada, Kristy" < KristyBada@miamibeachfl.gov>











Chuck Savitt From:

To: Alban, Xavier E., Gibbs, Domini (City Attorney), McNulty, Kerri L., Gilbert, Jane

CC: Del Oro Jessica

Feb 20, 2018 at 4:18 PM Date:

Subject: climate litigation

Attachment(s):

Dear Xavier, Jane, Domini and Kerri,

Thank you very much for organizing the call today and for all of your time.

Here are two pdf's. The first for San Mateo County focuses on sea level rise. The second, for the City of Richmond also includes other climate related issues. Please let me know if you have any trouble opening them.

Vic, Matt and I will look forward to your questions and further discussion.

Best,

Chuck

Charles C. Savitt

Sher Edling LLP

Director of Strategic Client Relationships

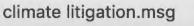
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	Name	Size	
A PDF	2018-01-22 City Richmond CC	2.96 MB	
PNG	image001.png	19.00 KB	
DIF	image002.gif	1.12 KB	
PDF	2017-07-17 SMCO Complaint	3.40 MB	







From: "Del Oro, Jessica" < JMDeloro@miamigov.com>

Date: Thursday, January 11, 2018 at 6:45 PM **To:** Chuck Savitt <chuck@sheredling.com>

Cc: "Alban, Xavier E." <XEAlban@miamigov.com>

Subject: RE: Conference Call Attendees Coordination - RE: California/Big Oil

Good evening Mr. Savitt,

Thank you for speaking with me. Pursuant to our conversation, please provide me with the names, emails, and numbers of those from local public counsel, as well as local government counsel, who will be participating in the conference call. As for the City of Miami, attorneys Domini Gibbs, Kerri McNulty, and Xavier Albán will be attending, in addition to Jane Gilbert, from our Sustainability and Resilience Department.

Thank you most kindly,

Jessica Del Oro, Legal Assistant

Assistant to: Deanna D. Gross Rasco, Assistant City Attorney

Xavier E. Albán, Assistant City Attorney



City of Miami Office of the City Attorney

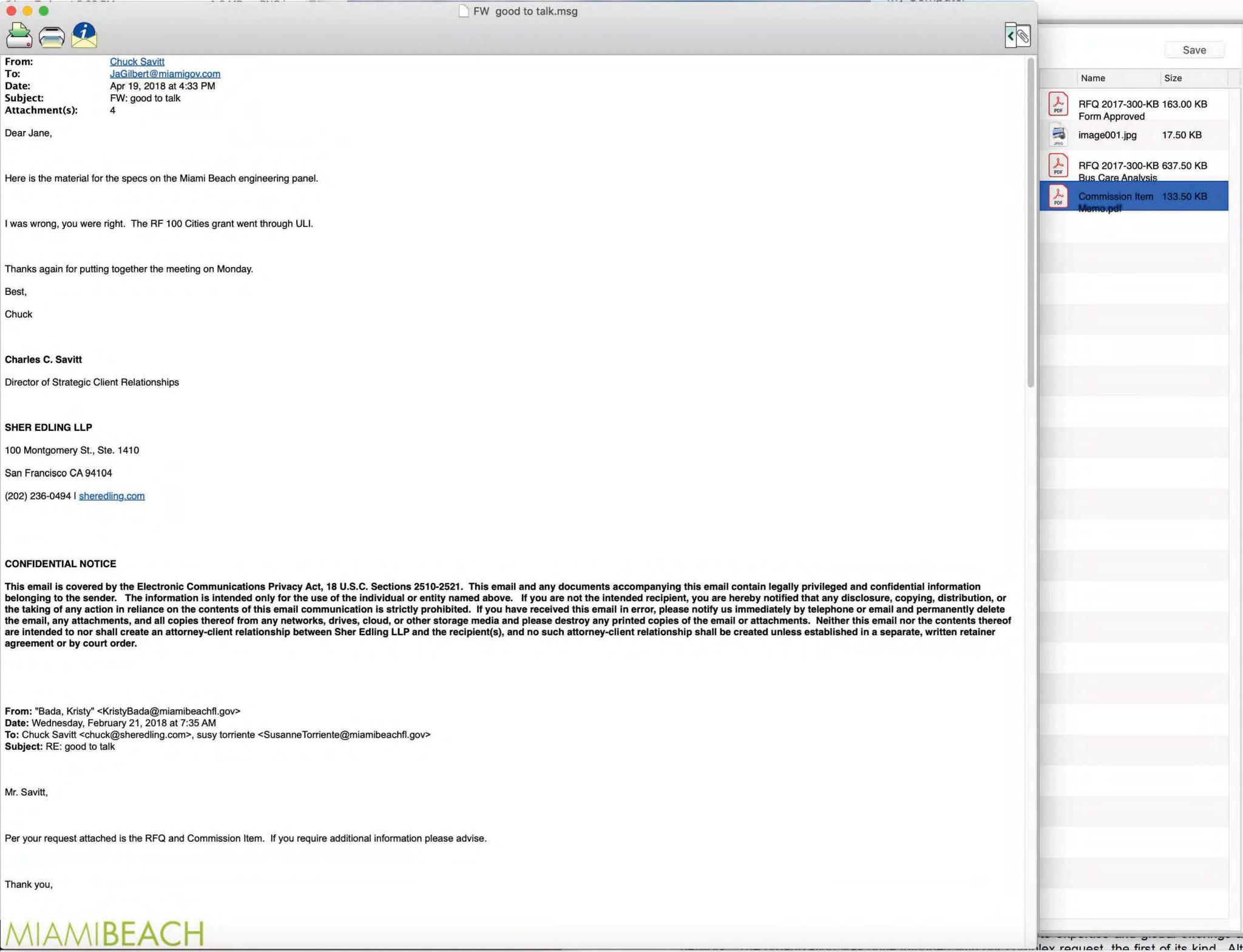
Telephone: 305-416-1894

Facsimile: 305-416-1801

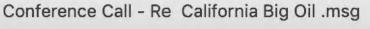
Email: jmdeloro@miamigov.com

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	Name	Size
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GIF	image002.gif	1.12 KB
PDF	2017-07-17 SMCO Complaint	3.40 MB









From: Alban, Xavier E.

To: McNulty, Kerri L., Gibbs, Domini (City Attorney), Gilbert, Jane, Vic Sher, Matt Edling, 'chuck@sheredling.com'

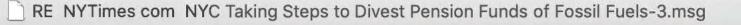
CC: Del Oro Jessica, Illescas Yolanda, Bailey Deborah A, Trish Gomez

Date: Jan 25, 2018 at 5:58 PM

Subject: Conference Call - Re: California Big Oil

Those calling in from Sher Edling, LLP, please dial 305-416-1516 and the meeting number is #1847. This number is only valid for this meeting's date/time. If this meeting is rescheduled, I will update with a new call-in number. Thank you.







From: Sergio Masvidal
To: Gilbert, Jane

Date: Jan 10, 2018 at 8:42 AM

Subject: RE: NYTimes.com: NYC Taking Steps to Divest Pension Funds of Fossil Fuels

Attachment(s):

While we're exchanging emails... See the attached article. Something for us to consider in the upcoming Miami Forever bonds. And given your network among the resiliency officers throughout FL, I believe it's something we should discuss more broadly.

----Original Message----

From: Gilbert, Jane [mailto:JaGilbert@miamigov.com]

Sent: Wednesday, January 10, 2018 8:18 AM To: Sergio Masvidal <MASVIDALS@pfm.com>

Subject: FW: NYTimes.com: NYC Taking Steps to Divest Pension Funds of Fossil Fuels

Sharing this as motivation to continue with your analysis. ;)

----Original Message----

From: Jane Gilbert [mailto:outlook 8BA655A736D8FACF@outlook.com] On Behalf Of Jane Gilbert

Sent: Wednesday, January 10, 2018 7:45 AM To: Gilbert, Jane < JaGilbert@miamigov.com>

Subject: NYTimes.com: NYC Taking Steps to Divest Pension Funds of Fossil Fuels

From The New York Times:

NYC Taking Steps to Divest Pension Funds of Fossil Fuels

New York City officials are citing climate change as their motivation to join a growing number of investors ridding themselves of financial interest in fossil fuels.

https://urldefense.proofpoint.com/v2/url?

u=https-3A__www.nytimes.com_aponline_2018_01_10_us_ap-2Dus-2Dfossil-2Dfuel-2Ddivestment.html&d=DwIFAg&c=gjoMo4NXMhIb6fFdj3Q8Cw&r=3hPZccOHPtjRHxYYWrOe9kqs7_OwhfhB45a-L4Rde20&m=1VPuHs0PiFyvFpxLLhalkcHbTZnBvRWLPUS9mg__sr4&s=f0FDtqinaOkZDr4h1b-tqAi7h3KX6Hofo9Z6qkuKJtQ&e=

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Save Size Name PDF 160,00 KB How an oil company would

D. Davis





The Latest

How an oil company would turn bond offering documents against California governments

By Keeley Webster Published January 09 2018, 5:32pm EST

More in Lawsuits, Disclosures, San Francisco City & County, City of Oakland, CA, California, Texas

















LOS ANGELES — ExxonMobil is citing California local governments' bond documents as it tries to turn the table on lawsuits the communities filed against the energy giant.

ExxonMobil filed a countersuit Tuesday afternoon in the district court of Tarrant County, Texas to defend against climate change lawsuits brought by the California governments.

In the countersuit, the oil company's attorneys alleged that contradictions between the municipalities' bond documents and their lawsuits against oil companies could equal securities fraud.

If what the cities and counties allege in the lawsuits is true, they have committed securities fraud for failure to disclose, ExxonMobil argues. Conversely, the argument goes, if the language in the bond documents was true, then the lawsuits against the oil companies are frivolous.



ExxonMobil filed a countersuit in Texas against California local governments. Bloomberg News

"In those lawsuits, each of the municipalities warned that imminent sea level rise presented a substantial threat to its jurisdiction and laid blame for this purported injury at the feet of energy companies," according to ExxonMobil's lawsuit. "Notwithstanding their claims of imminent, allegedly near-certain harm, none of the municipalities disclosed to investors such risk in their respective bond offerings, which collectively net over \$8 billion for these local governments over the last 27 years."

The countersuit "is an outrageous abuse of the legal process that seeks to limit the ability of law enforcement and local government to protect their residents," said John Cote, a spokesman for San Francisco City Attorney Dennis Herrera.

"It is an attempted end-run around the California courts that have jurisdiction in this matter," Cote said.

San Francisco and Oakland filed lawsuits in state superior courts in San Francisco and Alameda counties Sept. 20 seeking billions of dollars in damages to pay for infrastructure to

protect coastal cities from potential damages caused by rising sea levels. The city and the county of Santa Cruz, San Mateo County, the city of Imperial Beach and Marin County were also named in ExxonMobil's lawsuit.

Scientists have linked rising sea levels and warming global temperatures to the burning of fossil fuels.

An excerpt from an San Francisco bond document cited in the countersuit says the city is "unable to predict" when natural events such as sea rise or other impact of climate change such as flooding may occur or "whether they will have a material adverse effect on the business operations or financial condition of the city or the local economy."

In the lawsuit brought by the cities, attorneys argue that San Francisco's plans to fortify the seawall will cost upward of \$500 million for short-term upgrades.

Cote noted that bond documents for San Francisco's October 2017 sale do cite climate change and rising sea levels as a risk factor. The bond documents estimate that up to \$62 billion in assets including roads, schools, hospitals would be at risk from a 100-year flood.

The governments' lawsuits argue that the companies knew or should have known about the potential impacts of burning fossil fuels, but instead have made efforts to discredit the science behind global warming.

ExxonMobil denies the allegations in the countersuit noting that they signed the Paris Agreement of 2015 that outlines efforts to mitigate greenhouse gas emissions, but the company's attorneys also argue that the city's lawsuits are efforts "to coerce ExxonMobil and others operating in the Texas energy sector to adopt policies aligned with those favored by local politicians in California."

The cities and counties have filed suit against Exxon and 17 other energy companies.

"This does appear to be a novel type of claim in terms of municipal disclosure," said Lisa Quateman, a managing partner with law firm Polsinelli. "The [local governments] should include people on the counsel team who are familiar with the municipal market, because of the nature of the claims."

The case underscores the need for municipalities to focus very clearly on the consistency in their public statements, said a bond counsel attorney, who declined to be named.

An argument could be made, however, that statements made in litigation are privileged, while the statements in bond documents are considered public statements, according to the attorney.

There could also be a timing issue between when statements were made in bond documents relative to the evolution of comprehension around the impacts of global warming, the attorney said.

The trend among bond counsel now is to establish working groups to make sure the bond documents don't contain material misstatements.

Assuming the claims by Exxon's attorneys are true, there might have been a disconnect between the person who came up with the statistics for the lawsuit and the group that worked on the bond documents, the attorney said.

Keeley Webster

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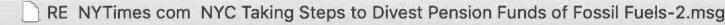
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From: Sergio Masvidal
To: Gilbert, Jane

Date: Jan 10, 2018 at 2:54 PM

Subject: RE: NYTimes.com: NYC Taking Steps to Divest Pension Funds of Fossil Fuels

I just wrapped up my internal call on this. I think we have a good concept in place, and will be ready to share analysis with the City at the regularly scheduled

February investments meeting.

Do you have some time late today or this afternoon to chat?

----Original Message----

From: Gilbert, Jane [mailto:JaGilbert@miamigov.com]

Sent: Wednesday, January 10, 2018 2:20 PM To: Sergio Masvidal <MASVIDALS@pfm.com>

Subject: RE: NYTimes.com: NYC Taking Steps to Divest Pension Funds of Fossil Fuels

Cool thx.

----Original Message----

From: Sergio Masvidal [mailto:MASVIDALS@pfm.com]

Sent: Wednesday, January 10, 2018 8:24 AM To: Gilbert, Jane <JaGilbert@miamigov.com>

Subject: RE: NYTimes.com: NYC Taking Steps to Divest Pension Funds of Fossil Fuels

Ha! Thanks, Jane. No extra motivation needed... I'm fully vested and working on our end. The hold up, if you want to call it that, is that we want to come back with a detailed strategy. For example, it's straightforward to say we're not investing in [insert big oil company], but there's a potentially even more granular level of not investing in the company that makes the drill bits that are used for oil exploration... I have a call with one of my partners in California today to discuss how we can better refine this (she manages investments for many CA municipalities that have also expressed interest).

Stay tuned - will come back soon.

Sergio

----Original Message-----

From: Gilbert, Jane [mailto:JaGilbert@miamigov.com]

Sent: Wednesday, January 10, 2018 8:18 AM

To: Sergio Masvidal <MASVIDALS@pfm.com>

Subject: FW: NYTimes.com: NYC Taking Steps to Divest Pension Funds of Fossil Fuels

Sharing this as motivation to continue with your analysis. ;)

----Original Message-----

From: Jane Gilbert [mailto:outlook_8BA655A736D8FACF@outlook.com] On Behalf Of Jane Gilbert

Sent: Wednesday, January 10, 2018 7:45 AM To: Gilbert, Jane < JaGilbert@miamigov.com>

Subject: NYTimes.com: NYC Taking Steps to Divest Pension Funds of Fossil Fuels

From The New York Times:

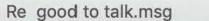
NYC Taking Steps to Divest Pension Funds of Fossil Fuels

New York City officials are citing climate change as their motivation to join a growing number of investors ridding themselves of financial interest in fossil fuels.

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tqAi7h3KX6Hofo9Z6qkuKJtQ&e=





From: Chuck Savitt

To: <u>JaGilbert@miamigov.com</u>
Date: Apr 19, 2018 at 4:35 PM

Subject: Re: good to talk

Attachment(s): 1

Sorry, this is for the business case.

Charles C. Savitt

Director of Strategic Client Relationships

SHER EDLING LLP

100 Montgomery St., Ste. 1410

San Francisco CA 94104

(202) 236-0494 I sheredling.com

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From: Chuck Savitt <chuck@sheredling.com> Date: Thursday, April 19, 2018 at 4:29 PM

To: "JaGilbert@miamigov.com" <JaGilbert@miamigov.com>

Subject: FW: good to talk

Dear Jane,

Here is the material for the specs on the Miami Beach engineering panel.

I was wrong, you were right. The RF 100 Cities grant went through ULI.

Thanks again for putting together the meeting on Monday.

Best,

Chuck

Charles C. Savitt

Director of Strategic Client Relationships

SHER EDLING LLP

100 Montgomery St., Ste. 1410

San Francisco CA 94104

(202) 236-0494 I sheredling.com





From: "Bada, Kristy" < KristyBada@miamibeachfl.gov> Date: Wednesday, February 21, 2018 at 7:35 AM

To: Chuck Savitt <chuck@sheredling.com>, susy torriente <SusanneTorriente@miamibeachfl.gov>

Subject: RE: good to talk

Mr. Savitt,

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Thank you,

MIAMI**BEACH**

Kristy Bada, Contracting Officer III

Procurement Department

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From: Chuck Savitt [mailto:chuck@sheredling.com]

Sent: Tuesday, February 20, 2018 6:30 PM

To: Torriente, Susanne; Bada, Kristy

Subject: Re: good to talk

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Mobile 202-236-0494

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Chuck Savitt From: Gilbert, Jane To:

Apr 11, 2018 at 5:02 PM Date: Subject: Re: interesting article

Sorry. See u next week

Sent from my iPhone

Charles C. Savitt

Director of Strategic Client Relationships

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On Apr 11, 2018, at 4:32 PM, Gilbert, Jane < <u>JaGilbert@miamigov.com</u>> wrote:

Thx but I think you already sent this.

Get Outlook for iOS

From: Chuck Savitt < chuck@sheredling.com> Sent: Wednesday, April 11, 2018 1:33:27 PM

To: Gilbert, Jane

Subject: interesting article

HI Jane,

Think you will find this of interest. https://www.theverge.com/2018/2/20/17031676/climate-change-lawsuits-fossil-fuel-new-york-santa-cruz

Best,

Chuck

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Re good to talk.msg



From: susy torriente < Susanne Torriente@miamibeachfl.gov>

Date: Tuesday, February 20, 2018 at 5:02 PM To: "Bada, Kristy" < KristyBada@miamibeachfl.gov> Cc: Chuck Savitt < chuck@sheredling.com>

Subject: FW: good to talk

Hi Kristy

Can you please send Chuck Savit a copy of the business case RFQ as well as the manager's memo on the last agenda? Thanks so much.

Susy

MIAMIBEACH

Susanne M. Torriente

Assistant City Manager/Chief Resiliency Officer

Office of the City Manager 1700 Convention Center Drive

Miami Beach, FL 33139 305-673-7000 x6486

susytorriente@miamibeachfl.gov

From: Chuck Savitt [mailto:chuck@sheredling.com]

Sent: Friday, February 16, 2018 2:12 PM

To: Torriente, Susanne < Susanne Torriente@miamibeachfl.gov >

Subject: good to talk

Susy, thanks for taking the time got me caught up on your work. Very exciting to know about the RF grant and the team of TA folks you have put together.

Just a reminder, please send me your RFQ and other narrative you have put together about the project, goals, outcomes expected, and methodology. I will then put you in touch with Laurie Mazur at Island Press who is running the Resilience Program with Kresge and JPB.

Best,

Chuck

Charles C. Savitt

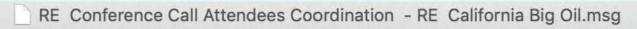
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From: Alban, Xavier E.
To: Chuck Savitt

CC: Gilbert Jane, Del Oro Jessica, McNulty Kerri L., Gibbs Domini (City Attorney)

Date: Feb 20, 2018 at 3:42 PM

Subject: RE: Conference Call Attendees Coordination - RE: California/Big Oil

Attachment(s):

Hi Chuck,

I am Ccing Kerri and Domini. Thank you for your time and we look forward to reviewing the materials.

Xavier E. Albán

Assistant City Attorney



City of Miami Office of the City Attorney

Telephone: 305-416-1830

Facsimile: 305-400-5033

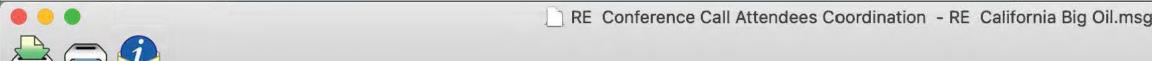
xealban@miamigov.com

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Assistant: Jessica Del Oro (305) 416-1894

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From: Chuck Savitt [mailto:chuck@sheredling.com] Sent: Tuesday, February 20, 2018 3:19 PM

To: Del Oro, Jessica < JMDeloro@miamigov.com> Cc: Alban, Xavier E. <XEAlban@miamigov.com>; Gilbert, Jane <JaGilbert@miamigov.com>

Subject: Re: Conference Call Attendees Coordination - RE: California/Big Oil

Hi Jessica,

We just finished our call with your team and I need to send pdf's of two of our cases to everyone on the call. I only have Xavier and Jane's email addresses. Can you please send me the others?

Thank you.

Best,

Chuck

Charles C. Savitt

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Mobile 202-236-0494

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From: "Del Oro, Jessica" < JMDeloro@miamigov.com> Date: Thursday, January 11, 2018 at 6:45 PM To: Chuck Savitt < chuck@sheredling.com> Cc: "Alban, Xavier E." < XEAlban@miamigov.com>

Subject: RE: Conference Call Attendees Coordination - RE: California/Big Oil

Good evening Mr. Savitt,

Thank you for speaking with me. Pursuant to our conversation, please provide me with the names, emails, and numbers of those from local public counsel, as well as local government counsel, who will be participating in the conference call. As for the City of Miami, attorneys Domini Gibbs, Kerri McNulty, and Xavier Albán will be attending, in addition to Jane Gilbert, from our Sustainability and Resilience Department.

Thank you most kindly,

Jessica Del Oro, Legal Assistant

Deanna D. Gross Rasco, Assistant City Attorney Assistant to:

Xavier E. Albán, Assistant City Attorney



City of Miami Office of the City Attorney

Telephone: 305-416-1894