

**City of Coral Gables City Commission Meeting
Agenda Item H-4
April 29, 2008
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

Mayor Slesnick Donald D. Slesnick, II

Vice Mayor William H. Kerdyk, Jr.

Commissioner Maria Anderson

Commissioner Rafael "Ralph" Cabrera, Jr.

Commissioner Wayne "Chip" Withers

City Staff

City Manager, David Brown

City Attorney, Elizabeth Hernandez

City Clerk, Walter J. Foeman

City Clerk Staff, Billy Urquia

Public Speaker(s)

Time [1:42:20 p.m.]

Mayor Slesnick: H-4, David.

City Manager Brown: Yes, this is a... The Commission had asked for a combined report from the City Attorney and City Clerk on the Charter Amendment cost, timeline, legal issues facing a possible Charter Amendment in the future. Mr. Foeman, would you like to begin?

City Clerk Foeman: Sure. Mr. Mayor and members of the Commission at the last Commission meeting of April 8th, you directed the Clerk and the Attorney to prepare a report in connection with those Charter Amendment issues that could possibly impact on using either the referendum or initiative method in amending our City's Charter.

City Attorney Hernandez: Yes. If I may just interrupt for moment? Mr. Mayor, we received a message that Parker Thomson is approximately ten minutes away, and they requested if we could defer this for ten minutes. I don't know if it is the will of the Commission, but they asked for...

Mayor Slesnick: We are going forward, and we will be here for ten minutes.

City Attorney Hernandez: Okay. I am sorry, Mr. Foeman.

Mayor Slesnick: Mr. Foeman, please.

City Clerk Foeman: Should we continue, Mr. Mayor?

Mayor Slesnick: Yes, sir.

Commissioner Cabrera: Yes, sir.

City Clerk Foeman: Okay. As a consequence thereof, I prepared certain charts and I met with the City Attorney, and with Vince Damian who is Chairman of the Coral Gables PAC (Political Action Committee), and we have put together a list of operative dates, as well as the process using the County as well as the City's, the City's Charter as it relates to both the petitioning method and the referendum issue. There were some key operative dates, Mr. Mayor, as it relates to the actual date that the legislation has to be passed for referendum issue if in fact, a Charter Amendment were to be held on August 26th. The cut-off point would be by no later than June 20th that all legislation has to be in Metropolitan Dade County Elections Department. Also, if in fact, the intent was to move ahead, either using the petitioning or the referendum process for a Charter Amendment issue to be placed on the November 4th, General Election ballot, the operative dates would have been August, would be August 22nd; prior to any action by the Commission there has to be approval by the Dade County Supervisor of Elections to grant consent as to the availability of space to place any ballot on either the primary or general election. I don't know how much detail you want me to go into as far as the specific process or... There were some other issues involving the legal parameters, as well as the cost factors associated with the conduct of either a primary or general election. As you know, there have been recent changes in the State Law that's directed Miami-Dade County to use a paper ballot system, optical scan paper ballot system, effective July of this year, 2008 that will have significant impact in terms of any cost scenarios with respect to either piggy-backing on the County, General Election, General or Primary Election, we are looking at roughly about nine thousand dollars (\$9,000.00) for the conduct of the election; and in addition to that, the election cost associated with advertising,

roughly about fourteen thousand dollars (\$14,000.00) which requires us to advertise in the fifth and third week prior to election, as well as advertising the sample ballot as compared to another newspaper of general circulation, Miami Daily Business Review as compared to the Herald which is substantially a cheaper cost, roughly about a thousand dollars (\$1,000.00) for the English version, as compared to about twelve thousand dollars (\$12,000.00) in the Herald. In addition to that, if we... one were to consider just the stand alone municipal election, you are looking at roughly about one hundred and forty thousand dollars (\$140,000.00) in cost due to the change in the voting system. So, there are some other methods that are being looked at, namely a consolidated municipal date wherein all municipalities will, could possibly have one date that they will all have for elections; and therefore change the qualifying period, or looking at a Countywide consolidated municipal date consistent with Dade County and the State.

Commissioner Cabrera: Mr. Foeman, what are those dates for the Countywide elections?

City Clerk Foeman: The Primary Election is August 26th, and the General Election will be November 4th.

Commissioner Cabrera: Thank you. And, well, you know, you mentioned the consolidated municipal date for elections?

City Clerk Foeman: Yes.

Commissioner Cabrera: Where is that, right now, today?

City Clerk Foeman: Well, I think currently there is... a meeting has been called by County Commissioner Rebeca Sosa, and she has invited municipalities to get together and talk about that issue. There has been some opposition from that proposal from the Miami Dade League of Cities with respect to taking away the will of the voter to make that decision on any change, on any change of municipal dates, so...

Commissioner Cabrera: How do we all stand on that? Do we have any positions yet, or are we taking any positions on this initiative? I am just curious, I don't want to get off term limits, but I, I think when the Manager and I met with her, she was, and we were meeting about impact fees, as you all know, she brought it up.

City Manager Brown: She did.

Commissioner Cabrera: Yeah, and I was not in favor of her plan.

City Manager Brown: She was encouraging us to consider it.

Commissioner Cabrera: Right, right.

Mayor Slesnick: Well, if the consolidated elections were to be held in April, I...

Commissioner Cabrera: I would be okay. I would be good with that.

Mayor Slesnick: I think the City of Miami Springs had proposed an April date.

Commissioner Cabrera: Uh-huh.

Mayor Slesnick: Their date was slightly different than our date.

Commissioner Cabrera: Right.

Mayor Slesnick: I think it was a week or two later, but I mean, it seemed to me, and I.. by the way, I got an invitation, and I asked Walter to attend ...

Commissioner Cabrera: Oh, good.

Mayor Slesnick: ... coming up to just bring back a report. So, I thought if one of us goes, that kind of puts us in a position having to say "yea" or "nay", hence that would not be a good idea.

Commissioner Cabrera: Yeah.

Mayor Slesnick: So, the thing about it, the thing about the consolidated date would the cost savings that would be the cost savings to our City in the election. And if it did not disturb the date too terribly much, I thought that it certainly should be considered, but that's all.

Mayor Slesnick: That, I would agree with you on that, and I would tell you that I would certainly support it, if it could be done in the spring. You know, if it's a couple of weeks apart, I would certainly support that.

Vice Mayor Kerdyk: Yeah, yeah.

Commissioner Cabrera: So in essence, going back to the Countywide piggyback, if we, if this Commission agreed to put this on as a ballot question, August wouldn't work, there is not enough time?

City Clerk Foeman: Well, if you did it in August, the cutoff date would be June 20th for all legislation...

City Manager Brown: ...wouldn't have the time to do that. [phonetic]

City Clerk Foeman: Right.

Commissioner Cabrera: Yeah. So in effect what we are looking at, if we wanted to take the approach of the countywide piggyback, we would then be looking at November 4th?

City Manager Brown: We can do it. [phonetic]

Commissioner Cabrera: ... and that would give plenty of time?

City Attorney Hernandez: Right.

City Clerk Foeman: Yes. The legislation for that would have to be in by August 22nd.

Commissioner Cabrera: Or April. Yeah, or you know, as Mr. Slesnick just said, or April.

City Attorney Hernandez: Uh-huh.

Mayor Slesnick: Yeah.

Commissioner Cabrera: It would be kind of fun to put it in November though...

Vice Mayor Kerdyk: Yeah.

Commissioner Cabrera: ... to get the voters out.

Vice Mayor Kerdyk: They will be out.

City Attorney Hernandez: We, we...

Commissioner Cabrera: They will be out... I know, I know.

Vice Mayor Kerdyk: They will be out.

Commissioner Anderson: We switched that the last time actually, to get people out to vote, and we didn't put it on the November...

Commissioner Cabrera: Yeah, I see.

Commissioner Anderson: In the '05.

Commissioner Cabrera: I get what you are saying.

Mayor Slesnick: Anyways, Okay...

Commissioner Anderson: I agree with it in concert...

Mayor Slesnick: ... do we have? Liz, you met with Mr. Damian, after his approach, and... Do you have any report to give to us?

City Attorney: Yes, yes. We met with Mr. Damian, we went through the language that he was proposing, and it's attached to the memorandum that we have provided to the City Commission. He indicated that his preference would be for the election of November, and that he would not be present today, but he does have spokespersons here in his stead, and they are requesting that the City Commission put it on the agenda for a vote as opposed to requiring their organization to have to go through the initiative process. That was the extent of the meeting with Mr. Damian.

Mayor Slesnick: Okay, thank you. Okay, we have some speakers on this subject. This is J. B. Spence, 837 Andalusia.

Mr. J. B. Spence: Good afternoon, and thank you for giving us a little time. I don't intend in anyway to go back over all the things that Vince Damian said. I am a member of the Political Action Committee, and my sole point here today is simply to ask you to put it on the ballot. I am not asking you to approve it, or disapprove it, but give the community an opportunity to vote it up or down. I think that's what this democracy is all about. The government of the people, by the people and for the people. Your viewpoint on term limits may be vastly different than mine. I respect the fact that the Governor can only hold two terms, the President only two terms, and a whole lot of folks in Tallahassee are limited to their term. So, I am here making a polite request for ... point, please do put it on the ballot and let our fellow citizens vote it up or down. Thank you.

Mayor Slesnick: Thank you.

Commissioner Anderson: Thank you.

Mayor Slesnick: Mr. Al Smith. Doctor... Is Al still here? He is not. Dianne Gottlieb, 180 Edgewater Drive.

Ms. Dianne Gottlieb: Hi, good afternoon, everybody. I haven't been here in so long. I just concur with what Mr. Spence said that I think that, again this year more than anything else we can see that it's important that the people have a voice; and however they feel one way or the other, I think that I would like you to vote to have it go on the ballot. I mean, and then everybody can make the case that they need to paint and the citizens will prevail, the democracy will prevail. We have done it before in this City, and it has worked out great, and I am sure we can do it again, one way or the other. Thank you.

Mayor Slesnick: Thank you.

Commissioner Anderson: Thank you.

Mayor Slesnick: Okay, Mr. Hartnett, 516 Marmore.

Mr. James Hartnett: Mr. Mayor, fellow Commissioners, City Manager and the City Attorney. I am opposed to limits, term limits, for several reasons. If you go back to a little bit of history, if you go back to 1984, that's when they changed from the original system to districts, and that was done so that

you could have only one appointment or two opponents in that particular district. In 2005, we extended that by taking the mayoral-ship from two to four years. The real fact of the matter is that we already have term limits, and that term limit occur when one, the incumbent does not run, two the incumbent votes from out of office by getting defeated or he runs and gets defeated. So, as far as I am concerned, I am more interested in the people that I elect to be there and once they are on the job learning, I want their experience to benefit the community and the progress of the City. The opponents or the promoters of long term say well, at the end of the term limits, this gives us fresh blood, new ideas, new representation. The other proposals that they make or remarks they make is this -- that the incumbent has the advantage financially when he is running against a new candidate. A lot of this could be solved, and you can do without term limits by doing the following: Change the system back where it was originally, everybody runs at-large in the four-year or the two-year election. If the incumbent is going to have a financial advantage in the election, then you can cap the financial advantage by having all candidates, including the incumbent, not be able to spend more than X dollars together with a formula that moves it on regarding the cost of living for the expenses. In this community, we have been well served by the people that come here and represent us; and if you go to the at-large system, then you promote the position of the voter that if I want to vote for the incumbent, and I also like one of the candidates, I get the choice of the best of both worlds as a voter, because you are all at-large. So, the first two winners of high numbers will be people who will serve the community, the third person will get to two years, and again the Mayor will be running on a two-year basis, not a four. As a result of this, it would limit the amount of money that a candidate can spend both in office or seeking office. And I believe that there has been.... If we want to look at term limits, all we have to do is look at the state legislature. I am not at all content that they have the knowledge, the capability or the understanding of what they are there for, as far as solving the state problems. I am a remember the PAC, I do oppose the term limits. I think that the system that we have got here, if we go to an at-large procedure that we are going to be well off without losing talent, experience and communications with the City Commission, with the community.

Mayor Slesnick: Thank you.

Commissioner Withers: Thank you, Mr. Hartnett.

Commissioner Anderson: Thank you.

Mayor Slesnick: Richard Namon, 5555 Oakwood Lane.

Mr. Richard Namon: Thank you for giving me the opportunity to speak here. Since I ran for election, since I did run for election last election, I want to make one thing clear. If the term limits are on the ballot, and I don't care what the results are, I will not run for a City office again, so that I am not going to ask you to do something that would benefit me. You've said that Coral Gables should be run like a business, then you should look at how business management operates. When executive positions are filled, there are expectations. New executives are expected to know the business and make significant contributions in less than two years, if not, they are replaced. Shouldn't elected officials know their job in less than three years? This is expected performance right away and voters want to see. Leaders can't say I haven't had enough time to learn how the company operates for very long. If you want Coral Gables to run like a business, you have to adopt that standard. Typically, and this is important, CEO's in large corporations, hold their position for only about five years. Changing top management brings in new ideas and has worked well for business. To do that, Coral Gables needs term limits. George Washington served an eight-year term limit as President of the United States, it would be appropriate for you to do the same. Coral Gables day-to-day business is run by the City Manager. You select and oversee the City Manager, and act like a Board of Directors in a corporation. Over time, all of you, the City Manager and other City employees have become friends and now tend to look after one another. Strong friendships can interfere with City business; when that happens residents interests suffer. Term limits bring out the best in elected officials and City employees. With term limits employees expect re-evaluation of their work periodically by the Management. That expectation increases workplace attention and efficiency. With term limits elected officials know they have a set time to accomplish their goals than fulfilling campaign promises and setting a standard for future elected officials is more important than the next election. Recent property tax legislation is attributable to state term limits. Marco Rubio is in his final term. I believe that his current leadership is direct and decisive because of that. He is focused on his job, not re-election. Our state has mandated lower property taxes, changes in City departments are needed to provide the same or more services with less income, that requires new outlooks. What is your legacy? You've had successes, but do any of you believe that term limits would have hurt the

way you have worked? With term limits you would have dealt with some of the current problems sooner, maybe? You told the City Manager to fix the pension deficit problem years ago, and sat quietly while it has ballooned. I ask you, would you have done that if you had term limits? According... accepting complacency, and working for the next election is not good City management. Coral Gables does not need professional politicians; it needs business minded officials who will do their job as a civic duty. I believe holding public office for too many years tends to breathe complacency. Residents needs and interests should be your most important concern. I ask you to pace, to place the proposed Charter Amendment on the November ballot. Let our residents decide if we should have term limits or not. George Washington would, thank you.

Mayor Slesnick: Rick Holmes, I think he has left.

Commissioner Cabrera: But, he sent us an e-mail, so... that he supported term limits, so I will forward that.

Mayor Slesnick: I thought he said he was against it.

Commissioner Cabrera: No, I thought I read that he was for it.

Mayor Slesnick: I don't know what he said.

Commissioner Cabrera: Well, well, I can read it

Mayor Slesnick: Okay.

Commissioner Anderson: It is, it is on the... yeah.

Mayor Slesnick: Okay.

Commissioner Cabrera: I mean, what do you want me to do, you want me to just read it?

Mayor Slesnick: Not particularly.

Commissioner Cabrera: Okay.

Mayor Slesnick: Okay. He sent it to the Clerk.

Commissioner Cabrera: Well, I will read it...

Mayor Slesnick: Okay.

Commissioner Cabrera: ... in your honor.

Vice Mayor Kerdyk: Silently.

Commissioner Withers: Paraphrase it.

Commissioner Cabrera: ... he likes it.

Mayor Slesnick: Paraphrase it.

Commissioner Cabrera: And how about if I? Was that well paraphrased?

Mayor Slesnick: You got pictures. Yeah, Okay, all paraphrased.

Commissioner Cabrera: He likes it.

Mayor Slesnick: Okay, Charles Girtman, 744 Tibidabo.

Mr. Charles Girtman: I talked to Chip this morning, it really was an enlightening conversation, I always enjoy it and I thank him for sharing his views with me. I think the term limit "horse is out of the barn." I think it's going to happen one way or the other. I would really ask you all to give us the very best benefit of your experience on what the best way to implement it would be. I think if it has to be written by the PAC or Vice Damian or anyone else. Perhaps, it would be better written by the five of you all, and put that out in front of the voters. I have no really specific year in mind, six, eight or ten or twelve. The only thing I have always, or somewhat have objected to is that if you are just going to be in the City for ten years and then you get paid for the rest of your life, that's doesn't seem quite appropriate to me, but then again, that's just me. Mr. Hartnett... Mr. Hartnett, brought us back to a previous time when we did things at-large. I think that has a lot of merit to it. Someone also spoke about a limit on the amount of money that you spend going to elected office; that too has a lot of merit. There is a lot of merit to the argument that if you get a good person up here, to keep him until he dies. That argument has good merit. There is

also merit to the argument that once somebody gets up there, and people have invested a lot of campaign contributions etcetera, etcetera, that it's hard to get him out from there. All I really ask is give us the benefit of your experience on what would be in your view the right way to approach this term limits, and quite frankly I kind of trust your judgment. Thank you, very much.

Mayor Slesnick: Thank you, Charlie. Bill Hartnett, 4950 Campo Sano.

Mr. Bill Hartnett: Thank you, Mr. Mayor; I am William J. Hartnett, 4950 Campo Sano Court. Term limits does exist in the City of Coral Gables. You have a term limit imposed on each appointment that you make in the various committees that come here and serve you as part of the Commission. Now, it would seem to me, that if it's good enough for the committees, why not is it not good enough for the people at the top, or is the question do as I say, not as I do. So, I believe that you put the issue on the ballot, either one of the proposals that have come up here, the lawyers speaking would work. The problem that we have at this particular time with all due respect to you gentlemen, that when you go to group type voting which we did in '84, you have a tendency to unplant permanency in the incumbent, and I don't think that's good for the City; and I think that unless you put the second part of the term limit on that type of thing, you are a doing dis-service to the people of Coral Gables, and I know that you all want to do the best for this City. Thank you.

Mayor Slesnick: Thank you. Mr. Parker Thomson, 1207 Mariola Court.

Mr. Parker Thomson: Thank you Mayor and members of the Commission, I am here to speak in favor of putting the issue of term limits on the ballot. I don't think that term limits are a cure all, I don't think any form of government is a cure all, that's why we permit change in government. I do think that term limits for this municipality at this time would be, would be valid, but that's my personal opinion. People change their minds. I understand Commissioner Anderson that you favored term limits when you were initially elected and recently you ...and maybe for a period of time, you changed your mind, as everybody is not only entitled to do, but everybody is wise to do as things change and our perspective change they change. But, it is for the exact reason that you had two views on it that it would be wise to permit the people to speak to the issue. Now, granted that people would speak to the issue if it's put on the ballot. There are two ways

to get it on the ballot, and one is to use the collective wisdom as just as has been spoken of to this Commission as to what the best format represented. And the other is to leave it to the initiative petition. I have a lot of experience with initiative petitions; I argued them before the Florida Supreme Court close to forty years ago. I have been around... and the one disadvantage (sneeze), excuse me, of the initiative petition, other than it takes time and effort and money to get it on the ballot, is that's it is inflexible. It is the choice of people who are normally outside of government, who put it as there are two possibilities put here before, one of them includes at the same time shortening the term of the Mayor, and that is always possible. It is as I said expensive, time consuming, itself a burden on the electorate to put it on the ballot, but having put on the ballot, it's either this or that. Now, I heard Mr. Hartnett speak to the fact that you can always vote people out. Well, of course, you can always vote people out because there is a lot of imponderables in government. Generally, you read that the people think that Congress as a whole is pretty terrible, but their individual Congressman is fine. Why would people think that? Why do people vote generally in favor of term limits if it's put on the ballot if they think that it is enough to turn the person out at the end of the term. There is one thing I do think all of us could agree on, is it is a significant issue. Once you decide that this is a significant issue, then the question is, should the people make the decision? I suggest that they should, and I suggest the best way to do it is for this Commission to put it on the ballot. Thank you very much.

Mayor Slesnick: Thank you very much. Okay, with that we close the public hearing, and there was no public hearing, but we took public comments on the City Manager's item. Anybody care to comment? I'll make a few comments, but first of all, I, I think that Mr. Thomson is correct, and it is a significant issue if term limits are chosen, and of course, we have already chosen no term limits. I mean let's, let's look at this. We have a City government that was created by the people for the people, and our City fathers and term limits were not a part of that; so we have made one choice; the question is, do we make a new choice now? Mr. Namon is correct, this is a business, it's not the legislature, this isn't creating policy from afar, it is in fact the business of running the day to day government, and it's a business, and I don't know of many businesses that have term limits for their CEO's, but they do get fired or moved on if they don't perform, that's true.

Commissioner Anderson: Right.

Mayor Slesnick: I talked to Bob Graham about it, he said he kind of compared term limits as people who are told they have only so long to live, and their actions at that point become very short sighted and very... This is my last time; this is what I am going to do today, it's for today and I am going to take my things that I do as short term and not the long term. The one thing that we have noticed about term limits in legislature, is it has turned over lots of power to the staff, and the people in Tallahassee that know more about anything and kind of run the government is staff; and a lot of people stay on our case about our management of staff, and about, well, I guess we've talked about cronyism years to today, but the fact is, is that you really don't want the staff to know that much more or be that much more in control; and sometimes it's hard for young or new... They ought to be young age wise, but young members of the Commission to change out staff on or upon their election, and so you would hope that long term sitting City Commissioners would make the right decisions about staff, and that they would know as much as staff about some of the issues or all of the issues. I would disagree that the tax reform was a show of great selflessness by the legislature. They didn't reform state taxes, they only reformed other people's taxes; local government; and it was much more of a populous move, than it was a move sacrificing future political office, because it was a very populous thing. So, it was a very grab, grab future votes type of thing. Having said all of that though, I do concur that if it is a significant issue, that maybe we should consider the idea, to have what has been proven to us through the testimony given here today, and former testimony and through e-mails and other correspondence that the people of Coral Gables wish to have the decision made at the ballot box, the... and I will represent you what I have heard. I, we had Mr. Damian here before today. Today, we have had about ten speakers, a good representation of certain people, but mostly Political Action Committee people, and there is nothing wrong with that, but that's where the idea stems from; and I have probably gotten, I don't know how many have we gotten, maybe twenty e-mails, twenty-five?

Commissioner Anderson: We have gotten e-mails that are supportive of keeping the things as they are or against the term limits.

Mayor Slesnick: Yeah, well, we have gotten a mixture, but, I mean, we have had maybe twenty e-mails, and of course, one of the local newspapers has editorialized on it. So I mean, that's the input background, as far as whether I think that represents a general feeling among 45,000 residents that it is a critical issue. But I was impressed with Mr. Damian's presentation last time

as far as his true concern about this. I always have to tell you, I laugh a little bit because there doesn't seem to be term limits in the PAC. The PAC seems to be a steady leadership position so, I think that maybe an example could be set in the PAC for the rest of us; but the fact is, he did put it in our lap, and he did put it in a gracious way. He did bring it forward as a Political Action Committee, which by the way for those of you watching, who are not aware, the Political Action Committee is a private group, it's a group that was formed by citizens to be politically active in the community, and he said, and I have turned to it here in my minutes from last time, that he would be pleased if, even if we came up with a proposal that was put on so that people could make the decisions so... I think that one of my biggest concerns, and I must tell you that I would be willing to consider putting a term limit on the ballot, but I would put it on next April at our local election; and I will tell you that I harken back to several of the people sitting here in the audience, and several of the people who had signed-up to speak, but didn't stay, and one of the persons who has editorialized telling us that we should have waited for the trial board till April because it was our elections, it was our City elections and it was a City issue. We didn't do that, those of us who supported the trial board may regret that now; but that was the argument made that that was the appropriate time for a local issue to be put on, and then that would be the one that I would think would be appropriate for this. Now, having, and by the way, I will say this too, during the last campaign, Mr. Namon and I who were on the same ballot, both spent substantial time at the University of Miami, comparatively speaking to former year;; and we did so because I think we have an appreciation, and a respect for the University of Miami students who live for a short period of time in Coral Gables and have the right to vote, and do vote sometimes. However, this is not just about a candidate, this is about the future of the City and about the future system of government, and I can assure you that in November of this year there will be a substantial vote from the University of Miami because of the Presidential election, and I am not convinced that it is right to put the future of our City in the hands of short-term residents of our City because they will have a tremendous impact on the election in November, and they will be moving on at the end of their school years.

Commissioner Cabrera: And that's actually a fact, what you are suggesting or what you are commenting on is a pure fact. I think President Shalala goes above and beyond the call of duty to get the vote out by the students, and there could potentially be, that could potentially occur.

Mayor Slenick: And either way, by the way, I have a good relationship with the students, and I continue, and I will continue to keep that, I hope. So, whatever point of view I might take, I would like to think that I could sell some people on the idea of voting my way, but that's not the point. The point is, whether they agree with me or agree with Mr. Spence, the point is, I think that whatever his opinion is, whatever my opinion is, I think the point is, is that I am not sure that's the appropriate place to have the ballot. So I am, I am open and willing to consider placing it on the April ballot. However, I am not sure that that's of any value, because after Mr. Damian came and made a very nice presentation about how open the PAC was to different ideas from the Commission, I opened up a local paper to see a advertisement from the PAC about this, about Coral Gables term limits and it's called "eight years is enough" and it says on the November ballot. So, if in fact it is the full fledged intent to put it on the November ballot, I am not sure that what I have to offer will be enough to satisfy anybody.

Vice Mayor Kerdyk: I am going to go ahead and say a few words. When I was preparing for this, I reflected back til 1990, and I was trying to calculate exactly how many elected officials have served on this dais; and I looked at that and I looked at that and I found out that there was eleven. There has been eleven Commissioners or Mayors that have been up here making decision on behalf of the City, and of those eleven, I think six have been voted out of office. So, more than fifty percent have been voted out of office since 1990. On a personal matter and again... on a personal matter, I really don't support term limits for the various reasons that have been brought forward, and I could articulate it more, but that's not, that's not really the gender of my discussion; right now, but I am for the public process, and I understand the public process; and that's why I serve the communities for the public process in general. So, I do understand and support putting term limits on the agenda. One thing that I... However, one thing that I see that is a little bit in conflict to the proposals that were put forth is the eight year term limit. I, for myself, feel that an extended time needs to be considered of twelve years for Commissioners and maybe eight years for the Mayor, Mayorship. I think twelve years provides that consistency, that conservatism that understanding of the agenda that Coral Gables has always known, that Coral Gables elected officials have always known and lived with. And I think that's important for Coral Gables in general, because Coral Gables is known as a city that knows its histories and its roots; and I think twelve years would give the latitude of a ... commissioners who serve in that length of time. So, yes, I am not for term limits, ... campaign for term limits, but I

am for public process and I understand that and that's why I am supportive of putting this initiative on the ballot, with the understanding that twelve years is the time that I would look forward for Commissioners terms. Thank you.

Commissioner Cabrera: Well, let's see, at the risk of repeating myself. I ran on the campaign of term limits. Let me tell you how I came up with that. My political consultant told me it was a good idea, Okay. So, don't anybody think that I am just so self-righteous. My political consultant said that it would be good idea to run on term limits because I was up against a very solid incumbent who was about to be elected for the third time. And you know, I was a very new candidate or politician want-to-be in those days, and I felt that term limits probably made sense; and they made sense because it would give me an opportunity to debate with the incumbent on term limits, and we debated, and I did okay, because I got elected. After being in office, I recognized the value of learning to do what's right, and learning to do what's in the best interest of the taxpayers. I also learned that there is a huge learning curve, and incidentally, I don't know how many of you know about my history, but I had served on three City boards that were fairly prominent. I served on the Parks and Rec. Board as Chairman, first as a member, then a Chairman. I served on the Board of Adjustment, thanks to Chip Withers, and finally I served with Don Slesnick on the Planning Board. And so, I had sort of a track record, and sort of understood government, but not nearly to the degree that I understand it today. Having said all that, I obviously I'm not pushing for term limits, but I don't have a choice in the matter, and the reason I don't have a choice in the matter is, I don't know this for sure, but I am fairly positive that of the five thousand plus votes that I received in the 2001 Election, some people voted for me because I appealed to their senses and they supported the fact that I, the candidate, supported term limits. And, you see, the only thing that changed between April the 10th and April 13th was that on April 10th I was still a candidate and on April 13th, I was a Commissioner. That's the only variable that changed for me, so I can't go back on that promised commitment I made to the voters back in 2000, 2001. And, I am going to ask you all to support term limits once again. However, and this is, Don, this is something that maybe you, oh, I am sorry, Bill...

Vice Mayor Kerdyk: Uh-huh.

Commissioner Cabrera: Bill commented on. When I first brought you term limits, I wasn't as polished as maybe... the second time, because I didn't

bring you a plan of action, and the second time; I brought you a plan of action and I told you that my proposal for term limits was three consecutive terms for a Commissioner and two consecutive terms for the Mayor's position. And then, I explained to all of you, that if in fact, someone wanted to return to office after having served those term limits, they could as long as they took a two year hiatus. So, I would ask that if you are going to move this thing forward, that you at least extend me the courtesy of considering that recommendation, and if it doesn't go any further, I completely understand and will abide by this Commission's wishes. You know, I heard what you said about the University of Miami, and I think you have a very valid point, but you know what I think, I think it would be neutralized by our citizens, because it is the Presidential election; and we would probably get record breaking turnout in voters, I would certainly hope so. But I would, you know, I would be dishonest if I didn't have a concern that temporary citizens, residents of our City could make decisions that affect us going forward. And, by the way, that's a concern that's occurred in the past. When Bill was running for re-election, he had an opponent that was very aggressively campaigning at the University of Miami campus; and the citizenry became aware of this and went out in record numbers to ensure that, that didn't happen. That the University of Miami student body and I am not against the University of Miami student body, they are citizens of our community, but let's face it, I think Don is right, most of them are transient citizens, they are not going to stay here, they are not going to raise families. Most of them, or probably a high majority, are from the Northeast and other parts of this country; and so, they are going to be excited about the Presidential election and they may in fact, change the way that this government elects its officials going forward, and that is a concern; but I would still tell you that I am not going to be in opposition of our November 4th ballot, but I would also support an April ballot, so, either way. And, incidentally, if you decide that two terms is right for a Commissioner, I am not going to fall on the sword, I know that it impacts me; I am perfectly okay with that. So, please, you know, at the risk of you all being my friends, as Mr. Namon said, I know that you will do what's in the best interest of the City, and not what's in the best interest of Ralph Cabrera.

Commissioner Anderson: Chip, you look like you want to speak.

Commissioner Withers: Yeah, I wasn't, but I was because I can't support it, and ain't that strange because I can tell you earlier on in my political career I was in support of term limits; and I think, I think for all the wrong reasons

term limits are put into place, and I think the unintended consequences are devastating. In fact, I was just in a lecture last night, and they were speaking about the State of Florida 1940 to 2005, and how it changed from a democratic, a democrat run state to basically a republican with independents closing in very strongly; and the unintended consequences are kind of ironical because what's happening in Tallahassee, I am not saying will happen in Coral Gables, but I think it's an extremely good example of what could happen; and with my very limited experience in Tallahassee, here is what's happened as a result of term limits. You can argue it, you can debate it, but the reality of the fact is that staff becomes extremely strong and basically runs the operation. In the State of Florida, we don't legislate our laws anymore, we do it through constitutional amendment as a direct result of term limits. Any major initiative in the state now is coming through constitutional amendment. I don't think that's the intent of how the state should be run. And finally, whether you want to believe it or not, what you've seen in Tallahassee is an increase, an incredible amount of strength that lobbyists have and special interests; because they are young, you know, and there has been some very good politicians that have been, that have actually been forced out of office, they have been replaced by young starts; and I was a young start at one point. Ralph was a young start. Bill. Don never was, but Maria was.

Commissioner Anderson: What?

Commissioner Cabrera: What did you say?

Commissioner Withers: Just kidding. No, but the bottom line is, is a young politician gets in there, feels their way around for four years and honestly, you learn a lot from lobbyist, because you get lobbied on both sides so a lot of times you know, lobbyist don't have this negative connotation about them but a lot times you know you get both sides of the picture presented to you; and so it increases the role of the lobbyist and it increases the role of the special interest, and I think those alone are unintended consequences. What I am concerned about in the November Election is the wave of change that is going across the country and it the change of having term limits put into place good for the sake of change; and I am concerned that for the sake of change some of those unintended consequences will work their way into the City of Coral Gables. Ralph, I hear what you are saying as far as term limits go, and that is where I want to end on this. I would not want to loose anyone of you to term limits; let's just say Maria, I don't know what your plans are

in the future I don't know what Ralph's plans are, and I don't know what Bill's plans are, but lets say you had a candidate that really didn't measure up to anything near what you could give to the residents of the City of Coral Gables; and the candidate that was running against you was inferior in experience, was inferior in just the ability to work through some of the difficult issues we deal with on a daily basis; and for me to say to a City of Coral Gables resident that you can no longer keep this good Commissioner in office just because we are saying that someone else has to come in; I just think intrinsically, I think you are denying voters as much of that right as you are forcing some people out of office; and that is just how I feel. I am just concerned, you know we have had issues come to our residents before, and whether they don't want to learn about the issues, whether we don't spend enough time teaching them the issues, whether we don't have enough money to finance the education of the issues, the issues are misunderstood and they fail and that is very discerning to me. So saying that, I know it is actually surprising to some of you that I have actually supported term limits in the past.

Commissioner Cabrera: I think you have a lot of compelling comments the only that I would probably share, I mean rebut, is the fact that I think today that our city staff is extremely strong in terms of their ability to do what they ultimately want, you know that? - that is how I feel, because I can't be here Monday through Friday 9 a.m. to 5 p.m., I can't do it; you know like the rest of us that we have very limited resources to help us from an administrative standpoint. I think most of us the majority use our own business employees to carry some of the City functions that we would normally have an aide or a chief of staff do for us, because the reality is that we don't have that. I think that make staff exceedingly strong and I am always struggling to be on the know on things, and to be me able to nip things early on, and to have discussions with the City Manager's office and for that matter other departments which I have to rely upon his office to communicate through. So I think that we already have a pretty....

Commissioner Withers: You see that is the whole point; obviously that is what happened, this fellow last night David Colburn has written a couple of books on evolution of this, and that is exactly what he said, he said Ralph Cabrera comes in wanting to learn everything; so staff has a lot more influence over Ralph than maybe a Ralph after Eight (8) to Twelve (12) years.

Commissioner Cabrera: I don't disagree, I a just saying...

Commissioner Withers: I don't we are there yet, because obviously we don't have term limits here. I am just saying the unintended consequences of term limits we have heard some of the folks say how they do it in Tallahassee, so we should do it; if it is good enough for eight years in Tallahassee it should be good enough for Coral Gables, and I totally disagree with that. I really totally disagree with that, I think there are several people that really if they really saw, I mean Don has been up to Tallahassee he knows what is going on. If you really saw, and just on the little committee I am on to see the incredible amount of staff control over issues and the way they bringing in a new person and kind of paint the picture of where they want to be it is really a little worrisome because it takes away the whole checks and balances of legislation.

Commissioner Cabrera: You do understand why I have to support it, right?

Commissioner Withers: It was in your materials I guess.

Commissioner Cabrera: In my what?

Commissioner Withers: It was in your local handout materials. Or no?

Commissioner Cabrera: Yeah, absolutely I still have some of those brochures that I supported term limits.

Commissioner Withers: Now, saying if you know if they want to throw the bums out; if they are worry about us raising too much money when we run for reelection, then lets look at some very significant campaign reforms.

Commissioner Cabrera: Yeah, but we did that already.

Commissioner Withers: Yeah, but still....

Commissioner Anderson: I brought that up already, it didn't work.

Commissioner Withers: Don raised a ton of money because people wanted to donate to his campaign.

Commissioner Anderson: No, I understand.

Commissioner Withers: I mean that was just because they liked him and they wanted to see him reelected; but if they are concerned that the incumbent has a balance tipped in their favor, it shouldn't be because they are doing a good job. That is the last reason why you want to throw somebody out of office. You know, why throw someone out of office because they are doing a good job, because their time is up, throw them out office because they are not doing a good job, or because it might make the election a little fairer, throwing them out of office just because they are doing a good job is beyond common sense to me.

Commissioner Cabrera: Well, you know one of the reasons that there is such a strong support for term limits now also, and people lose sight of this, is the amount of apathy there is in this country and in local government to run for office, to get good people to run for office; and nobody is really brought that issue up; and maybe I am going off on a different tangent altogether. I should stay quiet on this matter.

Commissioner Withers: I want to hear what you have to say.

Commissioner Cabrera: I am encouraging others to run against me by the way. Anyways, I am sorry Ms. Anderson, I apologize.

Commissioner Anderson: Not a problem, everybody has got a right... I ran in 2001 with \$21,000; in a time of change I realize that I rode the coattails of change, but I did \$21,000, in 2003 I tried to change some of those campaign laws, it didn't work, but I am not bitter about that, is just the way it was; and then when I ran in 2005 I raised a pile of money, because people wanted to see me in; and I did change my mind, and I am not embarrassed by it, because you have the right to change your mind and it is okay. And we all do it, I never served on a committee, and I came by the activist route. I worked on a petition drive in 1997 and Mr. Hartnett, Mr. Bill Hartnett, the Village in opposing the City on the use of public land; everything you said Chip I absolutely agree with, the only thing is if the term limits are going to come from my perspective on a ballot, let it come from a petition drive; and let there be critical mass if people out there really want to see it on the ballot we should see it; because I am getting e-mails as well from people who make very good arguments like you all do, for your beliefs, here is one, term limits are undemocratic, term limits violate common sense, and term limits are a political fab whose time has come and gone; by very intelligent

thoughtful residents, so while I don't agree with term limits for all the reasons Chip talked about, I have no problem with putting, but it has to come to us by critical mass of the people and that is where my thoughts are.

Mayor Slesnick: Do we have any action at this time? Mr. Cabrera?

Commissioner Cabrera: I will, I am going to move to ask the voters, as a ballot question term limits for elected officials, and I would follow the same pattern that I followed the other two times, which would be three terms for Commissioner and two terms for a Mayor; however, I am still torn about the actual election though; so I want to first move the term limit question forward and then we can decide on a date, is that acceptable to you Mr. Mayor.

City Attorney Hernandez: Let me factor in at this time then, do you wish to make the question retroactive or prospective, because then in drafting the question we would have to adopt a resolution directing my office to draft the question so that we can then vote on it, and I need to know which direction you wish to go.

Commissioner Cabrera: I am comfortable either way. Retroactive would mean I guess, would you be more specific.

City Attorney Hernandez: It would really impact those in office.

Commissioner Cabrera: Currently in office.

Vice Mayor Kerdyk: You know Ms. Hernandez, since we are talking so much about the State Constitution, and how they changed the State Constitution in 1992, I think it was November 3rd, to reduce the amount of terms that an elected officer could serve for the state, I think that we should look at what they did in that location and follow something similar in our language similar to what they did in 1992. We always banter around what we have done, let's go back and look at what they did and make that the same as our initiative, our language, and then I would support that; so what you are saying Commissioner Cabrera, is Twelve (12) years for a Commissioner and Eight (8) years for a Mayor right?

Commissioner Cabrera: Yes, sir.

Vice Mayor Kerdyk: Alright.

Commissioner Withers: So can you run Twelve (12) as Commissioner and Eight (8) more as mayor for twenty (20).

Commissioner Cabrera: Yes.

Vice Mayor Kerdyk: Consecutively.

Commissioner Cabrera: You mean consecutively. And maybe I left this part out, if you in fact wanted to return after your term limits were up you could do so after a two year absence from public office.

Commissioner Withers: You could run Twelve (12) as a Commissioner then run for Mayor eight (8).

Vice Mayor Kerdyk: Right.

Commissioner Cabrera: You could do that, or you could run Twelve (12) as a Commissioner and take two years and come back and run for Commissioner again.

Vice Mayor Kerdyk: Twelve (12) more.

Commissioner Cabrera: For another Twelve (12) years.

Vice Mayor Kerdyk: I'll support that.

Mayor Slesnick: [Off-Microphone].

Vice Mayor Kerdyk: As far as the election date goes, do you want to talk about that or do you want to go ahead and vote?

Commissioner Cabrera: I am open to the election date. I would probably tell you that November 4th, I shared with you my concerns about November 4th, and if you all are OK, that is perfectly fine with me. I'll go either way, but you do risk the fact that you could have a student body of a private university make policy decisions for this government and the electorate.

Vice Mayor Kerdyk: I feel more comfortable in the April election, having it at the April Election when everybody is voting that is voting specifically for Coral Gables understanding what the Coral Gables initiatives are. I support you on the term limits issue, I sort off agree with the Mayor as far as you are going to have 4,000 or 5,000 voters that really have no interest in the City of Coral Gables from the school, or I should say limited.

Commissioner Cabrera: I mean it could be a lot of things could happen, the student could see the ballot question and simply ignore it; or it could do what Chip just got done articulating which is there is a move to change, and the young voter might see this as an opportunity to shake things up in the City of Coral Gables I don't know, I am politician, but I am not a political expert.

Commissioner Withers: Liz, can I ask you a technical question here? If it is decided that there is an April election and it is Ralph's initiative here; and the petitioners proceed with getting 2,700 signatures which language is put on the ballot?

City Attorney Hernandez: You are not prohibited from putting both languages on the ballot, so you can put both on.

Commissioner Cabrera: So one or the other. That really would confuse them.

Vice Mayor Kerdyk: I am not for that.

Commissioner Cabrera: You think the trial board was confusing.

Mayor Slesnick: OK where are we, we need a motion if we are going to move forward or no motion

Commissioner Cabrera: I moved on the terms.

Vice Mayor Kerdyk: We are going to do the terms first.

Mayor Slesnick: Well no. We should wrap it up in one package.

Commissioner Cabrera: You want to put it all together in one package. Listen, I am perfectly OK with November 4th, I expressed the concerns. You know I want the taxpayers to feel good about this.

Vice Mayor Kerdyk: Yeah.

Commissioner Cabrera: OK, I really do, I don't want you to think that I am trying to say in office, I really want to do what is in your best interest, so if November 4th is the date then so be it.

Mayor Slesnick: I think April is the preferred date.

Commissioner Cabrera: You said April and you feel comfortable with April and Chip and Ms. Anderson.

Vice Mayor Kerdyk: Are going to vote against it.

Commissioner Cabrera: Are against it.

Commissioner Anderson: Talk amongst yourselves.

Commissioner Cabrera: So if I stay firm on November 4th, we are not going to get it done. Then I'll move to April, hey you know what it will do, it will bring more voters out to the polls in April 2009. Maybe that is a good thing, you know, we don't have a mayoral race that particular year.

Mayor Slesnick: Right.

Commissioner Cabrera: Because of the change, and maybe this is what will cause the citizens to come out and vote.

Commissioner Withers: So what is the term repeat that.

Commissioner Cabrera: As much as it hurts the incumbent, you know that right, to get high voter turnout, in case you didn't know that, it hurts the incumbent to get high voter turnout.

Commissioner Withers: What is the rationale for the Mayors eight (8) years as oppose to twelve (12) years.

Commissioner Cabrera: I am glad you asked that.

Commissioner Withers: Did you ask me to ask you that?

Commissioner Cabrera: No I didn't, the reason for that is simple, I believe that the Mayor is the chairperson of this City Commission; and as such is exposed much more so than the rest of the Commission, I mean just in the everyday e-mails that we get where people are addressing him and not the rest of us, and incidentally; I don't respond when you do that, so don't do that; if you want me to respond, address it to me as well, and I believe because he has that responsibility as chair, and helps to set the tone of the Commission meetings; and in addition to that he has the ceremonial duties attach to the position, I think that two terms fulfills that leadership role, and gives others the opportunity to act in that leadership role; that is the only reason; but if he came back to me or if Bill came back to me and said well we would like it to be three terms for the Mayor I would have accepted just as well. And I am not including you in this conversation because.

Commissioner Anderson: Commissioner Withers and I are against it.

Commissioner Cabrera: But I am not ignoring you.

Commissioner Anderson: I did not take it that way, not at all.

Vice Mayor Kerdyk: I am comfortable with the twelve (12) and the eight (8), the Twelve (12) and Eight (8) for Mayor and I also just wanted to tell you or say on the record that as far as April date I really don't have a "dog in the fight," to be honest with you. I mean April and November, I honestly think it is better to have it in April from the standpoint that we are going to have more of an electorate that really care about the City of Coral Gables coming out and voting, but I don't want to hurt anybody that is on the dias here. I am trying to look at it objectively from my standpoint.

Commissioner Cabrera: Bill, come on, we have known each other since we were kids and I know that at the end of the day we are good friends are family know one another our kids play together, but I know how you are, and you know how I am.

Vice Mayor Kerdyk: He is saying that on the positive though.

Commissioner Cabrera: At the end of the day we are going to do what is best for the City.

Commissioner Withers: Several people proposing term limits have actually stood up and said we shouldn't be friends Ralph.

Commissioner Cabrera: Well I don't care, I mean I am not going to give up my friendship to you and to Bill. The point is I know at the end of the day I fight with you like hell. Oops, like heck; and I know I have disagreed with you and I have come after your trolleys a couple of times, and the funding for trolleys; and I will continue to do that because you know I have strong feelings about that as much as it really makes you hungry.

Commissioner Withers: Are you going to support his term limits after hearing that?

Commissioner Cabrera: No, but seriously, we disagree on stuff all the time so I don't care what people have to say out there, I am at the point in time that it is fine that they feel that we all are great friends and that we party together every weekend and we know better than that. So, I know you will do what is in the best interest of the citizens and if it affects me or Ms. Anderson in an adverse way, so be it, it is OK. It is good government.

Commissioner Anderson: Right.

Vice Mayor Kerdyk: So, what did we finally decided twelve (12) years, eight (8) years and April, is that the motion.

Commissioner Cabrera: You have been awful quiet.

Mayor Slesnick: Just waiting for you two to decide.

Commissioner Cabrera: So you are going to go with whatever we decide, I doubt that very much, I know you well too.

Mayor Slesnick: I think I have expressed myself, I think we all know I agree in philosophy with Withers and Anderson, but that I am trying to agree with you and the idea that it is a time that has come to let people vote.

Commissioner Cabrera: Just let them decide.

Mayor Slesnick: I really strongly hold that it should be the core of people in Coral Gables, that come out to the April Election.

Commissioner Cabrera: Then it will be April 12th.

Mayor Slesnick: OK, you make that motion.

Commissioner Cabrera: So moved, it includes the April 12 Election. Mr. Clerk is it April 12th? Is that the second Tuesday in April 2009, sir?

City Clerk Foeman: It is the second Tuesday in April.

Commissioner Cabrera: It is, so April 12th is correct.

City Attorney Hernandez: We will come back with then timelines and guidelines once you make your final decision on that.

City Clerk Foeman: Commissioner Cabrera, that is April 14th, not 12th, 2009.

Commissioner Cabrera: I beg your pardon.

City Clerk Foeman: That is the second Tuesday.

Commissioner Cabrera: April 14th, I stand corrected.

Mayor Slesnick: Mr. Cabrera.

City Manager: Mr. Mayor let me interrupt for one second did you all talk about the retro and whether it affects people in office?

Commissioner Withers: Of course its not.

Commissioner Cabrera: It's not?

City Attorney Hernandez: Say that again.

City Manager Brown: I wonder when you are drafting your Ordinance whether or not years of service now are affected?

City Attorney Hernandez: They have already asked me to look at the State Constitution and follow that.

Commissioner Cabrera: So you are going to follow the State Constitution, so if it is retroactive, it is retroactive.

City Attorney Hernandez: Whatever you all are directing me.

Commissioner Cabrera: I am fine with that.

City Attorney Hernandez: I'll bring back two.

Commissioner Cabrera: I am perfectly OK with that.

Mayor Slesnick: Well, Mr. Cabrera has moved that this Commission vote to place on the April 14th, 2009 ballot, a choice for the voters of the City of Coral Gables to consider and to adopt to reject term limits which would be twelve (12) consecutive years or three terms for Commissioners and two consecutive terms or eight (8) years for Mayor, and that has been seconded by Mr. Kerdyk.

Commissioner Cabrera: By the way, when I answered Chip in terms of the office of Mayor, since I have never held that office and neither has Chip, Bill or Maria, you really didn't speak up, you didn't give any kind of commentary.

Mayor Slesnick: Being respectful to your positions, but you made your comments and Bill said he agreed with them so.

Commissioner Cabrera: Well I am interested in hearing what you have to say.

Mayor Slesnick: Well, I mean, I am fine two or three terms for Mayor, I think that if you have a good Mayor, if you get right down deep into it, I don't agree with term limits; people should be able to decide when to retire people specifically, but if we are going to give people a choice for term limits, then the considerable position of two of the three of us that are going to be voting on this, with possible yeas votes, then I am willing to go with that. I happen to believe that a Mayor can serve twelve (12) years, as well as eight (8) years and do it well.

Commissioner Cabrera: I don't disagree, but you have worked, I mean let's face it you are practically here every single day of the week beginning at 8:30 a.m. or 9 a.m.

Mayor Slesnick: It is fine, I am willing to live with this proposal as it is. I will say this though, if in fact the PAC or any group, I shouldn't single out the PAC, decides to do a petition drive for November, I will be a member of the majority here; I will be a member of the majority here I will move for reconsideration and join my other two Commissioners and take this off the April ballot.

Commissioner Cabrera: How much time would we have to do that reconsideration? How much time would we have? Because I think he brings a very strong point.

City Attorney Hernandez: You would have to bring up a reconsideration at the next City Commission.

Mayor Slesnick: Well I mean we can make a new motion?

City Attorney Hernandez: Correct.

Mayor Slesnick: I could make a new motion.

Commissioner Cabrera: So we would modify the motion?

Mayor Slesnick: I am just pointing out that you know if this is not enough to satisfy the people who have proposed it, this is a trade off; the people who have proposed have asked for November 4th, I presumed they never said that specifically except in the ads; we are saying April and you don't need to go out and get all the petitions and you don't need to do the whole work of petition drive. I think it is a pretty good payoff for everybody concerned. Mr. Clerk?

City Clerk Foeman: Commissioner Cabrera?

Commissioner Cabrera: Yes.

City Clerk Foeman: Vice Mayor Kerdyk?

Vice Mayor Kerdyk: Yes.

City Clerk Foeman: Commissioner Withers?

Commissioner Withers: No.

City Clerk Foeman: Commissioner Anderson?

Commissioner Anderson: No.

City Clerk Foeman: Mayor Slesnick?

Mayor Slesnick: Yes. There we go. We now have item H-5.

City Manager Brown: Yes Mr. Mayor.

Mayor Slesnick: Is there a question?

[Inaudible]

Charles Girtman: It's just a matter of good faith. I think the PAC in good faith by your action today would accept it, but we would like to feel that you will not come back when it is too late to start a petition drive and then withdraw your position.

Mayor Slesnick: Mr. Girtman you and I are good friends, and I think you are friends with the other Commissioners, and I really am sorry that you may suggest.

Charles Girtman: No, that is not what I meant.

Mayor Slesnick: It is furthest thing from my mind, and you can be assured that that is not going to happen, as far as I am concerned, I am speaking for myself.

Commissioner Withers: I even voted against it and I wouldn't let that happen.

Charles Girtman: [Inaudible] I would say that the PAC is satisfied with your position and very respectful thank you.

Mayor Slesnick: Thank you. I don't try to sandbag people on the golf course, I wouldn't do that to you here Mr. Girtman.

DRAFT