

**City of Coral Gables City Commission Meeting**  
**Agenda Item E-4**  
**February 14, 2017**  
**City Commission Chambers**  
**405 Biltmore Way, Coral Gables, FL**

**City Commission**

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

**City Staff**

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

**Public Speaker(s)**

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Agenda Item E-4 [10:56:16 a.m.]

An Ordinance of the City Commission of Coral Gables creating Section 2-203 of the Code of the City of Coral Gables, entitled “City Clerk and Office of the City Clerk,” establishing the function, duties, and responsibilities of the Office of the City Clerk; providing for a repealer provision, severability clause, codification, and providing for an effective date.

Mayor Cason: Let’s do E-4 now. It’s an ordinance creating Section 2-203 of the Code, Mr. City Clerk.

City Attorney Leen: Mr. Mayor, Item E-4 is an Ordinance on First Reading, its an Ordinance of the City Commission of Coral Gables creating Section 2-203 of the Code of the City of Coral Gables, entitled “City Clerk and Office of the City Clerk,” establishing the function, duties, and responsibilities of the Office of the City Clerk; providing for a repealer provision, severability clause, codification, and providing for an effective date. It’s an Ordinance on First Reading. I would note that the City Manager and I have looked at this as well and are supporting the item,

but I would like to turn it over to the City Clerk, who I know has prepared some words, I know it's very important to him, and I'd also like to recognize the Counsel to the City Clerk, Miriam Ramos, my Deputy City Attorney, who is here to answer questions as well. She worked on this ordinance with him. Mr. Clerk.

City Clerk Foeman: Thank you Mr. City Attorney. Mr. Mayor, Commission, Madam City Manager. The purpose of the proposed ordinance is to codify what the practice has been of the role and function of the City Clerk in the City of Coral Gables. The benefit of this ordinance is that it informs the public and the commission exactly what the city clerk does and what is entrusted to the clerk. There are some 988 references in our city code providing the necessary authority to perform the job. However, there is no one specific section that details the role of the City Clerk. Therefore, it becomes necessary to have a Code provision that would establish the general functions, namely the Office of the City Clerk, under the direction and supervision of a full-time municipal clerk, who will serve as the: secretary to the municipal corporation and secretary to the City Commission, Records Custodian, Financial Disclosure Coordinator, Passport Acceptance Facility Agent, and Elections Supervisor. Said position is appointed and serves at the will of the City Commission. The qualifications for the office include: maintaining a certified municipal clerk status through the International Institute of Municipal Clerks, which constitutes attendance and completion of a three year one-week long study per year, resulting in a certified municipal clerk designation by the Florida Municipal Clerk's Association. The primary vision of the Office of the City Clerk is to become a learning laboratory, an official Resource Center and the Premier Records Custodian, utilizing technology where it may be advantageous to do so, to safeguard a vital part of our City's heritage.

Compensation to the City Clerk is fixed by action of the City Commission. There is a delegation provision in the proposed ordinance wherein the City Clerk would have the authority to delegate power. A principal role of the City Clerk is to serve as the Records Management Liaison Officer to the State, thereby recommending guidelines and standards for all City records, including, but not limited to Chapters 119 and 257, Florida Statutes and Rule Chapters 1B-24 and 1B-26 of the Florida Administrative Code. This role also makes it clear that the City Clerk in conjunction with his records' consultant should also educate our City's records coordinators in the proper usage of the disposal request and educate them in the proper use of record series titles. Training needs to be ongoing, especially with records coordinators, as procedures and requirements change. City officials and department directors shall annually certify and file with the City Clerk the Departmental/Office Records Disposition Compliance Authorization Form, provided by the Office of the City Clerk, within seven days after the end of each fiscal year. Another provision in the proposed ordinance allows for the City Clerk to retain outside consultants and contractor's as deemed necessary in furtherance of the City Clerks' duties. To this end, the City Clerk performs certain special projects, including collaborative projects and

cost sharing approaches for digital preservation, to facilitate public access to records and to our public meeting process, along with our management reporting process in furtherance of accountability, transparency and report ability, that are unique to the Office of the City Clerk and accountable directly to the Commission. This change is consistent with the City Attorney's authority under Section 2-677 of the Procurement Code, entitled "Authority to Contract for Legal Services". The City Clerk, as Secretary to the Municipal Corporation, is the keeper of all original contracts and agreements between the City and any third parties. The Clerk's Office is currently working on an online approval queuing system for contracts and agreements, utilizing our Enterprise Contract Management Application TRIM Context, which has been described at one point by the publication ComputerWorld, as the top Enterprise Content Management (ECM) Application in the world, in contrast to our customary method of manually routing the approval process, as received from each department around the network. Another provision in the proposed ordinance grants authority to the City Clerk as Secretary to the City Commission. To this end, the Clerk also has responsibility for all of the City Commission meeting minutes, transcripts, public notices, along with support documentation, legislation and codification of ordinances through our codifier the Municipal Code Corporation. The City Clerk's office will be bringing back a Dashboard for Boards and Committees compliance issues, thereby tracking those requirements pursuant to our City Code that are required for each Board member. The office also maintains custody of our City's Seal; attests all official documents, maintains receipt of service and legal documents. The Clerk also has assumed responsibility for the Commission Meeting Agenda, its coordination and preparation. Another innovation to be noted is that recently the Clerk's Office completed a citywide training for an online queuing approval process for our agenda preparation, instead of the customary manual routing process. The City Clerk's office is also currently working on an online Lobbyist Registration process as well. The provision in the ordinance relating to our Election function which entails the administration, supervision and certification of all Municipal, Retirement Board, Trial Board, as well as any Special Elections, including, but not limited to any Charter Amendments, and Special Referenda (including bond any straw ballot issues). The City Clerk is the Supervisor of any and all Elections in the City of Coral Gables and serves as a member of the Canvassing Board. The City Clerk certifies vacancies existing at the local level maintains receipt of any and all petitions, initiative or otherwise, exercises authority in determining the validity of petitions according to City Code or State Statutes, provides local ballots for all elections, maintains receipt of election results, and issues payment for polling places and poll workers. The Clerk's Office is currently working on an online voting process for our employee related elections. The City Clerk in conjunction with the Deputy City Clerk maintains a Passport Acceptance Facility in Coral Gables. To this end, the Passport Acceptance Facility has been established through a public partnership with the U.S. Department of State, Bureau of Consular Affairs, and its primary duties include reviewing all of the necessary documents, attesting to the citizenship and identity of the applicants, collecting the necessary fees, and administration of the oath, while realizing a

revenue source in connection with the issuance of our international travel document, the passport. There is also included in the proposed ordinance, an administrative function wherein the City Clerk shall provide professional leadership and knowledge consistent with the functional requirements of the appointed position, as defined in both State Law, City Code, as well as long practiced local rules and customs. Finally, inherent in its functional requirements is that the City Clerk's Office shall serve as an informational clearinghouse for public information, regarding our City's governmental operations, thus providing information from our City's records, handling of requests either directly or through referral to the appropriate departments and offices within our governing structure, ensuring continuity between past and present day City Hall, promoting the highest type of public relations, while protecting the City's interests and rights. To this end, the office has implemented a web based public records request application that enables departments to align the public records process, delegate tasks, monitor responsiveness and report back seamlessly on a regular basis to the requesting party. In short, this proposed ordinance will inform the inquiring public and our City just exactly what the City Clerk does, and the role of the Office of the City Clerk in our governing structure. Thank you.

Mayor Cason: Great. Since this is an Ordinance on First Reading, do we have any speaker cards?

City Clerk Foeman: No Mr. Mayor.

Mayor Cason: We'll close the public hearing. Any discussion? Motion?

Commissioner Keon: I'll move it.

Mayor Cason: Commissioner Keon makes the motion, second?

Vice Mayor Quesada: Second.

Mayor Cason: Vice Mayor – City Clerk.

Commissioner Keon: Yes

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Commissioner Slesnick: Yes

Mayor Cason: Yes

(Vote: 5-0)

[End: 11:06:26 a.m.]