

**City of Coral Gables City Commission Meeting
Agenda Item E-1
June 12, 2018
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

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

City Staff

**City Manager, Cathy Swanson-Rivenbark
City Attorney, Miriam Ramos
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia**

Public Speaker(s)

**Maria Cruz, Coral Gables Resident
Jeffrey Marano, Hollywood, Florida**

Agenda Item E-1 [9:13:22 a.m.]

Personal Appearance by Maria Cruz regarding the importance of ethics in government

Mayor Valdes-Fauli: And now, we have a time certain item at 9:10, Ms. Maria Cruz wants to, personal appearance by Maria Cruz regarding the importance of ethics in government. Ms. Cruz you have seven minutes, please.

Ms. Cruz: Good morning. Thank you for this opportunity. I'm here today to talk to you about ethics. This is a very popular topic nowadays. Growing up we were exposed to this idea. We were taught by our parents and our teachers how important it is to be ethical. We were taught that we need to do the right thing that we have to choose right from wrong. Most professions have a code of ethics and there are serious consequences for ignoring it. Here we are in Coral Gables where we worry about our image. Last year we were so concerned about upholding our image that we forgot to do the right thing. We choose not to provide sandbags, water or ice to our residents because it didn't fit our image. We made the wrong decision instead of the right

one. Yes, our current administration has been extremely concerned about protecting our image. This administration lead us – we are usually reminded by professional City Manager, has chosen to worry about our image instead of having an ethical government. This administration has time and time again given partial truths and yes, lies to our elected officials, to keep them in the dark about what’s going on. Let’s make it clear. They talk about ethics and transparency, but it’s all talk. The Commission is elected by the people to represent us, to have checks and balances. Elected officials take oaths of office to abide by the laws and to do what is best for our City. Top officials also take oaths of office to do so and then, actions speak louder than words. All is forgotten when needed the most. Our Commission sits here and listens to an administration that has lost the notion of ethics. How else can you explain having your top administrators tell the elected officials wrong information to get what they want? Case in point. Finance Department clerk used \$78,000 for her own benefit. The Commission at a public meeting just like this was told that it happened during the previous administration, not during their tenure and that the person was not background checked. Well have been able to document the bold statement for flat out lies. Oops, I said the ugly word again. First of all, it did happen during this administration and both the City Manager and the Director of Public Safety were already here for most of the time. No background check, well that was another, what do we say, lie. The background check had disappeared from the files. How convenient I say, so they could go in the previous administration, most importantly, so they could get the Commission to approve the request to change the background check process. I’m talking fast because I want to get it in. Now that we are talking about background checks, may I suggest that all of us need to pay close attention to an item on the agenda about how our professional City Manager tried to interfere with how the background check for the Director of Public Safety was conducted? Ladies and gentlemen there is no such thing as an apology for unethical behavior. You are either an ethical person or you are not. If time and time again you demonstrate you are not, how can you be trusted? How many times is this administration going to be allowed to act like this? Today on the agenda there is a discussion of the Police Department. You will probably hear the administration tell you that everything is going well that problems are getting ironed out, well that is another flat out lie. Here, I said it again, lie. Nothing has changed. It is time for all of you to accept that nothing will change as long as unethical people are involved. How can anyone trust that this administration that did the same in Hollywood will change here? History repeats itself. This administration will do whatever it takes to achieve what they want, what they have wanted from the get-go, to push Chief Hudak out. It worked in Hollywood. Why not here? What is it going to take for our Commissioners to get from under the smoking mirrors and open their eyes? My late father used to say, “no hay peor ciego que el que no quiere ver,” which translates loosely there is no blinder person than one who refuses to see. A leopard doesn’t change his spots. Our present administration has demonstrated time and time again that they do not learn from their mistakes. Do you know why?- because they are not mistakes, they only become mistakes when they get caught doing it. How much longer are you, our elected officials going to allow our City of Coral

Gables to be run by an unethical administration? The time is now, please do your job and put our City back on track. Thank you.

Mayor Valdes-Fauli: Thank you Ms. Cruz. I wanted to say a few things regarding what you've just mentioned. I very much dispute your characterization of this Commission as an unethical Commission or this administration as an unethical administration. You mentioned Irma; you mentioned our awareness of our image. Image is reality. The image of Coral Gables is a real image because we are a safe City, a responsible City, and we are very, very much a transparent City, and we allow people to talk. You are here, you had a time certain, and you've had time certain other times and the meeting has gone on long, but today you got to speak at the allotted time. We are a responsible, again a responsible Commission. Talk about ethics. Ms. Cruz, you also had to look at your ethics making accusations of lies, making accusations of providing wrong information. Ms. Cruz we are transparent and we are very much in the public eye, and I want to show you something. There are 14 pages here, single spaced, of public records requests that you have made, which we have provided to you in the last year. Almost 6,000 pages of public records Ms. Cruz and we have charged you \$200 for these public records. Don't tell me that we are hiding things. Look at this, 12 pages or 13 pages of public records requests, single spaced. We have given this to you. We don't hide anything. Look at your ethics too in making false accusations against us. The background check, yes, there is an explanation for that and we will get that explanation, but I very much resent your making false accusations against this Commission. This is a responsible Commission, this is a studious Commission, and we are very much aware of our responsibilities. We are mandated to take a course, an ethics course, four hours every year by County and State law, we do and we take it very, very seriously. You've accused us, but also don't fling false accusations. Look at this. These are public records requests from another citizen. I'm sorry, I dropped that, I'm upset. Thank you. Another public records request from another citizen, look at the size of that, thank you – thank you very much. Look at the size of that. We are responsive, we are responsible and we are transparent. Thank you very much. This is not a public hearing is it?

Commissioner Keon: No. Thank you Mayor.

Mayor Valdes-Fauli: OK. This is not a public hearing. I have a request here to speak Jeffrey Marano; this is not a public hearing, so I will ignore this request.

Commissioner Lago: Let me ask you a question Mayor, if you don't mind, since you made your statement, why wouldn't we hear from Mr. Marano?- this is a public setting and we have people here, I think we should.

Mayor Valdes-Fauli: This is not a public hearing, but we will listen to Mr. Marano. Mr. Marano would you like to come up?

Commissioner Keon: Could you identify who you are.

Mr. Marano: Good morning Mayor, Jeff Marano from Broward County PBM, the President. I'm also a 30-year retiree from the City of Hollywood Police Department where I left as a Lieutenant and I am a resident of the City of Hollywood. I just want to tell you that you are going to continue to get anonymous letters and that was the same MO that they used up in Hollywood.

Commissioner Lago: I'm the one receiving anonymous letters.

Mr. Marano: Sir?

Commissioner Lago: There is nobody else on this Commission receiving anonymous letters except for me.

Mr. Marano: OK, I'm sorry.

Commissioner Lago: And, I've received to this moment three and actually look forward to them, because first they are baseless, number one; number two, I send them, immediately I send them to Frank Fernandez, the City Manager and the City Attorney, as the City Attorney can vouch for me, and I've requested for an investigation. Obviously, they haven't granted me one, because they say again, they haven't broken the law. But I will under no circumstance and by the way, I want to put this on the record, you and I have never met...

Mr. Marano: No sir.

Commissioner Lago:...you and I have never spoken, we've never shaken hands, we've never broken bread, but I find it interesting and I interject in your comments, excuse me for interrupting you, because I receive these anonymous letters. Basically intimidating me or attempting to try to intimidate me and my family. They would drop them off at my house, but I put cameras at my house and I put the ring, so now they just come, they drop them off here at the City; and it always comes up when there is a flare up or there is an item I put on the agenda in regards to today. We are going to talk about the memo; we may talk about some other issues. It's a tactical intimidation and I've seen it. It only happens to me when we've had issues since the Manager has been here; and I find it very, very interesting that it only happens to me, me, the person that brings up these items; and I actually take those anonymous letters and I tape them in my office and I offer them to people if they want to read them, because I want to make sure –

You can accuse me of anything, whatever you like, because their accusations are baseless because you don't have the guts to put your names to them. If you put your names to them and you want to sit down with me, I'll give everybody the opportunity to come sit down with me. I have a Town Hall on Thursday. If you have something to address, come to the Town Hall. If you'd like to meet with me one-on-one, every other Friday I'm the only Commissioner here that has open door policy from 3 to 5, anyone can come and see me and discuss any City issues. So, I find it interesting that you lead with the anonymous letters and that's what's going on here. I've received three of them. It's always intimidation, it's always falsehoods, and it's always lies to try to intimidate me. It just won't happen. It won't happen. But, I want to put clear on the record that you and I have never ever even shared an e-mail.

Mr. Marano: No sir.

Commissioner Lago: OK. And that I didn't bring you here, correct?

Mr. Marano: No.

Commissioner Lago: I want to be clear; I want to be clear on the record.

Mr. Marano: I didn't come here sir...I came here...

Mayor Valdes-Fauli: Mr. Marano finish up please.

Mr. Marano: OK.

Commissioner Lago: I took up his time, so I ask you to give him the necessary time.

Mayor Valdes-Fauli: No, no, he will.

Commissioner Keon: I received two anonymous letters.

Commissioner Mena: I received anonymous letters as well.

Commissioner Lago: But they were about me. They were anonymous letters about me.

Commissioner Mena: Yes, I've received letters as well.

Commissioner Lago: I don't think there was anybody, you know, basically making false accusations about you.

Mayor Valdes-Fauli: Let's not brag about...calling me a Nazi.

Commissioner Lago: No, no, I want to be clear, I want to be clear. The letters that you are receiving are about me.

Commissioner Mena: No, there are other things not about you.

Commissioner Lago: No but I mean, we are not saying you personally as a professional, they are not saying anything about you as an individual, they are not attacking you, they are attacking me, so I just want to be clear. I want to be clear. And, I find it very interesting that it happened in Hollywood, it happened in Pinecrest, and it's happening here. It keeps revolving around the same discussion and the same topic and they are getting more brazen, the lies are becoming more and more aggressive and I want to be very clear. Again, come and meet with me, come to see the City Attorney, if you have something to talk about let's talk about it in the open, come here to the Commission meeting. We have Commission meetings every two weeks. I'm more than willing to have a conversation.

Mr. Marano: Well I'm glad it wasn't affective here, but it was affective in Hollywood. The City Manager lost his job, Ms. Rivenbark moved in and then obviously Frank Fernandez showed up and whatever, but I don't want to take up any more time, but I can just tell you that you are going to continue to have problems until Frank Fernandez is wearing the Police Chief's uniform here, you'll continue to get them; and a Police Chief who just retired up in Broward who started in the City of Miami did 43 years in police service, he summed up Frank Fernandez in one word. He said Frank Fernandez is evil. Thank you.

Mayor Valdes-Fauli: Thank you sir.

Commissioner Keon: Mr. Marano, in following the discussion on ethics, one of the bright lines that people will often use with regard to ethical behavior is that anything, that there isn't anything that you would do that you don't mind having printed on the front page of your local newspaper. Mr. Marano you have so many things printed on the pages of a newspaper that I am astounded that you would come here and cast a shadow on anyone.

Mr. Marano: And, I know that you are Ms. Rivenbark's mouthpiece and I appreciate all that, but I was always a target ma'am, I'm a political person. I endorse people and surely – I've been investigated for everything and cleared ma'am.

Commissioner Keon: Your record speaks for itself.

Mr. Marano: And, I was promoted twice and I was retired with my full pension, unlike Frank Fernandez has \$150,000 pension.

Mayor Valdes-Fauli: Commissioner it's not worth pursuing this.

Commissioner Lago: Maybe you don't feel it's worth pursuing, but again, you make comments on the record, you should at least have the right to refute those. So, you said everything you've been accused of doing in a court of law you've been exonerated for.

Mr. Marano: Yes, except one civil rights situation, OK, but that's something that we came forward and we said we had made a mistake.

Commissioner Lago: When I spoke to the Manager about the memo that I wrote, her immediate comments to me, we are going to discuss this later. I've spent my time, I've spent my time to prepare this document that I prepared today. Has immediately gone to who you are and my comments, and correct me if I'm wrong, if I'm lying, correct me, please I want to put this on the record here today, have been I don't care who Mr. Marano is, right or wrong Miriam?- did I not say that at the meeting. I don't care who Mr. Marano is. I don't even know Mr. Marano. I don't deal with Mr. Marano. I deal with residents and business owners and our employees here in the City. I don't care who you are. I really don't care. The bottom line, I deal with ethics and I deal with the fact that you could tell me that this person is the worst thing, is the devil, I don't care, because at the end of the day if he had a comment to be heard and we deal with it now with the memo, if he was part of the background investigation, you do not put yourself in the position you did. He's here today, obviously, because he wants to make his opinion known and you can stand up here and you can trash and you can make comments about what he's done in the past, but if you tell me you've been exonerated and you have.

Mayor Valdes-Fauli: OK. Let's go on.

City Manager Swanson-Rivenbark: Mr. Mayor it's important for me to make two comments. Number one, 34 years in government, I know of no one that has ever written an anonymous letter. I have to say that on the record. Second, to describe Frank Fernandez as evil, for the record, he has been a consultant with the Department of Justice for ten years doing reform of police departments. Not everyone wants change, I understand that, but he has the highest level of clearances both with the Department of Justice and FBI. To use this as a character assassination is inappropriate and unbecoming to the City, but I thank you for allowing me to comment.

Mayor Valdes-Fauli: OK. Let's go on.

[End: 9:30:12 a.m.]