

**City of Coral Gables City Commission Meeting
Agenda Item G-3
May 25, 2021
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

Mayor Vince Lago

Vice Mayor Michael Mena

Commissioner Rhonda Anderson

Commissioner Jorge Fors

Commissioner Kirk Menendez

City Staff

City Manager, Peter Iglesias

Assistant City Manager, Ed Santamaria

City Attorney, Miriam Ramos

Assistant City Attorney, Naomi Levi-Garcia

City Clerk, Billy Urquia

Communications and Public Affairs Director, Martha Pantin

Public Speaker(s)

Agenda Item G-3 [11:53 a.m.]

Discussion regarding House Bill 35 re. Legal Notices.

(Sponsored by Mayor Lago)

Mayor Lago: Item G-3, discussion regarding House Bill 35, legal notices. Naomi. I know that Mr. Book already discussed this in great detail, but we put it on the agenda.

Assistant City Attorney Levi-Garcia: Sure, sure. Hello, again. So, House Bill 35 does a lot of things regarding public notices, but most importantly, what I think you're interested in is that it allows the City or government agencies to publish legal notices on the websites of newspapers of general circulation in lieu of in print, but it's not so straightforward. The City would have to take some action before it can make that transition. We would have to host a public hearing that would have to be noticed in print beforehand, and the Commission would have to adopt the resolution at that public hearing, making certain findings. The findings include that the public has sufficient access to internet, and that it's in the best interest of the public as well. So, after that resolution is passed, we can start noticing online, but you would still have to do a weekly notice in the paper letting people know, "Hey, our notices are now online." There are additional steps that have to be taken; that's the crux of the bill. And Billy also looked at some information in terms of what we're currently doing in terms of our notices and whether there would be any cost savings.

Mayor Lago: Yeah. So, first off, thank you, Naomi. I appreciate it. When you say it constitutes -- what constitutes general circulation? I want to kind of get a little bit more of an understanding before we move on to the reason why I put this on the agenda, which was I'm trying to find as much cost savings as possible and see if we're advertising in the appropriate places because I see that circulation is down across the board.

Assistant City Attorney Levi-Garcia: Sure. So, the bill actually amends that section of the law as well. It sets forth kind of a new criteria of what constitutes a newspaper of general circulation. I don't know all of the criteria off the top of my head, but it includes the County -- 10 percent of counties and the household having a subscription to that newspaper, 25 percent of the words have to be in English, a certain amount of advertising. It's quite a lengthy list. We're currently using -- from what the City Clerk has informed me about -- I believe, the Daily Business Review and the Miami Herald for legal notices. Both of those constitute newspapers of general circulation and would continue presumably to meet that definition under the new criteria.

Mayor Lago: Mr. Clerk.

City Clerk Urquia: Sir?

Mayor Lago: Yes.

City Clerk Urquia: So, we use the Daily Business Review for all legal notices of the City. Those are published in the Daily Business Review's website as well as their newspaper currently. We use the Miami Herald for one notice a year, and that's the trim bill notice having to do with Finance because it's a requirement of the State of Florida.

Mayor Lago: And obviously, the Daily Business Review is more cost-effective than the Herald is, correct?

City Clerk Urquia: It's significantly more cost effective.

Mayor Lago: Significantly, okay. We use the Herald once a week for our Neighbors section or every two weeks? Maybe Martha, Ms. Pantin, can help us clarify that.

Communications and Public Affairs Director Pantin: Hello.

Mayor Lago: Good morning.

Communications and Public Affairs Director Pantin: Good morning. Martha Pantin. We do not use the Herald on a weekly basis any longer. That was one of the changes...

Vice Mayor Mena: Give it a minute.

Mayor Lago: Sorry about that.

Vice Mayor Mena: Yeah, let's give it a minute.

Mayor Lago: Here we go.

Communications and Public Affairs Director Pantin: They're coming to get somebody here, I don't know. That was one of the changes that I instituted for the new fiscal year. We use it for specific advertising depending on our needs.

Mayor Lago: Well, thank you for that because I want to -- again, like this is something that I was having a conversation with the Manager. I know my colleagues have been having the same conversations, you know. As a result of COVID, we need to be as fiscally prudent as possible. We also want to make sure we get the message out there and that we're being as transparent as possible. But sometimes I think that as people -- less and less people are getting the newspaper in one form or another. They're either moving digital. They're getting their notices from, you know, community websites or the community newspaper. I want to make sure that we're using the most efficient manner to not only be transparent, but also to try to save as much money as possible. So, I wanted to talk about this new bill that was passed to make sure that we're up-to-date and that we were following all the necessary protocols and procedures as required by the law.

City Attorney Ramos: So, Mayor, if we want to move forward with availing ourselves of this -- of the ability to do this, we need to come back with a resolution next time making certain findings and then directing the City Clerk to use the online process.

Mayor Lago: Okay, but what I want to find out and I want to make sure is that we're following the process and that we're saving as much money as possible. So, have staff -- maybe Naomi's team, the ACM, the City Manager, with the guidance of Ms. Pantin and the Clerk -- kind of work on it together to find out how can we be as cost-effective as possible while still meeting the requirements of the law.

Assistant City Attorney Levi-Garcia: Right, and in order to do that, I believe we're going to have to wait to see what the Herald or the Daily Business Review is going to charge for online publication because there will still be some cost associated with that. And then we need to bear in mind that in addition to those online publications, there's still that weekly requirement. So, once a week, the City has to still publish in print a notification to the public that notices are -- can now be found online and listing the website, et cetera. So, that cost will never go away, that weekly cost. It's just a matter of how much is the online cost going to be and does that make more sense for the City financially.

City Clerk Urquia: So, Mr. Mayor, just to -- right now we advertise on average about 90 notices a year. If we were to go this route, we would have to guarantee the newspaper 52 notices a year because it's one a week, plus the additional charge to place the notices on their website.

Mayor Lago: So, what you're telling me is...

City Clerk Urquia: I don't think it makes sense for us to go that route at this time.

Mayor Lago: I'm just -- I'm bringing it up because I want to make sure that we save as much money as possible and that the Manager understands that, you know, we're empowering staff to try to find -- and I'm going to bring it up again now when we talk about the operational audit, which is the next item I'm going to discuss -- I want to see cost savings across the board. I want to see cost savings in every department, and I want those departments to come forward and we'll discuss it now and be proud of, you know, their ability to save money. And you know, this is something -- this is a new law. I wanted to make sure that we discuss it here, and if it's no cost savings to be had, then it's perfectly fine.

City Clerk Urquia: We'll...

Mayor Lago: But for me, for me, for me, it's a breath of fresh air when someone like Martha Pantin stands up here and says -- said the moment that she was engaged and started working here, not even six months ago, if I'm correct on the timeline, she reviewed staff, she reviewed her department and the budget and made the necessary adjustments to try to save as much money for her department, which in turn goes into the City coffers and allows us the flexibility to serve our residents in a more kind of opportune opportunity and try to find opportunities to try to give more services,. So, I think that's what I'm trying to do right now.

City Clerk Urquia: Following up on what Naomi was saying, we will definitely be in touch with the newspapers. We'll see if they have some kind of subscription service for their online notices as opposed to on an ad basis. And if it makes sense for the City, we'll definitely bring it back to you.

Mayor Lago: Perfect.

Vice Mayor Mena: Yeah, I would...

Mayor Lago: Thank you.

Vice Mayor Mena: The only thing I would add to that is, you know, it's helpful to understand from a cost perspective, not just the sort of gross cost to the City, but the efficiency of the cost, if you will. In other words, how many views, how many touches are you actually getting for that. Obviously, you know, the Miami Herald is the most widely read publication -- Daily Business Review as well -- and are pretty standard places for these types of notices to be placed for a reason. And so, you know, I'm all for -- you know, we've talked about it on this -- on many issues, saving costs where we can, definitely. But let's -- I just want to make sure as you come back to us that we're not just talking gross numbers, you know, where you could spend X or Y, but what the effectiveness of that expenditure is as well.

Assistant City Attorney Levi-Garcia: In terms of like number of people who are viewing or clicking or...

Vice Mayor Mena: Yeah, who's your audience, right?

Assistant City Attorney Levi-Garcia: Yeah, seeing the notice. And I assume those publications can gather data to that effect. I'm sure the City Clerk...

Mayor Lago: And it's got to be more cost effective to go digital versus being in a situation where you're not in print and less and less people are getting, for example, the Herald on a daily basis. I'd like to see where our subscription is versus was maybe over the last two or three, four or five years.

City Manager Iglesias: We have been looking at how effective we are, and that's one of the things that Martha Pantin has been looking at, how effective is our -- how many hits are we getting, how effective is our outreach. And we certainly want to provide our monies in the most effective way possible, and that's what we're doing now. That's what we are transitioning now to really the most effective way to provide maximum outreach with the dollars we have.

Mayor Lago: You know, and I give you another example. You know, we had a few hundred people viewing videos and it was costing us almost seven figures to produce those videos a year. I mean, again, we have to be very careful and very prudent how we spend our money, especially in these very, very difficult times. So, thank you, Naomi, again.

Assistant City Attorney Levi-Garcia: Thank you.

Mayor Lago: Thank you, Martha. I appreciate it. And to the Clerk and to the Manager's team, you know, I'd like for you to please take the liberty to bring this back. I'm not going to remind you. Talk to the Finance Department and see where we're at so we can see what we need to do

moving forward and actually come back with some sort of answers in regards to what route we're going to take.