

**City of Coral Gables City Commission Meeting
Agenda Item G-13
May 9, 2023
City Commission Chambers
405 Biltmore Way, Coral Gables, FL**

City Commission

Mayor Vince Lago

Vice Mayor Rhonda Anderson

Commissioner Melissa Castro

Commissioner Ariel Fernandez

Commissioner Kirk Menendez

City Staff

City Attorney, Cristina Suárez

City Manager, Peter Iglesias

City Clerk, Billy Urquia

Public Speaker(s)

Caroline Conde

Maria Cruz

Agenda Item G-13

Discussion regarding adding political contributions information to items on the agenda.
(Sponsored by Commissioner Fernandez)

Mayor Lago: Moving onto G-13.

Commissioner Fernandez: G-13 is another item on transparency and really piggybacking on your leadership, Mr. Mayor, on placing lobbyists on the agenda. I spoke with the Clerk and the City Attorney about the possibility of also attaching to the agenda a form which projects sponsors would have to fill out informing us of, if they have given political contributions to the campaigns of anybody sitting on the dais, and that would be included on the agenda.

Mayor Lago: I have two concerns. One is the issue of, how are you going to police this in regard to Political Action Committees, its very difficult; and number two, I think it sends, I will support it first reading if you are interested in doing that, but I'm concerned about the message that it sends.

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Agenda Item G-13 – Discussion regarding adding political contribution information
To items on the agenda

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When I wrote this legislation that already puts lobbyists on the agenda associated with whatever issue they are coming before the Commission, I think it sends the connotation that somebody may vote for something not because they believe in it, because a donation basically forced them to one reason or another, to consider voting in favor against for that contract or for that project. I don't think that's healthy, in my opinion, for the debate that we're having here, because I have voted against projects on this dais where people have donated to my campaign, and I've been candid with them. I said, listen, if you want me to vote in favor of this project, you have to get to the following threshold, and they haven't been able to meet it, because they had the votes from the other colleagues on the Commission – Gables Station, Agave, Miracle Mile, the parking garage on Andalusia, Allen Morris, because they give me a check, does that mean that I'm going to vote in favor of the project? – no. I just want you to think about that before you present the legislation and see if we can craft – my biggest concern is, just because you're not donating directly to the campaign, you're donating to a PAC, how are we going to track PACs?

Commissioner Fernandez: I think that's a more difficult thing to really control, but I think as far as campaign, its information that's already public information, its not something that's not. It's just a way to make it easier for residents who are interested in looking for it, because that's a question that has come up quite a bit in the past and you have to basically send them on how to get to the contributions page. Here's an opportunity to have it right there available on the agenda and it increases transparency.

Mayor Lago: Present it.

Commissioner Menendez: I want to chime in. Because projects that come to us, Madam City Attorney, correct me if I'm wrong are quasi-judicial.

City Attorney Suarez: So sometimes projects have a legislative component, but you have like a site plan approval and so forth, yes, they are quasi-judicial, and you should consider the competent substantial evidence that is presented.

Commissioner Menendez: Based on the merits of the project.

City Attorney Suarez: Correct.

Commissioner Menendez: And then my other thought is, I have no problem making it easy for the public to access that information, but monetary donations aren't the only way to help someone win an election, because if someone gives \$1,000 and someone doesn't give you \$1,000, but gets you 1,000 votes, I think people are going to say, well they got you 1,000 votes. You owe them to either support or deny a matter that they are not in favor of, or they are in favor of. So, there are different ways to sort of, I guess, slice that up. So, my concern is it's not – it takes things in one direction, when in fact there are different ways to give the impression that one is being influenced. That's

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my thought, because sometimes \$1,000 doesn't do much in a campaign. Sometimes 1,000 votes gets you a win. And by the way also, I don't want the issue also of perhaps, let's say in a race, let's say me, for example, one person doing a presentation gave \$1,000 to somebody here, but didn't give \$1,000 to me, then I'm going to look like I have a vendetta against that person because you didn't give me the \$1,000. So, if I vote no, then they're going to say, oh, you voted no because he didn't give you the money. So, it sort of creates sort of a confusion.

Mayor Lago: Lobbyists already have to put their name on any project that they are representing. So, it's pretty clear who's attached.

Commissioner Fernandez: But developers do not. Developers and their subsidiaries donate quite a bit of money to political campaigns. I think it's just a level of transparency and that's the reason I'd like to put this on here. I know that there was a lot of opposition for the lobbyists being on there at first. I think this is just adding a level of transparency. It's a form that they would fill out. They would submit it to the Clerk, and they would be attached to the agenda.

Commissioner Menendez: And as a compromise, sorry, I know it's late. If we were all in agreement to make that information available, perhaps that information could be made available and not have it attached to legislation, because again, my concern is to taint the item or taint the opinion of the public already going into that meeting, but if that information is easily readily available outside of a particular item, this lobbyist donated to these people, I'm open to that as a compromise. I just don't want to taint the process.

Commissioner Fernandez: I think you can argue also that the lobbyist information also taints, because I think there are elected officials that have really good relationships with lobbyists, personal relationships, and just having that information on there could taint the experience for residents as well. I think it's just about transparency and you know, originally, I had said, should we list it on the agenda, and I talked to the Clerk about it, and we decided an attached form would be better. It's something that if a resident is interested in looking for it, it's easier for them to find versus having to go through the portal and you can't search the portal by name. You literally have to go into the portal, go report by report to find the information. So, it's not easy information to access.

Commissioner Menendez: That's why my thought is again, you'll present and no issue is, if its that difficult to find, maybe we could find a solution to make it a lot more, a lot easier to access and not necessarily attach it, because you know, the way I look at it historically the first Mayor of Coral Gables, Doc Dammers, his biggest contributor was the biggest developer in the history of Coral Gables, which is George Merrick, and yet, he was the first Mayor and he's the one that was the Mayor when we built the Biltmore, built everything else. Hey, you got a contribution from –

like I said, I agree with you, transparency -- everything available, accessible, I just want to make sure we do it in a path that we don't create issues that weren't there already, that's all.

Commissioner Anderson: I see it as a complex item because all the resident contributions on somebody that's opposed to a project, all of the developer contributions that you have developer contributions, and then you get into the PACs. I don't see how we could -- I didn't have a PAC, developers aren't around rallying for me, but the residents also would also have to be looked at too and that's a long, long list.

Commissioner Fernandez: I think the same form would apply if a resident proposes a project. This is about proposing a project that will come before us for a decision.

Mayor Lago: Why don't we do this. Why don't you present legislation, bring it before the Commission and we'll see how it goes.

Commissioner Fernandez: So, I'll work with the City Attorney to craft the legislation and we'll put it on the agenda for next meeting.

Mayor Lago: Can you give me one second, just one second. I'm going to defer C-1, C-2, C-3, and C-5, I'm going to keep C-4. I'm deferring all my items except for one.

City Clerk Urquia: Mr. Mayor, before you move on, we have members of the public requesting to speak on the previous item.

Mayor Lago: Go ahead.

City Clerk Urquia: First, Ms. Deborah Register, next Maria Cruz.

Mayor Lago: Can we maybe come back.

City Clerk Urquia: Next speaker is Caroline Conde.

Ms. Conde: Hello, can you hear me?

Mayor Lago: Yes.

Ms. Conde: Hi, I just wanted to state my support for Ariel Fernandez proposal, and the reason why is, one of the things that someone had said is that its hard to verify. I don't think that's that an argument for keeping somebody from disclosing. Whenever you have news reporter, they will say something like, if they have a news report and there's a company that is a supporter of their news organization, they'll say, full disclosure, so and so is a supporter of this broadcast, or if you have -- hello?

Commissioner Fernandez: Yes, we can hear you.

Ms. Conde: Okay. So, another case is when a professor or a researcher or a physician gives a lecture, they will say, full disclosure, you know I have associations with this drug company. These things are, its not unheard of for these kinds of things to be disclosed. If the opinion is that, well you know, I have accepted money from a certain developer that is not going to sway my opinion. Well, okay, then there shouldn't be a problem in disclosing that. Finally, when you want to look as a resident, if I want to look at the donors to a campaign, you know a particular developer may donate \$1,000, on different LLC's that he is in control of. So, each LLC can give \$1,000, so a particular developer that is associated with each LLC can give \$1,000 each, and that is something that a resident has to do some research, that is not obvious in the filings of the candidates. So again, I would like to support Ariel's proposal.

Mayor Lago: Thank you. Mr. Clerk, would you turn on the clock next time, please.

City Clerk Urquia: Ms. Maria Cruz.

Ms. Cruz: I'm here.

Mayor Lago: We hear you.

City Clerk Urquia: Ms. Cruz.

Mayor Lago: Maybe we come back to her again.

Ms. Cruz: No, I'm here. Can you hear me?

Mayor Lago: Go ahead.

Ms. Cruz: I would like to support the idea that Commissioner Fernandez brought up. I am sure they can be tweaked somehow, but I think it's important for people to know where the connections are. You know we have grown to not trust the government because of things that have happened and if its public record it doesn't take much to add it to the agenda, so people know, that's it, they don't have to go look it up. It's there. They want to look at it, they look at it. They don't want to look at it, its fine, but we need to know who are the people that put out the big money and I understand the PACs, there's nothing we can do about the PACs, but you know what, we can do about the other, and a little step at a time would help. Thank you.

Mayor Lago: Mr. Clerk.

City Clerk Urquia: That's it, Mr. Mayor.

Mayor Lago: I will close that. We have marching orders from the sponsor. We're good to go.

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Commissioner Fernandez: Alright.