

City of Coral Gables City Commission Meeting
Agenda Item F-2
August 24, 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, Jr.

Commissioner Kirk Menendez

City Staff

City Manager, Peter Iglesias

Assistant City Manager, Ed Santamaria

City Attorney, Miriam Ramos

City Clerk, Billy Urquia

Public Speaker(s)

Agenda Item F-2 [Start 11:30 a.m.]

An Ordinance of the City Commission amending Section 2-305, “Lobbying,” of the City of Coral Gables Ethics Code to make it consistent with amendments to the Miami-Dade County Lobbying Ordinance, adding a "Duty to Announce" requirement, a "Duty to List" requirement, and establishing a mandatory training requirement, providing for a severability clause, repealer provision, codification, and providing for an effective date. (Sponsored by Mayor Lago)

City Attorney Ramos: F-2 is An Ordinance of the City Commission amending Section 2-305, “Lobbying,” of the City of Coral Gables Ethics Code to make it consistent with amendments to the Miami-Dade County Lobbying Ordinance, adding a "Duty to Announce" requirement, a "Duty to List" requirement, and establishing a mandatory training requirement, providing for a severability clause, repealer provision, codification, and providing for an effective date. Last time this was here on first reading, the county had not finalized the adoption of their ordinance. They have now adopted it on second reading. So, I went through and made any edits that were necessary to be consistent with the county. In addition, the Commission on last meeting wanted to add the

City Commission Meeting

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[Date]

1

“Duty to List” requirement for the Clerk to list the name of the lobbyist and the principal under each item on the Commission Agenda, as well as opting into the training requirement for lobbyists. Lobby working with the Miami-Dade County Ethics Commission to establish a way to make sure training is available for lobbyists within the required time period.

City Clerk Urquia: Miriam, just really quick. It was not all agenda items, it was only specific agenda items, correct? It was procurement items over a certain amount and development projects or something to that effect.

Mayor Lago: This is what I want to do. Anybody gets hired to work on an item that’s coming before the Commission and you’re a lobbyist, I want to say their name and the name of the company and the person; the name of the company and the person lobbying for that item.

City Attorney Ramos: As drafted it is every item.

Mayor Lago: Yes.

City Attorney Ramos: That can be changed.

Mayor Lago: And if you need help on that issue, again, its all about transparency. I don’t want to make it more work for you, I know this is more work for you.

City Clerk Urquia: Its not that. It’s unclear.

Mayor Lago: By the way, you are never shy of more work because you do a great job, but I also want to be honest with you, if you need help tell me.

City Clerk Urquia: Burger Bob’s is on the agenda today, would you put someone who registered to lobby on behalf of Burger Bob’s even though its not really their item on the agenda?

Mayor Lago: You want to go resolution – well Burger Bob’s is on the item extending their lease.

City Clerk Urquia: Correct.

Mayor Lago: But no one’s lobbying on behalf of Burger Bob’s. We are extending the lease for a reason.

City Attorney Ramos: But there is a lobbyist registered on their behalf.

Commissioner Fors: I think that person is the one.

City Attorney Ramos: For the lease, right.

City Commission Meeting

Mayor Lago: Simple – and by the way, I want to be clear because you mentioned something to me a while back ago, about lobbyist fees and how lobbyists are circumventing the process and not paying all the fees.

City Clerk Urquia: It’s already been taken care of with this.

Mayor Lago: Alright. Just want to make sure that you have all the necessary resources to do this work.

City Clerk Urquia: We do.

Commissioner Fors: Who, I was going to say who, but just to be clear for everybody, this gentleman who came in with his mother today, his name escapes me.

Commissioner Anderson: Chase.

Commissioner Fors: Chase – he’s not a lobbyist, right.

City Clerk Urquia: He’s not.

Commissioner Fors: I know he’s not a lobbyist because he’s not under the definition of a lobbyist. We have one or maybe two registered per item.

City Attorney Ramos: They didn’t retain him to come here, right. He’s speaking as a community member.

Commissioner Menendez: But I have a question. Last time we had a presentation I sort of went down that path. A lobbyist receives a benefit, right, its not always monetary, or is it strictly monetary.

City Attorney Ramos: It’s not strictly monetary, but the point is it’s on behalf of a third party. Where it gets tricky is when it’s your own company. People tend to see that that’s not lobbying, but it is, because you’re not here on behalf of Miriam, you’re here on behalf of the “Ramos Law Firm.”

Commissioner Menendez: So, my request is, can we as a Commission or as city government with the help, obviously of the Clerk’s Office, City Attorney’s Office, sort of make available some greater clarity as to who technically would be a lobbyist and who wouldn’t, because we have so many issues that bring in so many people from so many backgrounds, from so many areas that sort of gets nebulous sometimes.

City Attorney Ramos: Its very nebulous.

Commissioner Menendez: And I don't want people to accidentally find themselves in hot water, because they moved forward without really knowing the rules and regulations and I think its upon city government to clarify the rules and regulations.

City Attorney Ramos: So, the county definition which we can't depart from is, employed or retained by whether paid or not by a principal. Now, I agree that that's nuanced, so there's a question you should ask us, because its case-by-case.

Commissioner Menendez: Thank you.

City Attorney Ramos: And of course, there are exceptions to that.

Commissioner Fors: And I think all of us up here have started doing it more often now is reminding folks who come to talk to us have you registered.

City Attorney Ramos: The new county rules and we'll be preparing a memo to send to all of you and to your assistants, have a much bigger onus on us to keep a log or some other way for the public to know and for us to know when we are meeting with a lobbyist, whether they are registered, sending them down to the Clerk's office, puts a bigger onus on government now. So, I'll be sending a memo to everyone explaining because this is a long piece of legislation what exactly needs to be done.

Mayor Lago: That goes back, like I just said right now for the Vice Mayor, that goes back to the Vice Mayor's request over the last two years, tightening up somebody walking into the office and doesn't identify himself as a lobbyist, lobbying for entities for persons or contractors without you knowing if they are being paid or not and that again to me is unacceptable; unacceptable if you're coming to lobby with somebody. You need to be very, very clear about it what your intentions are, even if its pro bono, I appreciate people working on behalf. I work pro bono all the time. I'm working for Glory House pro bono now on the design and construction of the building, but you have to be for the public realm, you have to be very, very, very careful. So, if anybody has any other comments on F-2, I'll entertain a motion.

Commissioner Fors: Moved.

Commissioner Menendez: Second.

City Attorney Ramos: Before we vote, I'm sorry, I think the Clerk has concerns about all items.

City Clerk Urquia: Yes. So, at the last meeting and I'm bringing up the transcript where it says, you could say that projects in procurement and leave out purely legislative matters. So, what we agreed to do it for procurement and major projects coming before the city.

Commissioner Fors: We don't have that many lobbyists. Every once in a while, I pop on the registered lobbyist directory and there is not that many. How many lobbyists do we have registered on today's agenda meeting? – four, are those the only four that have spoken to me?

City Clerk Urquia: Now we need to make sure that those have spoken to you are registered lobbyists.

Commissioner Fors: I already did, don't worry.

Mayor Lago: They are all registered.

City Clerk Urquia: We'll try it out and we'll see how it goes.

Mayor Lago: If it doesn't work and its an issue just come back to us. Mr. Clerk, you know that we are always willing and able.

Commissioner Fors: I just don't think there are as many lobbyists per meeting we'll find.

Mayor Lago: There is a motion and a second.

Commissioner Fors: Yes

Vice Mayor Mena: Yes

Commissioner Mena: Yes

Commissioner Anderson: Yes

Mayor Lago: Yes

(Vote: 5-0)