

City of Coral Gables City Commission Meeting
Agenda Item H-1
December 15, 2009
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Donald D. Slesnick, II
Vice Mayor William H. Kerdyk, Jr.
Commissioner Maria Anderson
Commissioner Rafael “Ralph” Cabrera, Jr.
Commissioner Wayne “Chip” Withers

City Staff

City Manager, Patrick Salerno
City Attorney, Elizabeth Hernandez
Assistant City Manager,
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Planning Director, Eric Riel

Public Speaker(s)

H-1 [Start: 11:09:05 a.m.]

Resolution authorizing agreements for legislative services and waiving the requirements of the Procurement Code, pursuant to Section 2-583(d).

Mayor Slesnick: Ok, we now go to the City Manager items H-1.

City Manager Salerno: Maria.

Assistant City Manager Jimenez: Good morning.

Commissioner Withers: Good morning.

Assistant City Manager Jimenez: H-1 reads, Resolution authorizing agreements for legislative services and waiving the requirements of the Procurement Code, pursuant to Section 2-583(d). This Resolution authorizes an agreement with Gomez Barker Associates for primarily state and local legislative services. Gomez Barker Associates has been providing successful legislative services to our City primarily in the State and local levels since August 2002. This firm has provided quality service and is very knowledgeable of our City and its operation. This Resolution also authorizes the City Manager to select or enter into an agreement with one or more firms to provide federal legislative services and as mentioned in the title of this Resolution; further provides for waiving of the requirements of the Procurement Code, to allow the City to enter into these agreements. Thank you for this consideration, and we are here to answer any questions.

Commissioner Cabrera: I move to approve. I think we have been very fortunate to have the services of this firm for these last 6, 7 years, and they have proven themselves time and time again, just from their reporting to this Commission, the quick turnaround on issues that affect us that sometimes we don't get the right number of days to respond to; and therefore, they have always shown us a real dedication, and I think we really hit the jackpot with Mr. Gomez, I think we hit the jackpot with him on a professional, but on a personal level also, because he happens to also be one of our City residents. So I am very happy to approve this.

Mayor Slesnick: Do I have a second?

Commissioner Withers: I'll second that.

Mayor Slesnick: Second by Mr. Withers. I will tell you in the most recent experience with Mr. Gomez was when the Manager and I journeyed downtown to the County Commission to talk to the Commission about the going forward on annexations and incorporations, and Mr. Gomez laid the groundwork for us to have access to the Commissioners and contacted those that we didn't have time to contact. I think certainly can be accredited with the vote that occurred in the County Commission Committee, which came out the way that Coral Gables would have wanted it to. We have a motion and a second, any other discussion, Mr. Clerk...

Commissioner Withers: What are we doing, federally?- are we going to have a list?

Mayor Slesnick: Mr. Manager.

Commissioner Withers: What is the plan to select the federal?- I think there is more opportunity on the federal level than there is on a state level, as far as getting money, I would think.

City Manager Salerno: The Resolution authorizes the Manager to make that selection on the federal representation, one or more firms.

Commissioner Cabrera: This Resolution?

Commissioner Withers: Yes, that is what it says.

Commissioner Cabrera: This one here? I would not be comfortable with that.

Commissioner Withers: Do you want to see the list before hand?

Commissioner Cabrera: Well you know why?- because you know they are going to call us, a lot of us know them very well, so I would not want to advocate that responsibility.

Commissioner Withers: Don, how do you feel about that?- as far as picking a federal lobbyist?

Mayor Slesnick: I think we definitely need one, we had one in the past.

Commissioner Withers: Oh! I know we need one.

Mayor Slesnick: And actually we didn't pay much attention to it, but we got a major piece of change from Ileana Ros-Lehtinen's office through the budget.

Commissioner Cabrera: No, what he is...

Mayor Slesnick: I know, I am getting to that.

Commissioner Cabrera: I am sorry.

Mayor Slesnick: You know let me say this, unlike some people whose focus today and unlike some of the allegations that are being made around here, I have always felt comfortable with certain things being within the Manager's control and decision making power. You know, sometimes we would have done it differently and sometimes we may have asked for a different result, but I am comfortable with that, but I am also comfortable having the discussion here so I am...

Commissioner Cabrera: I am not looking to micromanage the Manager's office, but I remember one time and we had before us an approval of someone that I had no clue who they were, well let me take that back, I knew who they were, but I had no conversation with them, I had no idea what their priorities were at the federal level, and in spite of that we went forward with it and to this date I have had zero conversations with...you know one of the things I enjoy with Mr. Gomez is that he is always very quick to brief us all and he is very open to that, he is very accessible and I welcome that kind of relationship. I don't welcome these relationships where you know is very black and white when it comes to working with lobbyists because they have to be in a very quick flowing environment. Perfect example is the one you gave with the issue with the County Commission and the issue of annexation, if we had not had that two way conversation with him, who knows maybe we would not have been as successful as we were.

Mayor Slesnick: Mr. Manager do you mind bringing back to us your recommendation for us to confirm your recommendation and spread before us your suggested choice of federal lobbyist and we choose one?

City Manager Salerno: I thought it was appropriate for staff to make that decision as much as the...it is my understanding that the past contract with federal representation was approved by the Manager without being brought to the Commission and we were following that same practice here.

Mayor Slesnick: Ok. Chip how do you feel?

Commissioner Withers: The only reason I brought it up was exactly what Ralph said, and I don't know if we are going to for an RFP, if we are going to go out for an RFQ, or how we are going to go out in search of a federal lobbyist.

City Manager Salerno: The intent here is not to go out with an RFP or an RFQ, is waiving it in order to expedite the process because the appropriation process starts in January.

City Attorney Hernandez: Right, we are already late.

City Manager Salerno: And that is what we are trying to do there.

City Attorney Hernandez: The intention is so that the City Manager can move forward as expeditiously as possible to see what we can capture at the federal level.

Mayor Slesnick: Ok, well here is what we will do, well let's go ahead and vote. The motion is made and seconded, and if we vote yay.

Commissioner Cabrera: I am confused, I apologize, I want to make sure...I want to move forward with Mr. Gomez's contract, and then the second part of this thing has to do with the federal...

Mayor Slesnick: I understand that. OK, we'll separate it. We can either vote up or down, and if we vote it down, we'll come back and separate it, or we can separate it right now.

Commissioner Cabrera: I would prefer to separate it.

Mayor Slesnick: Let's do this, the motion, if it is OK with Mr. Withers, the motion before us and the second is to confirm the contract for Fausto Gomez as our State and local lobbyist, whatever it says. To confirm the contract that he and the Manager will enter into. OK. We got that, Mr. Clerk, if you would call the roll on that motion.

Commissioner Anderson: Yes

Commissioner Cabrera: Yes

Vice Mayor Kerdyk: Yes

Commissioner Withers: Yes

Mayor Slesnick: Yes

(Vote: 5-0)

Mayor Slesnick: Now, the second part of the motion is how will the Manager choose a federal lobbyist, I think that the last piece of this discussion that just came up I think it is particularly important. I think there are two things that are important, one is that Commissioner Cabrera would like more understanding of the process and who we are looking at and gain a better feel, and I think the Manager is right in saying that in this particular instance, and maybe we will do it differently next year, the appropriation process is started in the House actually now, but it goes into full gear the first part of January; and that if we don't move with rapidity, we will miss the boat, so is there a way that we can do both, have the Manager given the authority to move forward with choosing a federal lobbyist, but asking him at the same time to fully inform the Commission members as to who he is choosing, why he is choosing them, and given the opportunity after the fact to have them brief Commissioners or talk to Commissioners about...

Commissioner Cabrera: No, this is too important, for me this is too important, I know you are trying to frame it. I think this process is way too important for me to advocate my responsibilities, and you know it is ironic at the end of the day we are hiring someone to lobby politicians and those are the folks that we should be closer to.

Mayor Slesnick: Absolutely, but if you don't get into...

Commissioner Cabrera: I got you, but why did we wait this long, I mean why did we wait this long, is not like this thing just hit us today.

Mayor Slesnick: There is lot of federal money floating around though and under the bailout and I just guess...

Commissioner Cabrera: Yeah I think I am going to be out voted, so I am not going to support.

City Manager Salerno: I am fine with the motion as you framed it. That modification.

Mayor Slesnick: Well OK, but how are you going to do that and move quickly. Ok we are not requiring you to do an RFP or an RFQ, but you will bring it back to us for confirmation, is that what you are saying.

City Manager Salerno: That is not what I thought you had...I am sorry.

Mayor Slesnick: Oh you were agreeing with what I said.

City Manager Salerno: Yes, I thought that is what you were saying so it would allow us to expedite the process.

Mayor Slesnick: OK. Chip as the senior statesmen of the Commission do you have a motion on this issue.

Commissioner Withers: Well let me just tell you historically, we had a federal lobbyist for a while that really we were paying \$50,000, \$60,000 a year to, that did absolutely nothing, that was back then, and we have been very blessed, but we have also been very spoiled by a State of Florida lobbyist that has kept us in the loop and has been aggressive and has brought home quite a bit for the City to be on the state level. So, my concern is I just, if we are going to dump \$60,000, \$70,000 into a lobbyist for the federal level I just want to make sure that we are targeted. I honestly don't know how effective it is going to be for the next session anyways. I think we are a little late on that even if we started now to be perfectly honest with you. So I don't know how effective we are going to be at the federal level, City Manager even if at this point in time. Well that is my concern. I have no problem at all, I have the confidence in the City Manager that he will select and the staff will review some federal lobbyist and keep us informed of who they are and there is just a lot of apprehension on my part that we select the right group.

Mayor Slesnick: The only point I'll make about one of your points is that it did take about two years for us to successfully get the appropriation that we did get, it takes that much work within the staffs and so forth and Commissioner Cabrera is absolutely right each of us knows our

Congress people and we need to keep that act of conversation going, the fact is if you are not up there with people working with staff and behind the scenes it doesn't happen. Bill?

Vice Mayor Kerdyk: I would just like to point out that we are living in a totally different environment than we lived in 2001, there is all sorts of money that is circulating around in the federal government. I think we would be remiss not to immediately expedite this process. I understand Commissioner Cabrera's concern and I share that concern, but in this time and knowing what kind of money is up there we need to be up there trying to get our share of it, and I would be comfortable with the City Manager making that appointment, then calling each one of us, and then letting us know who that is from an informative basis with the knowledge that our next Commission meeting is not for another 3 weeks or so, and it needs to be done on a more expeditious basis. That is how I feel.

Mayor Slesnick: We'll go back to Mr. Withers, did you want to make the motion.

Commissioner Withers: Well, I'll move the authorization of the City Manager not to exceed a \$5,000 per month on a one year period to select a lobbyist or a firm for federal legislative services.

Mayor Slesnick: Can I have a second?

City Manager Salerno: Can I clarify one item, one or more firms, it may turn out in consultation with Mr. Gomez that it might be appropriate for us to look that, so I would like to ask that it could be one or more, same dollar amount.

Commissioner Withers: It could be 10 firms.

Mayor Slesnick: Ok, Mr. Clerk.

City Clerk Foeman: Seconder Mr. Mayor.

Vice Mayor Kerdyk: Yes I'll second it.

Commissioner Cabrera: No.

Vice Mayor Kerdyk: Yes.

Commissioner Withers: Yes.

Mayor Slesnick: Yes.

(Vote: 3-1)

Commissioner Anderson: Absent

[End: 11:23:30 a.m.]