

City of Coral Gables City Commission Meeting
Agenda Item E-3
May 9, 2017
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

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

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia

Public Speaker(s)

Agenda Item E-3 [11:41:13 a.m.]

An Ordinance of the City Commission of the City of Coral Gables, Florida amending existing Ordinance No. 50-121 to provide for the election of the Chairperson of the Coral Gables Retirement Board's Investment Committee, providing for a repealer provision, severability clause, codification and providing for an effective date.

City Manager Swanson-Rivenbark: Mr. Mayor on the comment on time certain, with respect we have an opportunity to brief all of your colleagues. We don't believe that there is any opposition to that item; they all felt that it was a very appropriate move.

Mayor Valdes-Fauli: Which item are you talking about?

City Manager Swanson-Rivenbark: This is E-3.

Mayor Valdes-Fauli: OK.

City Manager Swanson-Rivenbark: Where the Investment Committee certainly has the Chair as an employee and in our briefings, all of the Commissioners supported the change in this ordinance. So, the hesitation for a time certain at 1:30 may not...

Mayor Valdes-Fauli: Tell me about the change.

City Manager Swanson-Rivenbark: If you are prepared to do that, I would refer to the City Attorney about this.

City Attorney Leen: So Mr. Mayor, E-3 what that relates to and then you could determine if we are going to proceed with it now, right now the Chair of the Investment Committee of the Pension Board is a staff member of the City, Kim Groom, and under the Sunshine Law its better if she not be the Chair, because she's the supporting member of the Committee and that means that she can't talk to the members. It's very hard to support a committee and be on the committee, because of the Sunshine Law.

Mayor Valdes-Fauli: So, what is the proposal?

City Attorney Leen: So, the proposal is to replace her, take her off the Committee and allow the Committee to appoint its own Chair by election.

City Manager Swanson-Rivenbark: And this was supported, I understand from the Pension Board Chair and also in briefing all of you that it was something that was recommended by the City Attorney, recommended by our Finance Director, and that we are recommending it as well.

Mayor Valdes-Fauli: Who would appoint the Chair of the Investment Committee?

City Manager Swanson-Rivenbark: Today's process the Chair of the Investment Committee would be appointed by the Pension Board itself as an election, I believe.

City Attorney Leen: Under the revised ordinance, the proposal I'm just reading.

Mayor Valdes-Fauli: Under the proposal.

City Attorney Leen: The proposal would be that the Investment Committee elects their own Chair.

Mayor Valdes-Fauli: That's the proposal.

City Attorney Leen: That's my understanding of the proposal, correct?- yes.

City Manager Swanson-Rivenbark: So, really the change that we are seeking is not to have, with no reflection on the staff member, but that it would be cumbersome to have a staff member sit as the Chair of the Committee due to Sunshine, so really what we are trying to do is clean that up.

Mayor Valdes-Fauli: So, the staff member is not the Chair and the committee appoints its own chair.

City Manager Swanson-Rivenbark: Yes sir.

City Attorney Leen: Mr. Mayor were you saying that someone was coming to speak on that at 1:30?

Mayor Valdes-Fauli: Yes, I think Andy Gomez; the head of the Pension Board is coming to speak at 1:30 (p.m.).

Commissioner Quesada: If we are all in agreement we can pass it, it's very simple, we can have him come if he wants to speak at the next Commission meeting.

Mayor Valdes-Fauli: Do you want to have somebody call him?

City Manager Swanson-Rivenbark: We would be happy to call him sir. I think my point to you is, this item has strong support on the dais and recommended by the City Attorney, recommended by the Finance Director.

Mayor Valdes-Fauli: As a courtesy we will pass it, but as a courtesy to him, ask him.

Commissioner Lago: I'd love to hear Dr. Gomez speak.

City Attorney Leen: OK. So, let me read it in. It's an Ordinance of the City Commission of the City of Coral Gables, Florida amending existing Ordinance No. 50-121 to provide for the election of the Chairperson of the Coral Gables Retirement Board's Investment Committee, providing for a repealer provision, severability clause, codification and providing for an effective date. This is an Ordinance on First Reading, so will come back to the Commission for Second Reading. In addition, I will just ask Mr. Mayor that we incorporate all the comments we just had into the record.

Mayor Valdes-Fauli: OK. All in favor – make a motion.

Commissioner Lago: So moved.

Mayor Valdes-Fauli: Second?

Vice Mayor Keon: Second.

City Attorney Leen: I would just note that there is no one who has asked to speak on this in the audience.

Mayor Valdes-Fauli: Call the roll.

Vice Mayor Keon: Yes

Commissioner Lago: Yes

Commissioner Mena: Yes

Commissioner Quesada: Yes

Mayor Valdes-Fauli: Yes

(Vote: 5-0)

[End: 11:45:07 a.m.]