

City of Coral Gables City Commission Meeting
Agenda Item K-2
April 24, 2018
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

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

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Miriam Ramos
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia

Public Speaker(s)

Agenda Item K-2 [2:55:12p.m.]
City Attorney Items

City Attorney Ramos: I have two additional items sir. I need to request an Executive Session in the case of Coral Gables versus Florida Power and Light, Case No. 2017-26330 CA-04, to be held at some point during the next May 8th Commission meeting; and again, I'd like to know, you mentioned this morning sir, that they have conceded that their responsibility is to maintain those easements and all the vegetation along the powerlines and that is a very big deal. So, we should be proud of that effort. In addition, this morning Commissioner Lago, you asked me a question regarding the investigation into the Internal Affairs piece of the posting versus the letter.

Commissioner Lago: Yes.

City Attorney Ramos: Yes. In looking back, I recall the discussions regarding the scope of that investigation. We determined at the time that the focus should be the posting not the letter. However, we acknowledged that during the investigation of the posting the identity, the writer of

the letter could be revealed and then that would certainly be addressed. This discussion was had with staff, as well as outside counsel, Israel Reyes has been involved in the IA piece of the investigation from the beginning, to make sure that there is no First Amendment issues involved and I just wanted to make that clear. Also in addition, one of the things that were considered at that time was whether looking into the letter would create an environment where employees would feel that they are not free to come forward if they think that there is inappropriate behavior, bad behavior, behavior that they want to complain about. So, those were the things we looked at. If the Commission would like to direct staff to start an entire investigation into just who wrote the letter that is a policy decision that the Commission can make, but at this time this decision was made back in December that was the scope of the investigation.

Mayor Valdes-Fauli: Alright. I think that consensus is that we would like an investigation.

Commissioner Lago: My main concern and I agree with the Mayor, I want to hear Commissioner Mena's thoughts and I wish my other two colleagues were here, I know they have other pressing issues and they wanted to be here, let me make that clear. My main concern here is the 14 women and I want to make sure, especially in a day and age where especially in the line of work that they are in it's a man's world. And I don't want to be dramatic, but I have two young girls and Commissioner Mena is in the same boat and we have a responsibility, not only to every single employee in this community, excuse me, in Coral Gables, but we have an incredible responsibility to these women. So, I want to make sure that we do everything in our power to make sure that they are attended to. So this investigation needs to be opened up, I'm more than willing to do that. If the Manager should meet with each one of these ladies, I think it's appropriate.

City Attorney Ramos: So again, two very different things. There may be a place for that.

Commissioner Lago: I'm moving in the same direction. So. I'm just having a conversation with my colleagues here. These are things that we didn't get to discuss before and I'm happy, I commend you for actually coming back at the end of the meeting and finding out the information, because that hasn't happened in the past. There are items that people on this Commission have requested and at the end of the meeting it just is forgotten and we go to the next meeting.

City Attorney Ramos: To be fair, the City Manager found an e-mail that I had written.

Commissioner Lago: I commend you for actually coming back and giving it to me.

City Attorney Ramos: Of course.

Commissioner Lago: So, I don't know how my colleagues feel, if they want to add their two cents, I welcome.

Commissioner Mena: I agree with you. I think that we have to do everything we can. I would say to the City Attorney, it may be worth speaking to whoever is handling the ongoing investigation to see, what if anything, needs to be done differently within the scope of whatever it is they are doing, whether its witness statements, whatever evidence they are looking at, I don't know, we are not in charge of that.

City Attorney Ramos: Well it's IA and its open, so there is little we can say about it, but I can speak to the parties.

Commissioner Mena: Yes, you could speak to whoever is involved and just see, does it require an entirely new investigation, is there a way with the existing work that's already been done to leverage that into finalizing and bringing to conclusion an investigation into this sort of tangential issue. Whatever needs to be done let's do it and we'll go from there.

City Attorney Ramos: I'll speak to....Navarro.

Commissioner Lago: Maybe we can have at the next – Mayor are we expecting at the next meeting to have some sort of recap, some of the items we didn't discuss?- I mean you brought that up.

Mayor Valdes-Fauli: Yes. Yes, I brought it up and I'm looking forward to it.

Commissioner Lago: So, maybe we can at the next meeting have a more in depth discussion in regards to the matters that we commenced discussing today, but at the end we didn't...

City Attorney Ramos: If we want to move toward either folding this in or starting a new IA, then we should not discuss it at the next meeting because it will certainly be open, other than the concept that we are doing it.

Commissioner Mena: I think you need to start by looking into it and reporting back to us, getting us, get us an idea of what the next steps would need to be, so that we can then make a decision of how to handle it.

City Attorney Ramos: Will do.

Commissioner Lago: Please. So, we look forward to having that item on the May 8th Commission meeting.

City Attorney Ramos: But, I'm sure I'm going to report to you way before that.

Commissioner Mena: Yes.

Commissioner Lago: I just want to do it in a transparent fashion where it's on the record. Do we need to make a motion on that? What do you recommend?

City Attorney Ramos: Right now you don't need to.

Commissioner Lago: As we can have it as an agenda item or no?

City Attorney Ramos: If you'd like to have it as an agenda item, we can put it as an agenda item.

Commissioner Mena: I think she is going to report back to us first.

Commissioner Lago: I just want to make sure.

Commissioner Mena: And, she may be telling us when she reports back to us that there is not a lot you can discuss if it's an ongoing...

Commissioner Lago: IA investigation.

Commissioner Mena: Let's see what she says and then you can make that call at that point.

Commissioner Lago: Thank you. I appreciate that.

Mayor Valdes-Fauli: Thank you.

[End: 3:00:43 p.m.]