

City of Coral Gables City Commission Meeting
Agenda Item F-3
July 9, 2024
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, Amos Rojas, Jr.

City Clerk, Billy Urquia

Deputy City Attorney, Stephanie Throckmorton

Public Speaker(s)

Maria Cruz

Agenda Item F-3 [5:15 p.m.]

A Resolution of the City Commission calling a special election on the proposed ballot question and City Charter Amendment to be held on November 5, 2024; providing for submission to the electors for approval or disapproval of a ballot question asking whether the City Charter should be amended to require an Inspector General with certain powers (including the power to subpoena witnesses) either by the Miami-Dade County Inspector General or other City-appointed Inspector General, provided that such Office's appointment, term, functions, and powers shall be further established by Ordinance; providing for requisite ballot language; providing for procedures for balloting; providing for notice; providing for inclusion in the City Charter; providing for related matters; providing for an effective date. (Sponsored by Vice Mayor Anderson) (Co-Sponsored by Mayor Lago)

Mayor Lago: Moving onto F-3. Go ahead Vice Mayor.

City Attorney Suarez: Would you like me to read it first.

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Vice Mayor Anderson: Yes. That would be helpful.

City Attorney Suarez: F-3 is a Resolution of the City Commission calling a special election on the proposed ballot question and City Charter Amendment to be held on November 5, 2024; providing for submission to the electors for approval or disapproval of a ballot question asking whether the City Charter should be amended to require an Inspector General with certain powers (including the power to subpoena witnesses) either by the Miami-Dade County Inspector General or other City-appointed Inspector General, provided that such Office's appointment, term, functions, and powers shall be further established by Ordinance; providing for requisite ballot language; providing for procedures for balloting; providing for notice; providing for inclusion in the City Charter; providing for related matters; providing for an effective date. The Deputy City Attorney can present what the resolution provides.

Deputy City Attorney Throckmorton: Good afternoon, everybody. Believe it or not, the title pretty much summarizes this entire item, but it calls for a Special Election in November of this year for consideration by the city electors of a potential Charter Amendment. The ballot question as proposed here is in the resolution, as is the notice of Special Election and the draft Charter language itself. So happy to answer any specific questions about it, but generally it calls for this item to be placed on the November 5, 2024, ballot, for consideration by voters, if adopted by a majority then it would be made a part of our Charter.

Vice Mayor Anderson: So, we previously heard items.

Mayor Lago: Go ahead.

Vice Mayor Anderson: I didn't know if someone was concerned about this item. We previously had a proposed ordinance that came before the Commission with regard to having an Inspector General for our city. In the interest of what folks here have expressed both at the Charter Review Committee and contacting each and every one of us regarding the need for transparency, for trust, for proper process moving forward, to make sure that this is something that is memorialized in our City Charter sooner rather than later, because there are concerns with various representations that have been made. I took seriously the accusations that were made the last time and proper process is doing a balloting process, we're limited to 75 words on a ballot to amend the Charter. Therefore, put forth this proposal to either have this come as a matter that the County Commission can provide for an Inspector General. I understand there's an interest by multiple cities in having an Inspector General service provided. And this is a matter that one of our County Commissioners has agreed to put on the September agenda for the County Commission in order to facilitate, not just our city, but many other cities that are looking for this type of transparency and trust and clarity in their cities, because there has been problems not just in our city, but other cities in trying to regain the voters trust in the system and knowing that there are checks and balances in our city to address areas of concern. So, with 75 words, I think we're up to 74 here.

Deputy City Attorney Throckmorton: I think we may have one word to play with. We'd have to doublecheck, but yes, the word count is very limited for all Charter Amendments that the city will

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ever be proposing is limited to 75 and 15 for the ballot title itself. There's also, like I mentioned, the actual Charter language is not necessarily exactly the same as the ballot language, so the proposed Charter Amendment is also included here, but yes, we're very constrained by state law in those limits.

Mayor Lago: So, I think the Vice Mayor covered all my points. I was working on this, then I spoke to the City Attorney. She made me aware, obviously, that somebody else on the Commission was working on the same thing. I said I'll piggyback on this issue. I think its important transparency. I think it's an issue where we address all concerns. We take it to the voters. The voters can make the decision and I think it's something that again, we start getting ahead of it. We can start actually notifying residents now, making sure that they are aware of what's happening in regard to the Inspector General, the opportunity for them to have this. But we also continue to work in a fashion with Commissioner Cabrera, who I've had conversations with, who is doing everything in his power to help us on this front. And I think it's a good opportunity for this Commission to put their best foot forward and say we're going to listen to the concerns of individuals in this community and we're willing to move in the direction of having an Inspector General. I think it's something that can unify us. So, I look forward to your support.

Vice Mayor Anderson: City Clerk, do we have any public comment?

City Clerk Urquia: Yes ma'am. Mrs. Maria Cruz.

Mrs. Cruz: Mrs. Maria Cruz, 1447 Miller Road. We continue beating a dead horse. It's been discussed, it's been discussed, it's been discussed. The decision was to send it to the Charter Review Committee, that's why the Charter Review Committee is available, is working. They are supposed to come back and suggest the Charter Review ideas that they have and then it will go to the people, like the process is set up. I do not know why we keep beating the dead horse. I hope you all realize that you discussed this 500 times and it's gone to the Charter Review already. It has been recommended to go to the Charter Review. Please stop.

Vice Mayor Anderson: Thank you, Ms. Cruz. This is not a dead horse. It's a different horse. It's for the voters to decide. We don't have to go through a petition process. The process is proper for this Commission to decide to put something on the ballot, and if we want to hear from the voters, we can appropriately state that for the voters.

Mayor Lago: The outcome is the same and I think it sends a strong message, sends a strong message that the Commission as-a-whole supports an Inspector General. We should all vote in favor of this. One less thing that the incredible group that's addressing things in the Charter Review has to deal with and we move on from this. And we start already move in a direction, I think is a very positive direction. Mr. Clerk, do we have any additional speakers?

City Clerk Urquia: No sir.

Mayor Lago: So, do my colleagues have any other comments on the issue? I'm going to make a motion in support.

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Vice Mayor Anderson: I'll second.

Mayor Lago: Mr. Clerk.

Commissioner Castro: This would be by-passing the Charter Review Committee. There'll be no purpose for what we all voted for already. So, my vote is no. It's going to go to the public anyway.

Commissioner Fernandez: We discussed this in several meetings. We made a unanimous decision to send it to Charter Review. So, I'm voting no.

Commissioner Menendez: I believe we already voted to send it to Charter Review. So, my vote is no.

Vice Mayor Anderson: My vote is yes, because our vote to send it to Charter Review is in lieu of passing an ordinance to establish the same process. It's time for the voters to speak. It's time for the voters to choose and stop delaying a process that will bring the transparency and clarity for our city and restore the trust of the voters in our Commission. So, my vote is yes.

Mayor Lago: My vote is yes simply because, as it was said yesterday in the blogs, which I don't read, I get read to me, because I won't read that garbage, is the simple fact that, why would we want to politicize this issue. Why not just address the issue, have the Commission come out and say, we want an Inspector General, 5-0 vote. When it goes to Charter Review and if the Charter Review Committee makes the recommendation, it has to come, correct me if I'm wrong, Madam City Attorney, it has to come for ratification through the Commission anyways.

City Attorney Suarez: The Charter Review Committee makes recommendations to the Commission and the Commission decides what goes on the ballot.

Mayor Lago: At the end of the day, we can say, this is important. We all view, at least two of us have said today that the Inspector General is important, and we want an Inspector General. There were statements here about corruption. So, let's have an Inspector General come here, either it's one that we employ or one that the county helps us, and we have already started working with the county on this effort for the next few months. Let's not waste time till November when we could already start working on this issue. I wish you'd stop playing politics and let's move forward on this. You've made statements. You said that we need an Inspector General. I'm ready to move forward. My vote is yes.

Commissioner Fernandez: But the politics has already been played. We voted unanimously saying that we were interested in having the Charter Review give us its recommendation on how to implement this office. This is trying to go back and reconsider creating it by ordinance, which is exactly what we said we...

Mayor Lago: No. No. No. No.

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Commissioner Fernandez: Yes. Yes.

Mayor Lago: No. No. No. You're not going to confuse people. Commissioner. Commissioner. Stop. Stop. Stop one second. Stop. Let's be very careful. Let's be very careful. This is not creating by ordinance. This is stating that a Charter Review that, excuse me, this is stating that the Inspector General will be sent to the voters to vote to be qualified and placed in the Charter. This has nothing to do with an ordinance. What we're saying today is, we don't want to do it by ordinance, you're correct. By an ordinance it can be eradicated by the Commission. We don't want that. We want it to go directly to the voters so the voters can vote yea or nay and if they vote in support of it, it can be added to our Charter. That's exactly what this entire Commission wants. I don't know why they oppose it.

Commissioner Castro: So, what's the purpose of the Charter Review Committee and the vote we just did last Commission meeting?

Vice Mayor Anderson: This body has the ability to put stuff on the ballot, just like it has for annexation, just like it has for other things. Let the voters decide the issue. Let's stop gaslighting the voters to believe that there's an improper process going here. This is a proper process. If it wasn't a proper process, the City Attorney would have told me so.

Mayor Lago: This has nothing to do with an ordinance. Zero to do with an ordinance. So, stop saying it has to do with an ordinance. This is the Commission sending a statement that says we want the residents of this community to vote for an Inspector General. Just like we've tried to do with the issue of a November election before and that was also cut down. What you say is the truth. You are speaking the truth. This is a politicized effort to continue dragging on so that there can be more blogs, like today, and all these kinds of ridiculous things written about the Charter Review, that we're trying to circumvent the Charter Review. We are not circumventing the Charter Review. What we're doing is very clear. We're saying this is so important that we want the voters for them to make the decision immediately. Make this decision in November. We don't want to waste any time or potentially miss the deadline. Madam City Attorney, what is the deadline to make it onto the November ballot?

City Attorney Suarez: Mr. Clerk its July.

City Clerk Urquia: 26th.

Mayor Lago: So, guess what, so guess what, I'm 100 percent sure, I'll bet whatever you want that the Charter Review is not going to make it. So, you know what happens, you drag it on even further. You miss the deadline, so you drag things out even further. You continue talking about corruption, you continue talking about P-Card malfeasance, you continue talking about all these things that right now I'm saying, let's put the Inspector General right now on the ballot in November, let's not wait for two years. Let's put it on the ballot right now, but by not voting on this today, we miss the deadline, then the next meeting is late August, we can't put it on the agenda,

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the Charter Review is not going to make it in time to make recommendations, because you know what, even if they did meet tomorrow and they said, these are the recommendations, guess what, we can't enact those recommendations until August 27th when we meet, so we miss November. That is the reason why there's opposition today, to us moving forward on the Inspector General, because it's a great gaslighting opportunity to say there's corruption, there's corruption, there's corruption, and this is where we stand. So, I'm telling you, let's move together. Let's do something together, 5-0. Let's move together with request for an Inspector General and ask Kevin Cabrera to help us so that we can minimize the cost.

Vice Mayor Anderson: We have the opportunity to get the county's help. Now it looks like you all aren't serious at all.

Commissioner Castro: We've already voted.

Vice Mayor Anderson: I know you already voted.

Commissioner Fernandez: Five – nothing we voted last Commission meeting to send it to Charter Review. So, we did send the message.

Vice Mayor Anderson: Yes. Yes. Yes.

Commissioner Fernandez: But the problem is whenever you don't win, you have to continue to bring it back under a new design to try to win again. That's exactly what this is.

Vice Mayor Anderson: No, it's not about winning.

Commissioner Fernandez: You love to talk about politicizing, but that's all you do, and members of this community are realizing, the ones who are gaslighting this community are Rhonda Anderson and Vince Lago.

Vice Mayor Anderson: No. You, Mr. Fernandez, you gaslighted.

Commissioner Fernandez: You are gaslighting this community, try to bring division with your little blogs, because you love to talk about blogs, but you're the one who's paying them.

Vice Mayor Anderson: Listen, Mr. Fernandez, Commissioner Fernandez, I have no blog. You're the one that gaslighted this community when you called the effort to bring in an Inspector General as a disingenuous effort to move forward to make sure that this city is representing the voters correctly. In order to regain the trust of taxpayers you have to have checks and balances. This is an effort to bring checks and balances in the same manner that is when the Charter Review Committee eventually gets around to bringing this to us, we will have to have the ballot language prepared, 75 words or less. This gets it on the ballot. The opportunity we have today is get it done today, as opposed to kicking the can much further down the road to continue this game that you have continued to play. Quit calling something disingenuous when I'm trying to use a proper

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process here to put something on the ballot for voters to decide. This is a proper process. Don't call it anything else that what it was, or other wise you're calling our City Attorney inept for having drafted this proposed language for a vote.

Commissioner Fernandez: I make a motion to take up the next item on the agenda.

Vice Mayor Anderson: Pardon.

Commissioner Fernandez: Make a motion to move to the next item on the agenda.

Vice Mayor Anderson: Yes, we'll move to the next item.

Commissioner Fernandez: Its just has been motioned and seconded by the way, in Robert's Rules and we move on.

Vice Mayor Anderson: You know that's fine, but you started this.

Commissioner Fernandez: Because I'm not going to continue to listen and take up staff's time. Staff is here past 5 o'clock, listening to the two of you bicker on having lost election, having lost votes in this Commission because you're trying to do things the way it's not supposed to be done. Follow the rules, goes through Charter Review. We have a member of the Charter Review Committee who has been sitting here to listen to item F-4 for about three hours, and you haven't taken that item up yet, your member of the Charter Review Committee.

Vice Mayor Anderson: I know my member.

Commissioner Fernandez: So, let's move onto item F-4.

Vice Mayor Anderson: We will move onto item F-4. Again, you said improper process.

Commissioner Fernandez: Yes.

Vice Mayor Anderson: Okay. We voted. We'll move on, but using the word improper process to gaslight the community is improper.

Mayor Lago: Mr. Clerk, I don't know if I asked you if we had any public comment, we just went ahead with the vote. Did I tell you if we had any public comment or did we already do it?

City Clerk Urquia: At the time you did ask me if we had.

Mayor Lago: I want to make sure I follow the proper protocol at the end of the day. Let's move onto F-4.