

City of Coral Gables City Commission Meeting
Agenda Item G-1
June 14, 2016
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Jim Cason
Commissioner Pat Keon
Commissioner Vince Lago
Vice Mayor Frank Quesada
Commissioner Jeannett Slesnick

City Staff

City Manager, Cathy Swanson-Rivenbark
City Attorney, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Historical Resources Officer, Dona Spain

Public Speaker(s)

Agenda Item G-1 [12:18:03 a.m.]

A Resolution requiring the Cuban Classical Ballet return FY 2014-2015 Cultural Grant funds in the amount of \$2,500, due to not presenting a cultural program in FY 2014-2015 regardless of being granted an extension into FY 2015-2016. Deferred from the May 24, 2016 City Commission meeting.

Mayor Cason: Let's try to get in G-1 before we have lunch. G-1 is the cultural grant application with the dancers.

City Attorney Leen: Yes. So Item G-1, which is a Resolution requiring the Cuban Classical Ballet return FY 2014-2015 Cultural Grant funds in the amount of \$2,500, due to not presenting a cultural program in FY 2014-2015 regardless of being granted an extension into FY 2015-2016. This was deferred from the May 24, 2016 City Commission meeting after someone came up and spoke. Before I turn it over to staff, I just want you to know that you had instructed the City Attorney's to receive a statement from them pursuant to our false claims ordinance. We do

have that statement; it's been provided to the Commission. Now it's within your discretion what to do based on that statement. The statement doesn't meet all the legal requirements that the Commission imposed, so it's really a discretionary call on your part and you should hear the advice of staff.

Mayor Cason: Advice of staff.

Mrs. Spain: There was a Mr. Jimenez here earlier from the Cuban Classical Ballet, he had to leave, and we also had Gianino Bergos from the Board and she needed to leave.

Vice Mayor Quesada: I saw her earlier. Has your opinion changed from the last meeting?

Mrs. Spain: Not at all.

Vice Mayor Quesada: OK. Then I'm going to make a motion to request the monies back.

Commissioner Slesnick: And I second it.

Commissioner Lago: I have a question. I heard that they had maybe done...

Vice Mayor Quesada: Actually, I'm just going to withdraw temporarily so that the Commissioner can ask his question.

Commissioner Lago: Just a quick question. Did they perform any work at all? Did they put on one show, two shows, three shows?

Vice Mayor Quesada: Hold on a second. Let me give the full background. We requested that they provide proof that they put on a show, that they spent some money, that they followed all the guidelines...

Mayor Cason: Advertising.

Vice Mayor Quesada:...the advertising, putting our logo, all those things, and we had requested that they turn in those documents notarized to the City Attorney.

Commissioner Lago: Was that done?

Vice Mayor Quesada: Was that done?

City Attorney Leen: They did provide information to the City Attorney and fill out our false claim ordinance form, which provided information which I assume is truthful. It just doesn't meet all the requirements of the grant, so it's – you have to read that. I sent a copy to all of you, it's up to you to determine – There were certain conditions imposed with the grant, they don't meet them; they did do some things according to their statement, and it's your decision whether you are going to require them to return it all, some of it, none of it. It's the Commission discretion.

Mrs. Spain: They provided a flyer that had the City logo on it; they also said I believe that they had sent out e-mails, they did not provide those e-mails. So we do have a statement that they had, but that performance was May of this year that's a year late.

Vice Mayor Quesada: After they found out that we realized that...

Commissioner Keon: We were going to ask for the money back.

Vice Mayor Quesada: So I will renew my motion for them to return the funds to us within how many days Mr. City Attorney is reasonable?- 30 days?- 60 days?

City Attorney Leen: Typically, I would say if I was sending a demand letter, we'd say ten days, or seven days, but if you want to give them 30 days.

Commissioner Lago: Flexibility.

Mayor Cason: How about by the next Commission meeting?

Commissioner Slesnick: By the next Commission meeting.

City Attorney Leen: Do it a few days before so that we can prepare an item if we need to file suit.

Commissioner Keon: Thirty (30) days then.

Commissioner Lago: Thirty (30) days.

Mayor Cason: Thirty (30) days.

Vice Mayor Quesada: By the Thursday prior to the next Commission meeting and then we can decide at that point if we want to proceed further, and I would just ask that we have on the next

Commission meeting agenda, Madam City Manager, we just sort of have a status item and we can take it off if everything has been complied with.

Commissioner Keon: Thank you.

City Attorney Leen: Mr. Vice Mayor could it be the Wednesday prior just so that we can...

Vice Mayor Quesada: The Wednesday prior.

City Attorney Leen: So we can get everything prepared that Wednesday ready Thursday.

Vice Mayor Quesada: Motion – seconded by Commissioner Slesnick.

Mayor Cason: Alright, Commissioner Slesnick seconded and the Vice Mayor made the motion – City Clerk.

Commissioner Slesnick: Yes

Commissioner Keon: Yes

Commissioner Lago: Yes

Vice Mayor Quesada: Yes

Mayor Cason: Yes

(Vote: 5-0)

Mrs. Spain: Thank you.

Mayor Cason: Thank you.

Commissioner Lago: Thank you.

[End: 12:22:04 p.m.]