

**City of Coral Gables
Special City Commission Meeting
Virtual Meeting
July 30, 2020
405 Biltmore Way, Coral Gables, FL**

City Commission

**Mayor Raul Valdes-Fauli
Vice Mayor Vince Lago
Commissioner Jorge Fors, Jr.
Commissioner Pat Keon
Commissioner Michael Mena**

City Staff

**City Manager, Peter Iglesias
City Attorney, Miriam Ramos
City Clerk, Billy Urquia
ACA/Governmental Affairs, Naomi Levi Garcia**

Public Speaker(s)

Mayor Valdes-Fauli: I'd like to start the meeting. This is a Special City Commission meeting today, July 30, 2020, to discuss the City's response to Mayor Gimenez proposal and the allocation of the CARES funds. And I'd like to start by giving a little background and then I will call on Naomi to tell us her experience and her report on the County Commission meeting of this past Monday. Miami-Dade County received \$474 million from the CARES Act and this allocation was based on population. Only entities of over 500,000 were able to receive funds and no city in Miami-Dade County exceeds that number, so Miami-Dade County is the one who received the funds. There are 34 municipalities in Miami-Dade County representing 57 percent of the population and UNSA, the unincorporated has 43 percent. The county's previous proposal to us, previous messages to us was that we, the cities would receive \$135 million for our expenses, emergency expenditures, etc., and they, after the County Commission meeting of Monday, they only allocated \$30 million to us, which is 11 percent of the amount granted by the federal government. And they want for us to prove to them that we, the cities, deserve the money and have a very long list of questions, etc., that we should submit to them, and out of that \$30 million our allocation would be about – tiny. It would be tiny, which wouldn't begin to cover anything. The county, however, is allocating two organizations with no defined method to review expenditures its money. For example, they are allocating \$20 million to United Way; \$20 million to veteran organizations, whatever that is; \$20 million to tenants without telling us how they are going to distribute that;

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\$10 million to arts, art organizations that are struggling; \$10 million to taxis and limousines, what does that mean? – and \$35 million to seniors for meals, which is fine. We very much object to that and there is no responsibility in the way that these funds allocated by the county would be distributed. There is a Florida law that creates a method for two units of government, us, the cities, and the county to resolve disputes without resorting to litigation and that’s Chapter 164 and Miriam will tell us about that later. The allocation of the CARES funding by Miami-Dade really short-changes the majority of the population, which we represent, even UNSA would be under represented. We would like to discuss this and also complain about or condemn the way that this distribution has been determined. I talked to one of our County Commissioners, Commissioner Sosa, and she told me on Tuesday, two days ago, that this was done because the County didn’t trust the cities to be responsible for distributing the funds. She said that the cities would use these funds to plant trees and other unnecessary expenditures and the county really didn’t trust us, cities, to do what is right. I find that offensive and disgusting, frankly. We have three things, two things on the agenda apart from this introduction. One is a resolution condemning Mayor Gimenez’ report and proposal; and the other one is authorizing the initiation of statutory government dispute resolution procedures, Chapter 164. And Naomi, you want to talk about the – Naomi was present at the County Commission meeting and Naomi, you want to talk about it?

Naomi Levi Garcia: Good morning Mr. Mayor and Commissioners. I apologize for being on my phone, but I don’t know, I couldn’t get on my computer. Yes. So, there are several issues with the Mayor’s report that was presented on July 27th. Its significantly different from the report that was presented on July 8th. The July 8th report included about \$135 million dollars, allocated proposed for cities, to be divided among cities based on population. The July 27th report set aside \$30 million for cities. The method for division was to be determined. It wasn’t based on population. The July 27th report also proposed a one percent hazard pay bonus for public safety workers, which was also not mentioned in the July 8th report. So, the main difference is that we were expecting to perhaps be entitled to \$4.2 million dollars, based on population, and under the July 27th report its completely up in the air. We don’t know what we could be entitled to. We don’t know what criteria they would use to decide what each city would be entitled to. And there was no notice really given to cities on the difference between the July 8th report and the July 27th report. This came out of the blue for everybody and the first time that we saw these numbers was at the County Commission meeting.

City Attorney Ramos: Naomi can you explain the action, if any, taken by the Board of County Commissioners on Monday with relation to that report.

Naomi Levi Garcia: Sure. So, the July 27th report was placed on the agenda as an oral report by the Mayor. It was not a resolution and the Board of County Commissioners accepted the report by a majority vote. So, we believe that the action of accepting the report is not sufficient to actually allocate the funds. All major grant programs that the county has established using CARES Act funds were established via resolution. So based on, kind of our analysis on conversations with City Attorneys throughout the county, and also on conversations with Deputy Mayor Moon, we think that the proposal will have to come back in a resolution form for the Board of County Commissioners to actually take action, approve the resolution and set aside the funds for what appears to be a grant program for cities.

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Mayor Valdes-Fauli: My conclusion and then I'll like to hear a discussion by the Commissioners on the call is that, I find it offensive really; and this is in the spirit of, the announcement on a Friday night at 8 p.m. that our restaurants will be closed Saturday morning. I am not – maybe that was a good measure, maybe that was not a good measure, but my argument there is that this should have been discussed with the cities, and especially a city like Coral Gables with as many restaurants. In this case, they changed their opinion totally, and they have short-changed cities, and that is a reflection of the county's image or view of us, and they think that we, the cities are either corrupt or irresponsible, and I take offense of that, I really take offense of that. And the first item on the agenda is a resolution, Miriam, you want to read it?

City Attorney Ramos: Sure sir. A resolution of the City Commission of Coral Gables condemning Miami-Dade County Mayor Carlos Gimenez report, entitled "Corona Relief Funds (CRF) Financial Update and Strategy" presented to the Miami-Dade Board of County Commissioners on July 27, 2020 and further directing the City Clerk to transmit a copy of this Resolution to the Officials named herein.

Mayor Valdes-Fauli: We are not condemning Mayor Gimenez, we are condemning his July 27th letter, allocating only \$30 million dollars to us, and I'd like the Commission to discuss this, because I think its very, very important. Its very important for us not to be mistreated or ignored or – some Mayors even discussed getting our Legislators to present a Bill abolishing the county, just like Jacksonville abolished the cities, and the county is one big city, abolishing the county because they mistreat us. I think the most efficient government; the most effective government is the government that is closest to the people and that is us. That's us. And we know what our people need, and our residents need and what their desires are, just like the Mayor of Hialeah or Cutler Bay or whatever its is knows what their residents need, and the county is ignoring that. Vice Mayor are you on the line?

Vice Mayor Lago: Yes sir, Mayor. Can you hear me?

Mayor Valdes-Fauli: Yes, please.

Vice Mayor Lago: First off, I'd like to thank you for your efforts. I know that you have a meeting today, where you will also be meeting with some of the other City Mayors and I congratulate you on your leadership.

Mayor Valdes-Fauli: Before you continue. Because of that meeting, Vice Mayor, I am wearing a tie for the first time since March 10th (laughter). Go ahead. I'm sorry for the interruption.

Vice Mayor Lago: Enjoy it. Enjoy it. Listen, I'll be brief. I was stunned watching the BCC this past Tuesday and I was having a conversation with Naomi and our City Manager and Assistant City Manager, who has done an exceptional job in really getting their hands around this ever-changing, ever-evolving process in regard to the CARES Act money. And I think you hit the nail on the head. Its embarrassing, its shameful, and we expect so much more from the county. And it's a slap in the face of the cities, especially the cities that need it the most during these incredibly

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trying times that you expect the county and the cities to work in a collegial fashion, on behalf of the residents that we all represent. A lot of people, like you talked about, Mayor and my fellow colleagues on the Commission, who are in desperate need of testing, desperate need of sustenance and food and water, and just different things that can help them during these especially trying times. And the lack of leadership coming from the county, its nothing new, we've dealt with this with the half penny before, we dealt with this with a bunch of different issues that's happened. But this one, to me, was the most difficult to swallow. We've never seen a pandemic or an issue of this like, and now we are dealing with issues, for example, potentially a tropical storm off the coast of Florida, and you expect the county to not renege on its commitment of over \$135 million dollars to the cities. And if anybody watched the BCC, they witnessed Commissioner Suarez' frustration, other leaders in this community who were not warned of the impending...[Inaudible]...in regard to the committed funds to the cities. So, I stand with you in regard to trying to do what we can to lead in a direction which will most benefit the cities and the residents that were...[Inaudible]. Congratulations – thank you for your efforts on this Mayor. I know you've been working hard and attending meetings, so I think this is pretty simple. Thank you.

Mayor Valdes-Fauli: Thank you. You mentioned Commissioner Suarez – Commissioner Bovo made a motion to defer the \$30 million-dollar allocation and he got a second from Commissioner Suarez, and there was not one vote for that motion. Not one vote.

Vice Mayor Lago: It was terrible. It was terrible. Then to see Mayor Suarez advocate on behalf of all the cities...to bring some life back to the \$135 million dollar. It was not one of our best days in public office.

Mayor Valdes-Fauli: Commissioner Fors.

Commissioner Fors: I echo Vice Mayor's sentiments as well as the Mayor's views. I really just have one or two questions. Probably for Miriam and Naomi. Was there any – is there out there any evidence or statement by the federal government whether it was during the discussions that they had when passing the CARES Act regarding their intent for what a county should do when it receives monies in terms of handing it off to municipalities or administering themselves, or is that something that is sort of silent from a legislative intent point of view?

City Attorney Ramos: So, Commissioner Fors, they put out a list of FAQs' that came out after the CARES Act, and of course many people had questions, that was updated as of July 8th. And there is a specific question included that asked, is a fund recipient, meaning the county, requires to transfer funds to a smaller constituent unit of government within its boundaries. The response is no. For example, a county recipient is not required to transfer funds to smaller cities within the county.

Commissioner Fors: And I wonder – maybe its something that should be looked into and we probably will in the context of any 164-dispute resolution, but one thing is for legally them not being required to another thing is for the legislator at the federal level to have intended for that to generally be the case. From what I've read, I haven't found anything specific, I think that was the intent. *Second question – During a press conference, the County Mayor said that we are obligated*
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or they are obligated to return money that it used for Covid illegible, for CARES Act illegible expenditures to the federal government and that when the county were to give that money to municipalities, the county would remain ultimately liable to the federal government, the taxpayers would across the county, liable to the federal government to return money if it wasn't used for CARES illegible expenditures. First, is that true that they would remain liable for money given to us? – and (b) if that's true, wouldn't that be something that the Interlocal Agreement between us that would come tied to these funds would take care of?

City Attorney Ramos: I haven't looked at the first question. Naomi, I don't know if you know off-hand whether they remain liable, but my sense is that that could be resolved in an Interlocal Agreement.

Commissioner Fors: Alright. The other question is, and I've discussed this with the City Manager, and I think one of the important reasons why we believe that our residents and residents in general would be best served by the most local government administering these funds, is because it would give us the opportunity to give grants, and business grants to people who were we are more keenly aware, as compared to the county, need those grants. Is it certain that if we were to...this money from the county, that giving grants, for instance, business grants are something that we could do with that money, is that a CARES illegible use of the money?

Naomi Levi Garcia: I can answer that question Commissioner Fors. A question of that nature was also addressed under the Treasurers guidance and Frequently Asked Questions. As long as the money is being awarded for businesses to address Covid-19 related needs, whether having to purchase PPE, or rearrange the restaurants, buy additional tables for outdoors, anything that's directly related to Covid, yes, it would be reimbursed. And it is illegible under the CARES Act.

Commissioner Fors: And finally, did I hear incorrectly. I've been listening to a lot of interviews about this stuff over the past, I may have confused it. But did I hear correctly that they expect, or the county is expecting municipalities to submit their claims for CARES Act money by Monday?

Naomi Levi Garcia: Deputy Mayor Moon did send out a follow-up letter, which included a spreadsheet for municipalities to begin submitting their expenditures. Expenditures that have in fact been incurred and the ones that we are expecting to incur. And they gave the deadline of mid-October for the FEMA deadline. So that spreadsheet that she...[inaudible]...is due back to the county on Monday. We are actively working on it.

Commissioner Fors: That was my main question. If we, logistically, if we pass this resolution to invoke the Chapter 164 procedure, are we still going to submit the spreadsheet by Monday or make an attempt to?

City Attorney Ramos: My advice would be to do so. I wouldn't want any claim that we didn't submit timely and have that waive our ability to access those funds.

City Manager Iglesias: Commissioner Fors, I can answer that question. We already – we have our numbers ready and we will be submitting by that deadline. Our numbers are already...

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Commissioner Fors: And the problem here, right, I think a big problem here how this handicaps cities, correct me if I'm wrong, but under the procedure that the county is setting forth, we would have to include in that spreadsheet and commit to, for instance, business grants before knowing if we are actually going to get it, the money back from the county, right? As opposed to already having the money and being able to know that we can commit to giving business grants.

City Manager Iglesias: That is correct. And that is an issue that we certainly have that we would be committing funds subject to reimbursement by the county, which is a little interesting.

Mayor Valdes-Fauli: Commissioner Fors, I'm sorry, in this reimbursement procedure, we are still waiting for FEMA money, half of our FEMA money since Hurricane Irma and falling into the morass of county beaucrocy, if we commit the funds or when we commit the funds and we distribute the funds, when are we going to get reimbursed? Remember this is reimbursement, this is not providing the funds. So, we have to expend the funds and then are we ever going to get it from the county? – and its only \$30 million for the whole, for all of the cities, 35 cities. So, we are not talking about how much are we going to commit, and we've been very, very responsible. We provided own meals, own testing, we've been very, very responsible and we would be even more responsible with the funds that would be allocated to us, I mean not responsible but responsive, and my respectful submission is that this is wrong.

City Attorney Ramos: Commissioner Fors, I do want to note that I don't know that the process would be any different that the County Mayor's report and suggested expenditure remained at \$134 on Monday. So, I think that those logistical challenges were there regardless of the amount.

Commissioner Fors: Mayor, I think that's probably the overarching problem. We are a city that perhaps we can make it work in terms of spending the money and waiting for the reimbursement, but there ae a lot of cities that can't even do that from a national perspective.

Mayor Valdes-Fauli: I agree with you. You are totally right.

Commissioner Fors: Thank you.

City Manager Iglesias: We have approximately right now in FEMA illegible expense about \$464,000 and we feel that we've got in total FEMA illegible expenses about \$1.49 million as of today, and that's not projected to the end of the year. So, our look at the \$4.2 million is that we would probably at the end of the year have around \$1.5 million to maybe \$2 million, it depends on how much we are projected expenditures are until the end of the year, which would allow us to maybe apply grants in the \$1.5 million to the \$1.8 million dollar range for our business partners. But Commissioner Fors, you bring up a great point that is of high concern, that is that we would have to provide the money and then get reimbursed by the county, similar to what the Mayor said that is our issue, we have reimbursement from FEMA that we still have not...I believe \$6 to \$8 million dollars outstanding from FEMA reimbursement dur to Irma.

Mayor Valdes-Fauli: Commissioner Fors, if you are through, Commissioner Keon.
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Commissioner Fors: I'm done.

Commissioner Keon: Yes. I have a lot of the same concerns that Commissioner Fors has already voiced. Because this money is also has to be incurred through the end of the year, so we also have to anticipate going forward August, September, October, November, December, these expenses for what we've already incurred, its also what we look at going forward, and we really don't know. And I think that the way that the county has allocated these dollars does not serve the cities well at all. I really don't understand why there is a huge commitment to the United Way, I don't know why there is a huge commitment to veterans, I don't know any of the things.

Mayor Valdes-Fauli: Taxi cab.

Commissioner Keon: The taxi cab industry, I don't know; do you do the taxi cab industry, Uber and Lift and all these sorts of things. I don't think that that is – it strikes me as a lot of maybe political interests in a way, and the distribution. I think its most inappropriate. So, I think you should take whatever action we believe is necessary in order to get an appropriate portion of those funds to serve the needs of our city. We have testing and whatever else, we do have a lot of restaurants. It is not to support their loss during this time, but it is to support their ability to operate at the level that...[Inaudible]...if they need tables and thermometers and whatever sort of things, they are going to need to operate under the constraints of the order regarding Covid and the public health. So, I'm glad to see...on behalf of our city. I support you and we should move forward with it.

Mayor Valdes-Fauli: Thank you Commissioner. Thank you very much. Commissioner Mena.

Commissioner Mena: Hi, can you guys hear me?

Mayor Valdes-Fauli: Yes. Can't see you, but we can hear you.

Commissioner Mena: I was driving. Can you see me now?

Mayor Valdes-Fauli: Yes.

Commissioner Mena: I apologize. I'm in the car. So, here are my thoughts. I understand and appreciate that we are going to need more money and that we should do want we can to get more. My concern is that we should be doing less condemnation and more asking for what we want and what we need and presenting facts and data and evidence that support it. We have a projection of, I think I just heard \$1.5 million through the end of the year. We should and can be able to extrapolate that out to the amount that the Mayor of the County is allocating and work together to come up with a number that makes sense. Now, I totally understand and appreciate that the sort of bait and switch that occurred that it was forecasted that there would be \$130 million and then it was suddenly reduced to \$30 million, 30 is not an appropriate procedure, and that's not the way it should be handled. But if I'm not mistaken, the county has not...its funny, its only a proposal from the Mayor, and now the Commission will need to take action on it, is that correct?

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City Attorney Ramos: That's correct.

City Manager Iglesias: Commissioner Mena let me just say its \$1.49 million as of today, as of now.

Commissioner Mena: Okay. So, you know, I think we can get involved in the process prior to the county voting on what the amount should be and utilize that process to our benefit. I understand why everybody's upset and why we understand we need more money and why we think Home Rule is important and cities should be able to make those decisions. But we can't on the one hand express that we are offended that they would suggest that we would use the money in a way that's not appropriate, while at the same time criticizing them for the way that they are allocating the money. We are talking about why they've allocated things to the United Way and stuff like that. I don't know why they did that. I have questions about it, but before I condemn them for it, I'd like to have a better understanding for why they are doing it and what it is the United Way is doing with those funds. And so, I just think we need to engage in a dialogue here before we come out guns blazing with a lot of condemnation and attacks for a variety of reasons; one, because I don't think it's a persuasive way to get somebody to change their mind; and two, because if you look at the legal side of it, we don't have a legal cause of action, and a lot of the criticism we have is really criticism of the actual legislation as it was passed by the federal government, but we don't have control over that and we don't have a legal cause of action, and so, there is not going to be a lawsuit. I have a question about whether a Chapter 164 proceeding is appropriate when there is no legal action contemplated.

Mayor Valdes-Fauli: That's the next item on the agenda Commissioner.

Commissioner Mena: Okay. I can wait to discuss it then, if you prefer the Chapter 164 part, but with respect to this resolution, I probably wouldn't call it, "resolution condemning the Mayor of the County." I would probably propose that we call it, resolution requesting more funds than have been proposed by the Mayor, in order to meet cities needs or something like that, because that's really what it is at the end of the day. And I don't know that if you start doing the math, I don't know that \$130 million, the original proposal, I don't know, is necessary to meet all the cities needs or not. It sounds like on ours, you just extrapolate out by population, we say we have \$1.5 now, I don't know what we're projecting that to be by the end of the year, but maybe there is a number in between that works. But I think if we engage in this a little more constructively and with a little less condemnation, we might have a better chance of actually getting more funds. And I do think, you know, the political side of this is important from the perspective of there is a County Commission seat on the ballot in a couple of months, the Mayor of the County is on the ballot for U.S. Congress in a couple of months, so people will see what's happening here and they will be able to express their support or their opposition to it one way or another, and I just want to approach it in a way that's constructive and actually yields us more funds, instead of coming out guns blazing before the county has really approved the proposal. So that's my sort of initial reaction to just how to approach it.

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Mayor Valdes-Fauli: Commissioner, what you're advocating is, if somebody punches you in the face then don't condemn that punch or don't take measures, ask him or her why they punched you in the face. I don't care what Mayor Gimenez says. Motives were – he has proposed that monies that rightly, and it was proposed belong to us, for us to do our public works necessary in this Covid emergency. They are taking funds away from us and giving them, distributing them because they think that we are irresponsible. It has been said in a City Commission meeting that cities are corrupt. I think this letter, we are not condemning the Mayor, we are condemning the letter. I think it is an offensive letter and a responsible letter and a power-grabbing letter on behalf of the Mayor; and when Commissioners Bovo and Suarez suggested that no expenditures be made before this be discussed further and before they heard from the cities, they did not get one vote. I think this deserves condemnation by us and by every other city in the county and every other city as we speak. And yesterday passed this resolution condemning the letter, not the Mayor, the letter.

Commissioner Mena: So, I appreciate the analogy about punching in the face. My parents raised me, and I raise my kids that two wrongs don't make a right. So, if we are upset about their handling, I don't think handling it in a similar fashion is helpful. I think in the past when we've tried this approach, it really hasn't been fruitful. We can be offended and upset about it doing it, and we should express that in a constructive fashion. All I'm saying is...

Mayor Valdes-Fauli: That's what we are doing.

Commissioner Mena: Whether we like it or not, the law says that he has the authority and the county has the authority to manage this in this fashion. And so, we know very well they are not violating the law, and so, we can call it a punch in the face, but they are not violating any law.

Mayor Valdes-Fauli: They are not violating any law but its not right. I agree. If they were violating the law, we would process them or prosecute them or whatever, they are not violating law, but it's not right.

Commissioner Mena: I just think there are effective forms of advocacy and there are less effective forms of advocacy; and I think politically condemning the people who will decide how much money you get is not an effective form of advocacy. And I think presenting a thoughtful case backed by facts and evidence as to why we need more money is a more effective form of advocating for what we actually need for our residents.

Mayor Valdes-Fauli: Thank you Commissioner. Do I hear a motion?

Commissioner Keon: But to Commissioner Mena's point, I think that we...[Inaudible]...and that calls for a meeting of our elected officials with their elected officials, and its through that process that you would present them with the information that you have just talked about, so that we can put forward what the expenses are, how we would expend that money and we have always been very responsible as a city. So, we have that opportunity, and I think every city should be given that opportunity, it's the only action that we can take under this circumstances that we have.

Commissioner Mena: Are you talking about the 164 now?
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Commissioner Keon: I am, but I think...

Mayor Valdes-Fauli: Let's leave the 164...

Commissioner Mena: I was told not to get into that.

Mayor Valdes-Fauli: Please.

Commissioner Keon: But I think to start it, you have to, there has to be method that we strongly disagree with the actions they are taking. Now...

Mayor Valdes-Fauli: That's what we are doing Commissioner.

Commissioner Keon: If you think there is better language, Commissioner Mena, suggest that language, but I think this is a very strong objection to the decision that they have made unilaterally, that the Mayor has made unilaterally with regard to \$474 million that should somehow make its way...

Mayor Valdes-Fauli: That's exactly what we are doing. We are condemning this letter, we are not condemning him, his letter of July 27th allocating \$30 million to us and for the county to spend the rest of the money however they desire and through institutions that may not exist. I mean there is no taxi cab foundation, there is no impoverished cultural institution foundation. I think that we, the best government is the one that's closest to the people and that is us, and that is us.

Commissioner Mena: Right. Can you – I would just ask, can the City Attorney just read the title again of the resolution?

City Attorney Ramos: Yes Commissioner. A Resolution of the City Commission of Coral Gables, Florida, condemning Miami-Dade County Mayor Carlos A. Gimenez's report entitled, "Coronavirus Relief Fund Financial Update and Strategy" presented to the County Commission on July 27, 2020, and further directing the Clerk to transmit to officials named herein.

Mayor Valdes-Fauli: Which is this letter.

Commissioner Mena: Right.

Mayor Valdes-Fauli: July 28th letter communicating his decision to Peter Iglesias.

City Attorney Ramos: I think technically speaking it's the PowerPoint that was presented on July 27th, at least that's the way its drafted right now.

Mayor Valdes-Fauli: Right.

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Commissioner Fors: Perhaps we could state it more diplomatically by saying that we condemn the report presented by Miami-Dade County Mayor Gimenez.

Commissioner Mena: Why don't we just object to the report and ask for more money, isn't that what we are doing?

Mayor Valdes-Fauli: No. Yes, we can do that, and we can also beg, get on our knees there and beg. It is not going to happen, and it hasn't happened, and the County Mayor mistreats the cities every time they get a chance. Talk to any other Mayor in Miami-Dade County and they will say the same thing.

Commissioner Mena: But their strategy in dealing with him has been condemnation and it hasn't gotten them anywhere.

Commissioner Keon: No. I agree. If you would change the wording.

Commissioner Mena: And Mayor, you yourself have pointed out that during Corona that there has been a lot of jabs being taken between Mayors of municipalities and the Mayor of the County, and again, if you think that's effective and if you can point to a situation where that's effectively resulted in a result that we are happy with, great, but I just haven't seen it. And so, all I'm suggesting is, engaging in the political process, the process is that the Commission has not yet voted on this proposal and we are able to engage and present our case to them before they make that decision. Look, at this point, on this particular resolution, I don't want to overstate it, it's a little bit of semantics. My personal preference would be that it be a little less condemnation and a little more objecting and saying what we want. What do we want? We want more funds, instead of wrist-slapping, let's put our hand out and ask for what we want.

Vice Mayor Lago: Commissioner Mena, just a quick point. As our City Attorney mentioned, we are not condemning the Mayor of the County. What we are doing is we are condemning, obviously the report that he put out, and his allocation of the funds. I've dealt with the Mayor on many, many fronts – everything from traffic calming to the parkway expansion, to issues with the Everglades, its always the same route. There is never an opportunity for collegial understanding or middle ground. Its always the same. I have no issues taking a step back and rewording the headline, but its my understanding that we are not condemning the County Mayor, and I asked Miriam to reread that again, its condemning the report and the allocation of the funding, the strategy that is being put forth.

Commissioner Mena: I hear you.

Vice Mayor Lago: Which by the way, I watched BCC meeting, I was on the phone with Naomi; the level, and I hate to use the word disrespect, it's the lack of collegial coming from the county and the Mayor, especially in these very, very difficult times. You expect leadership. You expect a County Mayor to understand the circumstances that we are in. I have utmost respect. You notice when I spoke in the beginning, I didn't mention anything about the United Way, I have no interest. I have the utmost respect for what United Way does. I don't understand why we need a pass-

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through, a pass-through where the money goes to the United Way then goes to the city, where then we distribute. Again, we don't need that, we don't need that pass-through, we don't need that red tape, we don't need more funds being used that could be directly given to the businesses in our community to help them in their most dire need. What I'd like to hear from Miriam is, again, we already did this once and I'm sorry to do this exercise again, what does the heading of our resolution state exactly? Are we condemning...?

City Attorney Ramos: It's a resolution condemning the County Mayor's report entitled, Coronavirus Relieve, so its condemning the report.

Vice Mayor Lago: So, I have no issues, Commissioner Mena, I have no issues at all. You are the attorney, if you can soften up, but be direct. I want to make a real point, even though, and I agree with you, where we have tried to make points in the past, we have failed miserably or the process has been delayed, case in point traffic calming, and some of them don't come to mind right now, but we battle with the county for years and years and years on behalf of our residents and our business community and we've never gotten the respect that we deserve. So, if you can find a better way to basically soften – I would love to get this off the table today, vote on it and move forward, because there is an 11 o'clock press conference, which I'm not attending, the Mayor...

Commissioner Mena: Understood and I know that's the urgency. I understand.

City Attorney Ramos: This is the Mayor's resolution, if he's willing to accept an amendment.

Commissioner Mena: I think its semantics to say though that, well we are not condemning the Mayor, we are condemning the letter. We are condemning the decision, at the end of the day. So, let's not pretend that what we are doing. We are condemning it and so, all I'm saying is, again, maybe it's the lawyer in me, I would object to the proposal and request what we want. That's what its about at the end of the day. But its not my item, so.

Mayor Valdes-Fauli: Can you tell me, this is very important, because there is this 11 o'clock conference where...

Vice Mayor Lago: Mayor, sorry to interrupt you. How about requesting cooperation.

Mayor Valdes-Fauli: I'm not attending that press conference if we are going to request cooperation as opposed to objecting or condemning.

City Attorney Ramos: Vice Mayor Lago, you should also know in July the Commission, this Commission adopted a resolution requesting the transfer of the funds.

Commissioner Fors: Just so we can know where we stand on the votes. I have some hesitation about already voting to initiate a 164. I don't mind putting this resolution out there. I do agree with Commissioner Mena that perhaps it could be a little bit diplomatic, but when you hear the statements coming from the county, I think that's the language we are speaking now. I think everybody here are big boys and girls, nobody is going to get overly offended by it and hopefully

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it just gets the ball moving and some kind of discussion. I don't think it will, hearing Mayor Gimenez' press conference yesterday. He said pretty clearly that it ain't going to happen, but I think when he says it so clear you have to do something a little stronger to, at least, with the hope of starting a conversation that otherwise isn't going to happen.

Mayor Valdes-Fauli: Will someone make a motion please.

Commissioner Mena: And that's fine, that's fine. But look, the last thing I'm going to say is, we throw a lot of punches too, and we do it on a lot of issues, so I'm just not a fan of when somebody throws a punch at us, we sort of clutch our pearls and then when we are throwing punches, we are okay with it. Either we are going to be, you know, litigious, for a lack of a better word, either we are going to have a relationship with the county where everything is like this or we are going to try a different approach at some point. But let's not pretend like we always do things with the county in a diplomatic fashion and then they always treat us poorly. I think for a while now the relationship has been that its pretty aggressive back and forth.

Mayor Valdes-Fauli: I disagree. I disagree.

Commissioner Mena: Well, there is a history to back it up and people can decide if they agree or not.

Mayor Valdes-Fauli: Yes. There is a history to back it up and there is a history of my meetings and my calls with Mayor Gimenez to try to solve problems, including the LeJeune Bridge, let's see what happens with that, and good luck trying to negotiate that with him, including Coco Plum Circle, for example. How long have we been requesting since I got elected, since we got elected in '17 we've been requesting for them to pave over Coco Plum Circle. Its July 2020 and they did it two weeks ago, three years afterwards. One of the most transitive circles in our county, it took them three years to do it. Yes, they listen to us eventually and after we kick and scream, its not a working relationship. I'd like to call for a motion please.

Vice Mayor Lago: So moved.

Mayor Valdes-Fauli: Is there a second?

Commissioner Fors: I'll second.

Mayor Valdes-Fauli: Will you call the roll Billy.

Commissioner Fors: Yes

Commissioner Keon: Yes

Vice Mayor Lago: Yes

Commissioner Mena: Yes

Mayor Valdes-Fauli: Thank you – yes.

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Mayor Valdes-Fauli: Thank you very much everybody. Its controversial, but I wish the situation were different, Commissioner Mena. Anyway, let's go to 164, Miriam.

City Attorney Ramos: A-3 is a Resolution of the City Commission of Coral Gables, Florida, authorizing the initiation of Statutory Governmental Dispute Resolution Procedures under Florida Statutes Chapter 164 with Miami-Dade County regarding the allocation of Coronavirus Aid, Relief and Security (CARES) Act Funding; and authorizing the City Attorney to take additional legal action as necessary in the best interest of the City.

Commissioner Fors: Quick question Miriam. Would it be possible to...resolution with a contingency, saying that we are going to initiate the Chapter 164 procedure if the Board of County Commissioners goes on to approve the current plan, as they have stated that we don't agree with?

City Attorney Ramos: My advice would be if that's what you prefer to do, to call a Special Commission meeting at that time. There's been some recent case law on 164, here locally on drafting it in a contingent fashion. The issue there was slightly different, it was relating to the waiver of 164 when you need to file for immediate action, but I'm concerned that a contingent type resolution might be challenged. I would prefer if you wanted to do that to call a Special Commission meeting at that time and then have the 164 done. The other thing that's important for everybody to understand is, under the 164 process, whichever municipality moves forward with it first, should there be one, we are duty bound to notify all other interested parties, which arguably would be all the other municipalities. So, if we did it, other would have a chance to jump on ours, if someone else did it, we would have a chance to jump on theirs.

Mayor Valdes-Fauli: Folks we don't have to pass anything today, because the purpose of the press conference is to discuss the Mayor's recommendation and if you wish, we can defer this to see what's happening in the future, what the county finally decides to do and what other municipalities are doing. So that's a possibility that we defer this.

Commissioner Keon: Yes, but we can ask the 164, its not time certain – if you decide that the allocation on the part of the county changes and they come out with an allocation that is more acceptable to the municipalities, you can always say that, you don't have to keep.

City Attorney Ramos: The problem, Commission, is once we initiate by resolution the 164, there is a very formal process that's undertaken. There are dates, deadlines that have to be met. So, if we did this today, its puts us in a very different posture than waiting and then doing it at some other time if you feel its warranted. Its not like we can do the 164 and let it sit. It does start a process.

Vice Mayor Lago: I think what we need to do here take advise on this point and let's wait until after today's 11 o'clock press conference where all the Mayors in Miami-Dade County is going to be involved. You are probably going to have everyone there. You need to call another Special Meeting to move forward on, I have no issues with that. I know that my colleagues don't either. I personally think that we need to take a step back and see what happens today before we rush into this.

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Mayor Valdes-Fauli: I agree.

Commissioner Fors: Agreed.

Commissioner Keon: Well then, we can just wait. But I think that its important to convey and you can do that at the press conference, if that's an option.

City Attorney Ramos: Mayor this is your item, if you'd like to withdraw it, you can.

Mayor Valdes-Fauli: Yes. I will withdraw it. And I would like to thank everybody for this very constructive debate. I agree that the ideal situation is the one that Commissioner Mena suggests, and I thank him for it, and we should always keep that in mind, but in this case and in other cases having to do with the county, unfortunately its not a constructive possibility, unfortunately as I say. We will try – my relationship with the Mayor is an excellent one, and Peter and I and others and I have met with him regarding traffic, traffic calming, the LeJeune Bridge, etc., etc., but it hasn't worked, it hasn't worked. He has his own agenda, which is the right agenda according to his mind and I thank you very much for passing this resolution, because I think that together with the other 34 municipalities, this will send a message that we are not in agreement with this allocation of funds. Thank you very, very much everybody, and I would like to hear a motion to adjourn.

Vice Mayor Lago: So moved.

Commissioner Keon: Seconded.

Mayor Valdes-Fauli: All those in favor say aye.

All: Aye.

Mayor Valdes-Fauli: Thank you very much everybody. Thank you for a very good meeting. Thank you.

Vice Mayor Lago: Stay safe. Thank you.