

City of Coral Gables City Commission Meeting
Agenda Item E-8
February 9, 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

Public Speaker(s)

Agenda Item E-8 [11:16:21 a.m.]

An Ordinance of the City Commission of Coral Gables amending the Code of the City of Coral Gables by amending Article VII “Procurement Code” of Chapter 2 “Administration” allowing for the City Manager to issue an alternate recommendation to the City Commission, other than the Selection Committee’s, without requiring a bid waiver; providing for a repealer provision; severability clause, codification; and providing for an effective date.

Mayor Cason: E-8 another ordinance on First Reading.

City Attorney Leen: Thank you Mr. Mayor. Item E-8 is An Ordinance of the City Commission of Coral Gables amending the Code of the City of Coral Gables by amending Article VII “Procurement Code” of Chapter 2 “Administration” allowing for the City Manager to issue an alternate recommendation to the City Commission, other than the Selection Committee’s, without requiring a bid waiver; providing for a repealer provision; severability clause, codification; and providing for an effective date. This is a public hearing item. Before I turn it over to the City Manager, I’d like to briefly comment on it, because even though this involves

the City Manager's authority, it actually is coming from my office. I raised this issue with the City Manager, because there was a procurement that came up where the Selection Committee did not make a recommendation and the City Manager's office was prepared to make a recommendation, and the concern was that the Code didn't really address those sorts of situations where the Manager was going to make a recommendation different than the Selection Committee; and arguably if you look at the expressed wording of the Code, it would require a bid waiver for you to go with the City Manager's recommendation. I was concerned by that because your City Manager is the Chief Executive Officer and ultimately is the one who makes the recommendation to you, and it seemed to me that the City Manager should be able to recommend something other than the Selection Committee. She would state to you her reasons and then you could choose between the City Manager's recommendation and the Selection Committee's; and I do think that, that actually increases the authority of the Commission as well. It will require one additional change. In E-8, right now we are adding some language allowing the Manager to do an alternate recommendation, and I'm sorry it's not in here, but it will be on Second Reading. There would be a corresponding amendment to the City Commission's authority allowing you to select either the City Manager's recommendation or the Selection Committee. I know the Manager supports that, I asked her.

Mayor Cason: Or none.

City Attorney Leen: Or none. You have all the other authority you always have had, which is to reject all bids, to extend instructions to staff, to negotiate with another party and come back to you, to do a bid waiver, etc., but this will give you this additional authority to choose. And with that I'll turn it over to the City Manager.

City Manager Swanson-Rivenbark: Thank you Mr. City Attorney. Just wanted to make clear, we would then present, the Evaluation Committee or the Selection Committee's recommendation as well as our alternate one for your consideration. We would not hold back or revise the Selection Committee's recommendations.

Mayor Cason: OK. Any speaker cards?

City Clerk Foeman: No Mr. Mayor.

Mayor Cason: Close the public hearing. Vice Mayor makes the motion.

Commissioner Lago: Second the motion.

Mayor Cason: Commissioner Lago seconds. City Clerk.

Commissioner Keon: Yes
Commissioner Lago: Yes
Vice Mayor Quesada: Yes
Commissioner Slesnick: Yes
Mayor Cason: Yes
(Vote: 5-0)

[End: 11:19:02 a.m.]