

**City of Coral Gables City Commission Meeting
Agenda Item C-3
November 14, 2017
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, Craig E. Leen
City Clerk, Walter J. Foeman
Deputy City Clerk, Billy Urquia
Deputy City Attorney, Miriam Ramos**

Public Speaker(s)

Agenda Item C-3 [9:10:00 a.m.]

Sad day for Coral Gables concerning our City Attorney who has received a very important federal appointment.

Mayor Valdes-Fauli: The next item of business is a presentation of Proclamation declaring November 14, 2017 as Craig E. Leen, “the Fink”, Day in Coral Gables and I say (humorously) “the Fink” as he dares leave us and it’s going to be a great loss and I’d like to read this Proclamation, which is a little pompous actually...

[Note for the record: The Mayor read the following Proclamation into the record]

WHEREAS, embedded in the anatomy of what constitutes an exemplary City Attorney, there has been found one appointed official, namely Craig E. Leen, who has simply transcended those traditional skill sets commensurate with his position, while retaining a treasure chest of good humor, fellowship and civility in steering our City through the challenging domain of municipal law, and through it all providing our City with wise counsel; and

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Very important federal appointment

WHEREAS, since the beginning of his tenure here in Coral Gables in 2011, he has proven himself as a skilled and proficient City Attorney, known as protector of local home rule, having written and spoken extensively on the topic, drafting innovative legislation to enhance quality of life, including work on the Declaration of Principles of Inclusion for Individuals with Autism and other Special Needs; established the abandoned property, squatter and forfeiture ordinances which have improved the lives of City residents; established the City's Justice Advocate Program to assist with criminal prosecutions; and was recently awarded the Julie Kay Amicus Award by the Miami-Dade County Florida Association for Women Lawyers for bringing attention to critical issues affecting women, as well as Paul S. Buchman Award by the City, County and Local Government Law Section of the Florida Bar for his outstanding contribution in the area of legal public service; and

WHEREAS, Craig also serves as an adjunct professor at both the University of Miami School of Law and Florida International University School of Law; served as an Executive Council Member of the City and Local Government Section of the Florida Bar, member of the Rules of Judicial Administration Committee for Florida; on the Steering Committee of the Florida Municipal Attorney's Association, and on the Diversity and Inclusion Committee of the Florida Bar; and

WHEREAS, his competitive but playful nature, his magic skills, running prowess, superior intellect, and overall good nature has made City Hall fun and upbeat for our employees and residents alike.

NOW, THEREFORE, I, RAUL VALDES-FAULI, as Mayor of Coral Gables, along with the members of our City Commission, do hereby proudly proclaim, November 14, 2017 as:

“CRAIG E. LEEN DAY IN CORAL GABLES”

[Applause]

Mayor Valdes-Fauli: And, I wanted to say that since six months I've been here, or seven months, whatever, it really has been a privilege and a pleasure working for and with Craig, and I say for because he keeps me out of trouble and he has suggested ways of accomplishing, what the City has to accomplish and a very creative, very very responsible person; and one of the biggest challenges that we face in municipal government is the attempts at undermining Home Rule and Craig has been a very vigorous defender of Home Rule and our rights in the City of Coral Gables and the quality of life of our individuals and I say "Fink" because he will sorely be missed, but we all, I think I speak for all of you, wishing him the best in his new position and for him not to forget about us.

City Attorney Leen: I could never forget about you. I'm just so thankful, I'm speechless. I'd like to say one thing. You know the reason why I fight for Home Rule and it means so much to me is because I love the City and Coral Gables is a very special place and a lot of it is a plan that we've had for 90 years and it's going to continue for another 90, and 90 after that; and things like Home Rule are what allow it to exist and give you, as our elected officials the authority to be able to protect the citizens and protect the health, safety and welfare of our City, and I've seen you use it so well; and so to me it's an existential issue and it's something that we need to continue being at the forefront of, to fight for, going forward. I want to thank all of you, it has been the honor of a lifetime to be City Attorney, it's been so special to me. I've loved it, I've loved it. I want to thank you Madam City Manager for all your support of my office. I want to thank you Mr. Clerk, it's

been a pleasure working with you these years, and I would just like to say to my office, I feel that we've built the best office, the best governmental office in Florida. We can stand toe to toe with the County Attorney's office, we can stand toe to toe with the U.S. Attorney's office, with the Attorney General's office, and we can tell them what Coral Gables wants to achieve and we can seek to achieve that. I'd like to give special thanks, obviously to my attorneys and staff, but in particular I'd like to mention two people. I'd like to mention Brigitte Chen, my paralegal, who was with me at the County and came over here to help me. She is a tremendous public servant and she's been a public servant her whole life and she's kept me organized and she's kept me on focus; and then I would also like to, obviously thank Miriam Ramos, my Deputy City Attorney, I'm so proud of her. I think she's been a tremendous Deputy City Attorney. I think that, I don't want to get ahead of myself, but I do want to say that I think that she will be a tremendous public servant for many years to come and that I've been lucky to serve with you Miriam, you've helped me so much and thank you. So, one last thing I'd like to mention Mr. Mayor is something close to my heart. I ask that this Commission, if you would, when you think of me, think about individuals with special needs, including my daughter. That's something that you've fought for and you've done the principals of inclusion, which is something that has been looked at nationwide and particularly in the State of Florida as a bell weather, something that other cities should do and I appreciate that from the bottom of my heart. Obviously, I have two children that have been diagnosed with autism, one who has severe autism and I know that I've been very lucky, because the City has provided me tremendous support throughout my time here. There are many people in the world that are not lucky, they don't get services and support and our government is a place that they can come and it's a safe place for them and we've been supporting them and I thank all of you for that. They can come here and get services, they can come here and go to our Parks Department and they know that they are welcome, and to me of all the things I've done, perhaps that's the most important to work on that with you. So thank you, thank you.

Mayor Valdes-Fauli: Thank you very much. Let's have our picture taken with Craig.

[Applause]

Mayor Valdes-Fauli: Let's have our picture taken.

Commissioner Quesada: I want to say a few words.

Mayor Valdes-Fauli: Say it. Say it.

Vice Mayor Keon: I'm going to miss him next to me. I've been sitting next to him since I've been on this dais.

Commissioner Quesada: So, I was jotting down a few thoughts when I think of Craig Leen and its interesting because I met him at his, on his first day of office, it was first day in his position, two days before I got elected, so he and I have sort of had to date have had a very similar Coral Gables experience, and what most people don't realize, it's easy to forget everything that goes on in the City, he immediately jumped into quite a precarious situation with the Biltmore. It was a huge campaign issue at the time and all of a sudden I got elected and it was a dispute related to the Biltmore Hotel, which was very, very intense and that actually worked out great for the City and great for the Biltmore, and it would not have happened if it wasn't Craig Leen at the forefront of that. So, he got thrust into a new job in a very politically charged situation and worked out incredibly smoothly, it worked out for everyone. I think about the trolley facility; the trolley facility was incredibly dicey. A situation that occurred that none of us really could have anticipated and all of a sudden we were thrust into a very complex legal situation, which Craig was at the forefront advising us, look we are going to do this, we are going to do that, keep this in mind, you've got to think about x, y, and z, and it worked out. Again, I don't think those kinds of situations – the Home Rule the Mayor mentioned, the squatter's ordinance, I'd be remiss if I didn't bring that up. He brought national attention to the City on the aggressive nature of the squatter's ordinance. As I see Judge Reyes in the back there, the Justice Advocate Program, I think it's the first of its kind. I don't think any other municipality has done that where the City goes out and is supporting the victims in Coral Gables of crimes that have occurred, to ensure that the State Attorney's Office or the U.S. Attorney's Office is properly prosecuting those claims, so that criminals learn if you are going to try to commit a crime in Coral Gables we are going to see it all the way through, that's because of Craig Leen. The Post Office, this is kind of a whacky one, which came out to be a very complex legal issue, I think that's why you mentioned the U.S. Attorney's Office. We had some issues dealing with some mailboxes, we had to deal with the U.S. Attorney's Office, and I think Commissioner Lago was very involved with that. Trees and developers – that if you are involved in Coral Gables you understand that interesting relationship between trees and developers, which become big legal issues. Three more things – carrying out our initiatives. When I first met Craig, when I first got elected, we first sat down, I said look, I just want to make sure that you are helping me achieve whatever goals I want to achieve and I think I speak for all of us, he's done an amazing job when it comes to that. If you say that I want to do x, y, and z, Craig will say OK, this is how you can do x, this is how you can do y, this is how you can do z, and you cannot do a or b, and he was very, very effective in that. And lastly, I think the biggest testament is, as I look at all the faces here, the people that you work with on a daily basis, they are all smiling ear to ear, especially your team over there, which shows that what a great leader you've been for the City and the legal department. So do you really have to go? (Laughter). Thank you so much.

[Applause]

Mayor Valdes-Fauli: When you say do you really have to go (humorously) I tried to put some elements of moral turpitude in his background so he would be disqualified, but I couldn't do that (laughter). Craig, we are going to miss you and let's have a picture here to commemorate.

[Note for the record: The Commission took photographs with City Attorney Craig Leen and his staff]

City Manager Swanson-Rivenbark: As Craig is seated, it's been a real privilege to have such a direct relationship with the City Attorney, who is not only been able to advise us on legal matters, but ethically the right ways of handling things and I appreciated the ongoing and candid dialogues.

City Attorney Leen: Thank you. I also want to thank the Mayor. I met with him yesterday to go over my transition to ensure all the items that are open are addressed, both in my appointment resolution and also in my just going forward with the transition. I would let you know that I will be leaving soon. It looks like my last day will be November 26, because they want me to start in Washington on November 27th. So, I just want to make you aware of that. It may be December 4th, I'm still talking to them about that, but it could be as early as November 27th and with that I leave it to you as to how to decide what to do.

Commissioner Quesada: So to make that transition easier, I would suggest, we let you go as soon as you need to, it's tough with children and your wife to end one day and start the next day in a whole new town. I think you should have a week at least, as long as you pick up your phone and answer your e-mails to make sure that we can play catchup on anything else.

City Attorney Leen: One thing the Mayor and I – I'm going to continue and they told me this is fine, any historical things, any issues, information, I'll continue to have my phone, you can call me. I answer questions from you individually, also from obviously, from the City Attorney and City Manager and City Clerk, and in addition to that, I do want to, I would like to work to the day before I start there because I do love this job and I want to do that transition correctly; and then number two, because it also helps me for other reasons in terms of insurance and things like that.

Commissioner Quesada: So what I would suggest is, I'd like to maybe if you can work remotely from Washington D.C. next week, I just want to make it easier, it's your choice.

City Attorney Leen: No, no, I'll be here next week. I'll be moving up over the Thanksgiving weekend.

Commissioner Lago: I just want to make sure that what Commissioner Quesada stated right now, I want you to understand that's a possibility, we want to make this as flexible for you and your family. I know you love the City of Coral Gables, you've been a staunch advocate of the City for many, many years, but I want you to know that you've done a lot for the City and if you need to take time you could be as flexible as possible, whatever that may be. If it's an issue of insurance, if it's an issue of there is a gap, we'll make it happen.

City Attorney Leen: The Mayor worked all that out, the insurance through December, basically my annual leave, everything he addressed. I really appreciate that, my phone, insurance through December, that was really the main issue; and then the last thing is, I just want the transition to be good. I don't want there to be any vacuum, so I would ask that you decide how to proceed with my leaving assumed November 26th that's my last day.

Mayor Valdes-Fauli: The only thing you can't do is take any of his staff or employees or whatever it is (laughter).

City Attorney Leen: I'm leaving them here. I think it's the best office in Florida.

Mayor Valdes-Fauli: I would like to take this opportunity in using my prerogative as setting the agenda to discuss succession in the City Attorney's office, and one of the models in Miami-Dade County has been the County Attorney's Office as opposed to the City of Miami or other cities and the tradition in the County Attorney's Office since Greenberg, Ginsberg, Cuevas, has been the First Assistant if he or she is qualified is appointed as the next City Attorney and I would like to turn this over to Commissioner Lago to discuss this item as the next item in the agenda.

Commissioner Lago: Thank you Mayor. I think I was pretty brief and I sent all of you a memo, a two page memo that you received yesterday outlining not only how fond and how grateful we are for Craig Leen and the work that he has done in this community. I also wanted to briefly discuss a little bit about Miriam Ramos and what she has done as, not only as the Deputy City Attorney, but also as her life as an attorney and also as a professional on many different fronts. Like the Mayor stated before, Miriam since she's been here has done, not only an incredible job servicing this Commission, but servicing more importantly the residents of this community. She's been a steady hand at times when the boat has been rocking significantly. She has earned my respect and my admiration, because she has given me advice when others may have at that point told me what I wanted to hear, so I wanted to just have a quick discussion amongst my colleagues because like the Mayor mentioned, I think it's in the best interest, as you can tell there are certain individuals in that department that may be taking leave pretty soon, so I want to have somebody, I'm trying to be as respectful as possible, there may be some changes forthcoming, so I want to make sure that we have as much stability as possible in our department, because we do lean on

our department, not only the Commission, but the City as-a-whole leans on the department on a daily basis. So, I've made my feelings very clear in the memo, I'm not sure how the Mayor feels, but I think that the Mayor may agree with me, but I'd like to see if we can come to some sort of conclusion in the next few moments if possible, or at least discuss it if possible.

Vice Mayor Keon: I am very comfortable.

Commissioner Quesada: I'm going to second your eventual motion.

Commissioner Lago: I make the motion.

Commissioner Mena: I just want to say that while I think it's a great model that you have a deputy attorney who then sort of ascends into the position, probably the last reason why I support Miriam Ramos. I support Miriam Ramos because I think she's the best candidate for the job in our office or outside our office, so I just want to say that the continuity aspect is terrific, but as someone who has only been here since April, I've already leaned on Miriam and Craig's office a lot and as you said Commissioner Lago, it's always very clear forthright advice that puts us in a position to do what we need to do and with the level of comfort and confidence that we are doing it in the right way...

Commissioner Lago: Something just to add because we have three attorneys on this side of the room, at least for myself, my experience and my background is in design and construction, I'm a builder, I'm a commercial builder. I build schools; I build medical buildings for a living. Again, when I walk into a situation where I need some sort of legal understanding and expertise, when I speak with Miriam, when I speak with Craig, I don't have a second thought. When I hear from individuals who are attorneys and they feel so profoundly in support, it gives me even more comfort in the decision that we are making today.

Commissioner Mena: And, the part that shouldn't be overlooked in addition to just the quality of work from both Craig, who is heading out, and also Miriam, is the hard work. As somebody who practices law in the private sector, I think sometimes people out there have a perception that when you have a government job that it's a different expectation of how hard you work. Let me tell you, I have phone conversations with Craig on Sunday night sometimes, Saturday night sometimes, I just chuckled when you said that you were going to work until the 26th and start on the 27th, because it doesn't surprise me at all, because you work incredibly hard and I think that trickles down to your office, and so you guys juggle a lot of different issues as an attorney, that's incredible to me how many issues. I think most of us end up specializing in certain areas and kind of play in the same area, you guys its incredible how many different issues you tackle, and I never have sensed any hesitation, reservation, you guys seem to be knowledgeable on every issue

that comes up in a spectrum of different areas. So, I have a lot of admiration for the job you've done Craig, obviously for the job Miriam has done and will do for our City.

Mayor Valdes-Fauli: Great. Thank you very much. There is a motion on the table and it's been seconded. After a very, very, very spirited controversial heated discussion on the merits of the motion. Will you call the roll please?

City Attorney Leen: Mr. Mayor, can I read the motion in; I know that he had wanted me to prepare a motion.

Mayor Valdes-Fauli: Yes, go ahead.

City Attorney Leen: So, you are moving to appoint Miriam Soler Ramos as the next City Attorney of Coral Gables, effective following my last day, with the Mayor having authority to negotiate the terms of her employment resolution consistent with Section 2-28(b)(3) of the City Code, in consultation with the City Attorney, which I would prepare prior to my departure, which employment resolution shall be brought back to the Commission at the December 4th meeting for your review and if I can say now that I've heard your motion, I strongly recommend Miriam Soler Ramos. We are so lucky to have her as Deputy City Attorney.

[Applause]

Mayor Valdes-Fauli: ...City Clerk will you call the roll please.

Commissioner Mena: Yes

Commissioner Quesada: Yes

Vice Mayor Keon: Yes

Commissioner Lago: Yes

Mayor Valdes-Fauli: Yes

(Vote: 5-0)

Mayor Valdes-Fauli: Congratulations and we are very lucky to have you.

Deputy City Attorney Ramos: Thank you sir. Today is Craig E. Leen Day, but if I might I'll just take a minute or two to make some comments. I'm honored and humbled by this opportunity. I thank you for the opportunity to continue to serve this great City every day. I thank Craig for the initial opportunity of coming here, for his guidance throughout the last two and-a-half years that have felt like much longer, but for all the right reasons; for the lessons he has taught me, for most importantly for his friendship and for making our office so much fun to work with under such

stressful conditions. I hope that I'm able to provide the same for my staff as Craig moves on; and I hope that he will still call me on Sundays at 11 o'clock at night; I never thought I would say that. As I look into the future, I look forward to leading the City Attorney's Office which in my opinion is as well the best City Attorney's Office in the State of Florida, if not the nation. I look forward to working with each and every one of you to fulfill your initiatives as this office has always done. I look forward to working with the City Manager, the Assistant City Managers, and all the City's directors and staff who I have grown to know and love. I look forward to continuing to champion Home Rule, environmental initiatives, which have been very important to me as we continue this battle with our polystyrene and our plastic bag ordinance; and I most importantly continue to be a public servant for the benefit of this City, its employees, its elected officials, its appointed officials, its residents and its businesses. Thank you for this amazing opportunity, I will make you all proud.

[Applause]

Mayor Valdes-Fauli: Thank you very, very much and congratulations.

[End: 9:35:23 a.m.]