

City of Coral Gables City Commission Meeting
Agenda Item E-2
December 16, 2008
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Donald D. Slesnick, II
Vice Mayor William H. Kerdyk, Jr.
Commissioner Maria Anderson
Commissioner Rafael “Ralph” Cabrera, Jr.
Commissioner Wayne “Chip” Withers

City Staff

Interim City Manager, Maria Alberro Jimenez
City Attorney, Elizabeth Hernandez
City Clerk, Walter J. Foeman
City Clerk Staff, Billy Urquia

Public Speaker(s)

Roxcy Bolton, Coral Gables Resident

E-2 [Start: 10:38:32 a.m.]

An Ordinance of the City Commission of Coral Gables, Florida, calling for the holding of a Special Municipal Referendum Election of Coral Gables, Florida, on April 14, 2009, in accordance with Section 6.03 of the Code of Miami-Dade County, for the submission to the qualified electors of said City, not less than sixty (60) nor more than one hundred twenty (120) days after the draft is submitted, an ordinance in connection with the proposed amendment to the Charter of the City of Coral Gables, wherein the voters of the City of Coral Gables shall be called upon to vote on the following question, to be known as Charter Amendment Ballot Question No. ____: Shall the Charter of the City of Coral Gables be amended to provide for the Mayor to be elected to serve a two (2) year term commencing the second Tuesday in April, 2011?; including, but not limited to, amending certain sections, stating the form of the question to be voted upon; providing the form of the ballot for said election; designating and appointing the City Clerk as the official representative of the City Commission with respect to the use of the voter registration books and records; further directing the City Clerk to cause a certified copy of the herein ordinance to be delivered to the Supervisor of Elections of Miami-Dade County, Florida, not less than sixty (60) days prior to the date of such Special Municipal Referendum Election; directing the City Clerk of the City of Coral Gables to publish notice of such election pursuant to Section 100.342, Florida Statutes (2008), which notice shall include the full text of the proposed amendment to the Charter of the City of Coral Gables, Florida, providing at least thirty (30) days notice of the election or referendum by publication in a newspaper of

general circulation in the City of Coral Gables, with publication made at least two times, once in the fifth week and once in the third week prior to the week in which the election or referendum is to be held; providing for the severability of the provisions of this ordinance; repealing all ordinances or parts of ordinances in conflict herewith; providing an effective date for this ordinance.

City Attorney Hernandez: Mr. Mayor, Commissioners this ordinance comes to you at the direction of the City Commission, its here on first reading; I have nothing to add to it, other than it's a ballot question to be determined by the Commission.

Mayor Slesnick: Any further discussion on this one? We have one person signed to speak on this, Mr. Charles Girtman; is this the one you asked to speak on, or did you want to speak on the other one?

Mr. Girtman: I thought I would go on the other one.

Mayor Slesnick: OK. We'll save yours.

Mr. Girtman: I'm sorry...[inaudible – off mike]...

Ms. Bolton: Good morning gentle persons; my name is Roxcy Bolton, I live at 124 Cadima Avenue. I support the measure to revert back to the two year term for the Mayor. Does the ordinance say revert back, or how do you read that back?- is it the same? I would like to direct your attention if I may to the Congressional seats around the country. Congressional seats are run every two years, and the Senate around the country seats are every six years, and that has worked very, very, well for this country; and the two year term for Mayor has been in place since the beginning of time here was written by our founders, and they realized the importance of the balance. I think something that happened in advertising to change the two year term to a four year term was in the newspaper, in the ad; does anyone have that ad; it said something about equalizing, I have it at home; do you have it Commissioner Kerdyk?

Vice Mayor Kerdyk: No, I don't think so.

Commissioner Anderson: Was it a newspaper article Mrs. Bolton?

Ms. Bolton: It was what the City was recommending or something about the education process, was that about it?

Commissioner Cabrera: Yes ma'am, I used it; last time we talked about it; I'm sorry I don't have it here today, but you are right, it said, the last sentence read that this would equalize the terms.

Ms. Bolton: Right, and I heard that through the election; people misunderstood that, many people misunderstood it though the two year term to stay in place was carried by the voters; it was only changed by the absentees. So I urge you to consider voting to revert the term back to the two year term that has been in place for so many years since the founding of this community; and I thank you for your kind attention.

Commissioner Anderson: Thank you.

Mayor Slesnick: Can I have a motion.

Commissioner Cabrera: Before I move to accept this, I'd like to tell the Commission that last time we discussed it, and Ms. Bolton is correct, I mentioned the fact that there was some advertisements done by both the City – by the City – to educate and inform our electorate on equalizing the terms of the five members of the City Commission. I shared with all of you that I was going to do some research to try to see from a historical standpoint what was, if any, a pattern the position of Mayor in our City, and I was hoping that I was going to get a result that allowed me to make a stronger point for my argument; and as it turns out I think I achieved that, but I don't believe that I achieved that with that purpose. Let me share with you that since the beginning of the City, since the beginning of the Mayoral term, we have had twenty-four (24) Mayors serve Coral Gables, from 1925 Doc Dammers (Dr. Edward E. Dammers) to present day Don Slesnick; and of those twenty-four Mayors who served the City, I began to research how many of those Mayors had served and their terms, and I'm very grateful to the City Clerk's office for providing me with the raw data that was able to then take and calculate each Mayor's terms; but what I found most interesting was the following: out of twenty-four Mayors serving our City, half of them, twelve (12) of them had served our City for two years or less; of the twenty-four Mayors fifty-eight (58%) percent had served our City three years or less; and of the twenty-four Mayors seventy-five (75%) percent of them had served our City four years or less. So what the analysis showed me, I don't know what you can derive from what I just shared with you, but what I came away with was that this was a position that was normally changing throughout the City's history, and in fact, if you take the last three Mayors in office, Don Slesnick, Raul Valdez Fauli, and George Corrigan, with Don Slesnick serving a projected ten (10) years, Raul Valdez Fauli serving eight (8) years, and George Corrigan serving six (6) years, and we remove them from those twenty-four Mayors, the average term in office for a Mayor was three (3) years. So given the information that I was able to gather, I see that institutionally and historically this has been a position that has gone through many Mayors, and have not really served a whole heck of a long time, so that's another reason to support going back to the two year Mayor; and if any of you want to see this information, I have copies here for all of your of the work that we performed in order to come up with this analysis.

Ms. Bolton: May I have a copy?

Commissioner Cabrera: Yes ma'am.

Mayor Slesnick: Any comments? You wish to move this?

Commissioner Cabrera: I do. I move that we move this ballot question for the upcoming election in April.

Mayor Slesnick: Second?

Vice Mayor Kerdyk: Second.

Mayor Slesnick: It's been moved by Mr. Cabrera and seconded by Mr. Kerdyk; any other discussion? Just for the record, I'll say of course I oppose this, and feel that in these times continuity, consistency that we can have in government is good; I think it's good to have leadership which the City elects that is in place for a period of time other than a revolving round table of two years. What we remember is that the Commissioners do serve four years each, and that's great; they serve on rotating terms, but let me say this, if you have not served in the two year term, what you don't understand is that you get elected one year and you start running the next year, if you want to be re-elected. Now, if you have a good Mayor that's up to everybody to make their own decision, and that Mayor desires a continuous service, you put that Mayor on a merry-go-round of running and trying to do the job, and I have to tell you, if you don't think its easy to be...each of us have our own private...the way that our Charter is written, each of us continues to have our private professional lives and public service, but when you have a private professional life, public service, and a candidate, everyone of us can tell you how absolutely totally consumptive that is to be three different things in life, as well as a family person in all of our cases. So every two years is a major thing, and unlike Congress, unlike Congress where Congress persons get to keep their bank accounts over, and over, and over again, their unspent accounts; we must expend our money within, what is it?- thirty (30) or sixty (60) days after our campaigns are over, so that in running for office, which is partly a money business because you have to advertise in this day and age, means that you have to start from scratch, that's a year long process, it's a year long process; to start from scratch, to raise the amount of money required to run a modern day campaign in South Florida in Dade County. So, for those reasons, and I understand that there are other good reasons which the Commissioner has stated in earlier conversations for considering the other way, and I would also say to you that its very much wrong to think that absentee voters are not voters or electors; absentee votes are just as valid as people who go to the polls, and I would hate for any absentee voter to think that their vote is less valuable, so.

Commissioner Anderson: I just want to add a few comments. My decision on this item as it was as I articulated in '04, my concern over the four year Mayor's term, and I didn't make a big deal of it then because frankly I had my own campaign to run at that time and I wasn't going to take a stand that was already on the ballot; but my concern then, and with all due respect for you, because I know what it is like to run a campaign and how all-consuming it is; I just think that the quality of the voters and the quantity of the voters come out when you have the Mayor on the ballot, and for that and that reason alone I try to look at it globally, and I thought that would be the best and that's why I'm moving that way.

Commissioner Cabrera: Because you brought up a lot of good points, I'd like a chance for rebuttal. In terms of the absentee ballots, I agree with what you said; the absentee ballot is a real vote and it's a cast vote. The reason that I made it such an important part of my argument had more to do with the fact that in many instances people who vote absentee, do so right when they get their absentee ballot; and so that portion of time that we inform and educate, they don't necessarily have the opportunity to read about it; and by the way absentee ballots have now become more important than ever, because if you requested an absentee ballot recently, you will now automatically get one for the next seven years. So, more than ever absentee ballot votes are very, very important. As far the things you talked about in the campaign cycle, and the fact that

you've got to go out and raise money a year before the election, and cause less the position of Mayor to really be a one year position, and the rest of the time you are campaigning, that's a personal choice; I really believe that, that's purely a personal choice by the person in that office at that time. I remember Mayors of Coral Gables dating all the way back to Mayor Chapman that I can recall, one is much involved in the re-election process as maybe we have been in the last three Mayoral terms; maybe it has to do with wedge issues, maybe it has to do with our culture, maybe it has to do with the rapid pace that we are living in today, and technology, but I think that's purely a personal choice, I'm not sure that you can say across the board that, that is the template for anybody running for Mayor, because I can even remember Mayor Valdez-Fauli doing very little work in terms of his re-election efforts, but I understand and I thank you for having brought that up; I just...look, at the end of the day we make choices, and if someone chooses to be Mayor, along the responsibility of being the person that leads the Commission in the direction that we take, and the person that leads the Commission ceremonially, that's the choice; if you don't want to be a two year Commissioner then run for City Commission and not Mayor. If you choose to be Mayor, then there are certain responsibilities that go along with that, and one of the things that this position will now do, and let's not forget the real reason why I'm driving this; I'm not driving this because Mr. Damian ask me to put it on the ballot; I'm driving it because I'm angry at myself for not taking a stronger position and advocating one direction or the other, but the bottom line that this will allow us once again to give the electorate the ability to decide if they wish to or change the majority of their government every two years, that's really what its all about.

Mayor Slesnick: That makes very little sense to me that we have to change the majority of the government every two years, or want to because, I think, consistency and continuity is more important than changing; only dissident groups wish to change their government every two years.

Commissioner Cabrera: I don't believe that Don; I think you are being...

Mayor Slesnick: That's just between you and I, so I mean, you got your piece so let me get my piece.

Commissioner Cabrera: Absolutely, go ahead, I'm sorry, I apologize.

Mayor Slesnick: The fact of the matter is that the absentee voters who didn't see the materials, you complained about the materials, but they didn't see those either, so I don't know which materials they saw before they voted on absentee, and so they weren't mislead if they didn't see the materials. So I'm not sure of that, but I can tell you that in my...I know you have your circles and our circles cross, we have a lot of mutual friends, but in my circles I feel very comfortable, the Mayor actually now serves four (4) years, so let's not forget that; the Mayor is a four (4) year term; this effort is to change that, its not to revert it, its to change it, it's a four year (4) term, and the Mayor is serving four years.

Commissioner Cabrera: I don't have any circles; my circle is only as good as my last vote, so I just don't have any circles.

Mayor Slesnick: OK. Anything else?

Mr. Clerk

Commissioner Cabrera: Yes

Vice Mayor Kerdyk: Yes

Commissioner Withers: Yes

Commissioner Anderson: Yes

Mayor Slesnick: No

(Vote: 4-1)

[End: 10:55:27 a.m.]