CITY OF CORAL GABLES BUDGET/AUDIT ADVISORY BOARD

Meeting Minutes: Thursday, May 25, 2017

Conference Room First Floor , City Hall, 405 Biltmore Way, Coral Gables

MEMBERS	J	J	Α	S	0	N	D	J	F	M	Α	M
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Tony A. Rivas							-	•	Р	Р	•	Р
Erin Knight	T -	Е	-	Р	Р	Р	-	-	Р	Е	•	Р
Alex Menendez	-	P	-	Р	0	E	-	-	Р	Е	-	Α
John Holian	-	Р	-	Р	Р	Α	-	-	Р	Р	-	Р
Cheryl Goldstein	-	Е	-	Р	Р	Р	-	-	Α	Р	•	Р

(Dash indicates no meeting: blank spaceindicate member not yet serving.)

Staff:

Diana Gomez, Finance Director

Keith Kleiman, Assistant Finance Director for Management & Budget

Sally Ola Ola, Assistant Finance Director for Reporting & Operations

Minutes Preparation and Recording Secretary: Estela Valle, Bailey & Sanchez Court Reporting, Inc.

1	CITY OF CORAL GABLES						
2	BUDGET/AUDIT ADVISORY BOARD MEETING						
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4	THURSDAY, MAY 25, 2017, 8:01 a.m.						
5	FIRST FLOOR, CITY HALL						
6	405 BILTMORE WAY, CORAL GABLES, FLORIDA						
7							
8	MEMBERS PRESENT:						
9	CHERYL GOLDSTEIN JOHN HOLIAN						
10	ERIN KNIGHT TONY A. RIVAS						
11	CITY STAFF PRESENT:						
12	DIANA GOMEZ, FINANCE DIRECTOR						
13	KEITH KLEIMAN, ASSISTANT FINANCE DIRECTOR for MANAGEMENT ar BUDGET						
14	ELSY FUENTES, INTERNAL AUDIT and GRANT COORDINATOR						
15	ALSO PARTICIPATING:						
16	FRANK FERNANDEZ						
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1 THEREUPON: 2 (The following proceedings were held.) 3 MS. GOLDSTEIN: I guess I'll call the meeting to 4 order. Is it me? 5 MR. HOLIAN: Yes. 6 MS. GOLDSTEIN: I'm the Vice Chair, okay. 7 Calling the meeting to order, and it is 8:01. 8 We're all present except for Alex. Can I have a motion 9 to approve the minutes from the last meeting? 10 MR. HOLIAN: Motion to accept the minutes as 11 presented. 12 MR. RIVAS: I second. 13 MS. GOLDSTEIN: All in favor? 14 MS. KNIGHT: Aye. 15 MR. HOLIAN: Aye. 16 MR. RIVAS: Aye. 17 MS. GOLDSTEIN: Next, we have the Quarterly 18 Overtime Report. Keith. 19 MR. KLEIMAN: Okay. I have Elsy in here just now 20 for the IT audit update, then she can actually head back 2.1 to work. 22 So just to let you know that we reviewed a draft. 2.3 We met with the City Manager and the Assistant City 24 Manager, and we had actually a big meeting in this 25 office. They found a number of things. Now, because

it's IT-- and actually Elsy is just so good she gives me
the names of these notes-- so the report is for the
External Penetration and Network Security Assessments.
So one thing we have to know, we're not going to publish
the findings, because it basically puts us at risk. So
we're not even going to tell anybody what they found.
They did find one or two things that were fairly high
risk, moderate and low. We're assessing all of them.

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IT has now responded with their management response to the findings. We got a draft final yesterday, which I have not reviewed yet, because I just got back today. So for your next meeting, we'll be able to present the document to you, but then we're going to ask for it back, okay.

MS. GOMEZ: So we need to check with that, because I don't know-- because since this is a public meeting, I don't know if we can do that.

MR. KLEIMAN: Oh, okay.

MS. GOMEZ: So we would have to double-check with that, if it's proper protocol for sensitive-type information in a public meeting.

MR. KLEIMAN: Well, the document itself is listed on there, that it is not public information, because of the nature of it. So at that point, we'll check with Legal that we may be off record when we're going over

1 that, if that's the case. If that's proper protocol, 2 we'll find that out, but the document does show that it 3 is not for public information. 4 MR. HOLIAN: I have a question on that. That IT, 5 did they talk about the Ransomware? Was that involved 6 in that, because there were several municipalities that 7 actually-- does anyone know what I'm talking about--8 there were several municipalities that got hit by that, 9 where they actually just shut down the City. 10 MR. KLEIMAN: No, because the report came to us--11 the event just happened? 12 MR. HOLIAN: Right. 1.3 MR. KLEIMAN: The report came to us on May 5th, 14 that's when we had the -- now, we can go --15 MR. HOLIAN: I mean, if it's ongoing, it may just be something that you ask. 16 17 MR. KLEIMAN: Typically it's not, but we can ask 18 them, and see if they want to revise it for that. 19 can say, based on their findings, would we have been 20 susceptible to that? 21 MR. HOLIAN: Yeah. Good to know. 22 MR. KLEIMAN: Because there were emails that did 2.3 come in to the City. We don't know if it was because of 24 that. They gave us a warning ahead of time, and

basically they got that under control.

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MR. HOLIAN: Well, the recommendation now is to pay the ransom. The recommendation is to pay the ransom, because the IT cost to actually try to recover your information far exceeds—they may drop the ransom price from "X" to one-tenth of "X," and it's like it will cost you \$50,000 in IT costs to repair it, so you're better off paying the \$25,000.

MR. RIVAS: I've heard that you shouldn't pay the ransom. It actually was on CBS or one of the morning programs, that those Ransomware-- because you don't know who the person that's actually asking for the money, and you're not guaranteed that you can get your information back.

Basically, I guess the question is, are we backed up on like a Cloud internet base, where-- is the whole system backed up?

MR. KLEIMAN: It is. The system is backed up, but, again, I don't know whether when they lock you out, are they locking you out from that, as well?

MR. HOLIAN: They encrypt you.

MR. RIVAS: They encrypt you, but your last-- for your last backup. So if we backup nightly-- I don't know what the backup system is.

MR. KLEIMAN: I believe our backup is actually duplicated in several areas.

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MR. RIVAS: Right. So as long as you have that

Ransomware-- but that's what they tell you-- the

measure-- that's like the biggest risk for 2017. They

were talking about small businesses, but, yeah, it's the

Ransomware problem.

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MR. KLEIMAN: Right. So for the next meeting, we will make sure that we can talk about it, okay. And, if we can, we'll show it to you, but we will ask for it back. If we cannot talk about it, then we'll let you know that, as well. Okay.

MS. GOMEZ: Do you want to talk about any other audits you're working on?

MR. KLEIMAN: Yes, unless you want--

 $\ensuremath{\mathsf{MR}}\xspace$. GOMEZ: No, no, because Director Fernandez is not here.

MR. KLEIMAN: If he comes in, we can always stop.

So now the next thing that they're working on is cash management. Now, cash management was supposed to be later on, but now what we did was, because of the-you know that there were two incidents in the City with theft, so we actually pulled out the cash management and all revenue from every single audit that was in the risk assessment, and they moved it into one audit right now, which just started on May 15.

MS. GOLDSTEIN: So let's not assume that we all

1 know, so if you can review what the two incidents were.

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MR. KLEIMAN: The incidents have been reported.

 ${\tt MS.\ GOMEZ:}\ {\tt I}\ {\tt don't}\ {\tt know\ that\ one\ of\ them\ has\ been}$ reported.

MR. HOLIAN: I don't know about it, so--

MS. GOMEZ: I don't know that one of them has been reported, but anyway--

MR. KLEIMAN: Oh, okay. That, I didn't know.

MS. GOMEZ: Okay. So there was-- in the Finance Department, there was an employee who was-- who quit abruptly. We didn't know necessarily why, but we had found out that a check that was for a lien-- release of a lien came back. We tried to deposit it, and it came back that it had already been deposited. We had no idea whatsoever. We investigated it, and the bank had come back to tell us that it was mobile deposited into an account.

For whatever reason, maybe because of the abrupt leaving, my Assistant Director and the Treasurer, they were talking, and they said, "Well, let's check this person's record of accounts that they have on file," and it turned out that the account it was mobile deposited into was a previous payroll direct deposit account of that employee. So then we went to Internal Affairs in the Police Department. They did an investigation, and

it turns out that over the past three years that employee had been mobile depositing checks-- about 300 some odd checks, and about \$85,000.

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The reason that it went undetected was because that employee-- as are all employees here, they're a clerk, they're held on some level of trust that they're doing their job correctly-- was not following the proper procedures for adjustments. They were just doing adjustments. So when the check came in, they would adjust the account to zero, so there's no record of a payment, and there's no other bill. It comes off of the receivable listing completely, and they were mobile depositing it into their account.

The checks were payable to the City of Coral Gables. So, obviously, we're going after the bank, too. They should not have been depositing checks payable to the City of Coral Gables to an individual's account. And so what happened, I guess either they were sloppy and left the check laying around, and one day when they weren't here, somebody else deposited it. They didn't realize they had mobile deposited that check, and it went into the regular deposit of the City, but there were two right around the same time. I don't know if it was just that they didn't come in, it was on their desk or in their files, and somebody else deposited it. That

person has since been arrested and is awaiting -- is out 1 2 on bond and bail, and it's going to-- awaiting trial. 3 So we are going after-- we have insurance that will 4 cover in the meantime, less a \$25,000 deductible, I 5 believe, and there's-- but we're going after the bank, 6 as well, for-- and we will go after the employee. 7 MR. HOLIAN: Did the audit uncover that? 8 MS. GOMEZ: No. No. 9 MR. RIVAS: I have a question. 10 MS. GOMEZ: Go ahead. 11 MR. RIVAS: When you say the account was adjusted 12 down, typically when you take it out of receivables and 13 you adjust it down, it's got to go against some wash account or some bad debt account or -- I mean --14 15 MS. GOMEZ: No. It's just like as if I-- they made it-- you know, when the account was entered, it was 16 17 like it was just deleted, like there was an error, like 18 we should never have been--19 MR. RIVAS: So in our accounting system, you have 20 the ability to just delete invoices? 21 MS. GOMEZ: Yes, or adjust it, rather. Adjust it 22 to zero, like it's corrected to zero. So the proper 2.3 procedure for adjustments was that they all have to go 24 through the supervisor, but it was a very manual

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process, so--

MR. RIVAS: Are there administrative controls within the system?

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MS. GOMEZ: Now we have worked with IT to get-- to make it-- so, the function that this individual was mostly over was Alarms; however, it wasn't just alarms in the area that the checks-- because everybody kind of shares responsibilities when people are out, and when there's processing, sometimes it-- depending on the staff that's available at the time, would depend on who's handling what type of transactions. So posting payments in the past-- we get a lot of checks-- we used to get a lot of checks in the office all of the time. We have since gone to lock box for 90 percent of all of our bill payments, so we don't even get them here, but people still mail their checks here. It just so happens.

MR. HOLIAN: They've been doing it for 20 years, they're going to continue doing it. That's the way it is.

MS. GOMEZ: Right, instead of mailing it with the coupon to the lock box, so it doesn't get processed here. So in our system-- so the alarms, which is one piece of it, was in an old system that had no kind of ability to do anything, right. So it was very old, antiquated, and just didn't have any kind of approval

queues or anything. In the newer system, and we just moved that functionality to the newer system in the beginning of 2016, and so now in the current -- I mean, and so what we didn't have the approval queues set up for adjustments in all of the different areas, but we have since added it, so that you cannot post an adjustment without it going through levels of review. So it's something that could have been done earlier, just it was never -- again, we had had the same -- we had the longstanding practice of how we were processing transactions, never had an issue or never knew that we had an issue, and so, obviously, we now-- we've done certain things to make sure that we've separated the duties. A lot of-- so, since then, we've done a lot of new processes that we're kind of separating in order to mitigate the possibility of this or any other kind could happen.

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So, for instance, people are not handling checks anymore, the checks go to the cashier. They only handle-- they post the transaction off of copies, so the cashier doesn't have access to the system to adjust the customer accounts. There's supervisory reviews or additional supervisor reviews. There's approval queues in the system that postings can't happen without that additional level of review.

There was another point that I wanted to make. So we have since separated the functionality. We have included additional supervisory reviews, and we use the system more to allow for it. But, yes, in the past you can adjust the account as if it was an error made.

You're just adjusting, and you adjust it to zero, and so then that bill will never— another bill will never go out for that customer. Nothing will happen. And so since it's not only one shot, one large number, you don't notice it when you have— when you're constantly turning over receivables, and sending out new bills, the little bits at a time, because each check was— some of them were a couple hundred dollars. I think the highest check was \$1,300 or something like that.

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MS. GOLDSTEIN: When was this discovered?

MS. GOMEZ: She left in July of '16, so-- right, around July, August is when she left? At the end of July or early August. I can't remember right now. So it was within a week of the time that she left. I would think-- and it's just my own thought-- is that we had-- that check had been returned as already deposited, she was still here, maybe she overheard everybody kind of looking to see-- they're saying it was already deposited, what information do we have on this or whatever, and then by the next week, she had already

1	sent
2	MS. GOLDSTEIN: And the second incident?
3	MS. GOMEZ: The second incident is I don't know
4	if I can talk about it, and it's
5	MR. KLEIMAN: And it's my bad, I thought this was
6	discussed already.
7	Ms. GOMEZ: I don't think so. I mean
8	MS. GOLDSTEIN: So this is
9	MS. GOMEZ: And the second incident is for 300
10	some odd dollars. Not that it matters, but it's a
11	smaller much smaller scale.
12	MR. KLEIMAN: It's not within Finance.
13	MS. GOMEZ: Right. And it's not within Finance,
14	so
15	MS. KNIGHT: How long between the time that she
16	was doing it or she was doing the depositing, before it
17	was uncovered?
18	MS. GOMEZ: About two years, because she was it
19	was from about 2014 is when the first one that the
20	police because they subpoenaed all of the records of
21	her accounts and everything, and so in it was 2014.
22	MS. KNIGHT: I think you're going to have trouble
23	with the bank.
24	MS. GOMEZ: Maybe. I mean, we'll obtain main
25	restitution from her, right, because the City is

1 intending--2 MR. KLEIMAN: And we have insurance. 3 MS. GOMEZ: We have insurance, and we'll--4 obviously, we're going to prosecute her, and hopefully 5 there's no-- the State Attorney's Office is involved in 6 it. Hopefully they don't plea down or anything like 7 that. That's what we're hoping for. So that's an 8 ongoing situation, but she was arrested, I don't know, a 9 month-and-a-half ago, two months ago. 10 MS. GOLDSTEIN: So--11 MR. HOLIAN: It's the most exciting thing that's 12 happened to Budget and Audit. This is like Cold Case. 1.3 Sorry. 14 MS. GOLDSTEIN: I have, I guess, one comment, and 15 that is that I think in this meeting, we should be made 16 aware of these types of things as they are procedural. 17 MS. GOMEZ: Once it's allowed to be discussed. 18 MS. GOLDSTEIN: Yes. So I found out about the 19 first incident that you talked about from my 20 Commissioner, and I had no idea, and I think she expected me to know. So I think we need to, as a 21 2.2 Committee--2.3 MR. HOLIAN: That's a very good point. 24 MS. GOLDSTEIN: --If you could figure out a 25 procedure for and when we should be advised.

1 MS. GOMEZ: Right. Well, I know we are not 2 allowed to say anything until Internal Affairs finishes. 3 MS. GOLDSTEIN: That's understandable. MS. GOMEZ: So until the arrest, we weren't 4 5 allowed to say anything. 6 MR. HOLIAN: Yeah, but that was 2016. 7 MS. GOMEZ: No. No. The arrest was two months, a 8 month-and-a-half ago. So I don't know if it was just 9 that there was no other meeting in between. 10 have sworn that we already discussed this here. 11 MR. KLEIMAN: I thought we did. 12 MR. RIVAS: No. 1.3 MS. GOLDSTEIN: No. 14 MS. GOMEZ: No? We don't--15 MR. HOLIAN: This is the most exciting thing I 16 have heard in this room, next to the--17 (Thereupon, there was simultaneous speaking.) 18 MS. GOMEZ: The arrest happened only about a 19 month-and-a-half ago, so there wasn't a lot of time that 20 we could have talked about it, but-- and so with 21 Internal Affairs, there's a standing policy that we are 22 not at liberty to discuss anything. Obviously, it 2.3 compromises the case or whatever. 24 MR. HOLIAN: Yeah, but it's almost embarrassing if 25 the Commissioner calls you up, and you're on the Audit

1 Committee, and you don't know. What? Really? Exactly 2 what are you doing? 3 MS. GOMEZ: Right. And so then the internal audit 4 had nothing to do with this. It was not discovered by 5 internal audit. 6 MS. GOLDSTEIN: But they--7 MS. GOMEZ: I know, but I'm saying there was no 8 internal audit involvement until just recently that 9 they're now doing a cash management audit, and so we're 10 advising you that they're doing a cash management audit. MR. KLEIMAN: Right. 11 12 MS. GOMEZ: So I understand, and I will 1.3 definitely, as soon as I can, and the next available 14 meeting, we'll discuss it, but it was more of a police 15 investigation. It had nothing to do with--16 MR. RIVAS: It was criminal. 17 MS. GOMEZ: Right, it was criminal. It had 18 nothing to do with Budget putting together -- the Budget 19 had nothing to do with the internal audit yet. So that 20 might have been the reason why maybe at the last meeting 2.1 it wasn't mentioned. 22 MR. RIVAS: I have a question just from a 2.3 procedural standpoint. You have this problem with 24 checks. Now, is there any situation where you commingle

your checks with actual cash, where-- I'm talking from

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experience. We had a ton of money taken from my business when I came on and started auditing, where people that were handling both cash and checks would take cash and essentially delete that transaction, and say it was a \$1,300 check. You know, they would swap one with the other, and then delete transactions. So the fact that you have created that on the check side, if you're still commingling cash in there, you can still run into that problem.

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MS. GOMEZ: Right, so-- at least in the Finance

Department, we have fairly decentralized-- all of the

cash acceptance facilities of the City have their own

processes and policies. They don't have all of the same

systems. We're trying to kind of get to a point where,

you know, all of the systems talk to each other and

everything.

You can come in. Two more minutes on this topic, I think.

So the cashier who was the individual who handles all of the cash transactions, and all of the check transactions. They don't have access to the system to manipulate customer accounts.

MR. RIVAS: Perfect.

MS. GOMEZ: They just don't have that access, so-

MR. RIVAS: They would have to collude with

1 somebody. 2 MS. GOMEZ: Exactly. And so then you're never 3 going to stop that. 4 MR. RIVAS: Right. 5 MS. GOMEZ: And so that's really what-- so that's 6 how we-- and now we've made sure-- in the past, 7 individual which received checks would never receive 8 cash, but they would receive checks. Now everything 9 goes to the cashier and the clerks work off of copies. 10 And so, again, 90 percent of all of the checks are going 11 to lock box. It's just for the ones that come here. 12 MR. HOLIAN: Mobile check cashing is the highest 1.3 rate of fraud. 14 MS. GOMEZ: Is it? 15 MR. HOLIAN: Yeah. We just had someone duplicate 16 our account, my wife's signature, check and the whole 17 thing. MS. GOMEZ: Oh, wow. 18 19 MR. HOLIAN: It's crazy. 20 MS. GOLDSTEIN: Well, thank you for the update. 21 MS. GOMEZ: Sure. Director Fernandez. 22 MS. GOLDSTEIN: We're going to skip that Overtime 2.3 Report, and go to Director Fernandez. Thank you so much 24 for coming in and giving us an update. We have a new 25 member, and I think we all hear out in-- your area is

always a topic for discussion on, are we fully manned, what are the issues, how are the retirements coming, when are they coming, are we prepared? And, you know, you're always the best person to give us exactly what's going on with that.

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MR. FERNANDEZ: Straight forward and to the point.

I'll give you facts. They may not be nice to hear, but
you're going to hear the facts.

So I think the best way to do it is for you to ask me questions. So what questions do you have? That way I don't take up your time with my speech.

MR. HOLIAN: I think it needs to be explained that the vacancies aren't putting the citizens of Coral Gables at risk. I think it's used, in the political standpoint, we need to fill these vacancies, so on so forth. We hear it all of the time. And, also, the balance of vacancies and overtime, the fallacies, if we hired everyone today, are we going to be more safe than—theoretically, than we were yesterday? I mean, from what I understood from the police department, that's not the case.

MR. FERNANDEZ: Let me explain. If I say something that you may not understand, please stop me, and I will explain it in detail, because some of it is a little bit complicated.

So, do we have sufficient amount of officers today, and are we complicating things, or putting citizens in jeopardy? Absolutely not. And we have sufficient officers. How do we prove that?

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So departments around the country use a staffing matrix. A staffing matrix goes by way of the number of officers per thousand residents. I think I explained that here before when I came the last time. So typically in an urban city like this, an urban county, it's 2.5 per thousand residents, right. So here, in Coral Gables, can anybody guess where we're at, right now, with vacancies?

MR. HOLIAN: I'm getting mid 4s.

MR. FERNANDEZ: Pretty close, but we're actually at 3.5 per thousand. With 18 vacancies, 3.5 per thousand. At full staffing, we had 3.8 per thousand.

I'll give you some comparisons. Miami-Dade

County, 1.9 per thousand; City of Miami, where I came

from, 2.5 per thousand; Hollywood, where I just recently

came from as Chief there, we're about 2.5 per thousand.

We're at 3.8 full staffing here. Having full staffing,

is that going to stop the overtime? No, because those

vacancies are not creating overtime. The 18 vacancies

are not creating overtime. Those 18 vacancies today are

in positions such as four investigative positions. So

does that create overtime? There's always going to be overtime, because detectives are always working cases.

As they pick up a leads, they're not going to stop.

They're going to say, "I need to go." That's going to continue going as a lead continually. They can't stop, come back, and then the lead will go stale.

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The other vacancies are in the Motors Unit,
additional four vacancies in the Motors Unit. So in
Patrol, which is the direct service we get, we have zero
vacancies, no vacancies. So that's your direct service.
Today, in patrol, we have the highest number of police
officers, ever, in the history of the Coral Gables
Police Department, ever. I have proof of this.

Now, every elected official that goes out and hears information like that—— I'm not going to say politics, I'm not a politician. I'm an apolitical person. I don't get involved. I deal with facts. So that's where I come from. I have presented all of this information to them, and I've asked them, where do you think we're going wrong? And I have yet to hear anything back. I've done it in the City Commission.

We've done video presentations. Why do we have 18 vacancies? Well, we fill the vacancies. We just can't keep up the attrition. And why can't we keep up with the attrition? Attrition being, people that retire,

1 people that leave abruptly because they decided to 2 change career -- and, by the way, this happens. 3 I was just talking to a new person that's coming 4 on board now, just came out of the academy, a police 5 officer, and this was an academy of 30. I asked that 6 female candidate, how many do you think, out of that 30, 7 is going to make it to retirement? How many do you 8 think? Out of a class of 30 officers, how many do you 9 think make it to retirement? Any guess? 10 MR. HOLIAN: Fourteen. 11 MR. FERNANDEZ: Single digits. 12 MS. KNIGHT: Five. 1.3 MR. HOLIAN: Five. 14 MR. FERNANDEZ: Single digits. 15 MR. HOLIAN: Wow. 16 MR. FERNANDEZ: Single digits make it to 17 retirement. It's a blessing. It's not an easy job. 18 MR. RIVAS: I have a question, we keep having 19 these back and forth about vacancies. Readjusting the 20 amount down so that there's not vacancies, is that just 21 politically--22 MS. FERNANDEZ: Yeah, it's a very sensitive topic, 2.3 because, look, I told you, facts. If do you that, and 24 something happens--25 MR. RIVAS: Then it's because--

1 MR. FERNANDEZ: "--Oh, it's because they were 2 interested in money and only money." And, by the way, 3 never-- the City Manager and the Commission have put a 4 lot of money into Public Safety. I mean, we've enhanced 5 security like never before. Go down Miracle Mile. We 6 have hidden cameras on every street that we're deploying 7 now. We have license plate readers all the way down the 8 City. 9 We were making apprehensions today that this 10 Department has never made before. Never. We 11 apprehended an armed carjacking, robbery subject from 12 Miami-Dade County that just happened to come by US-1, 1.3 and hit one of our license plate readers. If not for 14 that license plate reader--15 MR. RIVAS: I saw that. 16 MR. FERNANDEZ: -- They would have gone to Miami 17 and Miami-Dade County, because it wasn't going to stop 18 here. MR. HOLIAN: How does that work? 19 20 MR. FERNANDEZ: They're somewhat covert right now. 21 You don't see them much. 22 MR. HOLIAN: No. I mean, once you get the license 2.3 plate. 24 (Thereupon, there was simultaneous speaking.) 25 MR. FERNANDEZ: You don't see it much, but they're

placed in places that it doesn't affect the City. So

it's not like it's hidden by trees, but they're black

poles, they have little cameras, and at night you'll see

red little dots.

MR. HOLIAN: No, once you capture the license

MR. HOLIAN: No, once you capture the license plate?

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MR. FERNANDEZ: Right. So your car goes by, hits your plate, captures the plate, within seconds, it goes through a registered list of cars that are stolen, used in a crime, felony.

MR. RIVAS: It's kind of like with the tolls, like a Sun Pass.

(Thereupon, there was simultaneous speaking.)

MR. FERNANDEZ: Exactly, just like that. That's all it does. So now we've enhanced that technology so that it pictures the tag. On the other end, it gives me a photograph of the driver. So this way, if the car is used in a burglary, even a partial tag, if I have a red vehicle with only one letter in that tag, I can go into that system to give me every red car with one letter "A".

MS. GOLDSTEIN: Okay. So let me ask you a question, getting back to the numbers of staff. So, in my mind, because we budget for full staff 12 months a year, that I think that that brings up the question in

people's minds that don't understand that that's what we do for budgeting purposes, and that we plan on the overtime, and that the overtime is not necessarily a bad thing, and that we're not—we're not seeing attrition because people are not happy that they're working too much and they have too much overtime. Would you say that that's—

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MR. FERNANDEZ: Let me make sure I understand your question. Are we seeing people that are-- repeat it again. I'm not sure I understand.

MS. GOLDSTEIN: In other words, do you feel that you get questioned on the staffing level, because we budget at full staff 12 months a year?

MR. FERNANDEZ: No. I don't think so. That may be a question for Ms. Gomez, but what I can tell you is that this is typical of every city. You budget for the full staffing year. The salary savings, we may come back and say, "Hey, I need to apply salary savings for additional details, we have a burglary task force," whatever that may be, we take that salary savings and we utilize that, or we utilize it to offset the overtime for unpredictable circumstances.

Let me go back about those vacancies. I want make to make sure I make myself clear. We do have two vacancies also in downtown, the Bike Unit. So that's

where those vacancies come from. So why do we have 18?

I want to explain it a little more clearly, because this is a point of issue. The 18 vacancies we'll be able to keep up. I think the lowest is 9. So it goes 9, 10, 11, 12, 18. Today I'm at 18, by the end of the week, I'll probably be at 12, probably because we're going through interviews now, last phase. Today we're doing the final phase of a review. We may end up probably with 13 vacancies, and then a month from now, we may end up with 9. Then three people leave, and I go back up. It goes up and down. So that fluctuation is the constant in every department.

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You know, we say that in police work you reach 100 percent of your vacancies a day, maybe an hour. I know I did it in Hollywood. I got 100 percent full staffing for one day. The next day, some cop says to me, "Hey, listen, I'm going to go to BSO." Here I go, I'm one down again.

So I'll tell you what we're doing to address that issue, and try to keep up with it, but the issue of vacancies is a nationwide problem. I have explained this in great detail to the Commission. I've explained it in public. Google it, you're going to find from LA to Connecticut, from Seattle to Miami, it is a ramped problem with police departments. Why? Because look

what's going on around the world with terrorism. wants to be a cop now, where you can walk into a place, something blows up, and you just -- you know, you give up your life for a job? So, it has to be great passion; or you're an officer, and just because you're protecting a protest, a sniper takes out five officers like they did in Dallas, Texas; or two officers that just happen to pull over a car, very angry individual, hatred toward police, shoots and kills both cops; or in Louisiana where an officer comes out of a grocery store after getting a drink, and a subject waiting for him, runs him over with a car and kills him. So those type of news outlets are making it very difficult for people to say, "I want to be a police officer." Think about it. Would you tell your son or daughter, "Hey, go be a cop today?" It's quite different.

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The military, by the way, has the same type of challenges. So those are the challenges that we're facing with hiring police officers, but we're hiring them, just trying to keep up. The extension of the DROP and the contract is now going to help us, because now I've slowed down that output, people leaving. It may be a little bit, but that little bit helped me to catch up. When we catch up, we will do what we're doing in the Fire Department, which is a succession plan. It may

mean we look out four to six months from the vacancy.

Anyone in that DROP, that has to leave, then about two or three months in advance we're hiring that position.

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Now, that succession planning makes it very easy for Fire, because I have an eight-week turnaround.

Hired, they're certified within eight weeks of being in the academy. They're on the floor and they're counted.

A police officer, it takes me a year-and-a-half from application. Totally different, year-and-a-half.

From the time they apply, do the background check, go to the academy, and they're off on their own, it's about a year and four months. Let's just call it a year-and-half, before I can say, "You're off on your own. Now you count as an officer." Before you go out on a zone or detective position, that's what it takes.

So it's quite complicated to hire cops.

Lesson learned for budgets, how we do things.

Three cities now that I've been at, I would tell you

that I tell every City Manager whenever you get into a

budget crunch, don't stop hiring. Hire the attrition.

You can stop and say, "Let's stop the bleeding, in terms

of, we can't hire anymore above the budget constraints,"

but what you can do is hire whoever leaves. So if you

are at 16 vacancies, you can maintain those 16

vacancies, but don't go below that. Wherever you're at,

you stop, you keep hiring that attrition, because, if not, think about it, it's going to make you that much longer to hire those back. You just can't recoup from a freeze. You can't recoup back from those hiring positions.

Keep in mind that out of the 18, eight of those positions have never been filled, never been filled in Coral Gables.

MR. KLEIMAN: That's true.

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MR. FERNANDEZ: Do you know where I'm coming from? Those are new budget positions put into the budget, I don't know why, I'm just studying history, but I believe it was a crisis in the community where people were getting burglarized. It's my understanding. I could be wrong. People were getting their homes burglarized, and in reaction by the Commission to address the problem, it's a simple solution, put more people. See a problem, throw more people at it. Typically it's the wrong solution, throw people at problems. You throw plans at a problem. You can throw a process, strategy, but you don't throw people. So those eight positions are part of the 18. So, really, we have been at zero for quite some time if you discount those eight. Those eight have never been put to use in that police department. eight positions come by way of a Tactical Unit that we

don't use. Those eight, that's it.

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MS. GOLDSTEIN: Can you talk a little bit about our ability to hire or rehire other police officers from the surrounding areas, and the trend as it relates to that?

MR. FERNANDEZ: Certainly. Officers move around. They move around from here to Miami-Dade, Miami-Dade they come here. It's not-- it's easy because they're trained, so they come over, and they go through a three to four month transition, sometimes even sooner, depending on how quickly they pick up the procedures here. So that's an easy solution for us, if we hire certified police officers.

Typically you're going to find the lows that are between one and eight, seven to eight years in their career. The ones that get to seven or eight years, they're thinking of vesting in that agency, so typically they won't leave.

Now, hiring police officers, you have to be careful where you're hiring from, because they typically have a lot of stuff in their closet.

MS. GOLDSTEIN: If you don't mind me just redefining my question. So I've been-- I've been-- it's been communicated to me that because of internal, say, drama, that we, Coral Gables, might not be the most

attractive place to come to. So I'm just kind of looking for, I don't know whether that's like direct or whatever--

MS. KNIGHT: Is there truth to that?

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MS. GOLDSTEIN: Yes. Is there truth to that, and what are our numbers from where we've taken people in from around here, and are more people leaving to go to other police jobs around here versus coming in? Like, where does that balance lie?

MR. FERNANDEZ: So we have very few that are leaving to go to other outside agencies. We had two that left recently. They went to Miami-Dade. Why? Their father works there. So they want to go be with their father. One of them left, had to pay back the City somewhat in excess of \$2,000 for the academy and everything else, because they sign a contract. Why did they do it? They did it because their father's there, so there's an understanding.

The issue of the drama inside of the department, these officers coming here from those other agencies, they don't know what's going on. I don't know what the drama is. I hear the rumors and the conflicts, but I don't live those rumors, and I don't see the conflicts. I focus in on the operation, and I think the results are proof, 18 percent reduction or 15 the first year, six

percent reduction in crime this time last year. We put out a public safety bulletin. It's out in the hallway if you want to see it. That tells you everything we've done in terms of strategies. I don't see officers not coming here. I've never heard that. The applicants that do come, come eager to work here. It's a nice place to work. It's pleasant to see. It doesn't have any challenging neighborhoods. You know, I came from Miami, so Miami has a lot of challenging neighborhoods. You really have to want to work there, and do police work.

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MR. HOLIAN: And it could be very dangerous.

MR. FERNANDEZ: Police work is dangerous anywhere. It's unpredictable, but certainly there's a higher level of risk--

MR. RIVAS: The environment.

MR. FERNANDEZ: --In the environment and working in other places. Hollywood is one of those high-risk areas. Here, it's not. So coming here, it's a nice place to work. Our salaries right now-- starting salary with the bonus, we're number one in the entire South Florida region. Our starting salary, number one. So it's not a salary issue. It used to be. We're seeing more people applying now. So if the drama was drawing them away, these last two months or three months, when

we have deployed our new revised hiring strategy, we're 1 2 bringing in three times the number of applications than 3 ever in the history of Coral Gables, three times the 4 number. 5 MR. RIVAS: I guess I'm looking at this from the 6 other perspective, which is if we are reducing our 7 crime, even with those 18 vacancies, it's more cost 8 effective to run with vacancies and overtime, than it is 9 to be fully staffed, and there's crime reduction. I 10 mean, I think we're heading in the right direction. So to sit here and look at overtime numbers, and, you know, 11 12 and say, "Well, we're up in overtime," and the 1.3 vacancies, as you have explained it, it's a fluid thing. 14 We're above the average when it comes to the 15 officers per thousand people. You know, crime is being reduced, and so it's almost better not to be fully--16 17 MR. HOLIAN: There's a false narrative out there 18 that we need more police officers, and we're unsafe. 19 That's what they talk about. 20 (Thereupon, there was simultaneous speaking.) 21 MR. FERNANDEZ: My question would be, then, where 22 is it that you're unsafe? Tell me where, and I'll--2.3 MR. HOLIAN: I agree. 24 MR. FERNANDEZ: Those vacancies in Patrol, what

you see, the cop going by your neighborhood, there isn't

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a single vacancy. It's staffed higher than ever before.

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MR. HOLIAN: This conversation is completely the opposite of when people get up and grandstand in public places, especially--

MR. RIVAS: If you ever played basketball, you can't put seven people on the court, because the game plan--

(Thereupon, there was simultaneous speaking.)

MR. FERNANDEZ: But I will say this, in terms of vacancies, you're always going to have vacancies in a police department. You're never going to be at full staff. I'm telling you, that's not going to happen. Someone's going to leave. Even when you get the full staffing in process, the succession plan that we have in Fire, that's going to be a challenge, too, because we're going to hire them, but all we're going to do is cut short a little bit the year-and-a-half. So, maybe, instead of a year-and-a-half, maybe it's a year and a month, a year and two months. It's a little bit more, but it's a challenge to hire cops.

Now, why is it challenging? Say that many of the people don't pass the background check. They just don't. You know, I like to say that you can be a lawyer, an engineer, a doctor, all of those great professional careers, you just may not be able to be a

cop. I mentioned that to the Commissioners. If you have a really bad driving record, you can't be a cop.

If you use marijuana in excess of certain amounts that we have in our policy, then you just can't be a cop.

and if you use Schedule 1 drugs, you just can't be a cop.

If you've been arrested, and you're a convicted felon, you just can't be a cop. You know, that's the expectation of our country.

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We have to remember that our military protects our way of life and our constitutional rights 70 miles outside of our border. That's their job, to go 70 miles outside of our waterways, and protect us from anything that threatens our constitutional rights and our way of life. 70 miles in, 800,000 plus police officer across this country protect our rights. And to protect that right, you have to protect a citizen. Who has that authority? I'm telling you, 32 years into this, I've arrested a lot of cops. Some people that get that badge, abuse it. And you have to make sure that you give that badge to the right person, who's going to exercise that authority with a lot of respect, dignity, honor, and a lot of reservations. That's giving you an enormous amount of power.

I started when I was 19. You can imagine a 19-year-old or 20-year-old with a gun and a badge being

thrown into Liberty City, not knowing the history.

Today, years later, I've learned a tremendous amount.

That makes me have great respect for what happens there,
but I will tell you, there's a lot that don't, and they
abuse it. So you have to be careful who you give that
authority to. Having looked back on history, what
happens when we hire the wrong cop? Your budget process
is going to take a little bit of a spin because your
liability is going to go up significantly. You're going
to get sued left and right. And then they ask the
question, "Why did we hire that cop?"

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"Oh, because they were hiring mass numbers,"
because the politicians, the community at the time were
saying, "Hire. Hire. Hire." And, believe me, it's on
my shoulders, and I get that. You know, everything is
pointing to me. I got hired here, seems like everything
was, throw it to Mikey. Mikey will try everything.

Remember that commercial? Give it to Mikey, you know.

So I take it on. Here's the dilemma for me, either I waver on the standards and say, "Hey, short-term solution. Forget about this guy. So what if he's got, you know, several suspension on his license, just get him through, because I need to fill these numbers so they get off my back." And then long-term consequences, a year or two years or five down the line,

even if I'm not here, people are going to say, "Blame Frank Fernandez, who was here at the time," or if I'm here, "Because it was his fault, he didn't have a good hiring process."

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So the dilemma for me is, do I waver for a short-term solution or do I stand firm for long-term ethical cops. I submit to you that I'm going to stand, regardless of what pressure anyone puts on me, they can fire me, I will not waver on that, you know. And so I have put forward every standard known to man, here you go. I've told everyone, if you don't like it, tell me where to change it. And nobody comes forward to say, "Yeah. Yeah, Yeah, lower this standard." So it's quite difficult to find the cops, and we get that.

We're finding them. We're finding good ones. We're making sure when they knock on your door, it's a person of respect, honor, dignity, and has that reservation to know when to use the authority and when not to use it.

Your son or daughter could be driving, and they get stopped by the wrong cop, it could ruin their life. I had a Miami-Dade officer call me a while back, not involving Coral Gables, his daughter is headed to FIU, twelve o'clock in the afternoon, Tuesday, 12:00 in the afternoon on a Tuesday. Officer, I'm not going to name the agency, it wasn't Coral Gables, pulls the daughter

over, never been arrested, FIU student, and arrests her for DUI. No alcohol on her breath, no road sides, nothing. Yeah, they drop the charges, but guess what happens to that young lady when she goes to apply for a job now? For the rest of her life she's going to have to explain how did you get arrested for DUI. "Oh, let me explain. I was arrested, but they dropped the charges." That never goes away. You have to make sure those cops know what they're doing, and so it's our responsibility to choose the right one, to make sure that they meet those ethical standards.

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I think a lot of what you're going to hear-- I'm being very transparent with you-- is that there are certain people that didn't make it, and they're associated with others in the City. They get angry and say, "How come my son, daughter, friend or family didn't get in?" Oh, it's Frank Fernandez that has these incredible high standards that nobody can get through. Well, that's not true. That's not factual. That is their interpretation, because it's going to stand for, you know, their side of the house. But, unfortunately, I just can't.

MS. GOLDSTEIN: But thank you for all you do, because you do do a lot. And it's very helpful for us on the budgeting side and the audit side to have that

1 rereview of where we are, and I'm assuming you're doing 2 some good reeducation to our new Commissioner and 3 reeducating our new Mayor on where we are. 4 I was with one last night, who-- so I was trying 5 to explain to him from our Budget and Audit Committee 6 standpoint where we are on that. 7 MR. FERNANDEZ: They're all very supportive. 8 MS. GOLDSTEIN: They are very supportive. 9 MR. FERNANDEZ: I've explained it to them in great 10 detail and they understand it, even the new 11 Commissioner, the new Mayor. They all seem to be--12 again, when you're outside, it's kind of like all of the 13 Presidents, you know, Obama or Trump, they have all of 14 these great plans, but when they get in, what happens? 15 MR. RIVAS: Reality. 16 MR. FERNANDEZ: Reality hits. So this is reality. 17 That's what it is. 18 Any other questions that I may have missed or 19 anything you heard out there, that I should answer or I 20 could answer? 21 MR. HOLIAN: Every interaction our family has had 22 with the police department has been terrific. 2.3 MR. FERNANDEZ: It's good to hear. That's 24 awesome. 25 (Thereupon, there was simultaneous speaking.)

1 MR. FERNANDEZ: I'm not even going there. 2 Any other questions or rumors or anything that I 3 can help out with or Budget? 4 I will tell you that Diana Gomez does-- and Keith 5 does a great job with the budget. We're always on top 6 of it. You know, we're very cognizant of the 7 consequences. We're managing and assessing it all of 8 the time. I get budget reports at my level from every 9 one in my department on a weekly basis. So we inquire, 10 we dig deep. 11 MR. GOLDSTEIN: You're not here because we saw an 12 issue. 13 MR. FERNANDEZ: Okay. 14 MS. GOLDSTEIN: It's true, no. 15 MR. HOLIAN: That was a previous conversation. 16 MS. GOLDSTEIN: So thank you very much. 17 MR. HOLIAN: Thank you for your time. 18 appreciate it. 19 MR. FERNANDEZ: Absolutely. 20 MS. GOMEZ: We can talk about overtime for both 2.1 Police and Fire. 22 MS. GOLDSTEIN: I think we already did. 2.3 MS. GOMEZ: Okay. So you're good. 24 MS. GOLDSTEIN: I think we're basically-- this 25 Committee has this Overtime Report from like back when--

1 MR. HOLIAN: Forever. 2 MS. GOLDSTEIN: --Five years ago, ten years ago, 3 when there were issues. 4 MR. HOLIAN: Four million bucks or something like 5 that. 6 MS. GOLDSTEIN: And so it's just been every 7 meeting we look at it, look at it, but I 8 think we're all in sync on where we are, and are in 9 agreement with it, so--10 MR. HOLIAN: I think we should share that 11 conversation when we talk outside of this room with the 12 people who say something about the police department, 13 you know, because you need to say that, because it's not 14 the perception that the people have. And it is very 15 safe. 16 MR. RIVAS: That vacancy creates this bad 17 perception, which is completely false, and it plays into 18 politics. 19 MR. HOLIAN: That's right. 20 MR. FERNANDEZ: You know, yesterday, we do what 21 call a problem solving initiative meeting. It's a think 22 tank operation where all of the Directors are there, the 2.3 Police and Fire, we look at crime. So we have a lot of 24 data analytics that we put into this to identify,

forecast potential crime patterns. So I want you to

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understand that analysts say the numbers are so low,
that we have to go six months out to create a database
to be able to forecast. So that tells you a lot about
where we're at.

MR. HOLIAN: Are the policemen bored?

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MR. FERNANDEZ: Well, you know, there was a saying that says, I don't mind the devil's work.

MR. HOLIAN: I'm telling you, I think it would be boring as heck to be a policeman in Coral Gables. I mean--

MR. FERNANDEZ: We keep them busy.

I just have one question for the Board, if I may.

I'll take one minute, if you don't mind. In terms of
the hiring, I know that you've asked that question
before, I've explained it to you today again. Is there
anything you think that we can do better or still
questions you may have in terms of our standards, hiring
practices, vacancies? Like, what do you think we're
missing something here?

MR. HOLIAN: I think your conversation should be a conversation that should be louder than just here. I know you have told it to us. And the reason I asked the question is because I knew what the answer was, but it's ridiculous that the perception of Coral Gables doesn't understand this, in my opinion. And I don't know who it

1 needs to come from. It may need to come from the 2 Commissioners or whoever, but it's a ridiculous 3 narrative that exists. 4 MS. KNIGHT: Should those eight be removed if 5 you're not going to hire them? 6 MR. FERNANDEZ: No, I don't think so, because it's 7 going to add value later on, when we get them on board, 8 to provide some tactical operational -- you know, add 9 valuable units. 10 MS. KNIGHT: Should it be four? 11 MR. FERNANDEZ: We're also looking at those eight 12 to help us--13 MR. HOLIAN: Should we reclassify what we call it? 14 Instead of vacancy, if it's called something else? 15 MR. RIVAS: Like reserve positions that don't--16 MR. HOLIAN: I'm just saying. 17 MR. FERNANDEZ: You can change the title, but then 18 they'll say they're just trying to hide it. 19 MS. GOMEZ: And there is talk about annexations in 20 the future, so, you know, that-- at some point-- there 21 may really be a need for them at some point in the 22 future, so-- I mean, I don't want to, but--2.3 MR. FERNANDEZ: We have a whole display-- it's a 24 huge display on the hiring process, the standards, and 25 the outlook on how long it's going to take us to get to

those full vacancies. I spent an hour-and-a-half explaining it to new Commissioner Mena this past week. At the end, he didn't have any questions in terms of what we're doing. He said he wanted to understand it better, and he'll come back, but I think he was pretty convinced that we've done a thorough job of doing what we can to fill those vacancies. And our plan-- I'll submit to you that I will challenge anyone. I've had Directors from Dade and Broward come in to look at it. Tell me what we can do better. Spent three hours looking at it, three hours looking at this. They came back and said, can we have copies of it? We want to apply it. It was an auditor in Doral. They want to apply it there.

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It's going to take a while to catch up, but we're going to get there, and our recruitment rate right now is much higher than ever before. So we're exceeding 110, 120 applicants a month, when they're about 20, 30 on average in history. So we're getting our numbers up high. So that's where we're at. I hope that my presentation, my information, was helpful to you.

MS. GOLDSTEIN: Thank you so much.

MR. HOLIAN: Very good.

MR. FERNANDEZ: By the way, I'm open. Call me at my cell phone, my office. If you have anyone that wants

1 to talk to me, and I can explain it, I'll be more than 2 happy to explain it to them. 3 MS. GOMEZ: I know you have to go. 4 MR. FERNANDEZ: Thank you very much. 5 MS. KNIGHT: Thank you. 6 MS. GOLDSTEIN: Thanks. 7 MS. GOMEZ: I don't know if there's anything else? 8 Did you want to adjourn the meeting or did you want to 9 continue? I know Cheryl had to leave. 10 MR. HOLIAN: Do we have anything else that's 11 pending? 12 MS. GOMEZ: Scheduling the next meeting. We can 13 do the standard timeframe the same way we've done it. I 14 don't know if there's anything else you would like to 15 see at the next meeting. I don't know if there will be 16 an audit report at that point. There may be some 17 information on the audit that they're working on. 18 MS. GOLDSTEIN: No. I would just like to request 19 that if there are new members coming to the Committee, 20 that you schedule an orientation with them prior to our 2.1 first meeting. 22 MS. GOMEZ: And what type of information for 2.3 orientation? 24 MS. GOLDSTEIN: A sit down with Keith on the 25 budget and a walk through on the process in your own

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          words about --
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                MS. GOMEZ: I get the idea. So kind of like bring
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          them up to speed a little bit as to--
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                MR. HOLIAN: You may want to give them the minutes
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          from the last three meetings or something like that.
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                MS. GOLDSTEIN: And I'd like to officially thank
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          Erin for her service, and--
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                MS. KNIGHT: You're welcome.
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                MS. GOLDSTEIN: Maybe you'll get appointed by--
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                MS. KNIGHT: Somebody else?
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               MS. GOLDSTEIN: --Somebody else.
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                MR. KLEIMAN: That does happen.
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                MS. GOMEZ: It actually does happen.
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                MR. HOLIAN: I've been appointed by two different
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          Commissioners. As scary as it sounds, this isn't a high
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          profile Committee.
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                (Thereupon, there was simultaneous speaking.)
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                Mr. KLEIMAN: We can recommend it.
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                MS. GOMEZ: Yes, we can tell Cathy.
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                MR. HOLIAN: Although, it's very important.
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          Thanks for everything.
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                MS. GOMEZ: Do you want to adjourn the meeting?
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                MS. GOLDSTEIN: So at this point, I'd like to
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          adjourn the meeting.
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                (Thereupon, the meeting was adjourned at 8:50 a.m)
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1	CERTIFICATE			
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3	STATE OF FLORIDA)			
4	COUNTY OF MIAMI-DADE)			
5				
6	I, ESTELA L. VALLE, Shorthand Reporter and Notary Public			
7	for the State of Florida, do hereby certify that I was			
8	authorized to and did stenographically report the foregoing			
9	proceedings, and that the transcript is a true and complete			
10	record of my stenographic notes.			
11	DATED this 26th of May, 2017.			
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13	Estela L. Valle			
14	Shorthand Reporter and Notary Public			
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