

CITY OF CORAL GABLES

CITY ATTORNEY'S OFFICE

M E M O R A N D U M

TO: Mayor and City Commission

Cc: Craig Leen, City Attorney
Cathy Swanson-Rivenbark, City Manager

FROM: Miriam S. Ramos, Deputy City Attorney & City Prosecutor

RE: Commission Ordinance

DATE: August 29, 2017

Recently, this Commission passed an Ordinance enumerating the duties and powers of the Mayor. As such and at the request of Commissioner Lago, this memorandum sets out proposed duties and powers for Commissioners (which includes the Mayor and Vice Mayor) and is intended to guide the conversation regarding the adoption of a Commissioner Ordinance.

Following is a list of the proposed duties and powers:

- (1) To sponsor and place items of the City Commission meeting agenda, including proposed Ordinances and Resolutions.
- (2) To inquire of and receive information from City staff.
- (3) To request *Sunshine* meetings consistent with established procedure.
- (4) To use the City seal and his/her official title in performance of City business.
- (5) To have an office budget in an amount determined in the City budget.
- (6) To serve in his/her official capacity as a member of the other boards and/or committees, upon which the City has a seat when appointed by the Mayor or City Commission.
- (7) To request and rely upon Ethics Opinions issued by the City Attorney's Office.
- (8) To appear before City Boards and Committees, Miami-Dade County Boards and other municipal boards as necessary.
- (9) To initiate Chapter 164, F.S. proceedings with other government entities, subject to approval by the City Commission.
- (10) To appear before other government entities as appropriate.
- (11) To nominate individuals to serve on City Boards and Committees.
- (12) To attend meetings on behalf of the City, when designated by the Mayor or City Commission, to represent the City Commission.
- (13) To attend events in his/her official capacity.
- (14) To attend executive sessions and shade meetings.
- (15) To send letters on City letter head, on behalf of Coral Gables residents and businesses, which serve a public interest.
- (16) To make motions and second motions. To request assistance from the City Manager, City Attorney or City Clerk, and their respective offices, in performing the

functions herein, acknowledging that when disagreement exists, the matter shall be taken to the City Commission as a body.

(17) To request from the Mayor the placement of time-certain agenda items on the Commission agenda.

(18) To exercise all other authority otherwise provided in the City Charter and/or City Code.

Additionally, the following is a list addressing procedural matters:

- The Vice Mayor shall serve as the Chair of the City Commission when the Mayor is unavailable.
- When the Mayor and Vice Mayor are unavailable and as appointed by the Mayor or by the remaining members of the City Commission, a Commissioner shall serve as the Chair of the City Commission.
- Three Commissioners may request a special meeting of the City Commission. A Commissioner may request a special meeting from the City Clerk who shall determine if two (2) additional members of the City Commission are in agreement with calling the special meeting; if so, the Clerk shall schedule the special meeting. Alternatively, a Commissioner may request a special meeting at a Commission meeting and if two (2) additional members of the City Commission vote in favor, the Clerk shall schedule the special meeting. The Mayor and City Manager also have the authority to call special meetings consistent with Sec. 2-26 of the City Code.
- The City is committed to open government consistent with the *Sunshine* law. Commissioners shall not converse, outside of a public meeting, on matters that could foreseeably come before the Commission however, a Commissioner may send a one-way communication relating to a quasi-executive or quasi-legislative matter.