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CITY OF CORAL GABLES  
CHARTER REVIEW COMMITTEE  
VERBATIM TRANSCRIPT  
CORAL GABLES CITY HALL  
405 BILTMORE WAY, COMMISSION CHAMBERS  
CORAL GABLES, FLORIDA  
WEDNESDAY, AUGUST 26, 2015, COMMENCING AT 6:10 P.M.

Board Members Present:

- Raul Valdes-Fauli, Chairman
- Angelique Ortega-Fridman
- Tom Korge
- Jimmy Morales
- Parker Thompson
- Richard Dewitt

City Staff and Consultants:

- Craig E. Leen, City Attorney
- Miriam Ramos, Deputy City Attorney
- Yaneris Figueroa, Assistant City Attorney

Also Participating:

- A. Michael Froomkin
- George Volksy

1 THEREUPON:

2 (The following proceedings were held.)

3 CHAIRMAN VALDES-FAULI: I want to welcome  
4 everybody to the first meeting of the Charter  
5 Review Committee. These will be public  
6 hearings, and we are, by law, required to allow  
7 the public to speak one time in this whole  
8 process, but I think that I will, using my  
9 prerogative, allow the public to speak at every  
10 meeting.

11 I'd like to welcome Bill Bonn, the Vice  
12 Mayor's appointment, who is not here, but Jimmy  
13 Morales, Parker Thompson, Richard Dewitt, Tom  
14 Korge and Angelique Ortega-Fridman, the City  
15 Attorney's appointee, and my assistant or the  
16 Mayor's assistant, Evelyn Paz, and also the  
17 Deputy City Attorney will be here.

18 This Committee is subject to the Sunshine  
19 and Public Records Laws, so we cannot  
20 communicate outside of this context regarding  
21 items that may come up before this meeting.

22 I would like to suggest, in order to get  
23 started, that we follow the order of the  
24 present City Charter, the actual City Charter,  
25 and take up the items as they come up in the

1 Charter.

2           There are some of these items that -- Item  
3 5, for example, that we will not take up, the  
4 boundaries of the City; perpetual succession,  
5 the City will be perpetual and may use the  
6 seal, et cetera; General Powers; Constitutional  
7 Laws of the State of Florida; and the first one  
8 we come up with is Section 8, Creation,  
9 Composition, Election Terms, Vacancies and  
10 Qualifications, Section 8, as I said, and it is  
11 a big, big section, and I would suggest that we  
12 start with Section 8 and see what items we  
13 would like to review, amend, remain the same,  
14 in order to get the meeting going.

15           Mr. City Attorney, do you want to say a few  
16 words?

17           MR. LEEN: I did. Thank you, Mr. Chair.

18           It's an honor to be here doing the Charter  
19 Review process and I just want to thank you, on  
20 behalf of the City and the City Commission and  
21 the City Manager and my office and the City  
22 Clerk, for participating in this process. It's  
23 extremely important. The Charter is the  
24 governing document of our City.

25           The first thing I wanted to mention was

1 that everything is being taken down today by a  
2 court reporter, so that that can be provided to  
3 the City Commission, and that there will be a  
4 full record of the proceedings. In addition,  
5 there's going to be a recording made -- this is  
6 on television, and there's going to be a  
7 recording made for each Commissioner, and  
8 they're going to be each given a copy of this,  
9 so they can see everything that's discussed.

10 They are very interested in everything you  
11 have to say. I've talked to each Commissioner  
12 about this, and they're all very interested in  
13 this process, and they're very appreciative of  
14 what you're doing.

15 One other thing you should know is that  
16 this is a Sunshine Committee. What that means  
17 is that everything relating to Charter Review  
18 should be discussed in this room. You  
19 shouldn't have phone calls outside of the room.  
20 I know you all know this. I'm just saying this  
21 for purposes of the public. Everything will be  
22 decided in this room.

23 Likewise, any e-mails you receive or  
24 anything like that, related to this particular  
25 Committee, they're all public records, so you

1 should retain them and you should forward them  
2 to the City Clerk or to my office, and please  
3 know that you're not allowed to e-mail each  
4 other back and forth.

5 Now, it is possible that you can do one way  
6 memos to each other, if you want, but I suggest  
7 that you don't. I suggest that if you want any  
8 communications made to the whole Committee,  
9 that you send them to me, and I will distribute  
10 them, to make sure everyone knows every  
11 position and that those are put in the public  
12 record.

13 With that, I know, Mr. Chair, that the  
14 agenda calls by Opening Statements by Committee  
15 Members. I just want to explain what I think  
16 that you meant by that, and the reason I put it  
17 there was for each of you to maybe speak a  
18 little bit about what you hope to -- you know,  
19 different issues you've seen in the Charter or  
20 what you would like to address during this  
21 process, so that the Chair and I can take those  
22 down, and then, of course, we'll begin with  
23 Section 8 of the City Charter, as the Chair has  
24 directed.

25 So with that, I'll turn it back over to the

1 Chair. Thank you, Mr. Chair.

2 CHAIRMAN VALDES-FAULI: Thank you very  
3 much.

4 Anybody would like to make any comments  
5 on --

6 MR. DEWITT: I've got a question.

7 CHAIRMAN VALDES-FAULI: Yes.

8 MR. DEWITT: I'd like to understand, what  
9 is the work product that we're going to be  
10 producing and how is that going to be presented  
11 to the Commission? Are we going to produce  
12 suggested items and that kind of thing?

13 MR. LEEN: That's a good -- thank you, Mr.  
14 Dewitt. You're absolutely right.

15 So my office is serving as Staff to this  
16 Committee, and we have all three of us here, as  
17 you would see. There's myself, the City  
18 Attorney, Craig Leen. There's the Deputy City  
19 Attorney, Miriam Ramos, and there's the  
20 Assistant City Attorney, Yaneris Figueroa.

21 So what we would like is basically to  
22 accomplish what the Commission has asked, which  
23 is the Commission would like this Committee to  
24 pass resolutions providing to them proposed  
25 amendments to the City Charter.

1           Now, there's two types of amendments.  
2           There's amendments that have to be done by  
3           referendum of the public, and that's most of  
4           the things that you'll be considering. There's  
5           a few things that could be done by Ordinance.  
6           Like, for example, I know one issue that you're  
7           going to be discussing is, when should the  
8           election date be, should it be in April or  
9           November. That's something that could be done  
10          by Ordinance. There are some other things that  
11          could be done by Ordinance, too, but most  
12          things require a Charter Amendment.

13                 So just like the City Commission, what we  
14          would ask you to do is, you know, talk about  
15          the different issues that the Chair has put on  
16          the agenda and future issues that you all put  
17          on the agenda. You can ask Staff, which is my  
18          office, to prepare draft resolutions. You can  
19          contact us individually. You could do it  
20          during the meeting.

21                 You can decide ideas, like, for example, on  
22          Number 1, Discussion regarding the current  
23          Commission-Manager form of government, now,  
24          hypothetically if you had a suggestion  
25          regarding that, you could direct my office to

1 prepare a Resolution, which I can bring back at  
2 the next meeting, and you could pass it. You  
3 would determine the content -- my office would  
4 not do that -- and a majority of you would be  
5 the ones who would send that to the Commission.

6 Another thing you could do is, at the end  
7 of the whole process, if you wanted to look at  
8 them all again, you could approve a final  
9 report to the Commission.

10 MR. DEWITT: That's part of what I was  
11 asking. If we were to pass a Resolution for  
12 the change of election date, just as an  
13 example --

14 MR. LEEN: Yes.

15 MR. DEWITT: -- would that be forwarded on  
16 to the Commission immediately or would it be in  
17 a final report?

18 CHAIRMAN VALDES-FAULI: It will be  
19 forwarded to the Commission.

20 MR. LEEN: It will all be forwarded to them  
21 immediately --

22 MR. DEWITT: Immediately or in a final  
23 report?

24 MR. LEEN: No. No. The information will  
25 be forwarded immediately, but we would then go



1 back and prepare a Resolution, and probably  
2 what will work best is, at the end, the last  
3 meeting, we bring to you all of the  
4 Resolutions, based on your directions.  
5 Although it doesn't have to be that way. If  
6 you want us to prepare a Resolution in advance  
7 of a meeting, we can, so that people can see it  
8 in writing. We can do that for you, but, let's  
9 say, for example, you have something on mayoral  
10 term length. If you come with a suggestion and  
11 this Board approves that and they direct us to  
12 come with a specific length of time, we'll  
13 prepare the Resolution, we'll bring it back to  
14 you. You can choose to approve it one by one  
15 or you could approve it all at the end, however  
16 you would like.

17 CHAIRMAN VALDES-FAULI: My suggestion is  
18 that we reach a consensus, approve, you know,  
19 whatever you want to approve, and then only  
20 draft the Resolutions and the Charter  
21 Amendments at the end for submission to the  
22 Commission. I think that will be a more  
23 efficient way --

24 MR. DEWITT: For Charter Amendments, but  
25 Resolutions pass right away?

1           CHAIRMAN VALDES-FAULI: No. No. No. I  
2 would --

3           MR. DEWITT: You want to do one final  
4 report?

5           CHAIRMAN VALDES-FAULI: One final report,  
6 as opposed to burdening the Commission with  
7 multiple Ordinances, Resolutions, whatever, for  
8 efficiency --

9           MR. DEWITT: I agree with you. I was just  
10 trying to understand. I think that's the right  
11 way.

12           CHAIRMAN VALDES-FAULI: Parker, you want to  
13 say a few words?

14           MR. THOMPSON: What I wanted to say is that  
15 the Charter, which is the City's Constitution,  
16 I see it as something that should be easy to  
17 read by a citizen and I got terribly bogged  
18 down on reading this one, with repeals and no  
19 explanation of what was repealed.

20           I would think that one nice thing to do  
21 here would be to get rid of all of those  
22 repealed provisions, unless Craig says there is  
23 some reason to have them there, because it  
24 really is a chore to read through the word  
25 "repealed," and don't even know what it was

1 that's repealed.

2 MR. LEEN: You could recommend that all of  
3 those be removed, and the Commission can likely  
4 do that by Ordinance or even by Resolution,  
5 because they've already been removed, so we  
6 would just ask Municode to take those out of  
7 the Charter.

8 CHAIRMAN VALDES-FAULI: Good suggestion.

9 MR. LEEN: Yeah, so that's something that  
10 we could do. We can certainly do that. You  
11 could just suggest that and that could be done.

12 MR. KORGE: You can even renumber if you  
13 want to.

14 MR. LEEN: Yes, we also have the authority  
15 to renumber. My office has the authority to  
16 fix typographical errors, to renumber, to move  
17 things around and you could direct that or  
18 recommend the direction of that and the  
19 Commission could direct it.

20 CHAIRMAN VALDES-FAULI: Jimmy, do you have  
21 any comments?

22 MR. MORALES: Just two questions, through  
23 the Chair, Mr. Attorney. Number One, was this  
24 Committee created as part of the regular  
25 process, every three to five years? Or was

1 there a special call for this Charter?

2 MR. LEEN: There was a special call.

3 MR. MORALES: Related to that, as part of  
4 the legislative history for that, did the  
5 Commission identify specific issues they wanted  
6 us to look at?

7 MR. LEEN: Yes. The Chairman came and  
8 spoke before the Commission and identified, I  
9 think it was fifteen issues --

10 MR. MORALES: Okay.

11 MR. LEEN: -- which I forwarded by e-mail.  
12 The Commission adopted them all. They  
13 basically said, "That sounds like a great idea,  
14 do that."

15 MR. MORALES: I know it varies with Charter  
16 Review Committees, does our work product  
17 automatically get put on the ballot or does it  
18 have to be adopted by the Commission?

19 MR. LEEN: It has to be approved by the  
20 Commission.

21 MR. MORALES: Okay. All right. Thank you.

22 MR. KORGE: No, I don't have anything to  
23 add.

24 CHAIRMAN VALDES-FAULI: You don't have  
25 any --

1 MR. KORGE: I have a bunch of issues here.  
2 Then, as we're going through, I'll try to  
3 identify the section they go to.

4 CHAIRMAN VALDES-FAULI: As we're going  
5 through -- of course. Of course. Of course.

6 Do you have anything?

7 MS. ORTEGA-FRIDMAN: I just have a  
8 question. If we have a question, just to  
9 educate ourselves on some of these issues, will  
10 be there be managerial staff here to answer?

11 MR. LEEN: My office is serving as  
12 managerial staff. We also have the Former City  
13 Attorney, Elizabeth Hernandez, who we met with  
14 today and she can help us with the history, and  
15 so we can answer any question you have.

16 We may have to get back to you with a memo  
17 in between the meetings or at the next meeting,  
18 if we don't know the answer, but you can ask  
19 any question you'd like about the history.

20 MS. ORTEGA-FRIDMAN: Thanks.

21 CHAIRMAN VALDES-FAULI: Okay. Then why  
22 don't we start? We'll proceed at Section 8 of  
23 our current Charter, City Commission and Mayor  
24 is the title; subtitle, Creation, Composition,  
25 Election Terms, Vacancies and Qualifications,

1 and the first item I see coming up is -- there  
2 are two items, one is districts.

3 Currently the City is not divided into  
4 districts, and, also, this is -- five  
5 Commissioners, and one of which shall be the  
6 Mayor, and, you know, no groups, et cetera, and  
7 let's take districts first.

8 Anybody feels or anybody thinks we should  
9 have districts, we should subdivide the City of  
10 Coral Gables into districts in order to have a  
11 Commissioner per district or a variance  
12 thereof?

13 The City of Miami has that, Pinecrest has  
14 that, Boca has that, and some other cities have  
15 it. I'll give you my opinion afterwards, but  
16 is there any feeling that we should have  
17 districts?

18 MR. THOMPSON: For me the question is, what  
19 do you mean by having districts? If you mean  
20 having district elections, single member  
21 district elections, I would be opposed to it.

22 CHAIRMAN VALDES-FAULI: It would be like  
23 the City of Miami, that you have to live in a  
24 -- the city is divided into --

25 MR. THOMPSON: I know Pinecrest does the

1 same.

2 CHAIRMAN VALDES-FAULI: Yeah, Pinecrest.

3 MR. THOMPSON: If you mean that a person  
4 has to be a resident in that district, and it's  
5 a City-wide election, I could see strong  
6 reasons for that, particularly because my  
7 experience is that south of the Highway there  
8 is very little identification with City Hall.

9 CHAIRMAN VALDES-FAULI: Parker, I hear what  
10 you're saying, and there have been  
11 Commissioners that have lived in 90 Edgewater,  
12 including our Vice Mayor, we have had  
13 representation in the past, Mark Wolff, we've  
14 had other representations --

15 MR. KORGE: Bill Kerdyk.

16 CHAIRMAN VALDES-FAULI: Bill Kerdyk, and  
17 south of Sunset, we get very, very, very few  
18 votes, even if people campaign there a lot.

19 My preference would be for us not to divide  
20 the City into the districts. That creates  
21 provincialism, that creates divisionism, like  
22 we have in the County or the City of Miami, and  
23 my preference would be to continue like we are  
24 doing and not divide the City into districts.

25 For you to have to live in a district, you

1 know, you would tend to represent that district  
2 or -- to the betterment of other districts, and  
3 I think that we're doing very, very well as  
4 we're doing.

5 MR. DEWITT: I would tend to agree with  
6 that. I think that sometimes, especially here,  
7 when we have such a small turnout, we would be  
8 discouraging some people from running. I think  
9 that if it's not broken, why fix it?

10 I don't see that there's a problem with  
11 what we've got now, and if there is one, I  
12 would like to understand it.

13 CHAIRMAN VALDES-FAULI: Any other opinions?  
14 Any other comments?

15 MR. KORGE: Well, Parker presents an  
16 interesting idea, but I tend to agree with you,  
17 for this City, probably it's working pretty  
18 good, I don't see a need to make a change, but  
19 it's an interesting variation of single member  
20 districts that you present, Parker.

21 MR. MORALES: Well, yes, the counties have  
22 something like that. I was elected under a  
23 single member district. Only the people in  
24 your district vote. I agree, I would not want  
25 to see that here, but many years ago, the



1 County used to have a system where you had to  
2 live in an area, but everyone still voted for  
3 you.

4 So, again, it wasn't just the people in  
5 that district. Yeah, the County had that back  
6 in the '70s and '80s.

7 You know, it's an interesting concept. I  
8 wouldn't be opposed to it, but, you know, I  
9 think, as we are now, it probably works.

10 I mean, generally you have single member  
11 districts either because you want to create  
12 some level of geographic representation in a  
13 large area or a geographically diverse area --

14 CHAIRMAN VALDES-FAULI: Or a different  
15 population --

16 MR. MORALES: -- or population ratio or  
17 something, but I'm not sure -- you know, I'm  
18 not sure there's that kind of diversity, in  
19 terms of geography, as much, and I think the  
20 City Commission has been fairly diverse in  
21 recent years in terms of its representation, so  
22 probably not a direction I think we need to go  
23 in.

24 CHAIRMAN VALDES-FAULI: Do we take a vote?

25 MR. LEEN: Sure. You can, if you'd like.

1 It's just a straw ballot, if you'd like to do  
2 anything. You can also do unanimous consent.

3 CHAIRMAN VALDES-FAULI: Parker, do you want  
4 to make a motion that we adopt your suggestion  
5 that candidates live in their districts,  
6 although it's a City-wide election?

7 MR. THOMPSON: No, I don't think so.

8 CHAIRMAN VALDES-FAULI: Okay. Then,  
9 Mr. City Attorney, no districts.

10 MR. LEEN: Then you can just move on.

11 CHAIRMAN VALDES-FAULI: Yeah, let's move  
12 on.

13 The Executive Mayor, I don't think that  
14 there's any feeling that we should have an  
15 Executive Mayor. We should have a Commission  
16 form of government, not a Strong Mayor, a City  
17 Manager, and you know -- is there any feeling  
18 from anybody that we should change this and  
19 have a Strong Mayor?

20 MR. DEWITT: The question was, an Executive  
21 Mayor?

22 MR. KORGE: A Strong Mayor.

23 CHAIRMAN VALDES-FAULI: Strong Mayor,  
24 Executive Mayor, as opposed to not -- I mean,  
25 and the Mayor would not be a part of the

1 Commission.

2 MR. DEWITT: No.

3 CHAIRMAN VALDES-FAULI: Okay. There's no  
4 feeling for that? We go on.

5 The date of the election, Tuesday, April --  
6 the first Tuesday -- the second Tuesday, I'm  
7 sorry, in April, every two years, we have our  
8 election.

9 There have been a lot of comments on this,  
10 and, you know, are there any feelings that we  
11 should not be -- that we should change this?

12 MR. MORALES: Mr. Attorney, can I ask you a  
13 question? I don't know if we have this data or  
14 not. Have we looked at turnout in April,  
15 compared to Coral Gables turnout in November  
16 years or I guess we --

17 MR. LEEN: We can get you the specific  
18 figures, but it's substantially less in April.

19 MR. MORALES: Because the Gables elections  
20 are usually in even --

21 MR. LEEN: It's in April.

22 MR. MORALES: In even or odd?

23 MR. LEEN: Odd years.

24 MR. MORALES: So it's in odd years. So it  
25 would be the years of -- well, there really

1 would be no November elections then those  
2 years.

3 MR. KORGE: Immediately following the  
4 November election, then the April, right? Is  
5 that right?

6 CHAIRMAN VALDES-FAULI: Yes, that's  
7 correct.

8 MR. MORALES: So is the proposal to go to  
9 November of an even year or to go to November  
10 of the same odd year?

11 MR. LEEN: It's to go -- my understanding  
12 of the Statute is that it allows you to go to  
13 the November general election and they have one  
14 every year, so I think it would be up to --  
15 that would be a bigger change, if we changed  
16 the even-odd, because it would change the term  
17 length, at least the first time, more  
18 substantially.

19 MR. KORGE: Excuse me for interrupting, but  
20 I think the first question is, should it be in  
21 November or April, and then if there's a  
22 consensus on November, then which November  
23 would you change it to.

24 CHAIRMAN VALDES-FAULI: Yeah. It would  
25 have to be November of the general election

1 year, because otherwise you'd be in the same --

2 MR. MORALES: Yes. That was my question.

3 If it's going to be in November of a  
4 non-general election year, what's the  
5 difference?

6 CHAIRMAN VALDES-FAULI: Let me tell you my  
7 opinion, and I think that we should remain as  
8 we are. Yes, we do get fewer voters, but those  
9 voters we get concentrate on Coral Gables  
10 issues and Coral Gables elections. I would not  
11 like to be swamped with Coral Gables issue, in  
12 a Romney versus Obama election, plus senators,  
13 plus congressmen or congresswomen, plus judges,  
14 plus everything else.

15 I think that people, by having the election  
16 not coincide with the general election, people  
17 concentrate on Coral Gables issues.

18 Secondly, I think that if you make it  
19 coincide in a general election, you will have,  
20 inevitably, political parties intrude into the  
21 Coral Gables election. Am I a Democrat or am I  
22 a Republican, is the other candidate a  
23 Republican or a Democrat, and I don't think  
24 that that would be healthy for our City, which  
25 doesn't have that type of issue basically. We

1 are a municipality and a well-run municipality  
2 and I would be against making the elections  
3 coincide.

4 April or November, to me, is the same  
5 thing, but, you know, I would be against making  
6 them coincide with the general presidential,  
7 senatorial, congress election.

8 MR. DEWITT: You know, this certainly has  
9 been a controversial issue for years. We've  
10 been discussing this for years, and I'm sort of  
11 conflicted about it, but, I mean, the problem  
12 we have is, we have such low turnout, so we're  
13 not really getting a lot of folks coming to our  
14 elections.

15 And Number Two, we incur a substantial  
16 amount of money that we would not have to pay  
17 if we weren't having our own standalone  
18 elections.

19 So I'm not -- you know, I haven't made a  
20 firm decision on it, but I think it's certainly  
21 something that the City should consider,  
22 because --

23 CHAIRMAN VALDES-FAULI: Richard, I've been  
24 a candidate --

25 MR. DEWITT: -- the fear, as I understand

1 it, is that -- I've heard this from some folks,  
2 that if we have it during the general  
3 elections, that all of the kids at the  
4 University of Miami are here, that they can  
5 vote and askew the election --

6 CHAIRMAN VALDES-FAULI: Yeah, but I've been  
7 a candidate several times and --

8 MR. DEWITT: I've heard that as a comment.  
9 I don't know if that's true or not, but there  
10 is a -- I'm not sure what the cost is to us of  
11 putting these elections on, but I understand  
12 it's substantial.

13 CHAIRMAN VALDES-FAULI: I think it's  
14 \$10,000 or -- I've been a candidate several  
15 times and I would hate to have to compete with  
16 a presidential election, senatorial, congress  
17 election, plus every other election.

18 It would be so destructive or distracting  
19 for Coral Gables issues, that, Number One, it  
20 would be impossible to get your message out,  
21 because half of the television ads are, you  
22 know, Obama, Romney, Trump, whoever it is, and  
23 Coral Gables issues will just be submerged into  
24 this general cacophony of elections.

25 I mean, I think it would not be very good

1 for people's attention and to Coral Gables; and  
2 those who vote, vote. I mean, they're going to  
3 vote in Coral Gables. We have had elections in  
4 the past where fifty percent of the people have  
5 voted, we have had elections -- and then we had  
6 thirty percent, but these thirty percent  
7 concentrate and care about Coral Gables issues.

8 MR. LEEN: Mr. Chair, I do have a  
9 statistic. The 2013 election had a turnout of  
10 23.16 percent of registered voters. There's  
11 30,672, and we had a turnout of 7,103, and I  
12 will look into the cost. I do know we have a  
13 figure, I know the Clerk does, and I'll get  
14 that to you shortly. Let me just call him.

15 CHAIRMAN VALDES-FAULI: We can pass this  
16 issue and go into another.

17 Parker, do you have a comment?

18 MR. THOMPSON: Yeah. I would like very  
19 much to defer on this issue. My tendency is to  
20 believe -- I have a tendency to believe that  
21 what you say, while accurate, is itself the  
22 problem. People aren't interested in what  
23 Coral Gables is doing, so they don't show up to  
24 vote, and there are a lot of people, as Craig's  
25 thing just pointed out -- I mean, you've got



1 30,000 voters and you're getting a return -- a  
2 minimal return, and that's been true -- I've  
3 lived in Coral Gables for fifty years, and  
4 that's been true all along.

5 It almost becomes a click of people that  
6 vote and people that sit on the Commission, and  
7 your comments about what happens south of the  
8 Highway to me is reflective of that, that very  
9 few people vote.

10 CHAIRMAN VALDES-FAULI: Very few people  
11 vote.

12 MR. THOMPSON: Of that 7,000, if you  
13 geographically located them, I'd hate to think  
14 how small the vote is in the south, and so I'd  
15 like to defer on that.

16 CHAIRMAN VALDES-FAULI: Okay. We can defer  
17 this. Any other comments that we could --

18 MR. MORALES: If we're going to defer it,  
19 can we at least, maybe for the next meeting,  
20 get the cost data and also maybe two or three  
21 cycles of elections comparing the November  
22 general turnout in the Gables to the City  
23 elections, just to get a sense if it's  
24 significant or not? I think that would be  
25 helpful. Thank you.

1 MS. RAMOS: Of course.

2 CHAIRMAN VALDES-FAULI: Craig, we're going  
3 to defer this in order to get -- did you  
4 hear --

5 MR. LEEN: Yes. The cost of the last  
6 election was \$94,000.

7 CHAIRMAN VALDES-FAULI: 94,000, wow.

8 MR. LEEN: With \$45,000 in advertising  
9 costs. What the Clerk has told me is that to  
10 have the election in November costs thirty  
11 percent of that \$95,000.

12 And then, of course, I assume that would  
13 also affect our advertising costs, it would be  
14 less, if anything.

15 MR. KORGE: I'm sorry, the 94 was including  
16 the adverting or --

17 MR. LEEN: No, that's exclusive of  
18 advertising.

19 MR. KORGE: How much was the advertising?

20 MR. LEEN: 45,000.

21 CHAIRMAN VALDES-FAULI: Yeah, but we'd have  
22 to incur the advertising anyway, because, you  
23 know, we are a different election.

24 MR. LEEN: Yes. I can look into that, but  
25 I would think it would be less for advertising,

1 because the County would be doing some of that  
2 advertising.

3 CHAIRMAN VALDES-FAULI: Okay. Okay.

4 MR. LEEN: But I can check into that, too.  
5 The main issue though is, the election itself,  
6 it's thirty percent of the cost.

7 CHAIRMAN VALDES-FAULI: Okay.

8 MR. DEWITT: So it's a \$60,000 --

9 CHAIRMAN VALDES-FAULI: 60,000.

10 MR. KORGE: Yeah, but what should drive us  
11 the most is voter participation, more than  
12 anything. I mean, all of your considerations  
13 are very valid and make a lot of sense to me,  
14 plus walking in the middle of the summer door  
15 to door is a lot harder, but that aside -- it  
16 makes a lot of sense, but still voter, you  
17 know, participation is crucial.

18 CHAIRMAN VALDES-FAULI: Yeah, but they will  
19 participate in the presidential election, they  
20 will participate in the senatorial election and  
21 in the gubernatorial election, whatever, but --

22 MR. KORGE: Would drop off the City?

23 CHAIRMAN VALDES-FAULI: Yeah, will they  
24 focus on City issues?

25 MR. KORGE: You know, what would be

1 interesting is to compare some other municipal  
2 elections, the percentage of vote -- I don't  
3 know if you could even do that, percentage of  
4 vote that they do in the Federal versus their  
5 local.

6 CHAIRMAN VALDES-FAULI: Can you imagine  
7 trying to get your message out against --

8 MR. KORGE: You know what I'm saying?

9 CHAIRMAN VALDES-FAULI: No, I know what  
10 you're saying, but trying to get your message  
11 out as to what you believe for Coral Gables,  
12 against Scott versus Crist, Obama versus  
13 Romney, the senatorial campaign, congressional  
14 campaign, if it's disputed, it would be  
15 impossible.

16 MR. KORGE: Yeah.

17 CHAIRMAN VALDES-FAULI: It would be totally  
18 impossible and it would become a beauty  
19 contest.

20 MR. DEWITT: Well, Mr. Chair, I mean, other  
21 cities are doing it.

22 CHAIRMAN VALDES-FAULI: Fine, but maybe we  
23 do it better.

24 MR. DEWITT: I think it's something we  
25 should think about and look at and analyze.

1 MR. THOMPSON: A question that Craig kind  
2 of answered, and that is, my experience is that  
3 Coral Gables elections have been mainly walking  
4 elections and street signs and house signs and  
5 so forth and have not been television geared.

6 CHAIRMAN VALDES-FAULI: Lately they have  
7 been, Parker.

8 MR. THOMPSON: No, and I'm saying, I don't  
9 know what the answer is of how it is, but  
10 television being as expensive in reaching areas  
11 way beyond the County, much less way beyond the  
12 City -- I'll accept from you that there's a lot  
13 of TV ads, but I haven't seen them.

14 CHAIRMAN VALDES-FAULI: And then another  
15 issue would be --

16 MR. DEWITT: I mean, you see -- it's been  
17 more and more of that lately.

18 CHAIRMAN VALDES-FAULI: The elections now  
19 is scheduled for April 17. If we change the  
20 date, do we make it November 16 or November 17?

21 MR. DEWITT: I think let's cross that  
22 bridge when we get to it.

23 CHAIRMAN VALDES-FAULI: Okay.

24 MR. MORALES: I think, if you're not going  
25 to make it an even numbered year, then you're

1 really not going to get the benefit of the  
2 turnout, because it will just be an odd  
3 election --

4 CHAIRMAN VALDES-FAULI: I think we have --  
5 I think we have the governor election on odd  
6 years, don't we?

7 MR. MORALES: No. It's the every other  
8 even year. The odd years -- the only elections  
9 you have usually in November of an odd year are  
10 City of Miami elections, City of Miami Beach,  
11 City of Hialeah, and a few others. You don't  
12 have any County-wide elections, not even  
13 judges. Those are all on even numbered years.

14 So if you're going to do it in November, I  
15 think it should be an even numbered year,  
16 because otherwise --

17 MR. KORGE: That's the whole point.

18 MR. MORALES: Yeah, you're not going to get  
19 the turnout.

20 CHAIRMAN VALDES-FAULI: All right.

21 MR. LEEN: Mr. Chair, the City Clerk told  
22 me that the advertising cost would be about the  
23 same either way. It might be a little less,  
24 but he said they would be about the same,  
25 because each municipality has the

1 responsibility to advertise. So it would be  
2 mostly on the actual cost of the --

3 CHAIRMAN VALDES-FAULI: Okay. We will  
4 defer this issue and let's -- whatever we're  
5 deferring, let's discuss at the next meeting.

6 MR. LEEN: Is there any other information  
7 you'd like specifically regarding --

8 MR. DEWITT: There was something that he  
9 wanted, where he wanted to look at what other  
10 municipalities were doing.

11 CHAIRMAN VALDES-FAULI: No, voter  
12 participation in various elections in the past.

13 MR. LEEN: Okay. So we'll get you voter  
14 participation for the last three or four  
15 elections, for the November elections, as well,  
16 on City items.

17 CHAIRMAN VALDES-FAULI: Make it the last  
18 eight elections. Make it the last eight  
19 elections.

20 MR. LEEN: Last eight elections, okay.

21 CHAIRMAN VALDES-FAULI: I don't know why,  
22 but make it the last eight elections.

23 MR. LEEN: Last eight April elections?

24 CHAIRMAN VALDES-FAULI: Yeah.

25 MR. LEEN: And then do you want also -- you

1 know, sometimes we do have items on the  
2 November ballot. Like I believe -- I don't  
3 recall, but I think maybe the truck issue was  
4 on the November ballot.

5 CHAIRMAN VALDES-FAULI: The what?

6 MR. LEEN: Remember the truck issue? I  
7 think that was on the November ballot. So I  
8 can tell you what the turnout of some of the  
9 November ballots have been.

10 MR. VOLKSY: Mr. Chairman --

11 CHAIRMAN VALDES-FAULI: George, is this on  
12 issue?

13 MR. VOLKSY: I understand you are concerned  
14 about the number of people who vote. Why don't  
15 you consider having a vote in April on a  
16 Sunday? Everywhere in the country -- in the  
17 world, election day is a free day or a Sunday.  
18 Perhaps this could increase the number of  
19 people voting.

20 MR. KORGE: Right. That's on my list, too,  
21 of -- you know, I guess if we stay with an  
22 April election. If we're going to a November  
23 election to garner more votes, then obviously  
24 it wouldn't be a Sunday --

25 CHAIRMAN VALDES-FAULI: It wouldn't be a



1 Sunday.

2 MR. KORGE: -- or a Saturday, but a weekend  
3 election. The main objection to it would be  
4 that it interferes with some people's religious  
5 beliefs; however, we have absentee ballots,  
6 which won't interfere with anybody's religious  
7 beliefs, that's my knowledge.

8 So, you know, that's a legitimate  
9 consideration. If you look at how many  
10 people -- how much more convenient it would be  
11 for people, versus the inconvenience to  
12 people -- most everybody is working during the  
13 week, you have schools to consider and kids in  
14 school, versus a weekend.

15 The main impediment, again, is religious  
16 based, but I don't think that that would be --

17 MR. DEWITT: But you'd also have the  
18 impediment that you're not going to get the  
19 financial savings if you have a standalone  
20 election.

21 MR. KORGE: Well, this is assuming we  
22 stayed in April. Assuming we stayed in April,  
23 then the next question would be --

24 MR. DEWITT: Well, those people can vote  
25 absentee, like you said.

1 CHAIRMAN VALDES-FAULI: Okay. Let's defer  
2 this and come up with --

3 MR. MORALES: If, in fact, we want to think  
4 about what day of the week, Mr. Attorney, you  
5 may want to check, I don't know if the County  
6 would hold elections --

7 MR. LEEN: I've looked into the matter.  
8 There is some flexibility over the date.  
9 They've even said that we could conceivably do  
10 it on a weekend, although there may be issues  
11 with doing it on a weekend, because of  
12 religious observances, but they did say that  
13 it's possible, but we'd have to get the  
14 approval of the County Supervisor of Elections,  
15 but it's not legally prohibited.

16 MR. MORALES: Okay. Good.

17 CHAIRMAN VALDES-FAULI: Okay. The next  
18 issue I think would be --

19 MR. KORGE: Excuse me for interrupting.  
20 Should we defer that?

21 CHAIRMAN VALDES-FAULI: Yes. We'll defer  
22 that.

23 MR. KORGE: Okay.

24 CHAIRMAN VALDES-FAULI: The next issue  
25 would be -- I'd like to take the runoff issue

1 first, before the mayoral years.

2 And the runoff, you know, we have a long  
3 history of -- in this, you know, the number of  
4 votes, et cetera.

5 Prior to 1983, it was -- we had  
6 first-past-the-post and we didn't have seats.  
7 It was a beauty contest, and whoever got the  
8 most votes got the seats that were open, and  
9 they were elected.

10 Starting in '95, we did have seats, and we  
11 had first-past-the-post. So that was -- you  
12 know, that's the way it is today, no runoff,  
13 and, you know, we run specific seats.

14 We have a suggestion here from UM Professor  
15 Froomkin, instant runoff voting, Single  
16 Transferable Vote, STV system, which they have  
17 in Sarasota, and that is, you rank -- in the  
18 election, you rank your choices in order of  
19 preference, and the candidates receiving the  
20 fewest votes gets eliminated, and voters who  
21 initially chose a now eliminated candidate will  
22 have their ballots added to ballots of the  
23 second ranked candidate, and the least popular  
24 eliminated, until somebody gets a majority.  
25 Again, they use that in Sarasota.

1           And the other final choice is to have  
2           runoffs two weeks after the election or a month  
3           after the election. I'd say, two weeks, not a  
4           month.

5           MR. KORGE: And this single transferable,  
6           the ranking, would that be per seat or --

7           CHAIRMAN VALDES-FAULI: No, that would be  
8           per seat, yeah. That would be per seat.

9           MR. KORGE: Okay.

10          CHAIRMAN VALDES-FAULI: Anybody has any  
11          comments?

12          MR. DEWITT: Yes. I really think we should  
13          consider runoff elections. I think sometimes  
14          the way these elections are, especially if you  
15          get a large field, it's askew and we're not  
16          really getting the person the public --

17          CHAIRMAN VALDES-FAULI: We have Professor  
18          Froomkin here, if he would like to present the  
19          STV type of voting --

20          MR. DEWITT: Yeah, I would, because I  
21          didn't understand what you were saying.

22          PROFESSOR FROOMKIN: Thank you very much.  
23          Thank you to the Chair for recognizing me. And  
24          I want to really thank all of you for being  
25          willing to give your time to do this in this

1 very important and somewhat immense project.

2 In recent years, when there have been many  
3 candidates running for a single seat, we have  
4 observed a pattern where the winner doesn't  
5 have a majority, and because we don't have  
6 primaries or runoffs, the person with less than  
7 the majority, who has the most votes, wins, and  
8 that isn't really, in my view at least,  
9 particularly good for democracy.

10 So as you mentioned, one of the solutions  
11 is to have runoffs, but at least when I've been  
12 talking with people who are sort of involved in  
13 Coral Gables, there doesn't seem to be an  
14 enormous amount of appetite for that, because  
15 it's more expensive for the City to run a  
16 second election, and also there's a real  
17 drop-off fear.

18 I mean, as it is, we're not getting that  
19 great a turnout in the election to begin with.  
20 If you then ask people to come out a second  
21 time, the fear is that it will be an even less  
22 representative group deciding the final result.

23 And I take that on faith, you know, based  
24 on the comments of people who have lived here  
25 for more than the twenty-some years I have, and

1 have spent more time thinking about the  
2 politics, but it happens that there is this  
3 other solution, which allows you to do the  
4 equivalent of a runoff, all in one go, and this  
5 is an instant runoff or sometimes called Single  
6 Transferrable Vote.

7 And what you do is, you give every voter a  
8 ballot, ask them to rank the candidates in a  
9 single group, one, two, three, four, five.  
10 They don't have to go all of the way, if they  
11 don't want to, but if they do rank them all,  
12 then what you do is, you make piles for each of  
13 them.

14 If somebody has enough ones to get fifty  
15 percent plus one, they're elected -- that's it,  
16 you stop -- but if that doesn't happen, then  
17 you take the candidate whose pile is the  
18 smallest and look to see if the people there  
19 put a second choice, and you distribute their  
20 ballots in the other piles, and we you keep on  
21 doing this with the candidate who has the  
22 smallest pile, redistributing the votes to the  
23 next choice on the list, until somebody has a  
24 pile that reaches fifty percent plus one, and  
25 then they're elected.

1           This has a lot of really nice properties,  
2           which support both, fairness and democracy, and  
3           I might even add, openness. First off, it  
4           removes an increasingly real danger that Coral  
5           Gables faces, knowing that you have lots of  
6           candidates on an election, somebody might get  
7           elected with a really small number of votes,  
8           which is factual and not representative of the  
9           City.

10           I'm not here to suggest that's happened  
11           yet, but the math suggests it could happen, and  
12           that's something you want to engineer to avoid.

13           The second thing is, it changes the way  
14           people approach voting. So you no longer feel  
15           pressured to vote tactically, as you do when  
16           you first-past-the-post, where part of what you  
17           do is, you don't want to throw away your vote,  
18           so there may be some candidate you love, but  
19           you're afraid nobody else loves the candidate,  
20           so you vote for the candidate you think has a  
21           chance of winning, because maybe you're really  
22           afraid of some third candidate, and that's real  
23           pressure which people feel in the ballot booth.

24           With this system, you vote your heart and  
25           then you vote your second choice. Maybe it's

1 the one you think, you know, it would be more  
2 of a consensus candidate, and your vote counts,  
3 and that's a really good thing, and it creates  
4 space for new ideas.

5 And the third is that ensuring that the  
6 person who gets elected does have fifty percent  
7 plus one, through this process, you ensure that  
8 whoever is elected really has a true mandate to  
9 be part of government, and that's also good for  
10 government.

11 So this is something that, you know, U.S.  
12 voters aren't generally used to, requires a  
13 little bit of education, but the good news is  
14 that lots of other cities around the country  
15 are doing this, and they have all produced lots  
16 of great materials you can adopt, and it works  
17 for them.

18 So it's really surprisingly easy to  
19 implement, and I understand, although it's  
20 something you'd want to check, that the  
21 software that City uses -- the voting machines  
22 that the City uses are compatible with this.

23 MR. DEWITT: Do you know if it is?

24 PROFESSOR FROOMKIN: I wrote this memo with  
25 my research assistant, Steve Strickland --



1 MR. DEWITT: We're not really going to have  
2 piles of paper, right?

3 PROFESSOR FROOMKIN: I have a six-page memo  
4 which I would love to make available, if that's  
5 proper.

6 MR. LEEN: Yes. Send me a copy and I will  
7 distribute it.

8 PROFESSOR FROOMKIN: Okay. I'll do that.  
9 Which explains the system, and -- in about two  
10 pages I explain the system. The rest is  
11 arguing why it's a good idea.

12 MR. KORGE: You were pretty clear already.  
13 I think you explained it very well.

14 I have one question about that. Can the  
15 system be askew if a candidate's voters are  
16 committed only to that candidate and do not  
17 support any second or third choice?

18 PROFESSOR FROOMKIN: No. All they've done  
19 is they have disenfranchised themselves from  
20 subsequent rounds.

21 So let's say you have, fifteen percent of  
22 the voters love Candidate Smith, and that  
23 fifteen percent is eliminated, let's say, in  
24 the second round of piling. Then those people  
25 have nothing on their list. You just put their

1 ballots aside, and you keep on redistributing,  
2 until -- if you have to do it until there's  
3 only two left, then the one with the most votes  
4 wins of the last two.

5 MR. KORGE: But if Candidate Smith were the  
6 top vote getter, hypothetically -- it's not a  
7 real world probably, but hypothetically if all  
8 of or most of Candidate Smith's supporters  
9 voted only for Candidate Smith, then the second  
10 most popular candidate would not -- I guess --

11 PROFESSOR FROOMKIN: You wouldn't get to  
12 that, because he's the most popular, he has a  
13 big pile, you never even know the second  
14 choice's worth.

15 MR. KORGE: You never even get to it. You  
16 answered my question. I got it.

17 MR. MORALES: Tom, what you're worried  
18 about happens when you have the top two vote  
19 getters win and everyone votes for one only.  
20 That's where that strategy gets askew.

21 CHAIRMAN VALDES-FAULI: We had that when it  
22 used to be a beauty contest. With a beauty  
23 contest, even if there were three people in the  
24 election, we only voted for one, so as not to  
25 devalue your vote or, you know, provide --

1 MR. KORGE: I'm sorry, I shouldn't have  
2 asked the question.

3 PROFESSOR FROOMKIN: Voting theory is a  
4 really interesting thing, and mathematicians  
5 have worked really hard and no system is  
6 absolutely perfect, but this is actually the  
7 best, and works particularly well for single  
8 candidate elections.

9 It gets a little more complicated if you  
10 lump multiple candidates in a group. Then the  
11 math will --

12 CHAIRMAN VALDES-FAULI: Thank you. Thank  
13 you very much, and, you know, please stay  
14 around --

15 MS. ORTEGA-FRIDMAN: I have a question.

16 CHAIRMAN VALDES-FAULI: Go ahead.

17 MS. ORTEGA-FRIDMAN: Have you done  
18 empirical research where you've implemented  
19 this to see that your system actually yielded a  
20 different result than the top vote getter would  
21 have gotten anyway?

22 PROFESSOR FROOMKIN: No. I don't do  
23 empirical research at all. I have the great  
24 pleasure of being a law professor, so I don't  
25 get to implement voting systems.

1 MS. ORTEGA-FRIDMAN: Okay.

2 PROFESSOR FROOMKIN: And I don't get grants  
3 to get out and count them, but there are --  
4 there's a large amount of academic research on  
5 this stuff, which talks about the  
6 possibilities.

7 MS. ORTEGA-FRIDMAN: Has any other academic  
8 established that?

9 PROFESSOR FROOMKIN: You can't do that,  
10 because you don't know how people would have  
11 voted, you see, because -- partly, because in a  
12 single past the post election, some people  
13 might vote differently from how they really  
14 felt, because they didn't want to throw away  
15 their vote.

16 So there is actually no way I can imagine  
17 to do the controlled test you want, because the  
18 very fact of the system existing might cause  
19 some people to put a different vote first than  
20 they would otherwise have done.

21 So, for example, the presidential election,  
22 maybe you really, really want to have the  
23 Libertarian candidate as your first choice. You  
24 know he won't get elected. You don't vote for  
25 the Libertarian candidate, you vote for the

1 Republican, but in this system, you might vote  
2 Libertarian first, understanding that when that  
3 didn't happen, your vote would go to the  
4 Republican.

5 So how do we deal with that fact? That  
6 election actually occurs. We can't tell what  
7 you would have done on a first-past-the-post  
8 election, because you weren't faced with one.

9 MS. ORTEGA-FRIDMAN: But I would imagine,  
10 in a simple election like Sarasota, for  
11 example, it would be instructive to some degree  
12 to see, okay, under this new system, the person  
13 with the most number one votes won anyway.

14 PROFESSOR FROOMKIN: Oh, I see what you are  
15 saying. Right.

16 MS. ORTEGA-FRIDMAN: So it would have been  
17 pointless --

18 PROFESSOR FROOMKIN: I don't have data on  
19 that. That must exist.

20 In most cases, but not all cases, the  
21 person with the number one votes would win in  
22 the end, and, therefore, have a better mandate,  
23 and the cases where they don't is the situation  
24 where there's usually some kind of extreme,  
25 that the rest of the voting population really

1 doesn't want.

2 Also, what first means -- you know, there's  
3 a big difference between the person with a lot  
4 of number one votes having forty-five percent  
5 of number one votes, and an eight-candidate  
6 election in which the first person had eighteen  
7 percent, and then we're shuffling things.

8 It's not as meaningful in the second case.  
9 So it's both, the size of the pile, as well as  
10 the order, that's significant in making the  
11 judgment you want to make.

12 MS. ORTEGA-FRIDMAN: Right. And are these  
13 studies more geared toward those eight or nine  
14 percent elections, where you have huge  
15 differences along the political spectrum that  
16 you want to knock out or for simple municipal  
17 elections where the differences among  
18 candidates are not that severe?

19 PROFESSOR FROMKIN: Well, we hope that's  
20 always true, but we engineer for, you know,  
21 contingencies, that, you know, the world can  
22 change.

23 So I'm mostly familiar with the voting  
24 literature at the level of theory. Actually, I  
25 can tell you a lot about the math you don't

1 want to know, but I don't have studies -- I  
2 mean, I can go home -- I've got a research  
3 assistant. He and I can go and look for some  
4 for you, and it's certainly a fair question,  
5 how it works out in practice in the municipal  
6 elections.

7 I'll go see if the data is available, but I  
8 don't have it in my pocket, and this isn't  
9 actually what I teach. This is just -- you  
10 know, I live in the City and I was concerned  
11 that we had these past two Commission elections  
12 where the winner didn't have a majority, and,  
13 you know, I happen to know that there was a  
14 well-respected academic solution for it sitting  
15 there on the shelf, and, in fact, being used in  
16 other places around the country, Memphis,  
17 places like that, so why not, you know, use it  
18 here to make things better, fair and safer.

19 That was my thinking. I don't have -- I  
20 don't have a big research program of which this  
21 is a part at all. I do different stuff. I do  
22 the internet and robots.

23 CHAIRMAN VALDES-FAULI: Tom, do you have  
24 any questions?

25 MR. KORGE: Yes.

1 MR. LEEN: One point. Coral Gables  
2 television has asked that you each speak into  
3 the microphones.

4 CHAIRMAN VALDES-FAULI: Oh, yeah.  
5 Tom, do you have any questions?

6 MR. KORGE: Yeah. The other thing that  
7 just kind of jumps out at me is kind of a weird  
8 hypothetical, you have four candidates and they  
9 draw almost the same percentage, within a point  
10 of each other, then who drops off?

11 PROFESSOR FROOMKIN: The lowest.

12 MR. KORGE: That's kind of arbitrary,  
13 though, because --

14 PROFESSOR FROOMKIN: It's just as arbitrary  
15 as the first-past-the-post, right. In the  
16 other scenario, when you first pass the post,  
17 you know, twenty-three, twenty-four,  
18 twenty-six, twenty-seven percent -- the  
19 twenty-seven percent candidate wins. That's  
20 even more arbitrary than figuring out what  
21 other people who voted for the others would  
22 have wanted as their second choice.

23 MR. KORGE: No, but the expectations are  
24 different, because in the current format,  
25 everybody knows what the outcome will be, okay.



1 We know that whoever the gets most votes is  
2 going to win, and so I get that one vote,  
3 but -- and I'm making that decision based on  
4 that information, but if it's, you know, four  
5 candidates and they end up equally, well, maybe  
6 the third of the four, the fourth of the four  
7 would collectively be number two for  
8 everybody --

9 PROFESSOR FROOMKIN: Yes.

10 MR. KORGE: -- you know, and then you don't  
11 really get a result that is more representative  
12 of what the electoral wants.

13 PROFESSOR FROOMKIN: Well, let me say, if I  
14 may, two things to that. I mean, the first is  
15 that these results of the levels are all  
16 published, so that everybody gets to see how  
17 you got the results, it's not a black box.

18 The second is that in systems where this is  
19 used, like the current Labor Party leadership  
20 election, people actively campaign to be second  
21 choices, to be a consensus second choice  
22 candidate. You know, they go to other people's  
23 supporters and they ask for endorsements, "Make  
24 me your second choice. They build coalitions.  
25 It's very democratic.

1           MR. KORGE: No, but if you think about it,  
2           the person campaigns to be second choice and a  
3           hundred percent pick him second choice, and he  
4           gets zero percent on first choice, so he's out  
5           of the running and he's the second choice.

6           That kind of illustrates to an absurdity  
7           the point I was trying to make.

8           PROFESSOR FROOMKIN: It's not perfect, but  
9           my submission to you is that still, for the  
10          reasons I gave, it's significantly more likely  
11          to express the real will of the people,  
12          especially when there are a lot of candidates,  
13          than the current system in use here. It's not  
14          perfect.

15          CHAIRMAN VALDES-FAULI: Thank you.  
16          Jimmy.

17          MR. MORALES: Yeah. I'm a firm believer in  
18          having runoffs, and I agree that -- I've never  
19          liked the idea of people winning with less than  
20          a majority. I'm not yet sold on what the  
21          runoff should be. I see the advantage of your  
22          approach, particularly if the concern is  
23          there's a huge drop-off.

24          You know, as someone who once got  
25          elected -- came in second and then won in the

1 runoff, when it was just one on one, it gave me  
2 an opportunity to go out and tell voters, who  
3 didn't know much about me. Now in the runoff  
4 get to know me a little bit better. You may  
5 not get that if you have the automatic one day  
6 runoff. Folks may not have taken the time to  
7 get to know the second or third or fourth  
8 choices.

9 But I want to keep an open mind about that.  
10 So I'm all for the runoff concept, I think  
11 that's important. I'd like to maybe think and  
12 maybe even get some public input on what they  
13 think -- if we're going to go in that  
14 direction, what kind of runoff we should go  
15 with.

16 CHAIRMAN VALDES-FAULI: Parker.

17 MR. THOMPSON: My thoughts are similar to  
18 Jimmy's. I come here committed to a majority  
19 candidate winning. I've expressed myself and  
20 my concern about the number of people that vote  
21 in Coral Gables, and to have a minority, less  
22 than fifty percent of the people voting,  
23 picking a Commissioner or a Mayor, I think it's  
24 just plain wrong.

25 I realize a runoff election costs money. I

1 would certainly be willing to look at the  
2 proposal here as an alternative, but at the end  
3 of the day, whatever it is, I firmly believe  
4 that a winning candidate has to get fifty  
5 percent of the votes.

6 CHAIRMAN VALDES-FAULI: Richard.

7 MR. DEWITT: I think he's reflecting  
8 exactly how I feel. The only information that  
9 I'd like to have, being a committed techy here,  
10 is, is this something that the system that we  
11 use -- because they're not our system, they're  
12 the County's system, could even do in some cost  
13 effective manner? If it's something that, you  
14 know, it's just not going to be able to be done  
15 with the computer systems they have, we may not  
16 want to put a lot of time into it. Otherwise,  
17 I think it's an interesting proposal, and I  
18 would like to understand it better.

19 MR. LEEN: So that's a question we'll get  
20 back to you on. I'll check with the County  
21 Supervisor of Elections. Traditionally the  
22 City has used the County Supervisor of  
23 Elections -- the County Elections Department to  
24 run its elections.

25 We don't have to. We do it by contract.

1 They're much better-suited to do it, because  
2 they have an existing operation. So I will ask  
3 them this question.

4 MR. DEWITT: Well, especially if there's  
5 going to be County issues on it, you know.

6 MR. LEEN: Well, if it's an April election  
7 -- I guess that depends, in part, on whether  
8 it's the April or November. That ties into  
9 that.

10 MR. DEWITT: And I'd like to understand  
11 what the cost of that is.

12 MR. LEEN: I have a feeling, in a November  
13 election, there may be an issue, but let me --  
14 I think for an April election, it may be more  
15 possible, but let me look into it and I'll get  
16 back to you at the next meeting.

17 MR. DEWITT: And if we know what the cost  
18 is going to be. It's not going to be an off  
19 the shelf type of arrangement.

20 CHAIRMAN VALDES-FAULI: No, my opinion on  
21 this is that I firmly believe that the winner  
22 should have a majority of the votes, and I find  
23 your proposal extremely interesting.

24 I'm afraid, though, that the City of Coral  
25 Gables is not ready for something like that

1           today. I'm afraid of it, because if we got  
2           twenty some or thirty percent of the votes, if  
3           we complicate the ballot, people are just going  
4           to say -- you know, we're going to get fewer  
5           absentee ballots or absentee votes with a  
6           complicated system, than we would otherwise,  
7           but it's something that we should, you know,  
8           get the information and discuss this at our  
9           next meeting, but I would be very much in favor  
10          of a runoff election in order to get a majority  
11          of the people to elect the people who is going  
12          to sit in this dais.

13                 Thank you very much for your suggestion.  
14                 It was fascinating, and it is used, as I said,  
15                 in a city in Florida, that I know of, or whose  
16                 Charter we got, and maybe we should get -- City  
17                 Attorney, maybe we should get information from  
18                 their City Attorney as to how this works.

19                 MR. LEEN: I will.

20                 CHAIRMAN VALDES-FAULI: Okay.

21                 MR. LEEN: So we will ask Sarasota -- well,  
22                 we'll get some -- we'll get their thoughts on  
23                 it, I'll interview them about it, and then  
24                 we'll get some specific empirical information.

25                 CHAIRMAN VALDES-FAULI: But I think that

1 the consensus here is that we should change the  
2 system in order to have the people elected by a  
3 majority of vote, regardless of how it's  
4 achieved. I think that, that's the consensus.

5 MR. KORGE: Well, if that's the consensus,  
6 then we're going to need to figure out when the  
7 runoff would be and how it affects the -- you  
8 know, right now, the next day the new  
9 Commissioners are sworn in.

10 CHAIRMAN VALDES-FAULI: Yeah. Which would  
11 not be the case --

12 MR. KORGE: Yeah. So I don't know how  
13 that -- you know, maybe Craig can give us some  
14 advice on how that would affect other  
15 provisions of the Charter in relation to the  
16 power of the Commission to do whatever it would  
17 normally be able to do following the  
18 installation of the new members.

19 I guess that we're creating lame ducks --

20 MR. LEEN: You mean, a runoff?

21 MR. KORGE: Yeah, if we have a runoff --

22 MR. LEEN: Because of the time period?

23 MR. KORGE: Yeah. If the runoff is two  
24 weeks later, then we have two weeks of a lame  
25 duck Commission, for example.

1           CHAIRMAN VALDES-FAULI: And if we do it to  
2           have the elections coincide with a November  
3           election, we're going to have two percent vote  
4           on the runoff. Nobody is going to care less  
5           about the runoff, and, you know, that's  
6           something else to consider, too.

7           MR. KORGE: Yeah.

8           MR. LEEN: I mean, my opinion -- I've  
9           thought about that a bit, because although you  
10          can change the election date by Ordinance,  
11          there's a lot of other provisions, though, that  
12          are affected, it's true.

13          I would think that they could be changed as  
14          part of that Ordinance, in order to effectuate  
15          the change that's allowed by State Law, but it  
16          would still have to be changed.

17          Right now there's a very short period of  
18          time between election day and the swearing in  
19          of Commissioners. I think it's usually three  
20          days. It's usually the Friday after the  
21          Tuesday election. So that would have to be  
22          changed.

23          CHAIRMAN VALDES-FAULI: Okay.

24          MR. DEWITT: Craig, could I assume that  
25          when we're passing things, obviously, I think



1 it's exactly what you said, it's sort of -- you  
2 know, you push in a dowel here and something  
3 comes out there, that you're going to be  
4 looking at the issues that these create with  
5 other Ordinances --

6 MR. LEEN: Yes.

7 MR. DEWITT: -- to conform them --

8 MR. LEEN: Yes. We'll bring them back to  
9 you, as you suggest them.

10 CHAIRMAN VALDES-FAULI: Okay. So we've  
11 deferred this item, too, and we've deferred  
12 several items here, and I would like for us to  
13 be ready to discuss them at length and vote on  
14 them at the next meeting, so we just don't keep  
15 adding until the end.

16 The next item in Section 8 is the mayoral  
17 term, and as it reads, the first paragraph,  
18 mayoral terms will be two years and the  
19 Commissioners' terms shall be four years.

20 This was changed a few years ago, to make  
21 the mayoral term four years, and it was changed  
22 back to make it again two years. The advantage  
23 of a two-year term is that it gives the voters  
24 the ability to every two years sweep, clean the  
25 majority of the Commission or the Commission to

1 get their majority. The disadvantage is that  
2 there's a mayoral election every two years, and  
3 some people say that in two years it's very  
4 little time for the Mayor to implement his  
5 policies or his whatever.

6 Richard, do you have any comments?

7 MR. DEWITT: Well, I remember going through  
8 all of this. I remember when we changed it to  
9 four years, and we had that for a while, and  
10 then there was a movement to change it back.

11 You know, my view at the time was that a  
12 four-year term was a good idea, because, I  
13 mean, as soon as he's elected, he's almost  
14 starting to run for reelection, and, as you  
15 said, I mean, he or she, I should say, doesn't  
16 really have time to implement what they were  
17 trying to implement and work through.

18 Having said that, you know, we've been down  
19 this road again. I don't know if we want to  
20 open that wound again. I do support a  
21 four-year term, but I'm not sure that, that's  
22 going to be something that we're to be able to  
23 effectuate.

24 CHAIRMAN VALDES-FAULI: Parker.

25 MR. THOMPSON: Well, actually, I share your

1 view. The people of Coral Gables have been  
2 asked to speak twice to this issue, and they've  
3 spoken to two years. I see no reason to put it  
4 back on the table, and it seems to me that  
5 Mayors are perfectly capable and they've shown  
6 they're capable of being re-elected every two  
7 years without hurting anything.

8 CHAIRMAN VALDES-FAULI: Jimmy.

9 MR. MORALES: When was the most recent  
10 two-year vote?

11 MR. LEEN: We looked at that today. What  
12 was the year?

13 MR. MORALES: When was the referendum?

14 MR. LEEN: The referendum -- it was 2004.

15 MR. MORALES: Eleven years ago.

16 MR. LEEN: It was placed on the ballot and  
17 the voters voted to go with two years.

18 CHAIRMAN VALDES-FAULI: But we also had  
19 term limits in that ballot.

20 MR. LEEN: Yes. We can get you a copy of  
21 everything that was considered in 2004. Do we  
22 have that?

23 CHAIRMAN VALDES-FAULI: There was a vote  
24 for other things, too.

25 MR. MORALES: I mean, philosophically, I

1 don't like two-year terms, but if the people  
2 spoke eleven years ago, you know, I also am not  
3 a believer in changing the Charter every ten  
4 years and making -- you know, I was at the  
5 County for eight years, when we changed our  
6 form of Mayor government three or four times  
7 while I was there.

8 You know, I think, if the voters voted  
9 eleven years ago for a two-year term --

10 MR. LEEN: To be specific, it was two  
11 years. There was something put on the ballot  
12 to change it to four years, and it failed, and  
13 it's true, there was something else on the  
14 ballot. We're getting that for you right now.

15 CHAIRMAN VALDES-FAULI: No. No, but there  
16 was one period there where the mayoral term was  
17 four years.

18 MR. LEEN: Well, see, we met with the  
19 Former City Attorney today and she said that it  
20 was never four years, that it was always two  
21 years.

22 CHAIRMAN VALDES-FAULI: Check it, because  
23 there was.

24 MR. LEEN: But I know that you raised that  
25 issue and I said that -- we will double the

1 research and look into that.

2 CHAIRMAN VALDES-FAULI: It was four years.

3 MR. DEWITT: Yeah, it was. There  
4 definitely were four-year terms, that's not a  
5 question.

6 MR. LEEN: There was four-year terms.

7 MR. DEWITT: Definitely.

8 CHAIRMAN VALDES-FAULI: Definitely.

9 MR. THOMPSON: When Don was the Mayor, he  
10 pushed through a four-year.

11 CHAIRMAN VALDES-FAULI: And he ran and he  
12 served for four years one term.

13 MR. THOMPSON: Yeah.

14 CHAIRMAN VALDES-FAULI: Positive.

15 MR. LEEN: Okay.

16 MR. DEWITT: No, actually, he served for  
17 four years two terms and one two-year term.

18 MR. LEEN: Because we looked at it today  
19 and there was the referendum vote and that was  
20 to change it to four years, and it failed.

21 CHAIRMAN VALDES-FAULI: No. No.

22 MR. LEEN: Okay. I'm sorry, Mr. Mayor.  
23 You know, I looked into it. I'll look into it  
24 again.

25 CHAIRMAN VALDES-FAULI: Yeah, please do.

1 MR. LEEN: Forgive me.

2 CHAIRMAN VALDES-FAULI: Tom.

3 MR. KORGE: Well, I think I agree with  
4 Jimmy on this. Philosophically for a City of  
5 this size and for the nominal salary that's  
6 paid for the time devoted, it seems a little  
7 onerous to run every two years, you know, and  
8 the Mayor has essentially the same power as  
9 every other Commissioner, so it's kind of an  
10 unusual difference -- he's not an Executive  
11 Mayor, where that might be justified in that,  
12 but, you know, it's already been voted on just  
13 a few years ago, so I just find it hard to  
14 bring it back up again at this time, but if it  
15 were, you know, fresh, I think I'd tend towards  
16 the four years.

17 CHAIRMAN VALDES-FAULI: Angelique.

18 MS. ORTEGA-FRIDMAN: I would keep the two  
19 years, for all of the reasons stated,  
20 particularly since it's only been eleven years  
21 since we last went to the ballot.

22 CHAIRMAN VALDES-FAULI: And I agree with  
23 everything that you guys have said and I lived  
24 with the four years -- I mean, with the two  
25 years, and if you want to do something, you're

1 going to get it done. I mean, this is not --  
2 it's a small city, and we meet -- the  
3 Commission meets every two weeks, and, yes, it  
4 is much more efficient to have four years and  
5 in an ideal situation I would say, four years,  
6 but the voters having voted eleven years ago, I  
7 think that, in my opinion, we should not move  
8 to change the two years.

9 Is there any desire to make it four years  
10 or three years or six years or whatever, versus  
11 the two years?

12 Any motion to do that?

13 Okay. Mr. City Attorney, our first  
14 decision. It's two years.

15 MR. LEEN: Yes, Mr. Chair.

16 CHAIRMAN VALDES-FAULI: No change.

17 Okay. The last paragraph in Section 8 has  
18 to do with vacancies, and I think, in my  
19 opinion -- I mean, I don't think that this  
20 requires any change at all. You know, the  
21 Commission fills it until the next election,  
22 and a Commissioner shall be elected to fill the  
23 balance of the unoccupied term, except for  
24 recall.

25 Is there any desire to change that?

1 MR. DEWITT: What's the system we have now,  
2 the Commission fills it until the next election  
3 and then they have to run?

4 MR. LEEN: Yes.

5 CHAIRMAN VALDES-FAULI: Within thirty days  
6 after a vacancy, the Commission shall elect a  
7 Commissioner to fill the vacancy until the next  
8 general bi-annual election, at which time, if  
9 the term of office vacated extends beyond such  
10 election, then a Commissioner shall be elected  
11 to fill the balance of the unoccupied term,  
12 which makes sense.

13 MR. DEWITT: So if you get appointed six  
14 months before the next election, then there's  
15 an election and you run --

16 CHAIRMAN VALDES-FAULI: There's an  
17 election --

18 MR. DEWITT: -- like it is in the County, I  
19 think.

20 CHAIRMAN VALDES-FAULI: And if you get  
21 appointed to fill two and a half years, because  
22 a person who got elected a year and a half ago  
23 resigns, then you fill it for six months.

24 MR. DEWITT: Yeah.

25 CHAIRMAN VALDES-FAULI: And then your



1 position gets elected.

2 MR. DEWITT: And does the person who gets  
3 elected just fulfill the rest of that term or  
4 do they get a four-year term?

5 CHAIRMAN VALDES-FAULI: They fill the rest  
6 of that term.

7 MR. DEWITT: Just the rest of that term.

8 CHAIRMAN VALDES-FAULI: Yeah.

9 MR. KORGE: This issue comes up in  
10 connection with the circumstances that happened  
11 in the City of Miami Lakes, where the Mayor was  
12 charged with a crime and removed from office,  
13 acquitted, and then was -- through court order  
14 was returned to office, and so the question  
15 was, what do we do in that circumstance? And I  
16 don't think there's no need for change, because  
17 Section 11 would allow four-fifth of the  
18 Commission to remove someone for improper  
19 conduct.

20 It doesn't require, you know, conviction of  
21 a crime or anything, and even neglect of duty  
22 or if someone was, you know, terminally ill and  
23 couldn't attend anymore, you could remove that  
24 person --

25 CHAIRMAN VALDES-FAULI: We had that come up

1           once in '80 something, maybe, you know, '89,  
2           '90, '91, and Jean Moorman, the owner of  
3           Carroll's Jewelers, was elected to fill -- was  
4           appointed to fill the rest of the term, with a  
5           commitment that she would not run in the  
6           general election.

7           She ran in the general election and got  
8           defeated, but we've had that happen once.

9           Angelique, any comments on this?

10          MS. ORTEGA-FRIDMAN: I'm just wondering,  
11          from reading this earlier, if you go from being  
12          a Commissioner to running for Mayor, you have  
13          to give up your Commission seat --

14          CHAIRMAN VALDES-FAULI: Yes.

15          MR. LEEN: Well, it depends.

16          MS. ORTEGA-FRIDMAN: Does this address that  
17          at all?

18          MR. LEEN: Well, if your Commission seat is  
19          ending when the Mayoral seat would start, you  
20          don't, but if it's in the middle of the term,  
21          you do.

22          So like if you're serving your four-year  
23          term --

24          CHAIRMAN VALDES-FAULI: You have to resign  
25          effective the day your term would come up --

1 would start, so that if two Commissioners  
2 resign, they have to resign effective the day  
3 the mayoral term would start. They're out,  
4 even if their term continues.

5 MR. LEEN: Yes.

6 MS. ORTEGA-FRIDMAN: And the only reason  
7 I'm asking this is, the resignation of a  
8 Commissioner to run for Mayor, would it create  
9 a vacancy as a matter of course in the City of  
10 Coral Gables?

11 MR. LEEN: Yes.

12 CHAIRMAN VALDES-FAULI: It would create a  
13 vacancy, yeah.

14 MR. KORGE: But when?

15 CHAIRMAN VALDES-FAULI: It would create a  
16 vacancy when the mayoral term would start.

17 MR. KORGE: Are you sure?

18 CHAIRMAN VALDES-FAULI: Positive.

19 MR. LEEN: The resign to run law, it's  
20 required. I can get you the exact specifics on  
21 the law --

22 MR. KORGE: No, I trust you.

23 CHAIRMAN VALDES-FAULI: It has never  
24 happened, and it is a good point to bring up,  
25 because maybe that seat should also come up for

1 election for the unexpired term of a person who  
2 has to resign.

3 MR. LEEN: I can look into that.

4 CHAIRMAN VALDES-FAULI: And a way to deal  
5 with this is, you're running for Mayor, your  
6 term is halfway through, you know, we'll make  
7 you resign and we'll fill your vacancy, because  
8 that person is going to be out anyway.

9 MR. KORGE: If a Commissioner decided in  
10 the middle of his or her term that the  
11 Commissioner wanted to run for Mayor, the  
12 Commissioner resigns, the resignation is  
13 effective on the date of the election of the  
14 new Mayor --

15 CHAIRMAN VALDES-FAULI: No, on the date the  
16 new Mayor takes over -- takes office, the  
17 Friday after the election.

18 MR. KORGE: Okay. The Friday after the  
19 election.

20 And so that Commissioner stays on the dais  
21 until the new Mayor is appointed, and because  
22 that Commissioner has decided to run for Mayor,  
23 that creates a vacancy for which there is an  
24 election at the same time as the mayoral  
25 election?

1 CHAIRMAN VALDES-FAULI: Yes.

2 MR. DEWITT: Yeah.

3 MR. KORGE: I got it.

4 MR. LEEN: Here's the -- it says, "The  
5 written resignation must be submitted at least  
6 ten days prior to the first day of qualifying  
7 for the office he or she intends to seek. The  
8 resignation must be effective no later than the  
9 earlier of the following dates: The date the  
10 officer would take office if elected or the  
11 date the officer's successor is required to  
12 take office."

13 CHAIRMAN VALDES-FAULI: So it's the Friday  
14 after the election.

15 MR. DEWITT: To resign to run.

16 CHAIRMAN VALDES-FAULI: Yeah.

17 So we leave it as it is?

18 MR. MORALES: Yes.

19 CHAIRMAN VALDES-FAULI: Is there any desire  
20 to do otherwise?

21 Okay. We leave it as it is. Second thing  
22 we've agreed.

23 Section 9, Term Limitations. Mayor,  
24 eight --

25 MR. KORGE: Wait. Section 8 -- I don't

1 know if it's in Section 8, but term limits, did  
2 we discuss that?

3 CHAIRMAN VALDES-FAULI: That's Section 9.

4 MR. MORALES: That's the next one.

5 MR. KORGE: Oh, Section 9. Okay. Go  
6 ahead. I'm sorry.

7 CHAIRMAN VALDES-FAULI: Section 9, Term  
8 Limits; Mayor eight years, and City  
9 Commissioner twelve years, consecutive, and the  
10 word, consecutive, is --

11 MR. LEEN: I need to add something to this.  
12 There has been a City Attorney opinion issued  
13 on this matter, which says that once the --  
14 it's based on consecutive years. So this is  
15 not a final term limit, so if you serve twelve  
16 years, you can never serve again. There has to  
17 be one year between when you can qualify for  
18 office again.

19 MR. KORGE: One year or one term.

20 CHAIRMAN VALDES-FAULI: One term.

21 MR. LEEN: Let's say, for example, you're a  
22 Commissioner. You can serve twelve years as a  
23 Commissioner. You then have to wait one year  
24 as not a Commissioner, and then you become a  
25 Commissioner again. You could be appointed as

1 a Commissioner, if there's a vacancy, you can  
2 run for Commissioner again.

3 Another thing you should know is, you can  
4 serve twelve years as Commissioner, then eight  
5 years as Mayor, then twelve years as  
6 Commissioner. You can do that.

7 Mayor and Commissioner are considered  
8 different offices.

9 CHAIRMAN VALDES-FAULI: The question here  
10 is, do we have keep the word consecutive in  
11 there --

12 MR. THOMPSON: Section 9.

13 CHAIRMAN VALDES-FAULI: Section 9 -- do we  
14 keep the word consecutive in there or do we  
15 take the word consecutive out, which means  
16 you're barred for life, or a third alternative  
17 is that you are barred for as many years as you  
18 served as Mayor or as Commissioner.

19 In the case of Former Commissioner Kerdyk  
20 Senior, he would have been barred for 28 years,  
21 I think.

22 Richard --

23 MR. DEWITT: Yes.

24 CHAIRMAN VALDES-FAULI: -- comments?

25 MR. DEWITT: You know, I'm fine with it the

1 way it is.

2 CHAIRMAN VALDES-FAULI: Parker?

3 MR. THOMPSON: Well, philosophically I hate  
4 term limits, but these were voted through --

5 CHAIRMAN VALDES-FAULI: Yeah, they were  
6 voted through.

7 MR. PARKER: -- and I'm not hating them. I  
8 don't know that any different term would be any  
9 better to me than what's there, so I recommend  
10 they be followed.

11 CHAIRMAN VALDES-FAULI: Jimmy.

12 MR. MORALES: Yeah, I'm not a big fan of  
13 term limits, either, but I do think there needs  
14 to be a time off, though.

15 I think -- you know, we had an issue like  
16 this in Miami Beach the last election, where  
17 somebody was going to do exactly that, a number  
18 of years as a Commissioner, then a number of  
19 years as Mayor, and then back to the  
20 Commission, and it created a bit of a voter  
21 revolt, quite frankly, because there was no  
22 requirement of any time off.

23 So I don't know -- if the City Attorney's  
24 Office has rendered an opinion that some time  
25 off is required, you know, that's fine.



1 MR. LEEN: Only time off in that office,  
2 though.

3 CHAIRMAN VALDES-FAULI: In that office.

4 MR. LEEN: So it's in the Office of the  
5 Commission or the Office of the Mayor, but you  
6 can go back and forth, because they're treated  
7 as separate offices. Otherwise, our  
8 Commissioners, when they reach twelve years,  
9 could not run for Mayor, and Mayor is viewed as  
10 a separate office.

11 Now, what we have said is that, as has been  
12 mentioned before, two Commission seats always  
13 run together. We've said that you can't switch  
14 from one Commission seat to the other to get  
15 around the term limit law. You cannot.

16 So you can't run for the other Commission  
17 seat and do another twelve years. It's not per  
18 seat, it's per office, and there's the Office  
19 of the Commissioner and the Office of the  
20 Mayor.

21 CHAIRMAN VALDES-FAULI: Tom, comments?

22 MR. KORGE: I wouldn't make any change. I  
23 mean, I don't have strong opinions one way or  
24 the other. I don't see any point in beating  
25 this to death.

1 CHAIRMAN VALDES-FAULI: Angelique?

2 MS. ORTEGA-FRIDMAN: I would leave it as it  
3 is.

4 CHAIRMAN VALDES-FAULI: Okay. And my idea,  
5 I would leave it as it is. I mean, it  
6 shouldn't be that if you serve one term as  
7 Commissioner or Mayor, you should be barred for  
8 life -- you know, from serving again, so my  
9 inclination would be to leave it as it is.

10 A third agreement. How about that?  
11 Another one.

12 One year residency requirement. Section  
13 10, age and residency, the age is not a  
14 problem. The one year to be a voter in the  
15 City of Coral Gables, a filing fee, qualifying  
16 period of fifty days -- there's nothing  
17 controversial here, but I was asked by a  
18 Commissioner to bring up an issue of a longer  
19 residency requirement to run for office, and  
20 I'd like to hear your opinion.

21 Angelique, you want to start?

22 MS. ORTEGA-FRIDMAN: Has there been an  
23 issue with a brand new resident of Coral Gables  
24 running for office? Not since I've lived here.

25 CHAIRMAN VALDES-FAULI: I was asked by a

1 Commissioner to bring it up. I don't think  
2 that's ever been an issue, no.

3 MS. ORTEGA-FRIDMAN: I don't think so.

4 MR. KORGE: The closest was Jim Cason, and  
5 he's been here what, two or three years?

6 CHAIRMAN VALDES-FAULI: Two or three years,  
7 yeah.

8 Yeah, he would have made it anyway.

9 Jimmy?

10 MR. MORALES: I'm okay with one year.

11 Mr. City Attorney --

12 MR. LEEN: Yes.

13 MR. MORALES: -- can a candidate qualify by  
14 petition?

15 MR. LEEN: Can you clarify?

16 MR. MORALES: In some cities, actually,  
17 Miami Beach, where I'm the Manager now, is one  
18 of them, a candidate can collect signatures to  
19 in lieu of a filing fee, collect signatures  
20 to --

21 MR. LEEN: I'll look into that. I've never  
22 been made aware of that. I've never heard of  
23 that.

24 MR. MORALES: I think you can also do it at  
25 the County. It's often used from, you know,

1           grassroots candidates who may not have funding.  
2           Again, it's \$200. I just wasn't sure if that's  
3           a mechanism that otherwise exists or not.

4           MR. LEEN: It's interesting. The  
5           Commission adopted that for appellate fees. So  
6           like, for example, if you're going to bring an  
7           appeal, we allow the fee to be waived by  
8           petition, but that's the only petition fee  
9           waiver I'm aware of.

10          MR. MORALES: Yeah, in this case, it's not  
11          a large number, but in some places where the  
12          number is significant, you know, in the  
13          thousands, they have that mechanism. I'd just  
14          throw that on the table, if that would be  
15          something that people want to think about.

16          Again, a small amount, not necessarily a  
17          big issue here.

18          CHAIRMAN VALDES-FAULI: Okay. Parker?

19          MR. THOMPSON: I see no reason to change  
20          it.

21          CHAIRMAN VALDES-FAULI: Richard?

22          MR. DEWITT: I haven't heard of any reason  
23          to change it, either.

24          CHAIRMAN VALDES-FAULI: Great. Another  
25          thing that we've agree upon.

1           And Section 11, Quorum.

2           MR. THOMPSON: A question back in Section  
3           11, I'm kind of surprised with Subparagraph D.  
4           Does this --

5           CHAIRMAN VALDES-FAULI: 11 or 10?

6           MR. THOMPSON: 10 D, that the City Clerk  
7           reports cost of election and gives candidates  
8           back money. Is that --

9           CHAIRMAN VALDES-FAULI: That's never  
10          happened.

11          MR. LEEN: The amount that we're talking  
12          about is less than --

13          MR. THOMPSON: Because I see no reason to  
14          be giving the candidates back the money. I  
15          would be thinking that it would be appropriate,  
16          if they wanted to run and pay the 200 bucks --

17          CHAIRMAN VALDES-FAULI: Parker, the only  
18          case that this would arise is if we had so many  
19          candidates paying \$200 that those filling fees  
20          would exceed the cost of the election.

21          MR. THOMPSON: I don't think we should give  
22          them back --

23          MR. LEEN: I have a feeling that this fee  
24          has been the same for a long time, and there  
25          was a time when that may have exceeded the cost

1 of the election, but it's not even close to the  
2 cost of the elections.

3 CHAIRMAN VALDES-FAULI: Why don't we take  
4 that out? Is that okay? Take it out.

5 MR. THOMPSON: I said -- yeah, I'm just  
6 surprised at the language. I don't know why  
7 we're giving candidates back money.

8 CHAIRMAN VALDES-FAULI: Richard, any --

9 MR. DEWITT: With respect to D?

10 CHAIRMAN VALDES-FAULI: No. Any comments  
11 on this Section 10?

12 MR. DEWITT: No, I'm fine.

13 CHAIRMAN VALDES-FAULI: Okay. Section 11,  
14 Rules of Procedure, Expulsion, Quorum.

15 Punish members of misconduct, four-fifth to  
16 expel a Commissioner.

17 The City of Pinecrest -- you know, we can  
18 change that and make it a majority or leave it  
19 four-fifth for expulsion. Four-fifth is  
20 unanimity because the person being expelled is  
21 not going to vote for expulsion.

22 The other thing here is, I think it's  
23 Pinecrest, has that if they miss six regular  
24 meetings without excuse or with excuse, you  
25 are, you know, subject to expulsion, and

1 another issue in this Section 11, Procedure,  
2 Expulsion, et cetera, is the compulsion to  
3 vote, and I have seen, and I have had had, when  
4 I sat here, many times persons, Commissioners,  
5 getting up and going to the bathroom, get a  
6 Coke, do whatever, whenever a sensitive issue  
7 came up, not necessarily claiming conflict of  
8 interest, but sensitive issues, and I think  
9 that's wrong, maybe we should have something  
10 here that prevents that from happening.

11 I mean, people have to vote, even if they  
12 are sensitive issues.

13 MR. DEWITT: You don't believe in  
14 abstention?

15 CHAIRMAN VALDES-FAULI: I believe in  
16 abstention if there's a conflict of interest,  
17 yes, very much so.

18 MR. LEEN: State Law does not prevent (sic)  
19 abstention except for in conflict of  
20 interest -- state Law does not allow for an  
21 abstention --

22 CHAIRMAN VALDES-FAULI: Right.

23 MR. LEEN: -- except for conflict of  
24 interest. The only way to abstain, I mean,  
25 practically, is to leave --

1 CHAIRMAN VALDES-FAULI: Get up and go.

2 MR. LEEN: But I don't think that, that's  
3 necessarily in compliance with the spirit of  
4 the Statute, which is that you should vote.

5 MR. MORALES: And I apologize, when I saw  
6 the Agenda, I thought we were just going to  
7 talk about Section 8 today, so I hadn't really  
8 had a chance to look at Section 11 carefully.  
9 There's a lot in there that bothers me, in  
10 terms of -- Number One, has this ever happened,  
11 as we know, in the history of Coral Gables?

12 MR. LEEN: What, someone being expelled by  
13 the Commission?

14 CHAIRMAN VALDES-FAULI: No.

15 MR. MORALES: So no one's ever really  
16 challenged it?

17 MR. LEEN: I would like to research that,  
18 but I don't think -- not in your time, have  
19 they?

20 CHAIRMAN VALDES-FAULI: No.

21 MR. LEEN: No.

22 MR. MORALES: I'm a little concerned,  
23 because -- and, again, we're living in  
24 increasingly political times, a term like,  
25 neglect of duty and misconduct in office, is so



1 broad, if four Commissioners decided they  
2 didn't like the fifth, you could always --  
3 there's not much of a criteria here in terms of  
4 that and the due process is an opportunity to  
5 be heard, but -- I don't know -- I'd like to  
6 see if provisions like these have been  
7 challenged in the past, because I find it --  
8 I've never seen such strong language in any  
9 City I've been involved with, giving the  
10 Commission the power to basically  
11 disenfranchise the people who elected somebody  
12 to office. So I've got concerns about Section  
13 11, but I'd love to see, Mr. Attorney, if there  
14 have been in the State of Florida any case law  
15 looking at provisions like this, because this  
16 is quite a strong hammer, particularly on the  
17 expulsion power.

18 Usually where I've seen it, it's been very  
19 specific, conviction for a felony or something  
20 a bit more specific than -- misconduct in  
21 office could mean anything.

22 MR. KORGE: Well, let's talk about that.  
23 You have the Miami Lakes example, where the  
24 Mayor was charged and acquitted of a felony,  
25 bribery, but -- and then reinstated and

1 maybe --

2 MR. DEWITT: The Governor removed him.

3 MR. KORGE: I'm not speaking to that in  
4 particular as though I know the facts, because  
5 I really don't, of what happened, but maybe a  
6 preponderance of the evidence indicated that  
7 the crime had been committed, but they didn't  
8 prove beyond a reasonable doubt, and the  
9 Commission as a whole feels it's disruptive to  
10 the City to continue that person in office and  
11 that would give the power there.

12 The other situation and the more realistic  
13 one is when somebody is too ill to continue  
14 attending and the Commission decides that we  
15 really need to replace that person, because we  
16 need to have a full Commission. That would be  
17 the other reason that would jump to mind to me  
18 immediately for doing that.

19 So I hear what you're saying, but if you  
20 say, convicted of a felony, I think that's --  
21 isn't that the current law --

22 CHAIRMAN VALDES-FAULI: You're going to be  
23 removed anyway by the Governor.

24 MR. LEEN: That involves suspension by the  
25 Governor. This is a different provision.

1 MR. KORGE: No, but if there was a  
2 conviction for felony, then after the  
3 conviction, the convicted felon can't come  
4 back.

5 MR. LEEN: No, then the person is removed.

6 MR. DEWITT: They're in jail.

7 MR. LEEN: But there's a State process for  
8 that --

9 MR. KORGE: Right.

10 MR. LEEN: -- that's separate from this  
11 City process.

12 MR. MORALES: Tom, look what happened in  
13 Miami Lakes. They've spent over a million  
14 dollars on legal fees for the City and now the  
15 renewed Mayor is looking to get his legal fees  
16 paid from it.

17 I just worry that this could become a  
18 real --

19 MR. KORGE: Yeah, you make a good point. A  
20 costly endeavor.

21 MR. MORALES: It can be a costly endeavor,  
22 and particularly because there's no criteria  
23 here. I mean, misconduct in office could be a  
24 parking ticket. I mean --

25 MS. ORTEGA-FRIDMAN: Neglect of duty, it's

1           either or.

2           MR. MORALES: Neglect of duty -- is missing  
3           two meetings neglect of duty? I don't know.

4           MR. LEEN: There is a Statute, although  
5           this doesn't reference the Statute, and I  
6           believe it comes before the Statute, I do know  
7           that with -- the Statute that relates to  
8           employment agreements for like the City  
9           Attorney and the City Manager, it talks about  
10          misconduct, because right now the current state  
11          of the law is that you can only have a  
12          severance agreement for up to twenty weeks for  
13          an official, unless they're removed for  
14          misconduct, and that misconduct is defined.

15          Now, it's not necessarily -- the fact that  
16          they used the word misconduct here doesn't mean  
17          they're referencing that Statute.

18          Neglect of duty is very broad. Almost  
19          anything can be neglect of duty, and I'll tell  
20          you, at least when -- the case law looking at  
21          impeachment indicates that normally that's a  
22          political question, and by political question,  
23          I mean, it's whatever the Congress determines  
24          is sufficient, so there's not -- probably, at  
25          least from the -- as City Attorney, it would be

1           whatever the Commission determined was neglect  
2           of duty, and then, you know, that may be  
3           challenged in court, and then my duty would be  
4           to defend whatever the Commission did.

5           MR. MORALES: Yeah, my concern is that as  
6           currently drafted, it's so potentially  
7           overbroad, that even if you had a good case for  
8           it, a Court might throw it out because of the  
9           language being overbroad.

10          MR. KORGE: Let's talk about neglect of  
11          duty first. There was a discussion about  
12          missing so many meetings. That can be the  
13          definition of neglect of duty, but that doesn't  
14          result in an automatic removal from the  
15          Commission, rather than --

16          CHAIRMAN VALDES-FAULI: In Pinecrest you  
17          can't miss six meetings.

18          MR. KORGE: Right. Let's say,  
19          hypothetically, we agree and the Commission  
20          approves and the voters approve that after six  
21          meetings, that's neglect of duty, within the  
22          meaning of this section, then at that point,  
23          the Commission would decide, "Well, do we  
24          really want to remove this person, because he  
25          or she missed six meetings," cumulatively or

1           consecutively or however it's defined?

2                   So you might be able to give more  
3           definition under neglect of duty.

4                   Misconduct in office, I think it's going to  
5           be much more difficult and, I mean, I don't  
6           have an answer. Hopefully we'll never need it,  
7           you know, but I don't have an answer for that.

8                   I do think neglect of duty we could  
9           probably address that in a more meaningful --

10                   CHAIRMAN VALDES-FAULI: Why don't we -- the  
11           City Attorney look at this?

12                   MR. LEEN: Of course.

13                   CHAIRMAN VALDES-FAULI: We went past our  
14           announced Agenda into this. We're now on  
15           Section 12, I think it is.

16                   MR. DEWITT: There is a recall provision?

17                   MS. ORTEGA-FRIDMAN: Yes.

18                   MR. LEEN: There was a recall provision in  
19           the Charter. It's been removed, because it's  
20           governed by I believe it's State Law now --  
21           State Law or County Charter. I can get you  
22           that information, but it's not governed by City  
23           Charter anymore.

24                   MR. DEWITT: There's a State recall  
25           provision?

1 MR. LEEN: Yes.

2 Is it State or County? I'll get you that  
3 information shortly.

4 MR. PARKER: How did it get removed?

5 MR. LEEN: It's a County -- in the County  
6 Charter? Let me double check that before I --  
7 just give me a moment before you continue.

8 MR. DEWITT: One of the points, though, I  
9 thought somebody asked is, whether it should be  
10 reduced. I've got some of the same concerns  
11 and I certainly wouldn't support making it less  
12 than four-fifth to remove somebody.

13 Somebody was talking about a majority. I  
14 think less than four-fifth --

15 CHAIRMAN VALDES-FAULI: I would like to  
16 suggest that we adjourn the meeting, but before  
17 we do that -- and the reason is that we've gone  
18 through our Agenda.

19 Before we do that, we should consider the  
20 dates of our next meetings and my suggestion  
21 would be to do it every two weeks, at the same  
22 time, same place, same day. What do you think?

23 MR. KORGE: Before you do, I mean, I have  
24 other issues that can be brought up at the next  
25 meeting, I don't really care --

1           CHAIRMAN VALDES-FAULI: On Section 8 or --

2           MR. KORGE: No, just other different  
3 issues. Oh, you just want to stop right now  
4 and continue --

5           CHAIRMAN VALDES-FAULI: No. I said, stop  
6 right now, because we've gone through our  
7 Agenda that was publicly noticed and now we're  
8 going into things that, you know, people may  
9 want to appear and didn't get noticed.

10           We've gone through a lot and we've deferred  
11 a lot, too --

12           MR. LEEN: Mr. Chair, I do want to be  
13 clear, the public notice is general, so you can  
14 address anything you'd like, but we do have an  
15 Agenda, which has been provided to you, which  
16 has specific items.

17           CHAIRMAN VALDES-FAULI: We have gone  
18 through our Agenda and I was thinking it would  
19 be a good time to stop at this point.

20           When Jimmy said that he wasn't prepared to  
21 discuss that section, it caught my attention  
22 that, you know, maybe we should --

23           MR. MORALES: And I apologize, I thought we  
24 were just going to do Section 8 today, so --

25           CHAIRMAN VALDES-FAULI: No, you're right.



1 MR. LEEN: And Mr. Chair, one other thing,  
2 it's 100.361 of the Florida Statutes. That's  
3 the recall provision, and it supercedes the  
4 City Charter provision, which is actually no  
5 longer in the Charter, because of that.

6 MR. DEWITT: Mr. Chairman, one issue I'd  
7 like to raise, some of us, me, especially, have  
8 to travel a lot, but do want to participate.

9 I think today we set up a telephone --

10 MR. LEEN: Yes. We're going to be able to  
11 have a conference call number, if you can't  
12 participate in person. What I would ask,  
13 though, is that the Committee vote to allow  
14 participation by phone.

15 MR. DEWITT: That's what I was going to --

16 MR. KORGE: I'll second that.

17 CHAIRMAN VALDES-FAULI: Okay. There's a  
18 motion and a second. All in favor say aye.

19 (All members voted aye.)

20 MR. MORALES: Would that still require a  
21 quorum in attendance, though?

22 MR. LEEN: Yes, there needs to be a quorum  
23 in the room. Because this is not  
24 quasi-judicial and because we really do want  
25 you to be able to participate, as long as

1           there's a quorum in the room, we can have  
2 participation by phone.

3           MR. PARKER: Mr. Chairman, where did we end  
4 on Section 11?

5           CHAIRMAN VALDES-FAULI: We're going to  
6 consider it at the next meeting.

7           MR. THOMPSON: And are alternatives going  
8 to be provided, because I think as written it's  
9 not enforceable? I think a Court would throw  
10 it out in a minute.

11           Those two sentences, where a person can  
12 defend themselves, but doesn't know what he's  
13 defending, and I don't know what misconduct  
14 is --

15           MR. LEEN: I understand.

16           MR. PARKER: -- or the neglect of duty. I  
17 mean, those are so general. You ought to go  
18 through a recall. If you want to get rid of a  
19 person, you'd ought to go through a recall on  
20 those sorts of things.

21           MR. DEWITT: I also have some concerns that  
22 Parker is voicing, as I said before, but what I  
23 was going to ask, and I forgot to, is there a  
24 due process requirement?

25           Does the Commission have to hold a hearing

1 to do this or do they just get up --

2 MR. LEEN: If this provision were ever  
3 invoked, and there are issues with the  
4 provision, obviously, that have been brought up  
5 here today, if this was invoked, I would have  
6 the Commission give the one week notice, have a  
7 hearing, let the person present their position,  
8 and then there would be a vote.

9 I would also require public participation,  
10 just because it seems to me that it's such a  
11 significant issue to remove a Commissioner,  
12 even by a four-fifth vote, for something less  
13 than a crime.

14 MR. DEWITT: And the issue is, would  
15 somebody be presenting a case against that  
16 Commissioner?

17 MR. LEEN: Well, there would have to be --  
18 in my view, there would have to be a sufficient  
19 basis to invoke the Charter provision. So  
20 someone would have to present the case, yes,  
21 but I don't think -- there's nothing in here  
22 about that.

23 The Commission would have to hold a hearing  
24 and there would have to be information  
25 presented. That's all I can say, because I

1 haven't -- I mean, I'll think about it and I'll  
2 let you know at the next meeting.

3 MR. KORGE: Presumably there would be a  
4 motion and a second to remove the Commissioner.

5 MR. LEEN: Yeah, but I would want there to  
6 be something in the record -- we're going to  
7 have to defend this.

8 And, also, you know, my duty, as City  
9 Attorney, of course, is to the Commission, but  
10 it's to the public, as well. I mean, the  
11 public has voted for this person, placed them  
12 in office, and I know each Commissioner would  
13 want me to make sure that they would receive  
14 due process and could present their case, and  
15 that they know why the vote is going against  
16 them. So there would have to be some procedure  
17 that takes place.

18 MR. KORGE: I don't disagree with you.  
19 What I'm suggesting is that anybody who has  
20 moved to remove somebody would have to state a  
21 basis for it.

22 MR. LEEN: Yes.

23 MR. KORGE: For there even to be a motion.

24 MR. LEEN: Yes.

25 MR. KORGE: And I would expect that there

1 would be some good basis stated.

2 MR. LEEN: Yes, but the statement itself,  
3 in my view, would need to be backed up by  
4 something in a hearing.

5 MR. KORGE: Yeah.

6 MR. THOMPSON: Well, the thing is, what  
7 troubles me is that the most obvious neglect of  
8 duty is, the person never shows up, okay, but  
9 there's no requirement in the Charter that  
10 people show up.

11 CHAIRMAN VALDES-FAULI: There is in other  
12 cities.

13 MR. THOMPSON: I know. If you're going to  
14 give the Commission the right to get rid of one  
15 of its members, elected by the people, you have  
16 to set standards for what it is that if that  
17 person doesn't do it, there's justifications  
18 for removing him.

19 CHAIRMAN VALDES-FAULI: I agree. I agree.

20 MR. LEEN: I agree.

21 CHAIRMAN VALDES-FAULI: So, Richard, you  
22 know, when we say every two weeks on Wednesday,  
23 we're perfectly amenable to changing it if it's  
24 convenient, so it's not --

25 MR. DEWITT: Wednesdays, depending on what

1 weeks it is -- at least one Wednesday a month  
2 I'm in New York, but a Tuesday --

3 CHAIRMAN VALDES-FAULI: This would be --  
4 Wednesday, the 9th, are you going to be gone?  
5 I have no problem doing it on Tuesdays. I  
6 don't think anybody else would.

7 MR. DEWITT: If we're going to have a  
8 permanent day, Tuesdays would be better for me  
9 than Wednesdays.

10 CHAIRMAN VALDES-FAULI: Let's do it  
11 Tuesday, September 8th.

12 Jimmy, when are your Commission days?

13 MR. MORALES: My Commission meeting is  
14 actually on a Wednesday, so Tuesday probably is  
15 better. The 9th, I'm okay, but Tuesdays  
16 probably are better for me, as well.

17 CHAIRMAN VALDES-FAULI: Perfect. We'll do  
18 it Tuesday, the 8th. Will you notice it?

19 MR. LEEN: There's a budget hearing at 5:01  
20 on the 8th.

21 CHAIRMAN VALDES-FAULI: Well --

22 MR. KORGE: Are we going to like do this  
23 weekly?

24 CHAIRMAN VALDES-FAULI: Every two weeks.  
25 Is Thursday okay?

1 MR. DEWITT: You know, whatever day it is,  
2 if I can't be here, I'll be here on the  
3 telephone.

4 CHAIRMAN VALDES-FAULI: Okay.

5 MR. MORALES: Did the 9th work for most  
6 people, because the 10th is my budget hearing,  
7 so --

8 CHAIRMAN VALDES-FAULI: Yeah, but you have  
9 Commission on the 9th.

10 MR. LEEN: September 9th is the Planning  
11 and Zoning Board meeting. The Planning and  
12 Zoning Board meets here on September 9th.

13 MR. MORALES: Okay.

14 CHAIRMAN VALDES-FAULI: And September 7th  
15 is Labor Day.

16 MR. LEEN: 7th is Labor Day.

17 Okay. The 10th?

18 MR. DEWITT: September 10th?

19 MR. THOMPSON: I'll be out of town, but I  
20 can participate by phone.

21 MR. MORALES: I'll be here.

22 MR. LEEN: No, I know I'm not here. I  
23 won't be here, but Miriam can sit in my stay.  
24 I'll be in France.

25 MR. DEWITT: With this group of folks,

1           you're never going to find --

2           MR. MORALES: Yeah, it's going to be hard.

3           I'm not available that date, but don't --

4           CHAIRMAN VALDES-FAULI: No. No. If two of  
5           you are not available, we --

6           MR. LEEN: Well, look, we don't necessarily  
7           have to meet in the Commission Chambers. We  
8           have other nice rooms that -- I can talk to the  
9           City Manager and we can find another place.

10          CHAIRMAN VALDES-FAULI: But we would not  
11          have television if we meet somewhere else.

12          MR. LEEN: Well, I have seen television  
13          done at the Youth Center.

14          CHAIRMAN VALDES-FAULI: Why don't we plan  
15          for September 9th, and then you call the  
16          Charter Review Members and see if another date  
17          would be more convenient?

18          MR. LEEN: Okay.

19          CHAIRMAN VALDES-FAULI: Is that okay? All  
20          right.

21          MR. LEEN: Does everyone prefer the 6:00  
22          p.m.?

23          MR. DEWITT: Yes.

24          MR. LEEN: No one wants to do it during the  
25          day?



1 MR. DEWITT: Not earlier than that, I would  
2 think.

3 MR. LEEN: Okay. And was the 8th okay? I  
4 know there's a budget hearing, but was the 8th  
5 okay?

6 I understand that, but was that okay for  
7 you, as well, because I want to check both  
8 dates, because I have to look for another room?

9 CHAIRMAN VALDES-FAULI: Yeah, the 8th I  
10 think would be okay for everybody.

11 MR. MORALES: The 8th was also okay. 8th  
12 and 9th were fine.

13 MR. LEEN: Because it could be either day.  
14 I'll get back to you. I'm going to look into  
15 where we could do it. I'll get back to you  
16 soon.

17 MR. KORGE: You'll e-mail us with the date,  
18 right?

19 MR. LEEN: Yes. Yes.

20 CHAIRMAN VALDES-FAULI: All right. Thank  
21 you very much everybody. Meeting adjourned.

22 (Thereupon, the meeting was adjourned at  
23 7:38 p.m.)

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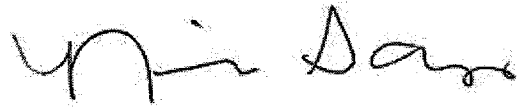
STATE OF FLORIDA:

SS.

COUNTY OF MIAMI-DADE:

I, NIEVES SANCHEZ, Court Reporter, and a Notary Public for the State of Florida at Large, do hereby certify that I was authorized to and did stenographically report the foregoing proceedings and that the transcript is a true and complete record of my stenographic notes.

DATED this 8th day of September, 2015.



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NIEVES SANCHEZ

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