

City of Coral Gables City Commission Meeting
Agenda Item F-2
June 11, 2024
City Commission Chambers
405 Biltmore Way, Coral Gables, FL

City Commission

Mayor Vince Lago

Vice Mayor Rhonda Anderson

Commissioner Melissa Castro

Commissioner Ariel Fernandez

Commissioner Kirk Menendez

City Staff

City Manager, Amos Rojas, Jr.

City Attorney, Cristina Suárez

City Clerk, Billy Urquia

Deputy City Attorney, Stephanie Throckmorton

Public Speaker(s)

Maria Cruz

Jackson Holmes

Agenda Item F-2 [1:40 p.m.]

A Resolution of the City Commission directing the City Attorney and the City Manager to proceed with next steps to establish an Office of Inspector General, including preparation of appropriate legislation and budgeting.
(Sponsored by Mayor Lago)

Mayor Lago: And we're back from lunch. Madam City Attorney, let's start with F-2.

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Agenda Item F-2 - Resolution of the City Commission directing the City Attorney and the City Manager to proceed with next steps to establish an Office of Inspector General, including preparation of appropriate legislation and budgeting.

City Attorney Suárez: F-2 is a resolution of the City Commission directing City Attorney and City Manager to proceed with next steps to establish an Office of Inspector General including preparation of appropriate legislation and budgeting. Mayor, as we've discussed, this resolution simply directs the preparation of proposed legislation. This would be establishing an Office of Inspector General via ordinance. As you know, there are different ways of establishing an IG. It can be done also via the charter, but this particular resolution would establish an office via -- would direct that we prepare an ordinance to establish an Office of Inspector General.

Mayor Lago: As the sponsor of this item, I think this is just one of the preliminary steps. I think it is a move in the right direction. I'm willing and interested in my staff's -- excuse me, my colleagues to engage and support on this item and then when it comes back and providing their input obviously to the City Attorney, providing their input so that when the ordinance does come back that we can have something that makes sense for all parties involved. This is just a very preliminary step as I always try to do in an effort to try to build consensus and not just bring an ordinance that will take such a long time to shape because there's multiple, multiple, you know, meetings that need to be had. I think this is an opportunity just to get the ball -- get the interest started and then have each one of my colleagues in the Commission meet with the City Attorney to discuss the ordinance and how we want to shape the ordinance before it comes back to the Commission.

Vice Mayor Anderson: Mayor, I'm firmly in favor of this. This is something that I've received a lot of comment from residents that they are strongly in support of. It's something that we haven't done in the past and we probably should have done in the past because it will, you know, ensure that we have a good firm basis in the future to ensure ethics in our city and that there's no deviations that occur in our city.

Commissioner Fernandez: I would add that I think creating an Office of Inspector General is something that should be done. The Manager and I have had that conversation early on. I guess the question is on how. This would be created by ordinance, which I think would create a conflict of interest in how that office can operate. And I was actually watching a documentary this weekend which made that clear for me. It was a documentary about the Watergate scandal and how the president had the authority to dismantle the special prosecutor's office and interfere with the actual investigation. If an Office of Inspector General is created by ordinance, at the end of the day, the Commission has the ability to dismantle that office if the office is investigating something. The impression that I've gotten from different people throughout the community is they want something that would have the ability to operate independently of the City Commission. And I think this is an item that should be sent to our Charter Review Committee and potentially have them sit down with the Inspector General of Miami Beach, who was created by a charter amendment in order to see -- because I know even they have had some issues with the abilities of that office to investigate certain things to make sure we do it the right way. I agree with the Mayor. I think this is something that should be done sooner rather than later, but I would like to see it done in a way where it has the ability to investigate the things it needs to investigate and the ability to

do the job that it does. I don't know that creating it by ordinance would give us that ability. I think it will create a process where the Commission, I think, has way too much power over the Inspector General. That's why I personally would prefer to go the route of going through the process that has already been started with the Charter Review Committee. I know that that was one of the questions that was already put forth to the Charter Review Committee in order to get their guidance on how to move forward with a potential charter amendment to create that office.

Mayor Lago: So, Madam City Attorney, something that we discussed in regards to my colleague's comments, I think that we should commence the process now through ordinance and also have it come through Charter Review for ratification from the voters. I don't think we should waste a moment. I think we could have -- we could have it accomplished in the next two or three months and then a year from now when it goes before the voters we can have that just you know recertified, you know, it would be a branding of approval in regards to the entire city. I'm in favor of starting the process now and also sending it to the Charter Review, sending a strong message that this Commission is in favor of this step moving forward. So I'm in favor of not wasting time a year from now when we'll have it on the Charter Review. It's similar like we talked about, you know, elections in November, or if you're in favor of annexation, or whatever the items that come before that make it onto the charter -- charter review, excuse me, that make it onto the ballot, I apologize. This is something I think is pretty simple, it's low-hanging fruit. I think we can start the implementation now and it would just be, you know, it would be a seal of approval when the residents vote for it in the, obviously, on the ballot in April or whatever we have moving forward. I don't know what your opinion is on the matter.

Vice Mayor Anderson: So, Mayor, through the Mayor.

Mayor Lago: Yes, of course.

Vice Mayor Anderson: I mean, I did talk to staff about some of the various options that we had and trying to have something outside. I'm just going to say the word agency, new in the investigation, we haven't been able to achieve that yet. So, I don't want to stall this process. I do think we need to move forward and, you know, then it eventually can be put on the ballot and become part of the charter, so it's enshrined in essentially our constitution that going forward this is going to be part of our city, a regular process.

Commissioner Castro: Yeah. Through the Mayor.

Mayor Lago: Yep.

Commissioner Castro: This -- the Charter Review Committee had -- there was a really big appetite when I attended the meetings. If the ordinance, it could be dissolved and the annual ballpark this would cost the City would probably be around \$500,000 to maintain this office. That's something

we need to budget for. Therefore, I'm going to move to refer it to the Charter Review Committee and that's my motion.

Commissioner Fernandez: I second that.

Mayor Lago: As the sponsor of the item, we have a little bit further conversation on the issue. I don't know why we have to wait for the Charter Review. Let's do it now and the Charter Review will review it. So it becomes ironclad in our Charter. They're going to for sure send it forward, but I don't want to wait a year. I want to do it now. I think it's important for transparency purposes. I think it's important for us to make a statement as a Commission that moving forward, not only are we in favor with the Charter, I think it's great. I think we're in favor of doing it right now. And I think it's -- the cost is going to take, by the way, it's going to take possibly six months and it's not going to be included now because we have to put it in the next budget. So it's something that I think is important because we start talking about it now as a Commission, we take this step forward and we put staff on notice that it has to be included in next year's budget. The charter review, I don't have the schedule in front of me, the Charter Review Board is going to take some time, probably a few months to finalize everything they're working on. You know, they may make the deadline or they may not make the deadline in regards to budgets. I don't think they will. That's just my opinion and staff is telling me they're not going to meet the deadline in regards to budgets purposes. So that means we would have to wait another year. So to me, I think that we send the message that we start budgeting for it already. It wouldn't be dissolved. I think the entire Commission here is in favor of it. I think it will be started and then it will be recertified when the voters have the opportunity to vote on it next April. But I'm 100 percent in favor of referring it to the Charter Review, but I think that we as a commission should step forward and get the process started.

Commissioner Castro: I think there is -- I think -- I did a town hall from the GGG last week and I felt like there was mixed sentiment when it came to the Inspector General and I would really, really feel more comfortable if this was referred to the Charter Committee -- Charter Review Committee.

Mayor Lago: But I'm doing that. I think it's great.

Commissioner Castro: Right, but we...

Mayor Lago: I'm not -- I think we should send it to the Charter Review. I'm 100 percent -- I agree with you wholeheartedly, that was my plan from the beginning. I had spoken to the City Attorney. I mean, I think we are 100 percent in agreeance. But I don't -- I think we should do this now so that we can make sure we address budgets, so we can address concerns in the community. So I'm ready to move forward.

Commissioner Fernandez: I guess I have a couple of questions for the City Attorney. When Charter Review Committee meets, can they send us recommendations on a specific issue prior to

their final report? If we say we want this to be your first agenda item to discuss and get us a report on this specific item, you know, giving the parameters of we want to know what the best path forward would be to create an Office of Inspector General so that we get this first and would we also be able to maybe line item in the budget for an Office of Inspector General for next year that way we're ready once that office is created and we have the budget for that office? Two questions.

City Attorney Suárez: So certainly the Charter Review Committee can do, you know, make recommendations when off. The way it was done last time, it was determined it would be more efficient to do it all at once, to have a comprehensive review of the entire charter, and then make all the recommendations at once to the Commission. And the Commission considered all of those recommendations once they were done with their work. But this Commission can decide or request that things be done differently.

Mayor Lago: So if I may add to that, this is not a political issue. The Charter Review is going to say, yes, they want an Inspector General. We know what the answer is. The Commission is in the same -- is lockstep in regards to that opinion. So I mean, I don't have -- I mean, I think that we should send a strong message as a Commission to the community that we are in favor of this. It's been discussed at a Charter Review. It shouldn't be whether I bring it up or you bring it up or it comes to the Charter Review. It doesn't really matter. The point is that it's something that will be beneficial for the community and I'm more than willing. It's going to cost money. It has to cost money. There's no other way of doing it. We've exhausted every opportunity, myself through the City Attorney, in finding a solution, piggybacking with the County. She's had multiple conversations. She's had conversations with other agencies and other cities, excuse me, I apologize, to try to find out how to find the best path moving forward. We've got to finally just take a step forward. We know where the Charter Review stands. They're in favor of it. And I think that it's a good opportunity for the Commission just to positively step forward and say, let's move on this item. It's just a resolution, by the way. The ordinance still has to come back. So I don't know -- we're not doing anything. We're just asking -- we're putting together a resolution today to the City Manager and City Attorney to work together on starting to work on an ordinance that at the end of the day will come back for the Commission. Am I correct, Madam City Attorney?

City Attorney Suárez: Correct. This directs the preparation of an ordinance that would establish the Office of the Inspector General.

Commissioner Fernandez: But I guess, again, when it comes to me, I don't believe it should be created by ordinance. I believe it should be created where it has the ability to thoroughly investigate without implied supervision of the Commission. This is the resolution. It will come on first reading in July, would not come in second reading until the end of August.

City Attorney Suárez: July may be a little bit ambitious for a resolution. An ordinance...

Commissioner Fernandez: We're talking about August/September, so we're in budget season already. By then, the Charter Review Committee should have already had some discussions and we could potentially have a report from the Charter Review Committee on how to create the -- properly create the office through charter before the end of this year.

Mayor Lago: Can I ask you a quick question, Madam City Attorney? There was something that has been brought up three times in the discussion already about oversight. Who would have oversight -- who would have oversight whether it was done by charter or if it was done by ordinance, who would have oversight over the Inspector General?

City Attorney Suárez: So that has to be established, right? The lines of authority would have to be established as part of this process. But if it's in the Charter, the office cannot be dissolved without the voters approving it. If it's established by ordinance, certainly the Commission can dissolve the position via ordinance.

Mayor Lago: Like I said, this would just start us working the framework. It would go to Charter, it would be through a Charter review and they would say, we're in favor of putting this on the ballot for approval. I just see it as an opportunity to get a head start. Madam Vice Mayor.

Vice Mayor Anderson: So I see no harm in running both tracks. And if something is delayed by the Charter Review Committee, at least we're starting to work through the machinations and we can provide some information to the Charter Review Committee as to the results of our research, okay, because getting this going, this is the first dance that we're doing, trying to set it up, I think is beneficial for the Charter Review Committee to learn from what -- our benefits of our research. The other thing is we can start routing out any issues that are concerning to the public. And if there is a delay with the Charter Review Committee for whatever reason, someone has a health issue, I mean, I've seen health issues in some of my cases delay a trial for a year. So I can't just sit back here idly waiting for somebody to do something when I have no control over it whatsoever. So I'd rather get this moving. Let's take the lead. Let's, you know, show by example. And I think it's clear to the Charter Review Committee that we want something moving forward. They can take this wheel and polish it and make it better moving forward, but I think we just can't sit back and wait any longer.

Commissioner Castro: I don't think we're waiting because it's going to cost around \$500,000 and it's not budgeted for, therefore, the ordinance is practically just saying we're doing something about it, but at the same time we're not doing anything about it.

Mayor Lago: I mean, I wouldn't say that. I wouldn't say that because I think that's not the truth. I think when you have the ordinance, it would provide a framework which would also help the Charter Review have a little bit of an understanding of what the intentions are. They can work off that. They can say we like that or we don't like that. And it would make something more ironclad when it goes before the voters, but I also think it sends a message that we are serious about this in

the budgeting process. So again, if we can't get it in July, which is perfectly fine, and we move it to August, we try to get it done in August, but it's an opportunity to send a message and to start the process moving forward. Again, we have to have serious discussions. I imagine the -- Madam City Attorney, I imagine you probably have to speak to an outside consultant to have a conversation about this, correct?

City Attorney Suárez: I certainly want to research the other...

Mayor Lago: (INAUDIBLE) research.

City Attorney Suárez: The Miami-Dade County ones and do some further research on...

Mayor Lago: You want to start activating that and I think those resources can be used by the Charter Review. The Charter Review can say, hey listen, Madam City Attorney, you're speaking to X, Y and Z counsel in regards to this issue who has experience in this matter. You know, give us the information or allow us to be able to use this information so that we can help draft the Charter amendment. I think anyways it's going to end up on the Commission's lap anyways to approve it, correct?

City Attorney Suárez: Certainly, nothing can be done without the Commission's approval.

Mayor Lago: So, at the end of the day, it has to come to us for approval. So, whether it's by ordinance, whether it's by Charter, we're -- I think we can run two parallel tracks and get to a positive end result, in my opinion.

Commissioner Castro: I'm sticking with my motion.

Mayor Lago: Okay.

Commissioner Menendez: I -- my thoughts are, first off, I'm old enough to be around when it happened Saturday night. I'm old enough to be around when the Saturday night massacre happened, October 20th, 1973, when President Nixon fired the U.S. Attorney General and the Deputy U.S. Attorney General because they refused to fire the special Watergate prosecutor that was breathing down the administration's neck. I know of situations in other municipalities where the political pressure on auditor generals and you name it is unbearable to the point I remember one, I think it was an Auditor General, gentleman passed out at the podium because of the political pressure and we need to do everything to avoid that scenario. The Charter Review Committee, I think it was established so that they could field issues, thoughts, ideas, possible legislation from the community which they have. I think what started out with one or two issues has blossomed into 10 to 15 issues that they are now considering and I think if I'm not mistaken, the next meeting is a joint meeting...

City Attorney Suárez: That's correct.

Commissioner Menendez: Of the Charter Review Committee and the City Commission. Up to now, I don't think we have passed legislation on any of those other issues prior to allowing the Charter Review Committee to do their job and then report back to us on their suggestions or findings. I have no issue with asking the Charter Review Committee to take this issue up as one of the many and if everyone agrees, I think we are all in agreement, the position's needed, that I'm more than happy to make that suggestion as well, legislation, but the Charter Review Committee needs to be able to do its job, and it has, and I think if we pass legislation, we are circumventing in some way or fashion what they were created to do. And if we're meeting soon enough, I think we'll have the opportunity soon enough to sit down with them, and obviously this will be number one or top three of the issues, if not the number one issue. So I think let's follow -- let things play out and let them do their job, which they have been so far.

Mayor Lago: Yes, ma'am.

Vice Mayor Anderson: I'll share with you not a single comment received to the op-ed that I did indicated that anybody wanted any delay in this process, nothing whatsoever. If not, we would need to move proactively. And if the Charter Review Committee decides to meet and take this up separately and obviate the need for the ordinance and for this body to implement it, then so be it. But in the meantime, we would be remiss if we don't take proactive action here because we should have, would have, could have, and may want to wait another year for something to happen. To assume that somebody can't be removed from office or basing a decision that somebody could do something in the future that they might not ever do, seems to me to be circular reasoning that doesn't add up. Okay, so this body has a desire to establish an inspector general. We have judges and juries. We either have to accept their verdicts or we don't have to accept their verdicts. We have to accept the results of investigations or not. So we have a process and we're establishing a process here by saying that we want an Inspector General's office. And if we're going to accept an Inspector General, you don't go out and overtly fire them because you're not happy with the results of the investigation. That would be quite clear to the community that it might not be this body, but a future body, is not being transparent, is trying to hide something, and that's not what we want. What I hope here today is that we can come together, provide the community assurance that we're going to be doing something that is good for the community and transparent for the community to avoid the appearance of impropriety based upon what's been happening here over the past several months. So let's move forward and instead of trying to delay, let's take some proactive action and the Charter Review Committee can do its work in due time.

Commissioner Menendez: I have to say that I know this body would never go forward and fire the Inspector General for perhaps looking into things that perhaps we don't want them to look into. But this is South Florida and there's no guarantee that future members of the Commission wouldn't take different action. And heck, if the President of the United States did it, why can't it happen in local government? These are safeguards. Even, you know, every aspect of our judicial system

has safeguards in place before things get out of hand. And every -- I'm sure every year there's a tweak to it. And I think moving it forward is getting it to the Charter Review Committee. That's progress. But it's progress in a clear, thoughtful way. And not sending the message to the Charter Review Committee, we've already made up our mind. So we're just doing you a courtesy to receive this. No, we want them to discuss it with the community, give us their ideas. We're not putting the, what is it, the cart before the horse. Let's let them do it. And that's progress, that's moving it forward. But you know, I know the -- Mayor Slesnick was here. He's the chairperson. We have a lot of capable people on that Charter Review Committee that have handled a great many important issues. They've engaged the community. We all respect the work that they do. And they're part of the process. I think let them do it and we're going to be meeting, I think, in a couple of, if not a month or two, we're going to get together anyway. So I think that's how we move it forward.

Vice Mayor Anderson: So there's, Mayor, an easy response to that. Justice delayed is justice denied. There is strong support for this in the community. If we don't move forward today, it appears that you're trying to hide something. I am not afraid of opening up my books. I'm not afraid of an inspector general looking at anything. So if we don't move forward, then it appears there's something being hidden.

Commissioner Castro: I completely disagree. I completely disagree with you. I think that even if we do the ordinance, it's going to make no difference in the timeline. I think -- I'm going to say what maybe most of us are thinking and not saying, but I think this ordinance is just a political tactic to clear somebody's name. So, I'm not going to fall for that and the correct process is to refer to the Charter Review Committee and I stand with my motion.

Commissioner Fernandez: And I would add to that, I think implying that not creating an office the wrong way is trying to hide something is disingenuous and using your terms. What I've been hearing from the community is they want an Office of Inspector General, but they want it done the right way. They want an office where if come election time there's a new majority in here, all of a sudden the office is dissolved. And that's the honest concern that people have in this community because they didn't want them looking into the things they wanted to look into. That's the concern that's being brought up in the community. And we do need to create it the right way. Creating something by ordinance to then go the charter route and recreate it invalidates everything that was done by ordinance because then you have dueling offices, an office that was created by charter, an office that was created by ordinance, which then has to be dissolved by ordinance. So you then have dueling offices. That office's investigations would then have to be taken up by the new office. And we're talking about maybe three, four months apart. So I think sending this to Charter Review, which is the process which should be followed, because I hear a lot about how this Commission does not follow process. We have a process in place for amendments to the Charter. It is to send it to the Charter Review Committee for it to make recommendations. It has been followed by commissions going back to the days of George Merrick. This is the process that has been followed. We need to do it. We need to do it right. Like Commissioner Menendez was

mentioning, the Saturday Night Massacre, we cannot allow for that to happen here. We need to do it the right way and I stand by my second to Commissioner Castro's motion. I think we should call the vote.

Vice Mayor Anderson: Yeah, and...

Mayor Lago: May I respond?

Vice Mayor Anderson: Yeah (INAUDIBLE)...

(COMMENTS MADE OFF THE RECORD)'

Mayor Lago: Not yet, not yet. We're going to do it, I promise. So my comment is a very simple one and that is, Madam City Attorney, if we were to do this by ordinance and the process started moving forward in the Charter Review, which they're going to take it up, because we're going to make a request for them to take it up right now, and you're going to get 5-0 support for that. If the Charter Review Committee states that this goes on the ballot and it gets ratified by the Commission, the Commissioner mentioned that there's like a stop, there's something that changes, there's something that changes. It's still the same inspector general. It's just now in the charter.

City Attorney Suárez: So just if I could back up. So even if there was a charter amendment, we would still need an implementing ordinance because the charter amendment is a broad statement and it establishes something but you still need the ordinance to have the particulars of the qualifications for the Inspector General, the terms, the specific powers, et cetera and other aspects of the organization of the office are done via ordinance and that's what we've seen in Miami-Dade County and in Miami Beach.

Mayor Lago: So this is something...

City Attorney Suárez: So if we had an ordinance and then we -- you know, we could always, in the question that's put to the voters, include that there's an existing office and perhaps have it now become a charter office, right?

Mayor Lago: So, if I may, if I may, this is not the first time today where we've had to correct statements on the record that are incorrect. It's -- this is the process and the way it happens. It's not about clearing somebody's name. It's not about, you know, confusing or having a three or four month gap between an ordinance and the charter, it will be seamless. This is something that has to be done through the processes or things that I have met with the City Attorney in an effort to move forward and try to figure out a way to start this process, not having to wait until April until it gets ratified by the -- excuse me, by the voters, I apologize, which it's going to be ratified by the voters. And you're going to get a 5-0 support to send it to the Charter Review and the Charter Review is going to 5-0 support it to send it to the voters. You know, I think everybody's

engaged and everybody's interested in getting this done. So I just want to be careful when we put things on the record that this is going to like delay and it's not. It's part of the process moving forward and I think it's important. But again, if you have a motion and a second and you want to move forward that way, it's perfectly fine. I don't have an issue with it. We'll move forward.

Vice Mayor Anderson: And just to follow up, Commissioner, when you use words like disingenuous, right way and stuff like that, you know, it has a connotation that implies that somebody's doing something wrong. As you can hear, an ordinance will dovetail right into a charter amendment that will enshrine this process forevermore into our charter, unless and until the voters decide that they don't want an Office of Inspector General. I don't think that's highly likely. We're not going to have a Saturday Night Massacre. We're not going to have, you know, removal of the justice of the Supreme Court for any reason whatsoever. This is a process that we're trying to, for the future, ensure that future generations that come after us have this process set up. We can have productive debate about it. We can make -- improve the process and then have the Charter Review Committee put it into our charter so it doesn't become, as Commissioner Menendez alluded, a Saturday Night Massacre, okay.

Mayor Lago: You have -- if no further comments, you have a motion and a second.

Commissioner Castro: Public comment.

Vice Mayor Anderson: Public comment.

Mayor Lago: Okay, public comment.

City Clerk Urquia: First speaker is Ms. Maria Cruz.

Maria Cruz: Mrs. Maria Cruz, 1447 Miller Road. Here we go. I'm not an attorney. I never pretend to be one. But I'm a teacher and I can read. And reading this, the way it's presented, it appears to me that we're already in the process. And when this resolution passes, it doesn't say to discuss, to get ideas. It says very clearly, a resolution of the City Commission directing the City Attorney and the City Manager to proceed with next steps to establish an Office of Inspector General, including preparation of appropriate legislation and budgeting. Where are we talking to the people here? We're already saying, let's do this and this and this. I'm sorry, I read, and I'm not reading minutes and I'm going to stop. I'm sorry, you're not paying attention.

(COMMENTS MADE OFF THE RECORD)

Ms. Cruz: Well, then address it and I'll continue when you finish. This discussion, I don't think it has anything to do with being afraid. I think that some of us have, I don't know what they used to call the Ouija board or the ball, you know, whooping ghost, you know, looking at the future, we know what the people want. Why? Because some people have written us notice or texts or emails.

The whole population hasn't been addressed. Just the people that are vocal like me, that write texts and emails, but most of the people have no clue that we're discussing this. You see a lot of people here? No. If they knew this was going to be discussed, we would have had a crowd here. In favor, perhaps? Against, perhaps? We don't know. We're putting words on -- we're saying that we know, we know that people are in favor. We know that, some people can say, well, I know that they're not. Who cares? We haven't discussed this. This hasn't been brought up to the people so that we can make the assertion that we know. Assertion is a big word for me. Okay, number one. Number two, my big concern is, my big concern is more than what I've said is that we will muddle the waters because people will think eventually because now I just heard we can do this and that and then give it to the Charter Committee and then they can put it in place. No, no, no, no. We want the Charter Committee to come with the ideas. To what? To you all and then you all to decide how you're going to proceed. Not telling the Charter Committee what you want them to do before they do it. Okay, that's number one. Number two, if the general population, the people that we really should be caring about, get this message, you know what? What is to say that they don't say, you know what, this is another game, this is another charade, this is another way to confuse us, and we're going to vote no for it, instead of doing it the right way so people can see that you really mean what you're saying, because we're trusting the committee that we appointed to look at things that are important to our community, and we're going to allow them to come to us and tell us how they feel. Okay? I think that urgency, I'm going to tell you, when I talk to people, they always say, my mother used to say the same thing, when you try to rush things, something will go wrong. There's no way to rush this. This needs to be done right, and I'm the first one that will vote yes. But let the people really know what's going on. Let them decide whether they want to do this or that before you all commit to do it. Okay, I'm sorry. We're not - - you're not here, I believe, to tell the Charter Committee what to do. You're here to let them come back to you with what they think should be done, and then that's your turn, not direct them how you want to do it.

City Clerk Urquia: Jackson Holmes.

Jackson Holmes: Thank you very much. I first, I hope you forgive me, want to thank our City Manager, Mr. Rojas. Those of you who have been here know that until he got appointed, I really wasn't here. It was too much pain. And now I say, oh, my God, I can go, I can learn something, you know, at the City Commission meetings without feeling too much pain. So, thank you. As to this particular item, Mr. Lago, you're a very good person in the sense that you are able to understand things even if they don't reach the same result that you do. And that's just as an example, that's a stark contrast to the previous mayor who would let you know right away if he didn't like what you were saying, maybe even cut you off. With the audit, I was so hopeful with the audit, but then the way that you defined it made me feel very depressed. I'm still trying to get a good auditor that can do an audit of developer influence on our elections. And I just have this gut feeling that if we appoint an inspector general now before we get the full independence established through charter review, it's going to be a whitewash and that's not what we need. We

need a genuine inspector general that has the authority and the independence to take on wrongdoing at the highest levels.

Mayor Lago: Thank you, sir.

City Clerk Urquia: That's it, Mr. Mayor.

Mayor Lago: Anything else for the good of the order? So, would you like to reiterate your motion and a second that's on the floor?

Commissioner Castro: My motion was to refer back to the Charter Review Committee.

Mayor Lago: This issue?

Commissioner Castro: Yeah.

Vice Mayor Anderson: You're not taking any action at all today?

Commissioner Castro: Exactly.

Commissioner Fernandez: Well, we are taking action.

Vice Mayor Anderson: No, no. Not -- you're not take --

Commissioner Fernandez: By taking this action, we're basically telling the Charter Review Committee this is a priority for us, but we're not dictating what the process should be. We're not telling them this is how we want you to do it.

Vice Mayor Anderson: No.

Commissioner Fernandez: It will be their decision and their advice to us on how to properly create this office.

Vice Mayor Anderson: So I'm going to ask the City Attorney to reiterate the process so you understand.

City Attorney Suárez: What exactly? What part of the process is it that you'd like me to reiterate?

Vice Mayor Anderson: If this goes on to the Charter Review Committee, what could they put in the charter and what must this body do to implement it?

City Attorney Suárez: Okay. So, if this goes through the charter review process and ultimately there will be recommendations made to the City Commission and the City Commission approves a resolution putting a question on the ballot about establishing an Office of Inspector General, of course, there should be some particulars in that charter amendment, but the actual details, the, you know, in terms of the specifics on the qualifications, how that person is selected, it's probably going to be fleshed out in an ordinance because with just the charter provision, it's not enough to implement the charter. Usually you have ordinances that implement what the charter provides.

Deputy City Attorney Throckmorton: And to be clear, the Charter Review Committee could recommend or not the creation of an Office of the Inspector General.

City Attorney Suárez: Correct.

Deputy City Attorney Throckmorton: If this issue is referred to them, they may not make that suggestion.

City Attorney Suárez: Correct.

Deputy City Attorney Throckmorton: It will depend on their feedback.

City Attorney Suárez: Correct. And they may have -- you know, to be fair, they may have some particulars about how it should be established that maybe go into the charter question.

Vice Mayor Anderson: And the other thing is, if we took action today, establishing an inspector general's office, they could evaluate that and they could disagree with us on some of the particulars, but at least they have something to look at as opposed to having a blank slate. So, your motion kicks the can down the road to the Charter Review Committee, and therefore, we will not have an Office of the Inspector General for some time until it gets to a ballot question. Just so you understand.

Commissioner Castro: Yeah. I...

Commissioner Fernandez: No, the motion actually follows the process in place for charter changes, which is to go to the Charter Review Committee first for their advice to the Commission.

Vice Mayor Anderson: That's for charter changes. We're not -- this...

Commissioner Fernandez: It's a charter change.

Vice Mayor Anderson: This is not requesting a charter change at this time. So for you to say that it's an improper process to ask the City Attorney to move forward on establishing an office is incorrect.

Mayor Lago: Also, just to be clear, you know, I know that none of my colleagues in the Commission have conversations with the individuals that they're appointing to different boards in regards to -- I don't have them. I don't have conversations with my appointees. This is something where you want it to come organically from the Charter Review in regards to input from the community. So, my point is very simple. I have no choice but to vote in favor of this because I want it to go to the Charter Review. I want the Charter Review to take action. But my position is that we could run a dovetail opportunity here that could address the issue in the Charter Review if they do or if they don't. And also the Commission takes action, which I think sends a strong message to the community in regards to our position. So I'm going to have to vote in favor of the amendment of the amended legislation, because at the end of the day, I think the entire Commission is in favor of that. That's not in doubt that we want the Charter Review members to review this and to address it and to consider it. But I don't see what the harm or the foul is in regards to it already going through an ordinance form, which as the City Attorney has very clearly stated, has to be dealt with anyways in one moment or another in regards to an ordinance. It has to be brought forward in an ordinance form if we're going to have full implementation. But if you don't want to do that, that's fine. Again, I'm trying to push forward something that I think is beneficial. I don't want to see it politicized. Again, it gets to the point where, you know, doing simple things like this because it has my name on it or it has another Commissioner's name on it gets relegated or gets no voted because, you know, you have this weird belief that for some reason we're going to say that you weren't in favor of it but we were in favor of it. Just vote unanimously and everybody's in favor of it at the end of the day. But we have a motion, we have a second.

Commissioner Menendez: I want to clarify real quick.

Mayor Lago: Go ahead.

Commissioner Menendez: With all due respect to the Charter Review Committee members, the Chairperson, Mayor Slesnick, all the appointees, this legislation is sending to you an issue that's extremely important, that perhaps may be one of the most important issues you tackle going forward. And it was described as kicking the can down the road. We're not delivering a can to you. We're delivering an issue of great importance to our community and the future of our community. And I hope we can all come together in agreement and give the committee the opportunity for which they were created to take up this very important issue and all the other important issues that they have received from the community. That's why we're trying to work together. I understand the concerns, the reservations, but I think this is an opportunity to come together and move forward with respecting the role of the Charter Review Committee going forward.

Mayor Lago: Anything else for the good of the order? We're good? All right. Mr. Clerk?

Commissioner Menendez: Yes.

Vice Mayor Anderson: Yes.
Commissioner Castro: Yes.
Commissioner Fernandez: Yes.
Mayor Lago: Yes.
(Vote: 5-0)

Vice Mayor Anderson: And Mayor, and rather than delay the process, and it's a well-known statement in the law, justice delayed is justice denied. I move your item forward so that we can get this ball rolling and have the City Attorney's Office work on establishing an Office of the Inspector General.

Mayor Lago: I'll second the motion. Mr. Clerk?

Vice Mayor Anderson: Yes.

Commissioner Castro: No.

Commissioner Fernandez: As stated earlier, this would hamper the ability of the Charter Review Committee to do its job and set the Commission's will and the people, and I believe this should be the will of the people, not the will of the Commission, so no.

Commissioner Menendez: The reasons as stated previously, my vote is no.

Mayor Lago: Yes.
(Vote: 2-3)

Mayor Lago: Thank you.