



CITY OF DORAL COUNCIL MEETING MEMORANDUM MAYOR AND COUNCIL

ITEM TITLE:

Discussion on City Manager's failure to notify Council of City Events and Abdication of Duties and responsibilities.

BRIEF HISTORY:

Section 3.04 of the City Charter states, in relevant part, that the City Manager shall "Direct and supervise the administration of all departments and offices [. . .]. Ensure that all laws, provisions of this Charter and acts of the Council, subject to enforcement and/or administration by him/her or by officers subject to his/her direction and supervision, are faithfully executed[.]."

Section 4.02(c) of the City Charter states, "[e]xcept for the purpose of inquiries and investigations made in good faith, the Council or its members shall deal with officers and employees of the City who are subject to the direction and supervision of the Manager solely through the Manager, and neither the Council nor its members shall give orders to any such officer or employee, either publicly or privately. It is the express intent of this Charter that recommendations for improvement in City government operations by individual Members of the Council be made solely to and through the Manager. Members of the Council may discuss with the Manager any matter of City business; however, no individual Member of the Council shall give orders to the Manager."

Several of my inquiries to the City Manager's office regarding status and organization of City events, including the preparations for the final opening of Central Park, have received an incomplete answer or have been referred to the Mayor for answers. These are events held by the City and organized by City staff who are under the instruction and direction of the City Manager. The City Manager's office has delegated an authority and duty that cannot be delegated as per the City Charter to the Mayor who has chosen to notify only Councilmembers she favors. This unlawful delegation has resulted in Councilmembers being excluded from the participation and knowledge of important City events and activities.

Further, the City Manager's office has also failed to notify and/or invite the entire Council to City events, including most recently the Public Works Appreciation Luncheon and Memorial Day Celebration. Both events were City sponsored events, where City staff and resources were used. Further, the City Manager's office last year sent invitations to said events to the entire Council. However, this year, the City Manager's office delegated their duty to inform the entire Council of these events, which resulted in the Mayor choosing to only notify

Councilmembers she favored. This also resulted in a negative perception of Councilmembers who are deemed as absent from these events even though their absence is due to a failure to receive an invitation from the City Manager's office. Further, failure to notify me of these City events infringes on my right as Vice Mayor to represent the City in all ceremonial proceedings in the absence of the Mayor.

Given that the City Manager is abdicating her duties and responsibilities and attempting to delegate authority that is not allowed by the City Charter, it is important to address this with the Council. Continuation of this behavior and conduct will result in my office filing an ethics complaint for intentional violation of the City Charter and Ordinances.

I appreciate your attention to this matter.

LEGISLATIVE ACTION: (IF APPLICABLE)

Date:	Resolution/Ordinance No.	Comments

FISCAL IMPACT STATEMENT:

The proposed item has a fiscal impact on revenues and/or expenditures in the amount of:

☒ \$50,000.00 or less (**No Fiscal Impact**)

☐ \$50,000.00 or more

RECOMMENDATION:

See above.

ATTACHMENT(S):

A. Forthcoming