

# MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



## REPORT OF INVESTIGATION

K 12-186

Date Opened: December 21, 2012

Date Closed: February 28, 2013

Investigator: Breno Penichet

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### **Allegation:**

Refusal by the City of Coral Gables to allow residents to appear before the City Commission and be heard.

### **Applicable Legislation:**

Citizens' Bill of Rights (A)(5), Right to be Heard.

### **Investigation:**

Complainant John B. Thompson (Thompson) sent a letter to the COE alleging that the City of Coral Gables (City) is in violation of the Miami-Dade Citizens' Bill of Rights, which guarantees the right to appear before the City Council. The above-named Investigator contacted Thompson and conducted a telephone interview.

Thompson voluntarily provided the following information: he attempted to appear before the City commission but felt he was not being allowed to. Once he filed his complaint with the COE, he was permitted to schedule an appearance. Thompson only wanted to discuss, in public, the fact that City employees along with elected officials were allowed golf and tennis privileges at public courses without paying fees. Thompson advised that the City has been doing this for years and the practice does not seem correct.

This Investigator contacted Craig Leen (Leen), City Attorney for the City. Leen advised it was never the City's position not to allow Thompson to address the issue of the golf and tennis privileges. He advised that Thompson was required to request the appearance in writing and the topic to be discussed in order for staff to prepare the council with a response. Leen advised that as for the free use of the facilities, that practice has been authorized by Ordinance, and

approved since the early 1990's. Leen also provided documentation showing the Administrative Policy and Municipal Code. Leen also pointed out that it also brings the community at large and City employees and elected officials closer together. Leen further stated that Thompson did not appear in front of the Council after all.

All documents were made part of the Investigative file.

**Conclusion:**

Advocate Michael Murawski advised that no further action would be taken since there does not appear to be any ethics related violation. Accordingly, it is recommended that the above case be closed without further action.