



MIAMI-DADE COUNTY

## Judge tosses suit by Miami commissioner who wanted to stop 'strong mayor' vote

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A Miami-Dade circuit judge has tossed out a lawsuit by Miami Commissioner Joe Carollo that sought to stop a November ballot proposal to turn the largely ceremonial job of Miami mayor into a powerful executive post.

Barring a successful appeal by Carollo, the ruling by Miami-Dade Judge Miguel M. de la O means the Nov. 6 vote will go forward. The referendum, backed by Miami Mayor Francis Suarez, would let voters decide if the job should be expanded to include the power to oversee the city attorney, control the city's \$1 billion budget and make important recommendations for city contracts.

Carollo sued the city, Suarez and a political committee backing the measure last month, among others, after a Miami commission majority outvoted him to put the strong-mayor proposal to a referendum. Carollo's suit claimed that the ballot language was misleading and that a petition process backing the measure was illegal.

But De la O, in an 18-page decision, summarily dismissed Carollo's arguments. The judge said the petition issue was moot because the city commission used its power to put the measure on the ballot via a resolution. He also ruled Carollo and his attorneys relied on a Miami-Dade County ordinance on ballot petitions that does not apply to the city. And he dismissed another leading Carollo argument, that the ballot language was unclear because it was vague on how much the strong mayor would be paid, concluding the salary is a secondary matter and up to the commission to decide.

"Having lost that vote, he now asks this Court to declare the referendum unlawful for a variety of reasons, none of which have merit," the judge wrote in his ruling. "The question of how the City of Miami government should be structured is at its core a political one.

"Therefore, Commissioner Carollo must rely on his powers of persuasion to convince the citizens of Miami as to the follies of a strong mayor form of government, if it is indeed folly, because this Court cannot provide the relief he seeks."

Christian Ulvert, a spokesman for Miamians for an Independent and Accountable Mayor's Initiative, the political committee backing Suarez's strong-mayor campaign, applauded De la O's ruling.

"This weekend's court ruling regarding the City of Miami referendum allowing voters to decide the future of their government is another victory for the residents who firmly believe that it's ultimately up to them to hold their government and its leaders accountable," Ulvert said in a statement.

"It's time to put aside the political grandstanding we've seen by the same career politicians who want to silence Miami residents. Now it's up to the voters to take the final step by voting this November to put full power back in the hands of the people and ensure complete transparency,

efficiency and accountability takes shape in Miami's City Hall," Ulvert added.

In a statement Monday, Carollo's attorney, Jesus Suarez of Genovese Joblove Battista, said his client is considering "all legal options, including an expedited appeal."

"We are grateful to Judge de la O for his judicial labor, and in the meantime, will heed his advice to continue making our case to voters in the city of Miami that this 'Strong Mayor' proposal is a dangerous and irresponsible consolidation of power in the office of the Mayor," the statement said.

Carollo has long criticized Suarez's strong-mayor campaign as a power grab that would consolidate unprecedented authority into the hands of the mayor and has called the proposal a "dictator-mayor" initiative.