



To: Peter Iglesias, City Manager for the City of Coral Gables

From: Miriam Soler Ramos, City Attorney for the City of Coral Gables

RE: Legal Opinion Regarding Collection of Board of Architects Fee

Date: September 24, 2020

You have asked whether the 50 percent split of the Board of Architects (BOA) fee may be implemented prior to November 1st. The current fee schedule states that the BOA fee is "\$2.67 for each \$1,000 Construction Cost" but does not specify when the fee is to be collected. At the September 22nd City Commission meeting, the City Commission adopted a resolution amending Ordinance No. 2015-17 revising various building permit fees. While the BOA fee did not change, as part of that item, the City Commission approved the addition of language specifying that the BOA fee will be collected in two parts – 50 percent prior to preliminary BOA and 50 percent prior to final BOA. That resolution goes into effect on November 1st. There are several projects in the pipeline that are ready to proceed to preliminary BOA and would like to avail themselves of the 50/50 payment option. You have asked whether the department may institute the 50/50 payment option prior to November 1st. Given that the current fee schedule does not require that the full fee be paid prior to preliminary BOA, there is nothing that prohibits the 50/50 payment option from being instituted now. In addition, the City Commission has indicated with their vote that they are in agreement with this option.

This opinion is issued pursuant to section 2-252(e)(1) and (8) of the City Code.

Paulk, Enga

From: Ramos, Miriam
Sent: Thursday, September 24, 2020 3:09 PM
To: Paulk, Enga
Cc: Suarez, Cristina
Subject: FW: Collection of Board of Architects Fee

Enga, please publish.

Miriam Soler Ramos, Esq., B.C.S.

City Attorney

Board Certified by the Florida Bar in City, County, and Local Government Law

City of Coral Gables
405 Biltmore Way, 2nd Floor
Coral Gables, FL 33134
(305)460-5084 direct dial



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From: Ramos, Miriam
Sent: Thursday, September 24, 2020 3:04 PM
To: Iglesias, Peter <piglesias@coralgables.com>
Cc: Suarez, Cristina <csuarez@coralgables.com>
Subject: Collection of Board of Architects Fee

Peter,

You have asked whether the 50 percent split of the Board of Architects (BOA) fee may be implemented prior to November 1st. The current fee schedule states that the BOA fee is “\$2.67 for each \$1,000 Construction Cost” but does not specify when the fee is to be collected. At the September 22nd City Commission meeting, the City Commission adopted a resolution amending Ordinance No. 2015-17 revising various building permit fees. While the BOA fee did not change, as part of that item, the City Commission

approved the addition of language specifying that the BOA fee will be collected in two parts – 50 percent prior to preliminary BOA and 50 percent prior to final BOA. That resolution goes into effect on November 1st. There are several projects in the pipeline that are ready to proceed to preliminary BOA and would like to avail themselves of the 50/50 payment option. You have asked whether the department may institute the 50/50 payment option prior to November 1st. Given that the current fee schedule does not require that the full fee be paid prior to preliminary BOA, there is nothing that prohibits the 50/50 payment option from being instituted now. In addition, the City Commission has indicated with their vote that they are in agreement with this option.

This opinion is issued pursuant to section 2-252(e)(1) and (8) of the City Code.

Thanks,

Miriam Soler Ramos, Esq., B.C.S.

City Attorney

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