



To: Dona Spain

From: Craig E. Leen, City Attorney for the City of Coral Gables

A handwritten signature in blue ink, appearing to be "CL", located to the right of the "From:" line.

RE: Legal Opinion Regarding Chairperson Of A Board Can Appear Before City Commission
To Provide Board's Recommendations

Date: March 12, 2012

As a general matter, the chairperson of a board can appear before the City Commission to provide the Board's recommendation. *See* City Code, Sec. 2-232(c). Here, however, the chairperson should not appear to speak before the City Commission, as this is an appeal from the Historic Preservation Board's action, not simply consideration of a recommendation. The Commission will be reviewing the record and the decision of the Board, and the chairperson should not appear to advocate or inform. The record and the Board's action speak for themselves, and will be the subject of the appellate review.

Osle, Zilma

From: Leen, Craig
Sent: Monday, March 12, 2012 12:41 PM
To: Osle, Zilma
Cc: Alfonsin, Lourdes
Subject: FW: Casuarina Appeal

Please include in my opinion folder.

Craig E. Leen
City Attorney
City of Coral Gables
405 Biltmore Way
Coral Gables, Florida 33134
Phone: (305) 460-5218
Fax: (305) 460-5264
Email: cleen@coralgables.com

From: Leen, Craig
Sent: Monday, March 12, 2012 12:30 PM
To: Spain, Dona
Cc: Alfonsin, Lourdes
Subject: RE: Casuarina Appeal

Dona,

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Craig E. Leen
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From: Spain, Dona
Sent: Monday, March 12, 2012 8:24 AM
To: 'macbirch@aol.com'
Cc: Leen, Craig; Alfonsin, Lourdes
Subject: RE: Casuarina Appeal

I think it will be on the March 27 City Commission meeting. As to whether a board member can attend the hearing, in the past it's only if the board votes to send someone to represent them. I'm copying the City Attorney's office.

Lourdes / Craig – this is about a member of the Historic Presentation Board attending / speaking at the appeal of the designation of 2 Casuarina Concourse.

Dona M. Spain
City of Coral Gables
Historical Resources Department
(305) 460-5095

From: macbirch@aol.com [<mailto:macbirch@aol.com>]
Sent: Saturday, March 10, 2012 6:13 PM
To: Spain, Dona
Subject: Casuarina Appeal

When will the appeal be heard and is it appropriate (legal) for Board members to attend the hearing?
Dolly