



To: Michael Pounds

From: Miriam S. Ramos, Deputy City Attorney for the City of Coral Gables

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

A handwritten signature in blue ink, appearing to be "C. Leen", is written over the name of the City Attorney.

RE: Legal Opinion Regarding Parking Garage Redevelopment Pre-Proposal Conference

Date: July 28, 2015

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A property owner does not have to register as a lobbyist if he/she is appearing in his/her individual capacity. If, however, the property owner is the principal of a company that owns the property in the City and is speaking on behalf of that company, he/she needs to register as a lobbyist. Sec. 2-243 of the City of Coral Gables Code does not include principals in the definition of lobbyist. However, Sec. 2-11.1(s)(1)(b) of the Miami-Dade Conflict of Interest and Code of Ethics Ordinance expressly includes principals in the definition of lobbyist (and under Sec. 2-11.1(s)(3)(b), provides that the principal shall not be required to pay any registration fees). While the City's Ethics Code may be more restrictive than the County's Ethics Code, it may not be more permissive. Therefore, it would be advisable for a principal who wishes to address the City Commission, a City Board or Committee or City personnel regarding: (1) an ordinance, resolution, action or decision of the City Commission; (2) any action, decision, recommendation of the City Manager or any City Board or Committee; or (3) any action, decision or recommendation of City personnel during the time period of the entire decision-making process on such action, decision or recommendation which foreseeably will be heard or reviewed by the City Commission, or a City Board or Committee, to register as a lobbyist.

This opinion is issued pursuant to Sec. 2-201(e)(1) and (8) of the City of Coral Gables Code giving the City Attorney's Office the authority to issue opinions and interpretations on behalf of the City.

## Herbello, Stephanie

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**From:** Ramos, Miriam  
**Sent:** Friday, July 31, 2015 4:39 PM  
**To:** Herbello, Stephanie  
**Subject:** FW: Legal Question - Parking Garage Redevelopment Pre-Proposal Conference

*Miriam S. Ramos, Esq.*  
Deputy City Attorney  
City of Coral Gables  
405 Biltmore Way, 3rd Floor  
Coral Gables, FL 33134  
(305) 460-5218  
(305) 460-5084 direct dial



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**From:** Ramos, Miriam  
**Sent:** Tuesday, July 28, 2015 5:30 PM  
**To:** Pounds, Michael; Leen, Craig  
**Cc:** Chen, Brigitte; Swanson-Rivenbark, Cathy; Gomez, Diana  
**Subject:** RE: Legal Question - Parking Garage Redevelopment Pre-Proposal Conference

Dear Michael,

A property owner does not have to register as a lobbyist if he/she is appearing in his/her individual capacity. If, however, the property owner is the principal of a company that owns the property in the City and is speaking on behalf of that company, he/she needs to register as a lobbyist. Sec. 2-243 of the City of Coral Gables Code does not include

principals in the definition of lobbyist . However, Sec. 2-11.1(s)(1)(b) of the Miami-Dade Conflict of Interest and Code of Ethics Ordinance expressly includes principals in the definition of lobbyist (and under Sec. 2-11.1(s)(3)(b), provides that the principal shall not be required to pay any registration fees). While the City's Ethics Code may be more restrictive than the County's Ethics Code, it may not be more permissive. Therefore, it would be advisable for a principal who wishes to address the City Commission, a City Board or Committee or City personnel regarding: (1) an ordinance, resolution, action or decision of the City Commission; (2) any action, decision, recommendation of the City Manager or any City Board or Committee; or (3) any action, decision or recommendation of City personnel during the time period of the entire decision-making process on such action, decision or recommendation which foreseeably will be heard or reviewed by the City Commission, or a City Board or Committee, to register as a lobbyist.

This opinion is issued pursuant to Sec. 2-201(e)(1) and (8) of the City of Coral Gables Code giving the City Attorney's Office the authority to issue opinions and interpretations on behalf of the City.

Sincerely,

*Miriam S. Ramos, Esq.*  
Deputy City Attorney  
City of Coral Gables  
405 Biltmore Way, 3rd Floor  
Coral Gables, FL 33134  
(305) 460-5218  
(305) 460-5084 direct dial



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**From:** Pounds, Michael  
**Sent:** Monday, July 27, 2015 1:50 PM

**To:** Leen, Craig  
**Cc:** Ramos, Miriam; Chen, Brigitte; Swanson-Rivenbark, Cathy; Gomez, Diana  
**Subject:** FW: Legal Question - Parking Garage Redevelopment Pre-Proposal Conference  
**Importance:** High

Craig:

As mentioned in my email below, a question was asked last week at the Pre-Proposal Conference by a Miracle Mile property owner regarding the need for a property owner in Coral Gables to register as Lobbyist to speak to Commission Members about the Parking Garage Development RFP. I would like to respond to that question by addendum with an opinion from you on this question. Please let me know if you can provide me with an opinion on this matter.

Mike Pounds  
Chief Procurement Officer  
City of Coral Gables  
2800 SW 72<sup>nd</sup> Avenue  
Miami, FL 33155  
Phone (305) 460-5101



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**From:** Pounds, Michael  
**Sent:** Thursday, July 23, 2015 6:30 PM  
**To:** Leen, Craig  
**Cc:** Swanson-Rivenbark, Cathy  
**Subject:** Legal Question - Parking Garage Redevelopment Pre-Proposal Conference  
**Importance:** High

Craig:

Please give me a call. I had a question that came up in our Pre-Proposal Conference this week regarding communications with individual Commission Members and the need to complete an application to lobby that I would like to discuss with you. Thanks.

Mike Pounds  
Chief Procurement Officer  
City of Coral Gables  
2800 SW 72<sup>nd</sup> Avenue  
Miami, FL 33155  
Phone (305) 460-5101



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