



To: Roy D. Wassen

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

RE: Legal Opinion Regarding Procedural Question About Commission Meetings and City Board Minutes

Date: December 3, 2015

The item will come up following the consent agenda, and the agenda will indicate that the Board is requesting action. The minutes and proposed resolution will be in the Commission's agenda packet. The chairperson of the board, or a designee of the board (who would be acting chair for purposes of the item), may present the board's position regarding the item, but is not required to do so. Public comment must be allowed at least once in the process as well before anything is finally adopted. The Commission may decide to act on the item by (1) adopting the resolution subject to review by the City Attorney's Office for form and legal sufficiency, (2) directing that the resolution be placed on the agenda at a future meeting (with or without revisions depending on the Commission's instructions), (3) or reject the resolution.). The Commission always has the authority to table, continue, or not act on the item as well. Any ordinances would have to come in future meetings if directed by the Commission (with two public hearings at first reading and second reading).

From: [Leen, Craig](#)
To: [Paulk, Enga](#)
Subject: FW: Procedural Question About Commission Meetings
Date: Wednesday, December 02, 2015 11:38:31 PM
Attachments: [image001.png](#)

Please publish.

Craig E. Leen, City Attorney

*Board Certified by the Florida Bar in
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City of Coral Gables

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From: Leen, Craig
Sent: Wednesday, December 02, 2015 11:38 PM
To: 'Roy Wasson'
Cc: 'carwell1981@gmail.com'; Anderson, Matthew; Ramos, Miriam; Figueroa, Yaneris
Subject: RE: Procedural Question About Commission Meetings

Good evening, Roy. The item will come up following the consent agenda, and the agenda will indicate that the Board is requesting action. The minutes and proposed resolution will be in the Commission's agenda packet. The chairperson of the board, or a designee of the board (who would be acting chair for purposes of the item), may present the board's position regarding the item, but is not required to do so. Public comment must be allowed at least once in the process as well before anything is finally adopted. The Commission may decide to act on the item by (1) adopting the resolution subject to review by the City Attorney's Office for form and legal sufficiency, (2) directing that the resolution be placed on the agenda at a future meeting (with or without revisions depending on the Commission's instructions), (3) or reject the resolution.). The Commission always has the authority to table, continue, or not act on the item as well. Any ordinances would have to come in future meetings if directed by the Commission (with two public hearings at first reading and

second reading). Please let me know if you would like to further discuss. Best regards, Craig

Craig E. Leen, City Attorney

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From: Roy Wasson [mailto:roy@wassonandassociates.com]
Sent: Sunday, November 22, 2015 9:36 AM
To: Leen, Craig
Cc: 'carwell1981@gmail.com'; Anderson, Matthew
Subject: Procedural Question About Commission Meetings

Craig:

I understand that there is a process under which the City Commission addresses actions by City boards using a procedure called something like "Minutes Requiring Commission Action." I hope to learn something more about that process. If a City board should present a resolution to the Commission with several recommendations for action, and that resolution is placed on the Commission's agenda under that procedure, how is that agenda item handled at the meeting?

Specifically, is there a vote on whether to approve the board's resolution?

If so, is it an "up-or-down" vote on the entire resolution, or would each of the several recommendations be voted-on separately?

Would the resolution then be referred to one or more City departments for further action?

Are public comments accepted?

Is a representative of the board expected to attend to speak in favor of the resolution and/or to answer questions?

What is the procedure under which the Commission would then enact ordinances in furtherance of the resolution?

The reason I am asking these questions is because the Sustainability Advisory Board has adopted a resolution that I understand is going to be on the Commission agenda at the December meeting, and I am hoping to learn what to expect will occur at the meeting and as a result thereof. Therefore, if there are other things that I did not ask about above that would be helpful to understand, I would appreciate your guidance. Thank you.

Roy D. Wasson
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