


To: Walter Foeman

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 

RE: Legal Opinion Regarding Final Decisions of the City Commission must be done by Resolution or Ordinance

Date: April 25, 2016

---

In analyzing the mechanisms by which action is taken by the City Commission, it is the opinion of this office that final decisions of the City Commission must be done by Resolution or Ordinance, with majority vote of the whole Commission, pursuant to Sec. 5 of the Restated City of Coral Gables Charter.

Preliminary or parliamentary decisions, or actions in which the City Commission gives direction to appointed officials or staff may be done by motion, which requires a the majority of a quorum, pursuant to Secs. 2-67(7) and 2-72(g) of the City of Coral Gables Code. These motions may pass through the exercise of a motion and second or by unanimous consent. Motions in anticipation of formal action or where roll call is taken, should be memorialized in writing (i.e. motion initially accepting recommendations of the Charter Review Committee). Other motions, that are less formal in nature (i.e. direction to City staff to evaluate traffic patterns throughout the City), need not be memorialized in writing.

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

**From:** [Leen, Craig](#)  
**To:** [Paulk, Enga](#)  
**Cc:** [Foeman, Walter](#); [Ramos, Miriam](#); [Figueroa, Yanneris](#)  
**Subject:** Fwd: Opinion re. actions by City Commission  
**Date:** Monday, April 25, 2016 2:30:20 PM  
**Attachments:** [image003.png](#)

---

Please publish.

Sent from my iPhone

Begin forwarded message:

**From:** "Ramos, Miriam" <[mramos@coralgables.com](mailto:mramos@coralgables.com)>  
**Date:** April 25, 2016 at 1:59:40 PM EDT  
**To:** "Foeman, Walter" <[wfoeman@coralgables.com](mailto:wfoeman@coralgables.com)>  
**Cc:** "Leen, Craig" <[cleen@coralgables.com](mailto:cleen@coralgables.com)>, "Figueroa, Yanneris" <[yfigueroa@coralgables.com](mailto:yfigueroa@coralgables.com)>  
**Subject:** **Opinion re. actions by City Commission**

In analyzing the mechanisms by which action is taken by the City Commission, it is the opinion of this office that final decisions of the City Commission must be done by Resolution or Ordinance, with majority vote of the whole Commission, pursuant to Sec. 5 of the Restated City of Coral Gables Charter.

Preliminary or parliamentary decisions, or actions in which the City Commission gives direction to appointed officials or staff may be done by motion, which requires a the majority of a quorum, pursuant to Secs. 2-67(7) and 2-72(g) of the City of Coral Gables Code. These motions may pass through the exercise of a motion and second or by unanimous consent. Motions in anticipation of formal action or where roll call is taken, should be memorialized in writing (i.e. motion initially accepting recommendations of the Charter Review Committee). Other motions, that are less formal in nature (i.e. direction to City staff to evaluate traffic patterns throughout the City), need not be memorialized in writing.

This opinion is issued pursuant to Sec. 2-201(e)(1) and (8) of the

City of Coral Gables Code, authorizing the City Attorney's Office 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



**PUBLIC RECORDS:**

This e-mail is from the City of Coral Gables – City Attorneys Office and is intended solely for the use of the individual(s) to whom it is addressed. If you believe you received this email in error, please notify the sender immediately, delete your e-mail from your computer and do not copy or disclose it to anyone else. The State of Florida has a broad public records laws. Most written communications to or from State and Local Officials regarding State or Local business are public records available to the public upon request.

**CONFIDENTIALITY:**

The information contained in this transmission may be legally privileged and confidential, intended only for the use of the individual or entity named above. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited