



To: Carmen Olazabal

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

A handwritten signature in blue ink, appearing to be "C. Leen".

RE: Legal Opinion Regarding Naming of Parks

Date: October 14, 2015

The Commission may waive the process by adopting a resolution naming the park directly (the more recent resolution takes precedence over the prior one). The Commission has demonstrated its will to use this authority as well through recent action. The Commission's will and action legally governs here. The Board may express its viewpoint in its minutes, which the Commission can review as part of the agenda and board minutes, but the Code is clear that only the Mayor, each Commissioner, City Manager, City Attorney, and City Clerk may place an item on the agenda. The board would need one of these officials to sponsor the item to have a proposed ordinance directly placed on the Commission agenda.

From: [Leen, Craig](#)
To: [Paulk, Enga](#)
Subject: Fwd: NAMING OF PARKS RES30314-A.doc
Date: Tuesday, October 13, 2015 5:35:17 PM
Attachments: [image001.png](#)

Please publish.

Sent from my iPhone

Begin forwarded message:

From: "Leen, Craig" <cleen@coralgables.com>
Date: October 13, 2015 at 3:26:31 PM EDT
To: "Olazabal, Carmen" <colazabal@coralgables.com>
Cc: "Couceyro, Fred" <fcouceyro@coralgables.com>, "Levi, Naomi" <nlevi@coralgables.com>, "Ramos, Miriam" <mramos@coralgables.com>, "Figueroa, Yaneris" <yfigueroa@coralgables.com>
Subject: Re: NAMING OF PARKS RES30314-A.doc

Good afternoon, Carmen. I have previously opined on this issue. The Commission may waive the process by adopting a resolution naming the park directly (the more recent resolution takes precedence over the prior one). The Commission has demonstrated its will to use this authority as well through recent action. The Commission's will and action legally governs here. The Board may express its viewpoint in its minutes, which the Commission can review as part of the agenda and board minutes, but the Code is clear that only the Mayor, each Commissioner, City Manager, City Attorney, and City Clerk may place an item on the agenda. The board would need one of these officials to sponsor the item to have a proposed ordinance directly placed on the Commission agenda.

Please let me know if you have any questions.

Best regards,
Craig

Craig E. Leen
City Attorney

Sent from my iPhone

On Oct 13, 2015, at 3:14 PM, Olazabal, Carmen <colazabal@coralgables.com> wrote:

Fred,

Not sure I understand Fred. The Parks and Recreation Advisory Board

wants to place the existing resolution for naming parks on the Commission agenda?

In this case, the City Commission decided to follow a different process and I believe this is their prerogative.

Craig,

It would seem to me that if the Commission votes to name a park, they may (if they choose to) but do not need to follow the above process.

Could you advise?

Carmen Olazabal, P.E.

Assistant City Manager for Operations

City of Coral Gables

405 Biltmore Way

Coral Gables, Florida 33134

Office: (305) 460-5204

colazabal@coralgables.com

<image001.png>

From: Couceyro, Fred

Sent: Tuesday, October 13, 2015 2:07 PM

To: Olazabal, Carmen

Subject: NAMING OF PARKS RES30314-A.doc

Hello Carmen,

The Parks and Recreation Advisory Board wants to make a motion at our next meeting to request that the Commission make this resolution an ordinance. There had been discussion at the last Parks and Rec Advisory Board meeting about the recent park namings where the Commission approved three park namings without the process that was stated in the attached resolution.

I would like to get feedback from your office, so I know what direction to take the discussion at our Board meeting on Friday.

Thank You,

Fred