



To: Dona Spain and Virginia Goizueta

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

RE: Legal Opinion Regarding City Historic Projects - Art Fees

Date: December 19, 2016

My prior opinion was that no fee would apply to any of these projects as a legal matter, as these projects were excluded from the definition of Municipal Construction Project (this opinion related to the Merrick House, but would appear to be applicable to the whole list below).

See CAO 2016-070, which is applicable here:

<http://www.coralgables.com/modules/showdocument.aspx?documentid=17962>

If as a discretionary matter, Cathy or you would like to apply the Arts fee, you may do so as long as sufficient funds have been budgeted by the City Commission. You are not required to do so though.

From: [Leen, Craig](#)
To: [Paulk, Enga](#)
Subject: FW: City historic projects - art fees
Date: Monday, December 19, 2016 11:28:48 AM

Please publish.

Craig E. Leen, City Attorney
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City, County and Local Government Law
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-----Original Message-----

From: Leen, Craig
Sent: Monday, December 19, 2016 11:15 AM
To: Spain, Dona; Goizueta, Virginia
Cc: Wu, Charles; Santamaria, Eduardo; Ramos, Miriam; Gonzalez, Alejandro; Kautz, Kara; Guin, Elizabeth; Cathers, Catherine
Subject: RE: City historic projects - art fees

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-----Original Message-----

From: Spain, Dona

Sent: Monday, December 19, 2016 10:56 AM

To: Goizueta, Virginia

Cc: Wu, Charles; Santamaria, Eduardo; Ramos, Miriam; Leen, Craig; Gonzalez, Alejandro; Kautz, Kara; Guin, Elizabeth; Cathers, Catherine

Subject: City historic projects - art fees

On the city projects that involve historic properties I believe the Historic Art Fee of 1% should be waived. However, the .5% for the Art Acquisition Fund should still apply and should be paid. These existing projects include:

Merrick House
Venetian Pool
Plaza's and Entrances

Craig and Miriam, please verify that this is the case and Virginia, please verify that this is what happened.

Sent from my iPhone