



To: Charles Wu

From: Cristina M. Suárez, Assistant City Attorney for the City of Coral Gables *CMS*

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

RE: Legal Opinion Regarding Compensation for Board of Architects Special Masters

Date: September 30, 2016

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Our Office has been asked to determine the appropriate compensation for the Board of Architects Special Masters. The special master (also referred to as “hearing officer” or “special magistrate”) position is specifically referenced in Chapters 74 and 101 of the City Code. Those individuals are highly skilled and qualified attorneys who adjudicate code enforcement violations and preside over mitigation hearings. Their compensation is established by Resolution No. 2010-104 at a rate of \$125.00 per hour for a minimum of four hours.

The City has created another special master position, the Board of Architect Special Master (“BOA Special Master”), pursuant to sec. 2-303(D) of the Zoning Code, to adjudicate architectural issues under the Zoning Code. The BOA Special Master must be a registered architect or landscape architect and possess other qualifications in accordance with sec. 2-302 of the Zoning Code.

Pursuant to sections 2-201(e)(1) and (8) of the City Code and sec. 2-702 of the Zoning Code, the City Attorney’s Office determines that Resolution No. 2010-104 is applicable to the BOA Special Master position because the BOA Special Master serves a similar function as the hearing officers under Chapters 74 and 101 of the City Code and the rate of compensation is appropriate. The City Manager has been consulted and, pursuant to her administrative authority under section 2-701 of the Zoning Code, has also determined that the compensation established under Resolution No. 2010-104 is appropriate for the BOA Special Master.

Thus, the BOA Special Master shall be compensated pursuant to Resolution No. 2010-104 at a rate of \$125.00 per hour for a minimum of four hours.

**From:** [Leen, Craig](#)  
**To:** [Suarez, Cristina](#)  
**Cc:** [Ramos, Miriam](#); [Paulk, Enga](#)  
**Subject:** Special Master  
**Date:** Thursday, September 29, 2016 9:03:08 PM

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The Special Master Memorandum opinion was excellent. Great work, Cristina. I just initialed it. Please publish and include the resolution.

Sent from my iPhone

**CITY OF CORAL GABLES**

**CITY ATTORNEY'S OFFICE**

**MEMORANDUM**

To: Charles Wu, Interim Development Services Director

From: Cristina M. Suárez, Assistant City Attorney

Approved: Craig E. Leen, City Attorney

Date: September 29, 2016

Re: Compensation for Board of Architects Special Masters

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Our Office has been asked to determine the appropriate compensation for the Board of Architects Special Masters. The special master (also referred to as “hearing officer” or “special magistrate”) position is specifically referenced in Chapters 74 and 101 of the City Code. Those individuals are highly skilled and qualified attorneys who adjudicate code enforcement violations and preside over mitigation hearings. Their compensation is established by Resolution No. 2010-104 at a rate of \$125.00 per hour for a minimum of four hours.

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Pursuant to sections 2-201(e)(1) and (8) of the City Code and sec. 2-702 of the Zoning Code, the City Attorney’s Office determines that Resolution No. 2010-104 is applicable to the BOA Special Master position because the BOA Special Master serves a similar function as the hearing officers under Chapters 74 and 101 of the City Code and the rate of compensation is appropriate. The City Manager has been consulted and, pursuant to her administrative authority under section 2-701 of the Zoning Code, has also determined that the compensation established under Resolution No. 2010-104 is appropriate for the BOA Special Master.

Thus, the BOA Special Master shall be compensated pursuant to Resolution No. 2010-104 at a rate of \$125.00 per hour for a minimum of four hours.

**CITY OF CORAL GABLES, FLORIDA**

**RESOLUTION NO. 2010-104**

RESOLUTION ESTABLISHING A PAYMENT OF UP TO ONE HUNDRED TWENTY FIVE DOLLARS (\$125.00) PER HOUR FOR SERVICES RENDERED BY THE CITY'S HEARING OFFICERS AND PROVIDING FOR A FOUR (4) HOUR MINIMUM PAYMENT.

**BE IT RESOLVED BY THE CITY COMMISSION OF CORAL GABLES:**

**SECTION 1.** That the Hearing Officer positions were created under Chapter 101 and Chapter 74, Article VIII, City Code, to hear administrative appeals of City Code and red light camera traffic civil infractions.

**SECTION 2.** That the Hearing Officer payment was Seventy Five Dollars (\$75.00) per hour for a minimum of four (4) hours which will be increased to One Hundred Twenty Five Dollars (\$125.00) per hour for a minimum of four (4) hours for services rendered therewith in order to obtain highly skilled and qualified attorneys to hear all administrative appeals.

**SECTION 3.** That said Resolution shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS FIRST DAY OF JUNE, A.D., 2010.

(Moved: Anderson / Seconded: Kerdyk)

(Yeas: Anderson, Cabrera, Kerdyk, Withers, Slesnick)

(Unanimous: 5-0 Vote)

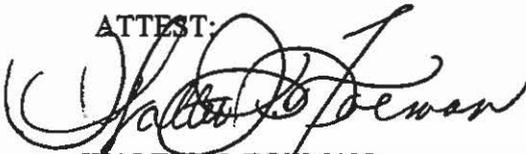
(Agenda Item: C-6)

APPROVED:



DONALD D. SLESNICK II  
MAYOR

ATTEST:



WALTER J. FOEMAN  
CITY CLERK

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY;



ELIZABETH M. HERNANDEZ  
CITY ATTORNEY