



To: Jane Tompkins

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

RE: Legal Opinion Regarding Alcohol License Request From Firefighters Association

Date: January 21, 2015

I have reviewed the documents. It is clear from the attachment (special events application) that the applicant intended the Firefighters Benevolent Association to be included in the application because they are expressly mentioned on page 2 as the name of the "charity/organization" hosting the event. The attachment was an Exhibit to Item C-9 for the December 16, 2014 Commission meeting, which was reviewed and approved by the Commission through Resolution No. 2014-267. In such circumstances, pursuant to section 2-201(e)(1) of the City Code, it is my opinion that the Commission's intent was to include the Firefighters Benevolent Association in the approval, as that was a central part of the application that was approved, and the application was part of the item.

Independently, I have also previously given an opinion that the City Manager's Office could approve this type of request administratively pursuant to section 6-15(a) of the City Code. As this request came from the City Manager's Office, this would be independent authority for granting the request. This authority need not be used here, however, as it is my opinion that the Commission's intent was to grant the request.

Accordingly, the license could be issued by Sebrina, as long as all other Florida Department of Professional Regulation requirements are met.

Herbello, Stephanie

From: Chen, Brigette
Sent: Wednesday, January 28, 2015 9:59 AM
To: Herbello, Stephanie
Subject: FW: Alcohol License request from Firefighters Association

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

From: Leen, Craig
Sent: Wednesday, January 21, 2015 6:27 PM
To: Tompkins, Jane
Cc: Olazabal, Carmen; Brown, Sebrina; Chen, Brigette
Subject: RE: Alcohol License request from Firefighters Association

City Attorney Opinion

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Accordingly, the license could be issued by Sebrina, as long as all other Florida Department of Professional Regulation requirements are met.

Best regards,
Craig

Craig E. Leen, City Attorney
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-----Original Message-----

From: Tompkins, Jane

Craig,
Sent: Wednesday, January 21, 2015 3:59 PM
To: Leen, Craig
Cc: Olazabal, Carmen; Brown, Sebrina
Subject: Alcohol License request from Firefighters Association

I know you've discussed this with Carmen, but I'll briefly summarize it again. Unlimited Sales Group, Inc., a for-profit corporation, received permission from the City Commission on 12-16-14 to sell alcohol at Coral Gables Festival of Arts to be held this weekend. In addition to Unlimited Sales, a non-profit organization by the name of Coral Gables Firefighters Benevolent Association also wishes to sell alcohol at the event. This group was identified on page 2 of the Special Events application, but were not included in the resolution (please see attachments). Mario Pi, on behalf of the Firefighters, is requesting permission for that group to sell alcohol at the event, but without authorization from the City Manager or City Commission, we don't believe Sebrina can sign the alcohol license.

Sebrina informs me that a similar situation occurred last March with the United Way and an event at the Village of Merrick Park. In that case, you determined, under your legal authority, that Sebrina could sign the license for that event.

Please advise whether Sebrina may sign the license for the Firefighters Association.

If you have questions about Unlimited Sales or the Firefighters Assoc., Mr. Pi can be reached at 305-812-7626.

Thank you,
Jane

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

From: XEROX
Sent: Wednesday, January 21, 2015 12:19 PM
To: Tompkins, Jane
Subject: Scanned from a Xerox Multifunction Printer

Please open the attached document. It was scanned and sent to you using a Xerox Multifunction Printer.

Attachment File Type: pdf, Multi-Page

Multifunction Printer Location:
Device Name: CTHDS3FL-7970B

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