

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2009-23

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF CORAL GABLES AMENDING THE "CODE OF THE CITY OF CORAL GABLES" BY AMENDING CHAPTER 2, "ADMINISTRATION", ARTICLE V, "CONFLICT OF INTEREST AND CODE OF ETHICS", SEC. 2-232, "CERTAIN APPEARANCES AND PAYMENT PROHIBITED.", TO PROVIDE THAT THE CHAIRPERSON OF A CITY BOARD MAY APPEAR BEFORE THE CITY COMMISSION TO PROVIDE THE BOARD'S RECOMMENDATION, PROVIDING FOR SEVERABILITY CODIFICATION, AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH.

WHEREAS, the City Commission has determined it to be in the best interest of the City to amend the City Code under Chapter 2, "Administration", Article V, "Conflict of Interest and Code of Ethics", Sec. 2-232, "Certain appearances and payment prohibited.", to provide that the chairperson of a city board may appear before the City Commission to provide the board's recommendation;

NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSION OF THE CITY OF CORAL GABLES:

SECTION 1. The foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon adoption hereof.

SECTION 2. That Chapter 2 of the "Code of the City of Coral Gables" is hereby amended as hereinafter set forth as it pertains to Article V, "Conflict of Interest and Code of Ethics", for the purpose of providing that the chairperson of a city board may appear before the City Commission to provide the board's recommendation.

Sec. 232. Certain appearances and payment prohibited.

- (c) No advisory personnel, autonomous personnel or quasijudicial personnel, after deliberating, considering, ruling and recommending on an application filed with the board or committee upon which they serve, shall appear before the higher board or the city commission to testify as an affected party. However, this section shall not prohibit the chairperson of a city board from appearing before the city commission to provide the board's recommendation.

SECTION 3. That the City Clerk is directed to transmit a certified copy of this ordinance to the Miami-Dade County Commission on Ethics and Public Trust.

SECTION 4. That if any section, subsection or provision of this Ordinance is held invalid, the remainder shall not be affected by such invalidity.

SECTION 5. That all ordinances or parts of ordinances in conflict or inconsistent herewith are hereby repealed insofar as there is conflict or inconsistency.

SECTION 6. That this ordinance shall become effective thirty days from the date of its passage and adoption by the City Commission.

PASSED AND ADOPTED THIS TWENTY-EIGHTH DAY OF APRIL, A.D., 2009.

(Moved: Cabrera / Seconded: Kerdyk)

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

(Unanimous: 5-0 Vote)

(Agenda Item: E-1)

APPROVED:



DONALD D. SLESNICK II
MAYOR

ATTEST:



WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



ELIZABETH M. HERNANDEZ
CITY ATTORNEY