

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2021-27

AN ORDINANCE OF THE CITY COMMISSION AMENDING THE CITY OF CORAL GABLES ETHICS CODE TO ADD SECTION 2-307, “PROHIBITION ON CAMPAIGN/POLITICAL CONSULTANTS LOBBYING AND DOING BUSINESS WITH THE CITY” PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, the City of Coral Gables continuously strives to be an example of ethical and transparent government; and

WHEREAS, allowing campaign/political consultants to lobby the City Commission and City Commissioners may lead the public’s trust in government to diminish; and

WHEREAS, allowing campaign/political consultant to do business with the City may cause the public’s trust in government to diminish; and

WHEREAS, Section 2-11.1(q) of the Miami-Dade Ethics Code and Section 2-299 of the Coral Gables Ethics Code prohibit elected officials, departmental personnel, or employees from lobbying any city official for a period of twenty-four (24) months;

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

SECTION 1. That the foregoing recital is 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 Article V, “Conflict of Interest and Code of Ethics,” of Chapter 2, “Administration,” of the City Code is amended to create Section 2-307, “Prohibition on Campaign Consultants Lobbying”:

Chapter 2 – Administration

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Article V – Conflict of Interest and Code of Ethics

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Sec. 2-307. – Prohibition on Campaign/Political Consultants Lobbying and Doing Business with the City

(a) *Definitions.*

Campaign/political consultant means any person or entity that receives or is promised economic consideration in exchange for campaign/political consulting services to a candidate for elected office in the City and shall include any individual who has an ownership interest of ten (10) percent or greater in the campaign consulting entity and any employee of the campaign/political consultant.

Campaign/political consultant shall not include an employee of the campaign/political consultant whose duties are solely clerical.

- (b) A campaign/political consultant shall be prohibited from lobbying the City Commission for a period commencing upon the retention of such campaign/political consultant by an incumbent elected official or upon the swearing-in of a newly-elected official and shall end twenty-four (24) months following the swearing-in of any elected official for whom the campaign/political consultant provided campaign consulting services within the past election cycle. If a campaign/political consultant is retained by an incumbent elected official who is not re-elected, then the prohibition period shall end upon the swearing-in of the new elected official.
- (c) A campaign/political consultant shall be prohibited from lobbying the elected official for whom the consultant currently provides or has provided consulting services within the past election cycle, for a period commencing upon the retention of such campaign/political consultant by an incumbent elected official or upon the swearing-in of a newly-elected official and shall end twenty-four (24) months following the swearing-in of that elected official. If a campaign/political consultant is retained by an incumbent elected official who is not re-elected, then the prohibition period shall end (with respect to that incumbent elected official) upon the swearing-in of the new elected official.
- (d) A campaign/political consultant shall be prohibited from contracting with the City for a period commencing upon the retention of such campaign/political consultant by an incumbent elected official or upon the swearing-in of a newly-elected official and shall end twenty-four (24) months following the swearing-in of any elected official for whom the campaign/political consultant provided campaign consulting services within the past election cycle. If a campaign/political consultant is retained by an incumbent elected official who is not re-elected, then the prohibition period shall end upon the swearing-in of the new elected official.
- (e) Passthroughs are expressly prohibited.
- (f) In addition to the penalties prescribed in section 2-302 of this Code, upon a determination by the Miami-Dade County Commission on Ethics and Public Trust of a violation of this section a fine of five hundred (\$500.00) dollars for each violation shall be imposed on every person who violates this section.

SECTION 4. SEVERABILITY.

If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 5. REPEALER.

This Ordinance is intended to provide authority to the City Attorney without limiting any other authority of the City Attorney or other City officers provided in other parts of the City Charter, City Code, and Zoning Code. Accordingly, any other ordinances or parts of ordinances that provide authority to the City Attorney or other City officers are not repealed by this Ordinance.

SECTION 6. CODIFICATION.


It is the intention of the Commission of the City of Coral Gables, Florida, that the provisions of this Ordinance shall become and be made a part of the City of Coral Gables Code of Ordinances; and that the sections of this Ordinance may be re-numbered or re-lettered to accomplish such intention, and the word “ordinance” may be changed to “section”, “article”, or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 7. EFFECTIVE DATE.


This Ordinance shall become effective upon the date of its passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-FOURTH DAY OF AUGUST, A.D., 2021.
(Moved: Anderson / Seconded: Mena)
(Yeas: Mena, Menendez, Anderson, Fors, Jr., Lago)
(Unanimous: 5-0 Vote)
(Agenda Item: F-1)

APPROVED:


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VINCE LAGO
MAYOR

ATTEST:

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BILLY Y. URQUIA
CITY CLERK

APPROVED AS TO FORM AND LEGAL
SUFFICIENCY:

DocuSigned by:

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MIRIAM SOLER RAMOS
CITY ATTORNEY