

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2025-__

AN ORDINANCE OF THE CITY OF CORAL GABLES, FLORIDA, AMENDING CHAPTER 2, “ADMINISTRATION,” ARTICLE V. “CONFLICT OF INTEREST AND CODE OF ETHICS,” OF THE CORAL GABLES CITY CODE TO CREATE SECTION 2-309 “ANTI-KICKBACK AND POST-APPROVAL TRANSPARENCY REQUIREMENTS” TO REQUIRE DISCLOSURE OF CERTAIN BUSINESS RELATIONSHIPS, GIFTS, AND POLITICAL CONTRIBUTIONS RELATING TO PROJECTS THAT COME BEFORE THE CITY COMMISSION; TO REQUIRE PUBLIC POSTING OF SUCH DISCLOSURES ON CORALGABLES.COM; PROVIDING SUPPLEMENTAL LOCAL TRANSPARENCY OBLIGATIONS CONSISTENT WITH CHAPTER 112, FLORIDA STATUTES AND MIAMI-DADE COUNTY CODE § 2-11.1; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND AN EFFECTIVE DATE.

WHEREAS, transparency in government decision-making is essential to public trust; and

WHEREAS, while existing State and County ethics laws require disclosure of voting conflicts, they do not address post-approval business relationships, post-approval gifts, or political contributions connected to projects; and

WHEREAS, the City Commission finds that a transparency gap exists from the time a project first appears on a City Commission agenda until the issuance of permits and a final Certificate of Occupancy (“CO”) and that supplemental local disclosure requirements promote openness without restricting lawful employment, campaign activities, or political contributions; and

WHEREAS, the City Commission wishes to establish new requirements to address the transparency gap that supplement and do not conflict with Chapter 112, Florida Statutes, or Miami-Dade County Code §2-11.1.

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

SECTION 1. That 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. Chapter 2, “Administration,” Article V, “Conflict of Interest,” of the Code of the City of Coral Gables, Florida is hereby amended to create Section 2-309 as follows:

Sec. 2-309.-“Anti-Kickback and Post-Approval Transparency Requirements”

(a) *Purpose.* This section is intended solely to provide supplemental local transparency requirements and shall not be construed to regulate, restrict, or prohibit lawful employment, campaign activity, or political contributions. Its purpose is to close the transparency gap between project approval and project completion, ensuring residents have access to disclosures involving Covered Relationships, gifts, and campaign contributions involving elected officials.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the following meanings:

1. *Covered Relationship:* Any professional, financial, contractual, consulting, legal, construction, engineering, architectural, permitting, design, zoning, or development service provided by or to an elected official that relates directly to the approved project site, project scope, or project work.
2. *Incidental Transactions (Non-Reportable):* Transactions that do not require disclosure, including:
 - a. Retail sales available to the general public;
 - b. Transactions valued under \$10,000 in any 12-month period;
 - c. Catering, meals, or hospitality for meetings;
 - d. Consumer purchases unrelated to project development;
 - e. Goods or services unrelated to the project.

3. *Elected Official:* Any member of the City Commission, including the Mayor.

4. *Reasonable Knowledge Standard:* An elected official must disclose any contribution, gift, or relationship from any entity reasonably known to be connected to a developer, applicant, contractor, or affiliated person involved in a project before the Commission.

(c) *Post-Approval Business Relationship Disclosure Requirement.*

1. Any elected official entering into a Covered Relationship with an applicant or property owner developer, contractor, or applicant whose project appeared before the City Commission during the official's tenure must file a Post-Approval Business Relationship Affidavit, sworn under oath, with the City Clerk within ten (10) business days.

2. This requirement applies from the project's approval by the City Commission until

issuance of final Certificate of Occupancy (CO).

3. Each affidavit must include:

- a. Project name and address;
- b. Developer or entity name;
- c. Nature and approximate value of the relationship;
- d. Date the relationship began;
- e. Statement affirming no agreement existed during project review or voting.

4. Final CO Certification: Upon issuance of the CO, each elected official shall file a certification stating that all required disclosures were filed or that no Covered Relationship existed.

(d) Gift Disclosure Requirement for Elected Officials.

1. Any elected official receiving a gift over \$100 from any developer, applicant, contractor, consultant, or related entity connected to a project appearing before the City Commission within the past 24 months must file a Local Gift Disclosure within ten (10) business days.

2. These disclosures supplement but do not replace state Form 9 or Form 10 requirements.

3. Permitted exemptions mirror Chapter 112, Florida Statutes.

4. Public Posting Requirement: The gift disclosures required under this subsection are not new gift regulations but a local transparency requirement. All such disclosures must be posted on CoralGables.com within three (3) business days of filing.

(e) Campaign Contribution & PAC Contribution Disclosure (Elected Official Requirement).

1. Any elected official receiving a campaign contribution or PAC contribution from any developer, contractor, applicant, affiliated entity, or individual with a project that appeared before the City Commission within the prior 24 months or during the active project period must disclose it.

2. Each disclosure must include:

- a. Contributor name;
- b. Amount;
- c. Date received;
- d. Campaign/PAC account receiving funds;
- e. Project associated with the contributor.

3. Disclosure must be filed within ten (10) business days of receiving the contribution.

4. All disclosures must be posted on CoralGables.com within three (3) business days.

(f) Public Posting and Transparency Webpage.

1. The City Clerk shall maintain a dedicated webpage on CoralGables.com titled "Post-Approval Disclosures & Transparency Reports."
2. The webpage must include:
 - a. Post-Approval Business Relationship Affidavits;
 - b. Gift Disclosures;
 - c. Contribution Disclosures.
3. All disclosures must be posted within three (3) business days and remain posted until at least five (5) years after CO issuance.
4. The webpage must be searchable by elected official, developer, project name, address, contribution type, and filing date.
5. Clerk must redact confidential information under Chapter 119, Florida Statutes.
6. Failure to post does not relieve the elected official of filing obligations.

SECTION 3. All ordinances or parts of ordinances inconsistent or in conflict with the provisions of this Ordinance are hereby repealed.

SECTION 4. If any section, part of section, paragraph, clause, phrase, or word of this Ordinance is declared invalid, the remaining provisions of this Ordinance shall not be affected.

SECTION 5. 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 part of the City Code and that the sections of this "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

SECTION 7. If the City Code Table of Contents or other reference portion is affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 8. This Ordinance shall become effective immediately upon passage.

PASSED AND ADOPTED THIS _____ DAY OF _____, A.D. 2025.

APPROVED:

VINCE LAGO

MAYOR

ATTEST:

BILLY Y. URQUIA

CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

CRISTINA M. SUÁREZ

CITY ATTORNEY