

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 DISCLOSURE REQUIREMENTS” TO PROHIBIT CERTAIN CONDUCT BY ELECTED OFFICIALS WITH DEVELOPERS, CONTRACTORS, OR APPLICANTS FOLLOWING APPROVAL OF A PROJECT OR CONTRACT BY THE CITY COMMISSION; REQUIRING CONTINUOUS DISCLOSURE OBLIGATIONS BY ELECTED OFFICIALS; AND REQUIRING ANTI-KICKBACK AFFIDAVITS BY APPLICANTS; PROVIDING FOR SEVERABILITY, REPEALER, CODIFICATION, AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the City Commission seeks to ensure transparency, integrity, and accountability in all City contracting, development, and permitting processes; and

WHEREAS, the City Commission wishes to ensure full transparency by requiring continuous disclosure of partnerships, affiliations, and business relationships formed after project approval and before completion and seeks to close all loopholes that could allow elected officials or applicants to benefit through post-approval or pre-permit arrangements, maintaining public trust and integrity in every stage of the development process; and

WHEREAS, the City Commission finds that it is in the best interest of the City to ensure full transparency, integrity, and accountability by prohibiting certain conduct by elected officials following approval of a project or contract; requiring continuous disclosure by elected officials or certain business, contractor, or financial relationships; and requiring applicants to sign an anti-kickback affidavit.

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 Disclosure Requirements”

(a) *Purpose.* The purpose of this section is to ensure transparency, integrity, and accountability in all City contracting, development, and permitting processes. It prevents elected officials from profiting from projects they influence and requires full disclosure of any partnerships, business relationships, or affiliations formed from the time a project is approved until the issuance of all permits and the Certificate of Occupancy (CO).

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

1. Kickback: Any payment, fee, gift, favor, or other thing of value—directly or indirectly—offered, given, solicited, or received to influence a City approval, vote, or contract award.
2. Post-Approval Contracting: Entering into any business, construction, consulting, or financial relationship—written or verbal—with any developer, contractor, vendor, or applicant whose project or contract was approved by the City Commission while the official was in office.
3. Affiliated Entity: Any company, partnership, corporation, or venture in which an elected official or an immediate family member holds an ownership, managerial, or financial interest.
4. Elected Official: Any member of the Coral Gables City Commission, including the Mayor.

(c) *Prohibited Conduct.*

1. No elected official shall, directly or indirectly, solicit, negotiate, or enter into any verbal or written agreement with a developer, contractor, or applicant regarding a project or contract that has come before the City Commission for a vote or recommendation during the official’s term of office.
2. No elected official shall engage in post-approval contracting with any developer or entity whose project was voted on or approved by the City Commission during that official’s tenure.
3. These prohibitions extend for two (2) years following the end of an official’s service for any project or applicant that came before the Commission during

their term.

(d) *Continuous disclosure and affidavit requirement.*

1. Disclosure Obligation: Every elected official must disclose any business, contractual, or financial relationship formed with a developer, contractor, vendor, or applicant whose project was voted on or approved by the City Commission during that official's tenure. This requirement applies continuously from the date of project approval until the issuance of all related permits and the final Certificate of Occupancy (CO).
2. Timing of Disclosure: The disclosure affidavit must be filed with the City Clerk within ten (10) business days of entering into such a relationship. Additional affidavits must be filed if new relationships, partnerships, or affiliations are formed at any point prior to permit issuance or CO.
3. Affidavit Content: Each affidavit shall include: -
The name of the project and developer; -
The nature and value of the relationship or contract; -
The date the relationship began; -
A sworn statement affirming that no agreement, verbal or written, existed during the project's consideration or voting phase.

Sample Language:

POST-APPROVAL BUSINESS RELATIONSHIP AFFIDAVIT

I, _____, do hereby swear that I have entered into a business or financial relationship with _____ (entity or developer name), whose project titled _____ was approved by the City Commission on _____. I affirm that no prior agreement, understanding, or promise existed during the project's review or voting period. I further understand that this affidavit requirement remains in effect until all permits are issued and the final Certificate of Occupancy has been granted.

Signature: _____

Printed Name / Title: _____

Date: _____

(e) *Anti-Kickback Affidavit (Applicant Requirement)*

Any applicant, contractor, or developer seeking project approval or contracts with the City shall sign an Anti-Kickback Affidavit affirming that neither the business nor its affiliates have provided, or will provide, any form of compensation, favor, or promise of future engagement to any elected official in exchange for favorable treatment or votes. This affidavit must explicitly affirm that no agreement—written, verbal, or implied—exists or will exist between the applicant and any elected official from the time of approval

until the final Certificate of Occupancy. False statements constitute perjury and shall result in contract termination, revocation of approvals, and disqualification from City business for up to five (5) years.

(f) Enforcement and Oversight

Violations by officials shall be referred to the Miami-Dade Commission on Ethics and Public Trust and may constitute violations under F.S. §112.313 (Conflicting employment or contractual relationship) and §112.3143 (Voting conflicts). Developers or contractors who violate these provisions shall be subject to revocation of City approvals, contract cancellation, and legal action. The City Attorney shall ensure that all development and procurement forms include these affidavit requirements and coordinate with Building, Planning, and Permitting divisions to verify compliance through project completion and issuance of CO.

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