

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. O-2003-27

AN ORDINANCE AMENDING ORDINANCE NO.0-2003-5, "CONFLICT OF INTEREST AND CODE OF ETHICS", BY ADDING A PROVISION ALLOWING THE CITY COMMISSION TO EXEMPT CERTAIN ADVISORY BOARDS FROM COMPLYING WITH THE REQUIREMENTS OF THE CODE; PROVIDING SEVERABILITY, AND REPEALING ALL ORDINANCES INCONSISTENT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City Commission previously adopted the City's Conflict of Interest and Ethics Code; and

WHEREAS, the County Commission recently amended the County's Conflict of Interest and Ethics Code, upon which the City modeled its ethics regulations, and with the approval of the Commission on Ethics exempted certain advisory boards from the requirements of the County Ethics Codes; and

WHEREAS, the City Commission intends that the Ethics Codes serve as an inducement to citizens to volunteer their time; and,

WHEREAS, the City Commission recognizes that certain advisory boards have limited jurisdictional and advisory duties, such that the provisions of the Ethics Codes would serve to inhibit individuals from agreeing to serve as City volunteers; and

WHEREAS, the City Commission further recognizes that the Conflict of Interest and Code of Ethics Code should not apply to such boards and committees; and

WHEREAS, the adoption of provisions providing for the exemption of certain boards and committees from the requirement of the Conflict of Interest and Ethics ordinance is in the best interests of the City of Coral Gables.

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

SECTION 1. That the "Code of the City of Coral Gables" and specifically the "Conflict of Interest and Code of Ethics" shall be and it is hereby amended to provide a provision for exempting certain advisory boards and committees as follows:

(d) **Definitions.**

For the purposes of this Ordinance, the following terms, phrases and words shall have the meanings given herein. The words "shall" and "will" are mandatory and "may" is permissive.

Words not defined shall be given the meaning provided under either the County Ethics ordinances or State Ethics Statutes and if no meaning is provided, then their common and ordinary meaning unless the context suggests otherwise.

(1) The term "advisory personnel" shall refer to the members of those City advisory boards and agencies whose sole or primary responsibility is to recommend legislation or give advice to the City Commission , and which have not been exempted from the requirements of this code by the City Commission. Such exemption from the requirements of this code shall be either by the ordinance creating the advisory board or agency, or by resolution of the City Commission.

SECTION 2. That all ordinances or parts of ordinances that are inconsistent or in conflict with the provisions of this Ordinance are repealed.

SECTION 3. 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 4. It is the intention of the City Commission that the provisions of this Ordinance shall become and be made a part of the Code of the City of Coral Gables, Florida, as amended, which provisions may be renumbered or relettered and the word ordinance be changed to "section", "article", or other appropriate word to accomplish such intention.

SECTION 5. This ordinance shall become effective upon its adoption.

PASSED AND ADOPTED THIS TWENTY SECOND DAY OF JULY, A.D., 2003.

(Motion Withers/Second: Cabrera)
(Kerdyk, Withers, Anderson, Cabrera, Slesnick)
(Absent: Cabrera)

DONALD D. SLESNICK II

ATTEST:

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

WALTER J. FOEMAN
INTERIM CITY CLERK

ELIZABETH M. HERNANDEZ
CITY ATTORNEY