

CITY OF CORAL GABLES, FLORIDA

ORDINANCE NO. 2017-33

AN ORDINANCE OF THE CITY COMMISSION OF CORAL GABLES, FLORIDA, CREATING SECTION 2-244, UNDER ARTICLE V, CHAPTER 2, CONFLICT OF INTEREST AND CODE OF ETHICS, OF THE CITY OF CORAL GABLES CODE, ENTITLED "HONOR CODE," PROVIDING FOR REPEALER, SEVERABILITY, CODIFICATION, ENFORCEABILITY AND AN EFFECTIVE DATE.

WHEREAS, the Miami-Dade Ethics Commission adopted a resolution calling upon all Miami-Dade County officials and employees to raise the standards of ethics in public service by establishing a public service honor code ("Honor Code") for the prevention of corruption and unethical practices in Miami-Dade County government; and

WHEREAS, in response, the Miami-Dade County Commission adopted a resolution establishing an Honor Code for elected and appointed public officials and employees of Miami-Dade County; and

WHEREAS, the adoption of the Honor Code was premised on the beliefs that public servants have a duty to protect the public interest, that trust in government institutions is a necessary component of a successful democracy, that it is the duty of all public servants to promote the values of honesty, integrity, leadership and fairness and that a fundamental way for public officials and employees to address these goals is to support all public servants who perform their duties honorably and not to tolerate less than the same from their fellow public servants; and

WHEREAS, the Miami-Dade Ethics Commission has encouraged all municipalities in Miami-Dade County to adopt an Honor Code; and

WHEREAS, the City Commission believes that the adoption of an Honor Code to be included in the City's Ethics Code, is in the best interest of the citizens of Coral Gables;

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

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. Section 2-244 of the City of Coral Gables Code, is hereby created to read as follows:

Article V – Conflict of Interest and Code of Ethics

Sec. 2-244 – Honor Code

- (a) Purpose. The City of Coral Gables is committed to the highest standards of ethics and professionalism in the performance of public service. Accordingly, this Honor Code establishes the expectations and duties of City elected and appointed officials and employees.
- (b) Each elected and appointed official and employee shall adhere to the following minimum standards when acting within an official capacity:
 - (1) Serve and protect the public interest above any personal or institutional interest or loyalty; and
 - (2) Act as the public’s surrogate by protecting it against waste or fraud; and
 - (3) Respect and uphold laws, ordinances, resolutions, rules, and regulations that protect the public against abuses in government by assisting law enforcement and other Federal, State, County and City authorities charged with protecting the public trust; and
 - (4) Comply with applicable ethics regulations in the State Ethics Laws, Miami-Dade Conflict of Interest and Code of Ethics Ordinance, and the City of Coral Gables Ethics Code; and
 - (5) Cooperate fully with law enforcement agencies or other official investigative authorities in providing truthful and other relevant information pertaining to any alleged violation of the public trust.
- (c) Employees are encouraged to contact the City Attorney’s Office where the employee becomes aware, in good faith, of a violation of these ethics regulations or other violation of the public trust.
- (d) The City shall not dismiss, discipline, or take any other adverse personnel action against an employee for complying with the Honor Code. Further, the City shall not take any adverse action that affects the rights or interests of any employee in retaliation for the employee’s compliance with the Honor Code. If the City takes any of the adverse actions stated in the preceding sentences as a result of an employee’s compliance with the Honor Code, the employee shall be entitled to apply to the City Attorney’s Office which shall take appropriate steps within its authority and discretion to ensure that no employee is penalized for compliance with the Honor Code.
- (e) Whenever any elected or appointed City official or employee is in doubt as to the proper interpretation or application of the Honor Code as to himself or herself, he or she may request a binding opinion from the City Attorney’s Office.

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 City Commission that the provisions of this Ordinance shall become and be made a part of the City Code, which provisions may be renumbered or re-lettered and the word ordinance be changed to “section”, “article”, or other appropriate word to accomplish such intention.

SECTION 6. If the City Code’s Tables of Contents, Supplemental History Table, or other reference portions are affected by these provisions, then changes are approved as a part of this Ordinance.

SECTION 7. This Ordinance shall become effective upon passage and adoption herein.

PASSED AND ADOPTED THIS TWENTY-SIXTH DAY OF SEPTEMBER,
A.D., 2017.

(Moved: Lago / Seconded: Quesda)
(Yeas: Mena, Quesada, Keon, Lago, Valdes-Fauli)
(Unanimous: 5-0 Vote)
(Agenda Item: F-1)

APPROVED:


RAUL VALDES-FAULI
MAYOR

ATTEST:


WALTER J. FOEMAN
CITY CLERK

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


CRAIG E. LEEN
CITY ATTORNEY