

ORDINANCE No. 2024-05

AN ORDINANCE OF THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AMENDING ARTICLE VII “CODE OF ETHICS” OF CHAPTER 2 OF THE CITY OF DORAL CODE OF ORDINANCES, TO RENAME AND RENUMBER DIVISIONS TO CREATE A DIVISION 1 SPECIFIC TO STANDARDS OF CONDUCT, AND A DIVISION 2, SPECIFIC TO CODE OF ETHICS, THEREBY DELINEATING THE CONDUCT BEING REGULATED, AND PROVIDING THAT THE MIAMI-DADE COMMISSION ON ETHICS HAS ENFORCEMENT JURISDICTION SOLELY OVER DIVISION 2 (THE CODE OF ETHICS); RENUMBERING THE SECTION PERTAINING TO SECURITY SCREENINGS FOR VISITING CITY HALL, AND CREATING A DIVISION 3 FOR SAID PURPOSE; PROVIDING FOR A REPEALER; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCORPORATION INTO THE CODE; AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, Article VII, of Chapter 2, of the Code of Ordinances (the “Code”) for the City of Doral (the “City”) is titled “Code of Ethics”; however, said article sets forth not only the City’s Code of Ethics, but further provides for minimum standards of conduct, and matters related to decorum; and

WHEREAS, the Miami-Dade County (“County”) Commission on Ethics (“COE”) is an independent agency with advisory and quasi-judicial powers, created pursuant to the County’s Charter, which powers include enforcement of rules and ordinances under the COE’s jurisdiction, such as municipal ethics codes; and

WHEREAS, in consultation with the Executive Director and General Counsel for the COE, it has been determined that the City’s Code requires revisions to clearly delineate those matters that concern ethics, and therefore fall within the jurisdiction of the COE, and other matters, such as decorum and code of conduct, which do not fall within the COE’s purview; and

WHEREAS, in the course of updating the City Code for the aforementioned purposes, it became necessary to move and renumber the security screening

requirements for individuals visiting city hall that were codified in Section 2-387 of the Code as said provisions do not regulate councilmember conduct or ethics.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF DORAL, FLORIDA, AS FOLLOWS:

Section 1. Incorporation of Recitals. 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. Amendment to City of Doral's Code of Ordinances. Chapter 2, Article VII, of the City of Doral's Code of Ordinances is hereby amended as follows:

Chapter 2- Administration

ARTICLE VII. STANDARDS OF CONDUCT AND CODE OF ETHICS

DIVISION 1. GENERALLY

Sec. 2-370. Definitions.

The following words, terms, and phrases, when used in this article, shall have the meanings ascribed to them in this ~~section~~ article, except where otherwise provided or the context clearly indicates a different meaning:

Sec. 2-371. Declaration of policy.

DIVISION 1. STANDARDS OF CONDUCT

Sec. 2-372. Minimum standards.

CODING: Additions to existing text are shown by underline, changes to existing text on second reading are shown by double underline, and deletions are shown as ~~strike through~~.

Sec. 2-373. City meetings.

Sec. 2-374. Rules of decorum.

Sec. 2-375. Correspondence signatures.

Sec. 2-376. Conduct with city staff.

Sec. 2-377. Same— Conduct with Mmembers of the public.

Sec. 2-378. Same— Conduct with Other public agencies.

Sec. 2-379. Same— Conduct with Bboards and councils.

Sec. 2-380. Council conduct with the media.

Sec. 2-381. Sanctions.

DIVISION 2. CODE OF ETHICS

Sec. 2-382. Fair and equal treatment.

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Sec. 2-383. Improper influence of advisory board members by mayor and council members.

Sec. 2-384. Business entity code of business ethics and conduct.

Sec. 2-385. Improper influence by immediate family members.

Sec. 2-386. Prohibition on transacting business within the city.

Sec. 2-387. Security screening at visiting city hall.

~~To ensure complete transparency in all city business and further ensure the safety of employees and visitors all visitors must check in at the 1st floor reception desk of city hall. All visitors are required to go through the security screening process in the main lobby, including:~~

- ~~(1) Present a valid, government issued ID.~~
- ~~(2) The designated staff will sign the visitor in, take photo, and issue a visitor badge which must be prominently displayed at all times above the waist.~~
- ~~(3) The designated staff will contact the visitor's designated point of contact (POC) for confirmation of the visitor, and their arrival.~~
- ~~(4) All visitors must enter the building through the main lobby.~~
- ~~(5) No visitor may enter the building without a visitor's badge.~~

~~Notwithstanding the foregoing, the screening requirements described in this section shall not apply to members of the public seeking to attend publicly noticed meetings.~~

Secs. 2-3878—2-390. Reserved

DIVISION 2. ENFORCEMENT MECHANISM FOR CODE OF ETHICS

Sec. 2-391. Definitions.

Sec. 2-392. Ethics training.

Sec. 2-393. Meeting with unregistered lobbyists prohibited; penalties.

Sec. 2-394. Prohibited outside employment.

Sec. 2-395. Financial disclosures of candidates and elected officials.

Sec. 2-396. Prohibited gifts from vendors and lobbyists.

Sec. 2-397. Disqualification from serving as city vendor/lobbyist.

Sec. 2-398. Enforcement and penalties.

- (1) The Miami-Dade Ethics Commission shall investigate alleged violations of this section Division 2, of Article VII, of Chapter 2 of the city's code of ordinances. ~~The city manager and the city attorney shall negotiate with the ethics commission as to terms of enforcement and compensation.~~ In addition to any penalties imposed by the ethics commission, violators of this division shall be subject to additional penalties as provided herein.
- (2) A member of the council found to have violated any section of this division shall be subject to the following penalties:
 - a. \$500.00 for the first violation.
 - b. \$1,000.00 for the second violation.
 - c. \$1,500.00 for the third and subsequent violations.

Any fine due by a member of the council shall be deducted from his or her stipend by the finance director at the direction of the city manager. Such funds shall be refunded to the city's general revenue fund.

- (3) A city employee found to have violated this section shall be subject to disciplinary action consistent with the city policies as interpreted by the city manager.
- (4) A charter official found to have violated this section shall be subject to discipline as determined by the city council.
- (5) All alleged violations of this section Division 2 shall be reported to the ~~city clerk or the city attorney who shall then be responsible for transmission of such allegations to the~~ Miami-Dade Ethics Commission. ~~In the event that the allegation is made directly to the Miami-Dade Ethics Commission, the commission shall investigate the matter~~

~~pursuant to its agreement with the city but shall inform the city attorney of such allegations.~~

DIVISION 3. CITY HALL

Sec. 2-400. Security screening at visiting city hall.

To ensure complete transparency in all city business and further ensure the safety of employees and visitors all visitors must check in at the 1st floor reception desk of city hall. All visitors are required to go through the security screening process in the main lobby, including:

- (1) Present a valid, government issued ID.
- (2) The designated staff will sign the visitor in, take photo, and issue a visitor badge which must be prominently displayed at all times above the waist.
- (3) The designated staff will contact the visitor's designated point of contact (POC) for confirmation of the visitor, and their arrival.
- (4) All visitors must enter the building through the main lobby.
- (5) No visitor may enter the building without a visitor's badge.

Notwithstanding the foregoing, the screening requirements described in this section shall not apply to members of the public seeking to attend publicly noticed meetings.

Section 3. Repealer. All ordinances, or parts of ordinances in conflict herewith be, and the same, are hereby repealed.

Section 4. Severability. If any section, subsection, clause or provision of this Ordinance is declared invalid or unconstitutional by a court of competent jurisdiction, the remainder shall not be affected by such invalidity.

Section 5. Incorporation into the Code. It is the intention of the Mayor and the City Commission, and it is hereby ordained that the provisions of this Ordinance shall become and made a part of the Code of Ordinances of the City of Doral; that the sections of this Ordinance may be renumbered or re-lettered to accomplish such intentions; and that the word "Ordinance" shall be changed to "Section" or other appropriate word, as required.

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Section 6. Effective Date. This Ordinance will become effective ten (10) days after adoption at second reading.

The foregoing Ordinance was offered by Councilmember Cabral who moved its adoption.

The motion was seconded by Councilmember Pineyro upon being put to a vote, the vote was as follows:

Mayor Christi Fraga	Yes
Vice Mayor Oscar Puig-Corve	Yes
Councilwoman Digna Cabral	Yes
Councilman Rafael Pineyro	Yes
Councilwoman Maureen Porras	Yes

PASSED AND ADOPTED on FIRST READING this 10 day of January, 2024.

PASSED AND ADOPTED on SECOND READING this 14 day of February, 2024.



CHRISTI FRAGA, MAYOR

ATTEST:



CONNIE DIAZ, MMC
CITY CLERK

APPROVED AS TO FORM AND LEGAL SUFFICIENCY
FOR THE USE AND RELIANCE OF THE CITY OF DORAL ONLY:



VALERIE VICENTE, ESQ. for
NABORS, GIBLIN & NICKERSON, P.A.
CITY ATTORNEY