PROPOSED ORDINANCE NO. 2013-28 ORDINANCE NO. 1766

AN ORDINANCE OF THE CITY OF PEMBROKE PINES. FLORIDA AMENDING CHAPTER 32 OF THE CITY OF PEMBROKE PINES CODE OF ORDINANCES, ENTITLED "DEPARTMENTS. BOARDS. AND **COMMISSIONS**": CREATING SECTION 32.200, TO BE ENTITLED "CODE OF **QUASI-JUDICIAL** ADVISORY **FOR ETHICS** MEMBERS"; REQUIRING MEMBERS OF THE CITY'S QUASI-TO FILE LOBBYIST JUDICIAL ADVISORY BOARDS DISCLOSURES CONSISTENT COMMUNICATION SECTION 1-19 OF THE BROWARD COUNTY CODE OF ORDINANCES, KNOWN AS THE CODE OF ETHICS FOR ELECTED OFFICIALS; PROVIDING FOR CODIFICATION: **PROVIDING** FOR CONFLICTS: PROVIDING SEVERABILITY: PROVIDING AN EFFECTIVE DATE.

WHEREAS, in November 2010, the electorate of Broward County approved a referendum amending the Broward County Charter providing that an ordinance adopted by the Board of County Commissioners of Broward County ("County Commission") pertaining to a code of ethics for elected officials, appointed officials or public employees would prevail over a municipal ordinance governing the same subject matter; and

WHEREAS, the County Commission, in accordance with their authority as set forth in Section 11.01(c) of the Broward County Charter, has enacted a uniform code of ethics for all elected officials in Broward County (the "Code of Ethics"); and

WHEREAS, while the County Charter also empowers the County

Commission to enact a code of ethics for appointed officials, the County

Commission has not yet considered or pursued such action; and

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WHEREAS, the City Commission of the City of Pembroke Pines (the "City") seeks to ensure transparency and promote public confidence in the decision-making process at all levels of government; and

WHEREAS, in furtherance of this effort, the City Commission seeks to require that all members of the City's quasi-judicial advisory boards comply with the lobbyist communication disclosure requirements included Code of Ethics; and

WHEREAS, the City Commission finds this disclosure to be in the best interests of health, safety and welfare of the citizens and residents of the City of Pembroke Pines.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION
OF THE CITY OF PEMBROKE PINES, FLORIDA, THAT:

Section 1. The foregoing "Whereas" clauses are hereby ratified as true and correct and incorporated herein by this reference.

Section 2. Chapter 32 of the City of Pembroke Pines Code of Ordinances, entitled "Departments, Boards and Commissions", is hereby amended by specifically creating Section 32.200, to be entitled "Code of Ethics for Quasi-Judicial Advisory Board Members", as follows:

Sec. 32.200 Code of Ethics for Quasi-Judicial Advisory Board Members

A) Statement of Policy. It is the policy of the City of Pembroke Pines that the members of the City's quasi-judicial advisory boards work for CODING: Words in strike through type are deletions from existing law; Words in underlined type are additions.

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the benefit of the citizens and residents of the City. It is the responsibility of each quasi-judicial advisory board member to act in a manner that promotes public trust and confidence in government with complete transparency and honesty in their services, and to avoid even the appearance or perception of impropriety.

- B) Financial Disclosure. Each quasi-judicial advisory board member, contemporaneous with the filing of the Form 1 Statement of Financial Interests with the Supervisor of Elections, shall file such form with the City Clerk. Form 1 filed pursuant to this section shall be made available on the City's website for public inspection.
- C) Lobbyists. Quasi-judicial advisory board members should avoid even the appearance of impropriety in their interaction and dealings with lobbyists registered under the City's lobbyist registration system and with the principals or employers of such lobbyists.
 - 1) To promote full and complete transparency, lobbyists and their principals or employers who intend to meet or otherwise communicate with a member of a quasi-judicial advisory board for the purpose of engaging in lobbying activities, either at City Hall or elsewhere on City property, must legibly complete a contact log listing each board member with whom the lobbyist, principal or employer meets or intends on meeting or communicating.
 - a. The information state on the contact log shall include the lobbyist's name; the name of the entity by which the lobbyist is employed; the name of the person or entity for whom or which he or she is lobbying; the name of each board member with whom he or she is meeting or communicating; the date and time of each such meeting; and the specific purpose and subject matter of each such meeting.
 - b. The contact log shall be completed contemporaneously with the meetings and shall be made available for inspection on the City's website.

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- 2) To further propose full and complete transparency, quasijudicial board members must disclose any and all lobbying activities that knowingly occurs between themselves and individual lobbyists or their principals or employers outside of City Hall or off City-owned property. This shall include communicating by any form of telephonic or electronic media.
 - a. The disclosure shall be made on a form provided by the City Clerk's Office. This disclosure shall include the lobbyist's name; the name of the entity by which the lobbyist is employed; the name of the person or entity for whom or which he or she is lobbying; the date, time, and location of the meeting; and the specific purpose and subject matter of the meeting.
 - b. The disclosure shall be made within ten (10) business days of the lobbying activity; but must, in any event, be made prior to any vote on the matter that was the subject of the lobbying activity.
 - c. The disclosure shall be made available for inspection on the City's website.
- D) Any member of a quasi-judicial advisory board who fails to comply with this section shall be deemed non-qualified to serve and removed from the board.

Section 3. It is the intention of the City Commission of the City of Pembroke Pines that the provisions of this Ordinance shall become and be made a part of the Code of Ordinances of the City of Pembroke Pines, Florida, and that the Sections of this Ordinance may be renumbered, re-lettered and the word "Ordinance" may be changed to "Section," "Article", or such other word or phrase in order to accomplish such intention.

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Section 4. If any clause, section or other part of this Ordinance shall be held by any court of competent jurisdiction to be unconstitutional or invalid, such unconstitutional or invalid part shall be considered as eliminated and in no way affecting the validity of the other provisions of this Ordinance.

Section 5. All Ordinances or parts of Ordinances, Resolutions or parts of Resolutions in conflict herewith, be and the same are hereby repealed to the extent of such conflict.

Section 6. This Ordinance shall become effective upon its passage and adoption.

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PASSED AND ADOPTED BY THE CITY COMMISSION OF THE CITY OF PEMBROKE PINES, FLORIDA, ON THE FIRST READING, THIS 19TH DAY OF NOVEMBER, 2013.

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