



CITY COMMISSION ORDINANCE/RESOLUTION

TITLE: Ordinance 23-18 (Commission)

DESCRIPTION: AN ORDINANCE OF THE CITY OF COOPER CITY, FLORIDA; AMENDING CHAPTER 2 OF THE COOPER CITY CODE OF ORDINANCES, ENTITLED “ADMINISTRATION;” BY AMENDING ARTICLE II, ENTITLED “CITY COMMISSION;” CREATING SECTION 2-26, TO BE ENTITLED “PROHIBITED CAMPAIGN CONTRIBUTIONS;” PROHIBITING CANDIDATES FOR CITY COMMISSION FROM SOLICITING OR ACCEPTING CAMPAIGN CONTRIBUTIONS FROM CITY VENDORS, LOBBYISTS OR REAL ESTATE DEVELOPERS; CREATING SECTION 2-27, TO BE ENTITLED “DISCLOSURE OF CAMPAIGN CONTRIBUTIONS;” REQUIRING MEMBERS OF THE CITY COMMISSION TO DISCLOSE WHETHER THEY PREVIOUSLY RECEIVED ANY CAMPAIGN CONTRIBUTIONS FROM CITY VENDORS AT THE TIME OF THE COMMISSION AWARD OF A CONTRACT TO SUCH VENDOR; PROVIDING FOR CODIFICATION; PROVIDING FOR CONFLICTS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE. – **Commissioner Shrouder**

RECOMMENDATION:

Commissioner Shrouder is recommending approval of Ordinance 23-18 prohibiting candidates for City Commission from soliciting or accepting campaign contributions from City Vendors, lobbyists, or real estate developers, creating Section 2-27 of the City’s Code of Ordinances requiring members of the Commission to disclose whether they previously received any campaign contributions from City vendors at the time of the Commission award of contract to such vendor.

BACKGROUND OF ITEM:

At the June 13, 2023, City Commission meeting, the City Commission directed the City Attorney to research the legal authority to regulate campaign finance matters, by specifically examining whether the City of Miami Beach ordinance regulating campaign finance is legally enforceable.

At the July 25, 2023 City Commission meeting, the City Attorney stated the legal opinion regarding prohibiting candidates for City Commission from soliciting or accepting campaign contributions from City Vendors, Lobbyists, or Real Estate Developers. Florida Statutes preempts municipalities from enacting or adopting the following:

- Contribution limits that differ from the limitations under state law,
- Any limitation or restriction involving contributions to a political committee or electioneering communications organizations, or

- Any limitation or restriction on expenditures for an electioneering communication or an independent expenditure. All such ordinances either existing or enacted by a municipality are void.

The legal opinion concluded that the City may prohibit the solicitation or acceptance of campaign contributions by a candidate from City Vendors, Real Estate Developers, or Lobbyists.

ANALYSIS:

City Commission seeks to regulate campaign finance in the City, the focus of any potential ordinance should be limited to the solicitation or acceptance of a contribution to a candidate’s campaign account and not on independent expenditures, political committees, or electioneering communications organizations.

STRATEGIC PLAN:

The goal of this ordinance is to improve transparency

FISCAL IMPACT:


N/A

ALTERNATIVES:

N/A

ATTACHMENTS:

1. Ordinance 23-18

Workflow History 			
User	Task	Action	Date/Time
Allen, Tedra	NEW ITEM: Not Yet Routed	*COMPLETE: Forward to ...	08/11/23 04:12 PM
Horowitz, Jacob	Assigned to Attorney	COMPLETE: Forward to ...	08/15/23 10:50 AM
Eggleston, Ryan	Assigned to City Manager	COMPLETE: Forward to ...	08/15/23 10:50 AM
Allen, Tedra	Assigned to City Clerk	APPROVE ITEM: End Wo...	08/15/23 01:04 PM
Allen, Tedra	END WORKFLOW - APPROVED		08/16/23 04:08 PM