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MEMORANDUM

TO: Vice-Mayor Beam Furr

FROM: Andrew J. Meyers, Chief Deputy County Attorney

DATE: February 24, 2017

**RE: Broward Workshop “State of the County Forum” and Other Small Gift Items
CAO File: 17-01E (Gifts)**

On February 21, 2017, George Platt, who is a registered County lobbyist, sent you an email forwarding an invitation from the Broward Workshop to attend the 9th Annual State of the County Forum on March 31, 2017. Although Mr. Platt’s email states that, as a member of the Broward Workshop, he is able to host a table for the event, the attached invitation is directly from the Broward Workshop. That the Broward Workshop is the only intended donor is reinforced by the following language contained in the invitation:

For Elected Officials, Please Note: The Broward Workshop is a 501(C)(4) organization that does not hire lobbyists nor is vendor to Broward County or any of our 31 municipalities. Furthermore, this event is totally funded by the Workshop, without any sponsorships. Therefore, elected officials can attend free of charge because “The County’s ethics ordinance states that county and city elected officials can accept up to \$50 in food and beverages per event as long as it is reported. The cost of this breakfast is \$25”.

(Italics, underlining, and quotation in original). The invitation asks you to RSVP by March 10 to Karen Boutros, Executive Director of the Broward Workshop.

Unrelated to the Workshop event, you have also received a small bottle of hot sauce and a gift card for one free meal at Spatch Peri Peri Chicken, a newly opened restaurant in Fort Lauderdale. Although the donor did not leave a note or otherwise identify himself (or herself or itself), internet research shows that Spatch is affiliated with Tim Petrillo and The Restaurant People (a local restaurant group). I reviewed Spatch’s online menu, and meals range from \$7 to \$12, excluding small add-ons and drinks. For purposes of this opinion, we estimate the value of the Spatch gift at \$25 (including the hot sauce).

You have asked whether you may accept the invitation to attend the Broward Workshop event, whether you may accept the gift from Spatch, and whether, if so, you have any disclosure or reimbursement obligation. For the reasons stated below, it is our opinion that you may accept both the Broward Workshop invitation and the Spatch gift, and that you have no obligation to disclose or reimburse in connection with either gift.

We analyze gift questions under both the state and County ethics codes, as both contain limitations on the acceptance of gifts. Under the state code, there is a \$100 limit on gifts a Commissioner may accept from a vendor doing business with his or her governmental entity or from a registered lobbyist. Section 112.3148(4), Florida Statutes. There is no value cap on gifts that may be accepted from other sources. The County code is far more restrictive. With few exceptions, Commissioners may only accept from lobbyists, principals/employers of lobbyists, contractors, and vendors gifts valued at \$5 or less, and Commissioners may only accept gifts given to them in their official capacity from other persons or entities up to a value of \$50. Section 1-19(c)(1), Broward County Code of Ordinances.

We have checked our applicable databases and have confirmed that the Broward Workshop is not a vendor, contractor, lobbyist, or principal or employer of a lobbyist. We have confirmed the same thing for Spatch, Tim Petrillo, and The Restaurant People.

Accordingly, because the gifts from the Broward Workshop and Spatch are each valued at \$25, they may be accepted without any reimbursement or disclosure obligation.

If you have any questions or concerns, please let me know.

/s/ Andrew J. Meyers

Andrew J. Meyers
Chief Deputy County Attorney