

MEMORANDUM

TO: Commissioner Michael Udine

FROM: Andrew J. Meyers, Chief Deputy County Attorney

DATE: April 25, 2017

**RE: Proclamations in Connection with Event at Soref Jewish Community Center
CAO File: 17-06E**

On April 23, you attended an event at the Soref Jewish Community Center (“JCC”) for the purpose of presenting Broward County proclamations recognizing the event’s two honorees, Senator Gary Farmer and Property Appraiser Marty Kiar. Proceeds from the event benefit the JCC’s “WECARE Food Pantry” and “Children’s Scholarship Fund.” You presented the proclamations, but did not consume anything at the event. You have asked for guidance to ensure full compliance with applicable ethics provisions. If you have reason to believe that any fact stated in this opinion is inaccurate, please let us know as it might impact our opinion.

The only potential issue under state law involves the receipt of gifts. Because the JCC is a County vendor, state law would allow you to receive a gift from the JCC of only up to \$100. Section 112.3148(4), Florida Statutes (2016). Because your purpose in attending the event was to present the proclamations, and you did not consume anything, it is our opinion that you have received no gift from the JCC and that your attendance therefore created no obligation under state law.

Two issues are raised under the County’s ethics code. The first involves reimbursement and disclosure obligations when a Commissioner receives a “gift” of admission to a charitable event. Section 1-19(c)(1)d.4., Broward County Code. Here, consistent with our analysis under state law, because you attended the event only to present County proclamations, and because you did not consume anything, it is our opinion that you have not received any gift and thus have no disclosure or reimbursement obligation under this section.

The second issue involves the requirement to disclose the solicitation of charitable contributions. Section 1-19(c)(5), Broward County Code. It is our opinion that no such disclosure is required here because your purpose in attending the event was to present, in your role as a County official, proclamations. Unlike the event’s honorees, your attendance was not advertised to the public on the event invitation as a means of increasing attendance and charitable donations.

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In conclusion, your attendance at the event does not create any disclosure or other obligation under either state law or the County ethics code.

Please call or email me with any questions or concerns.

/s/ Andrew J. Meyers
Andrew J. Meyers
Chief Deputy County Attorney