

ETHICS OPINION
Office of the City Attorney

TO: Commissioner Shawn Cerra
Members of the Coral Springs City Commission

FROM: John J. Hearn, City Attorney

RE: Attending Events as the Athletic Director of Broward County Schools

DATE: July 19, 2019

You have asked to what extent you may accept tickets or other gifts for events you attend in your capacity as the Athletic Director of Broward County Schools. You have informed our office that you have held this position for approximately three years. Part of your job involves attending various professional sporting events for teams who are partnered with the Broward County School Board. Your attendance is sometimes related to support fellow Broward County school coaches. This memo will address gifts given in your capacity as the Athletic Director of Broward County Schools as well as gifts given in your official capacity as an elected official. If these facts are incorrect or inaccurate in any way, please let us know since it may affect the opinion that we give.

The Broward County Code of Ethics, as amended on December 8, 2015, provides that "no Elected Official, or relative, registered domestic partner or governmental office staff of any Elected Official, shall accept any gift, directly or indirectly, with a value in excess of \$5.00" from any lobbyist registered with the City, from any principal/employer of any such lobbyist, or from vendors or contractors of the City. Section 1-19(c)(1)a., County Code of Ordinances. Commissioners may accept gifts in an "official capacity" from "other sources" up to \$50.00 per occurrence. Section 1-19(c)(1)b., County Code of Ordinances. The \$50.00 limitation does not apply to gifts given to Commissioners in their personal (non-official) capacity. Such gifts are still subject to the reporting requirements of Florida Statutes section 112.3148. Section 1-19(c)(1)c., County Code of Ordinances.

Gift given in personal (non-official) capacity from a source other than a lobbyist, vendor or contractor

If you are attending these sporting events solely in your capacity as the Athletic Director of Broward County Schools, your attendance would be considered to be in your personal (non-official) capacity. If the gift (attendance at the event or other gift given in relation to the event) is not given by a lobbyist, vendor or contractor of the City, you may accept a gift regardless of value. However, if the gift is over \$100.00, you are required to report the gift in accordance with section 112.3148, Florida Statutes.

Gift given in personal (non-official) capacity from a lobbyist, vendor or contractor

If you are attending these sporting events solely in your capacity as the Athletic Director of Broward County Schools, your attendance would be considered to be in your personal (non-official) capacity. However, if the gift (attendance at the event or other gift given in relation to the event) is given by a lobbyist, vendor or contractor of the City, you may only accept up to \$5.00.

Gift given in an official capacity from a source other than a lobbyist, vendor or contractor

If you are attending these sporting events in your official capacity as an elected official, and not related to your private employment, you may only accept up to \$50.00 if the gift (attendance at the event or other gift given in relation to the event) is given by a source other than a lobbyist, contractor or vendor of the City.

Gift given in an official capacity from a lobbyist, vendor or contractor

If you are attending these sporting events in your official capacity as an elected official, and not related to your private employment, you may only accept up to \$5.00 if the gift (attendance at the event or other gift given in relation to the event) is given by a lobbyist, contractor or vendor of the City.

If you need additional guidance regarding this matter, please feel free to contact my office.