

**ETHICS OPINION**  
***Office of the City Attorney***

**TO:** Mayor Scott Brook  
**FROM:** John J. Hearn, City Attorney  
**RE:** Attending the 2024 Mayors Summit Against Antisemitism  
**DATE:** October 29, 2024

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You have asked if you may attend the 2024 Mayors Summit Against Antisemitism in Beverly Hills from December 11, 2024 through December 13, 2024. The Summit is organized by the Combat Antisemitism Movement. The purpose of the Summit is to unite leaders, policy makers and advocates from across the United States and Canada in a collective effort to combat antisemitism and promote a society of tolerance and respect. While there, you will be attending keynote speeches, attending interactive dynamic panels and workshops, and will have an opportunity to network to share best practices, build alliances, and collaborate on impactful initiatives. Combat Hate Foundation, a 501(c)(3) corporation, has offered to pay for your travel, meals and accommodation expenses.

A priority of the City Commission of Coral Springs is combatting antisemitism. This was evidenced through its passage of Resolution 2019-029 condemning antisemitism. In that Resolution, the City Commission recognized that the City is a diverse community which is home to many Jewish people and Jewish houses of worship. The Resolution also detailed the growing number of antisemitic incidents throughout the United States, and reaffirmed the City Commission's commitment to the health, safety and welfare of its residents. Attendance at the Summit would be in accordance with the City's priority of this issue.

If these facts are incorrect or inaccurate in any way, please let us know, because it will affect the opinion that we give.

The Broward County Code of Ethics provides that Municipal Elected Officials "shall not accept gifts, directly or indirectly, regardless of value" 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. "Gift" is defined in accordance with Chapter 112, Florida Statutes.

The Combat Hate Foundation is not a not lobbyist, vendor or contractor of the City. The Broward County Ethics Ordinance limits gifts given to municipal elected officials in their official capacity from "other sources" up to \$50.00. Therefore, you may only accept a

gift relating to the Summit (including travel expenses, accommodations, and meals) from the Combat Hate Foundation up to \$50.00. However, the Broward County Code of Ethics provides an exemption to the \$50.00 limitation for “[t]raining, including the payment or reimbursement of expenses incurred in connection therewith, provided the training relates to the Elected Official’s public service. The receipt of such training is deemed to directly benefit the public on whose behalf the Elected Official serves.” Section 1-19(c)(1)(e)(2), County Code of Ordinances.

Under Section 112.312(12)(b)(3), Florida Statutes, “Gift” does not include “[a]n honorarium or an expense related to an honorarium event paid to a person or the person’s spouse.” Florida Commission on Ethics Rule 34-13.220 fully defines an “honorarium.” Under that definition, an honorarium is defined as “[a] speech, address, oration, or other oral presentation by the reporting individual or procurement employee. . . .” An honorarium does not include the payment or provision of actual and reasonable transportation, lodging, and food and beverage expenses related to the honorarium event, including any event or meeting registration fee, for a reporting individual or procurement employee and spouse.

However, under subsection (3), to the extent that the transportation, lodging, and food and beverages provided or paid for exceed “actual and reasonable expenses,” this amount constitutes an honorarium. Factors which the Commission will consider in determining the reasonableness of honorarium event related expenses<sup>1</sup> include, but are not limited to:

- (a) The distance the reporting individual or procurement employee was required to travel to attend the event or function;
- (b) The mode of transportation which was utilized by the reporting individual or procurement employee to travel to and from the event or function;
- (c) The length of the speech or oral presentation made by the reporting individual or procurement employee;
- (d) The length of the event or function where the reporting individual or procurement employee spoke;
- (e) The time of day that the reporting individual or procurement employee made the speech or oral presentation;
- (f) Participation by the reporting individual or procurement employee at other events or presentations reasonably necessary to the presentation made by the reporting individual or procurement employee; and
- (g) Whether the honorarium event related expenses received by the reporting individual or procurement employee are comparable to expenses incurred by other persons attending the event.

Applying these factors, it appears that payment of your travel, meals, and accommodation expenses by the Combat Hate Foundation in this case would constitute

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<sup>1</sup> “Honorarium event” is defined as “a meeting or function, or a series of related meetings or functions such as a convention held over several days, where the reporting individual or procurement employee has been invited to make a speech, address, oration, or other oral presentation . . .” *Florida Commission on Ethics Rule 34-13.230.*

an honorarium, since you will be participating in interactive panels and workshops with other Mayors over a three-day period, you would have to travel a significant distance to attend the Summit, your participation is particularly significant where the City Commission has prioritized combatting antisemitism, and there is no indication that your travel expenses are not comparable to expenses incurred by other persons attending the event. However, despite repeated attempts, our office was not able to confirm all information required for this determination from the Combat Antisemitism Movement.

In the alternative, we have concluded that your attendance at the Summit falls within the training exemption to the \$50.00 gift limitation under the Broward County Code of Ethics. Here, the training relates directly to your public service as the City Commission has prioritized combatting antisemitism, and the City is home to many Jewish residents and houses of worship.

Note that if you accept the gift, you must fill out the quarterly Form 9 gift disclosure pursuant to Section 112.3148, Florida Statutes.

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