

ETHICS OPINION

Office of the City Attorney

TO: Mayor Scott Brook

FROM: John J. Hearn, City Attorney

RE: Attending the 2025 MuniWorld Conference

DATE: May 29, 2025

You have asked if you may attend the 2025 MuniWorld Conference from June 17 through June 19, 2025 in Tel Aviv. The Conference is organized by Federation of Local Authorities in Israel. The purpose of the Conference is to bring mayors, senior government officials, and municipal leaders from around the globe together to explore innovative solutions, foster resilience, develop collaborative strategies for a brighter future, and engage in meaningful discussions on the challenges and opportunities facing cities worldwide. While there, you will be attending keynote speeches, attending roundtables and workshops, and will have an opportunity to network to share best practices, build alliances, and collaborate on impactful initiatives. The Israeli Ministry of Foreign Affairs and the Consulate General of Israel in Miami have offered to pay all of your expenses for the Conference.

Topics to be presented at the Workshop are Digital Transformation, Municipal Innovation in Times of Crises, Community and Educational Solutions, Ecology and Renewable Energies, Confronting Anti-Semitism on the Local Level, Local and Central Government Dynamics, Geopolitical Map, and Envoys Abroad. Attendance at the Conference would be in accordance with the City's priority of several of these issues.

As to Municipal Innovation in Times of Crises, the City of Coral Springs was a leader in the fight against COVID, opening up a municipal vaccine site and formulating policies and procedures to address dealing with future crises. As to Community and Education Solutions, the City runs its own charter school and has been innovative in hiring an Education Relations Manager to work with Broward County Schools. As to Ecology and Renewable Energies, a priority of the City Commission of Coral Springs is promoting, encouraging and adopting sustainable practices in order to be environmentally conscious. The City's commitment to sustainability has led to the City creating an Office of Sustainability and hiring a Sustainability Manager.

As to Confronting Anti-Semitism on the Local Level, 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.

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 "directly or indirectly, any gift of food and/or nonalcoholic beverages with a value in excess of \$25.00 or any other gift 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. "Gift" is defined in accordance with Chapter 112, Florida Statutes.

The Israeli Ministry of Foreign Affairs and Consulate General of Israel in Miami are not lobbyists, vendors or contractors 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 Conference (including travel expenses, accommodations, and meals) from the Israeli Ministry of Foreign Affairs and Consulate General of Israel in Miami up to \$50.00.

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 expenses¹ 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;

¹ "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.*

- (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, payment of your travel, meals, and accommodation expenses by the Israeli Ministry of Foreign Affairs and the Consulate General of Israel in Miami in this case would constitute an honorarium, since you will be participating in roundtables and workshops with other Mayors and leaders over a three-day period, you would have to travel a significant distance to attend Conference, your participation is particularly significant where the City Commission has prioritized several of the topics, and there is no indication that your travel expenses are not comparable to expenses incurred by other persons attending the event. Moreover, because you will be taking part in roundtables and workshops, and because networking events are included, you will in effect be giving oral presentations throughout based upon your experience as Mayor of a City with priorities aligned with several topics presented at the Conference. This conclusion is in accordance with our past opinions on honorariums.

As we discussed, any expenses related to entertainment/excursions are gifts and not part of honorarium expenses. Therefore, as with any gift, you may only accept \$5.00 from a lobbyist or contractor, and \$50.00 from a non-lobbyist or non-contractor, and you must reimburse the remaining value of the gifts within ninety (90) days of accepting those gifts.

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