

# **ETHICS OPINION**

## **Office of the City Attorney**

**TO:** Vice Mayor Nancy Metayer Bowen

**FROM:** John J. Hearn, City Attorney

**RE:** Attending the 2025 Daring Cities 2025 Bonn Dialogues Event

**DATE:** May 30, 2025

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You have asked if you may attend the 2025 Daring Cities Bonn Dialogues Event in Bonn Germany from June 15, 2025 through June 19, 2025. The Event is organized by ICLEI Global, a network of more than 2500 local and regional governments committed to sustainable urban development. The City of Coral Springs is a member of ICLEI. The purpose of the Event is to provide a pivotal platform for local and regional governments to influence global climate negotiations. While there, you will be giving a presentation during a session for community engagement, attending interactive dynamic panels and workshops, and will have an opportunity to network to share best practices, build alliances, and collaborate on impactful initiatives. ICLEI Global has offered to pay for your travel, meals and accommodation expenses.

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.

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.

ICLEI Global is not a 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 Event (including travel expenses, accommodations, and meals) from ICLEI Global 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 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, payment of your travel, meals, and accommodation expenses by ICLEI Global in this case would constitute an honorarium, since you will be giving a presentation during one of the sessions, participating in interactive panels and workshops with other elected officials over a three-day period, you would have to travel a significant distance to attend the Event, your participation is particularly significant where the City Commission has prioritized sustainability, and there is no indication that your travel expenses are not comparable to expenses incurred by other persons attending the event.

This conclusion is in accordance with our past opinions on honorariums.

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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.*

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