

**Meyers, Robert (COE)**

JNQ 09-196

**From:** Meyers, Robert (COE)  
**Sent:** Friday, December 18, 2009 1:00 PM  
**To:** Milian, Lourdes (DIST6)  
**Subject:** Canary Islands

Dear Lourdes:

Pursuant to our conversation earlier in the week, I will provide you with a written opinion. You advised me that Commissioner Sosa and her spouse flew to the Canary Islands from Miami and spent approximately one week there. As I recall, Commissioner Sosa played a major role in the decision to institute direct flights from Miami to Tenerife and that she and her husband were on the first flight. You further advised me that the government of the Canary Islands covered the cost of the Commissioner's travel and all travel-related expenses for this trip.

The issue to address is whether Commissioner Sosa received a reportable gift. In terms of the Commissioner herself, if she was on official County business when she took this trip, she would have nothing to report. If, however, she stayed beyond the dates when she was on official business or she engaged in private business when she was there, she would have to report these items. For example, if she and her husband had dinner one night on their own and the government of the Canary Islands picked up the tab, she would have a reportable gift. If, on the other hand, she had dinner with representatives of the Canary Islands government or airline officials, she was acting in her official capacity and would not have to declare it.

Travel expenses of Commissioner Sosa's spouse must be reported. Since he is not a County government official, he cannot claim that he was appearing in his official capacity while he was on this trip. As we discussed on the phone, you have been able to calculate the value of the trip and can apportion it. I believe you indicated that the overall cost was in the \$3,000 range -- \$1,500 for the Commissioner Sosa and \$1,500 her spouse. Therefore, the Commissioner should report a gift of \$1,500 in connection with this travel unless she spent additional time in the Islands unrelated to the official purpose of her travel.

If you have any questions, feel free to contact me at your convenience.

Sincerely,

Robert Meyers, Executive Director  
Miami-Dade Commission on Ethics and Public Trust

12/18/2009