



Via First Class Mail  
and  
email at [chascitrin@aol.com](mailto:chascitrin@aol.com)

September 14, 2011

**ETHICS COMMISSIONERS**

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**ARDYTH WALKER**  
STAFF GENERAL COUNSEL

Charles Citrin, Esq.  
300 71<sup>st</sup> St., Suite 300  
Miami Beach, FL 33141-3075

Re: INQ 11-137, Hialeah Gardens Gift of Travel Expenses

Dear Mr. Citrin:

You asked the circumstances under which the City of Hialeah Gardens may accept travel expenses from a City proposer. The portions of the Miami-Dade County Ethics Code relevant to this issue are at Secs. 2-11.1 (e) and (w).

We understand that a private company is seeking to build a recycling facility on City-owned property. In order to determine the full impact of this type of operation in the City, the proposer has offered to pay the travel expenses of the City Mayor and certain City employees to inspect a similar recycling facility operating in Barcelona, Spain.

The Miami-Dade County Code prohibits proposers from paying the travel expenses of elected officials and employees unless the prohibition has been waived by a majority vote of the City Council. See Miami-Dade Code at Sec. 2-11.1 (w) and INQ 05-152, allowing that the County Commission could waive this prohibition following Hurricane Katrina.

If the City Council chooses to waive the prohibition, you have agreed that the travel expenses will be considered gifts to the recipients. Consequently, these travel expenses, since they are valued at more than \$100, must be disclosed in the quarter following their receipt. See Miami-Dade Code at Sec. 2-11.1 (e)(4) and RQO 11-18 provide to North Miami City Mayor Andre Pierre.

Because the Mayor of the City of Hialeah Gardens is a strong mayor who does not normally vote with the Council, the issue of a potential voting conflict has not been addressed in this opinion.

Thank you for contacting the County Ethics Commission to help resolve this matter. If I can be of further assistance, please do not hesitate to call.

Sincerely,

  
Victoria Ego  
Staff Attorney

Enclosures: INQ 05-152 and RQO 11-18