



MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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MEMORANDUM

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**TO:** Honorable Brent Latham  
Mayor, North Bay Village

**FROM:** Jose Arrojo, Executive Director  
Commission on Ethics

**SUBJECT:** INQ 19-79, Sponsored Travel Costs – Washington, DC - Sea Level Rise  
Conference, Sections 2-11.1 (w), (g) and (e)(4)

**DATE:** August 22, 2019

**CC:** All COE Legal Staff

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Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust and requesting our guidance regarding the following proposed transaction.

Facts:

The American Flood Coalition (AFC) is a 501(c)(3) not-for-profit organization that self describes as a nonpartisan group of political, military, business, and local leaders that have come together to drive adaptation to the reality of higher seas, stronger storms, and more frequent flooding. The coalition seeks to advance national solutions that support flood-affected communities and protect our nation's residents, economy, and military installations.

The AFC is not known to be a vendor or proposer in North Bay Village.

The AFC is hosting a Florida Mayors Summit on Flooding 7 Sea Level Rise in Washington, DC in October 2019. The summit is described as an opportunity for Florida Mayors to learn about solutions to sea level rise.

The AFC has invited Mayor Brent Latham to attend the summit and may reimburse him for some or all of his costs of attendance.

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Issue:

The question presented is whether Mayor Latham may accept funds from AFC to cover travel, attendance, and room and board expenses related to his attendance at the Washington, DC conference.

Discussion:

Section 2-11.1(w) of the Miami-Dade Conflict of Interest and Code of Ethics Ordinance (Ethics Code) prohibits officials or employees from accepting, directly or indirectly, any travel expenses, including, but not limited to transportation, lodging, meals, registrations fees and incidentals from any municipal contractor, vendor, service provider, bidder or proposer. This restriction may be waived by a majority vote of the elected body.

It is reported that the funding entity for the proposed travel to Washington, DC, the AFC, is not a municipal contractor, vendor, service provider, bidder or proposer.

Also, Section 2-11.1(g) of the Ethics Code prohibits public officials from exploiting their official position for private gain or benefit. However, attending a conference on sea level rise when you are the Mayor of a Florida city surrounded by water is objectively a laudable public purpose.

Finally, Section 2-11.1 (e)(4) of the Ethics Code requires disclosure of any gift having a value of \$100 or more. In this instance, airfare, room and board, meals and beverages would constitute gifts that would have to be reported by filing a copy of gift disclosure forms required by Chapter 112, Florida Statutes, for local officers, with the appropriate receipt entity.

Opinion:

The expressed purpose for the Mayor's travel to Washington, DC is to attend a sea level rise conference for Florida Mayors.

The attending official is the Mayor of a Florida city that is surrounded by water.

AFC will be sponsoring the event and may pay costs expended by the local official's air travel, room and board, and meals. AFC is not known to be a municipal contractor, vendor, service provider, bidder or proposer.

The local official will be reporting the costs associated with the travel as a gift expenditure pursuant to the Code of Ethics and applicable state statutes.

Accordingly, Mayor Latham, may accept the invitation to travel and allow AFC to assume the costs associated with the travel to Washington, DC to attend the event as described above.

This opinion is limited to the facts as presented to the Commission on Ethics and is limited to an interpretation of the County Ethics Code only and is not intended to interpret state laws. Questions regarding state ethics laws should be addressed to the Florida Commission on Ethics.

INQs are informal ethics opinions provided by the legal staff after being reviewed and approved by the Executive Director. INQs deal with opinions previously addressed in public session by the Ethics Commission or within the plain meaning of the County Ethics Code. RQOs are opinions provided by the Miami-Dade Commission on Ethics and Public Trust when the subject matter is of great public importance or where there is insufficient precedent. While these are informal opinions, covered parties that act contrary to the opinion may be referred to the Advocate for preliminary review or investigation and may be subject to a formal Complaint filed with the Commission on Ethics and Public Trust.