

Frigo, Victoria (COE)

From: Frigo, Victoria (COE)
Sent: Monday, May 18, 2009 1:52 PM
To: 'DBlack0396@aol.com'
Subject: Use of Expense Account (INQ 09-76)

Dear Councilwoman Daisy Black:

In a phone conversation today, you asked if you could use money from your Village of El Portal expense account to cover part of your traveling expenses to attend the Democratic Black Caucus meeting in Gainesville this weekend.

We concluded that you could not use the money, based on Section 2.06 of the Village Code regarding reimbursement for expenses. This section states specifically the following:

Councilpersons shall receive reimbursement in accordance with applicable law, or as may be otherwise provided by ordinance, **for authorized travel and per diem expenses incurred in the performance of their official duties. (Emphasis added.)**

We agreed that you were not traveling to the Democratic Black Caucus meeting as part of your official duties. Particularly, because you are prohibited from affiliating with a political party when running in local elections, your affiliation with the Democratic Black Caucus is outside the official duties of a councilmember in El Portal. You also stated that the city manager was not inclined to approve this expense.

Although you may ask the city attorney for an opinion as well, based on our discussion, I understood that you have decided not to use money from your Village expense account to offset expenses traveling to the Democratic Black Caucus meeting.

If you have any additional questions, please feel free to contact me.

Sincerely,

Victoria Frigo, Staff Attorney
Miami-Dade Co. Commission on Ethics
Direct Phone: 305.350.0601
Fax: 305.579.0273



19 West Flagler St., Suite 820
Miami, FL 33130

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