

Meyers, Robert (COE)~~JNQ~~ 10-68

From: Meyers, Robert (COE)
Sent: Monday, April 05, 2010 2:48 PM
To: 'David M. Wolpin'
Subject: RE: Question under Sec. 2-11.1 (e) of County Ethics Code

Hi David:

You are correct. There is no exemption in the county ethics code for governmental rates. Although this precise question has never gone to the Ethics Commission for an opinion, I have indicated in numerous training sessions that a discount to all government officers and employees can be accepted and would not have to be reported as a gift. A related question is whether a local government employee can ask for a discounted rate on a hotel room when he/she is not traveling on official government business. Assuming the hotel chain offers the discount to all who fall within a given category, it would be permissible to ask for the discount and have nothing to report even if the value of the discount exceeded the \$100 threshold for disclosing gifts.

If you have any additional questions, please contact me at your convenience.

Thanks,

Robert

From: David M. Wolpin [mailto:DWolpin@wsh-law.com]
Sent: Tuesday, March 30, 2010 5:29 PM
To: Meyers, Robert (COE)
Cc: David M. Wolpin
Subject: FW: Question under Sec. 2-11.1 (e) of County Ethics Code

Hi Robert- have you had a chance to review this question?
 Thanks .

From: David M. Wolpin
Sent: Tuesday, March 16, 2010 10:42 AM
To: 'Meyers, Robert (COE)'
Cc: David M. Wolpin
Subject: Question under Sec. 2-11.1 (e) of County Ethics Code

Hi Robert- as you know, under the statutory definitions of a gift which are provided by State law for Sec. 112.3148, F.S., there is an exception for a governmental rate which is offered to similarly situated governmental officers and employees(Sec. 112.312(12) (a) (5), F.S.). I do not see a similar formal exception in the County Ethics Code , but I recognize that there may be an exception provided by interpretation.

Under Sec. 2-11.1 (e), may a city council member accept a governmental rate offered by Sprint for cell phone service on his or her private cell phone accounts under circumstances in which Sprint asserts that they offer that same 10 % discount to all local governmental officers and employees?

Please advise if any further information is required.

Thank you .

4/5/2010