



## MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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### MEMORANDUM

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**TO:** Honorable Kevin Marino Cabrera  
District 6 Commissioner

**FROM:** Jose J. Arrojo   
Executive Director  
Commission on Ethics

**SUBJECT:** INQ 2023-136, Sponsored Travel Costs  
Sections 2-11.1 (w), (g), (e)(4)

**DATE:** October 10, 2023

**CC:** Manuel Orbis, Jr., MBA, District 6 Chief of Staff  
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 Ambassador to the United States for the State of Qatar has invited the District 6 Commissioner to join a special delegation to the State of Qatar, organized by the Embassy of the State of Qatar in Washington, D.C. The Commissioner would be part of a group of officials from the Miami area who would travel to Qatar to learn about that nation's national vision, government, educational incentives and economic development.

While in Qatar, the Commissioner and the other members of the delegation will meet with relevant government ministries, agencies, and educational institutions and also visit key sites in Doha, the Qatari capital.

Cost associated with travel, accommodations, and meals will be covered by the Embassy of the State of Qatar in Washington, D.C.

The Commissioner will be attending in his official capacity representing Miami-Dade County and constituents with the goal of promoting educational and cultural exchanges between Qatar and the County and also promoting local County businesses and trade with that nation.

Qatar is not a Miami-Dade County contractor, vendor, service provider, bidder or proposer, lobbyist or the principal of a lobbyist.

Issue:

Whether a County Commissioner may accept funds from the Embassy of the State of Qatar in Washington, D.C. to cover travel, attendance, lodging and meal expenses related to participation, as a part of local delegation, to travel to Qatar with the goal of promoting educational and cultural exchanges between Qatar and the County and also promoting local County businesses and trade with that nation.

Discussion:

Section 2-11.1(w) of the Miami-Dade Code, (County Ethics Code) prohibits county 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 County contractor, vendor, service provider, bidder or proposer, lobbyist or the principal of a lobbyist. This restriction may be waived by a majority vote of the County Commission.<sup>1</sup>

It is reported that the funding entity for the proposed travel to is the government of Qatar through its embassy to the United States. Qatar is not a County contractor, vendor, service provider, bidder or proposer, lobbyist or the principal of a lobbyist.

Moreover, the prohibition contained in sec. 2-11.1(w) does not apply to travel expenses paid other governmental entities.

Also, sec. 2-11.1(g) of the Ethics Code prohibits public officials from exploiting their official position for private gain or benefit. However, establishing or expanding cultural, educational, and business connections between Miami-Dade County and other nations is objectively a laudable public purpose.<sup>2</sup>

Finally, sec. 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.

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<sup>1</sup> Reliance on the waiver provision contained in sec. 2-11.1(w), Miami-Dade Code, may violate sec. 112.3148, Florida Statutes, relating to prohibited gifts.

<sup>2</sup> See generally INQ 19-10.

Opinion:

The expressed purpose for the County official's travel to Qatar at the invitation of that nation's ambassador to the United States, is to participate as part of a local delegation, in meetings with government officials and others, with the goal of promoting educational and cultural exchanges between Qatar and the County and also promoting local County businesses and trade with that nation.

The attending official is an elected Commissioner and will be attending in his official capacity.

The Embassy of Qatar in Washington, D.C. is sponsoring the travel and meetings and will pay costs expended by the local official's air travel, room and board, and meals. Qatar is not known to be a County contractor, vendor, service provider, bidder or proposer, lobbyist or the principal of a lobbyist.

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, Commissioner Marino Cabrera may accept the invitation to travel and allow Qatar to assume the costs associated with the travel to that nation to participate in the activities described herein.

This opinion is limited to the facts as you and County staff presented them 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.