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MEMORANDUM

**TO: The Honorable Council President Greg Anderson
Leann Krieg, Executive Council Assistant**

**FROM: Jason R. Gabriel, General Counsel
Carla Miller, Ethics Compliance and Oversight Executive Director**

**CC: Sam E. Mousa, Chief Administrative Officer
Kerri Stewart, Chief of Staff**

RE: Jaguar Tickets and Passes to the City

DATE: December 10, 2015

This memo is intended to provide legal guidance with respect to the acceptance and distribution of Jaguar tickets and passes by the City and their use by City officials and employees. This memo solely covers the applicable law for tickets and passes distributed by the City (i.e., by the Mayor or City Council President). There are additional laws and restrictions for any gifts that City officials and employees may receive from any other source, other than the City. For example, there is a \$100 single gift limit and \$250 aggregate gift limit per entity per year, for gifts that come from lobbyists or those doing business with the City, among other restricted parties (*see* Section 602.701, *Ordinance Code*).

I. Jaguar tickets and/or passes given to the City.

All Jaguar tickets and/or passes shall be delivered to the City as follows:

(1) City Council: If they are being donated to the Legislative Branch, they are all to be accepted by the Council President or their designee, on behalf of the City, for distribution by the City.

(2) Mayor's Office: If they are being donated to the Executive Branch, they are all to be accepted by the Mayor or their designee, on behalf of the City, for distribution by the City.

Applicable Law: Section 113.402, Ordinance Code; Section 112.3148(4), Florida Statutes; Section 34-13-320(1), Florida Administrative Code; Commission on Ethics Opinion 05-5 and 92-33

II. Registration on the City's Gift Registry.

Once the City has accepted the tickets on behalf of the City, the City is then required to post all such gifts on the City's online gift registry. There is a prescribed timeframe for doing so. Currently it's ninety (90) days from receipt of the gift.

Applicable Law: Section 602.701(c), Ordinance Code

III. State Filers who file gift disclosures (Form 9); Value of tickets/passes.

Even though City officers or employees may receive ticket(s) or passes from the City, they are still considered gifts that are required to be reported on the Florida Commission on Ethics Form 9 if such person is required by law to file financial disclosures with the State. The value of the tickets or passes will be identified on the ticket for state reporting purposes.

Applicable Law: Section 112.3148(8), Florida Statutes; Commission on Ethics Complaint No.: 07-059

IV. Distribution by the City.

The distribution of the tickets, as gifts to the City, shall be made at the discretion of: (1) the Mayor/designee for the Executive Branch, and (2) the Council President/designee for the Legislative Branch.

Applicable Law: Section 113.403, Ordinance Code

V. Conclusion

In summary, there are two important principles here: (1) all tickets or passes from the Jaguars to the City must be accepted by the City on behalf of the City pursuant to its established rules of acceptance and distribution (they may not be conveyed by the donor directly or even indirectly to any City official or employee); and (2) their value must be known and identified so that in case any state required form filers are receiving them, they are in a position to report the value of such gifts from the City.