

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, September 22, 2016 3:43 PM
To: Sanchez, Rodzandra (COE)
Subject: Beth Spiegel, Councilwoman, City of North Miami Beach (Exploitation) INQ 16-217

INQ 16-217 Spiegel

From: Centorino, Joseph (COE)
Sent: Thursday, September 22, 2016 3:40 PM
To: Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Perez, Martha D. (COE) <perezmd@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>
Subject: INQ 16-217 Beth Spiegel, Councilwoman, City of North Miami Beach (Exploitation)

Beth Spiegel, Councilwoman for the City of North Miami Beach, inquired concerning whether she would be permitted under the Ethics Code to express her opinion on a ballot referendum issue by using her own money and resources to put out publicly her views on the issue. I informed her that, while she could not use City resources in such an effort, both due to a possible Exploitation issue under Section 2-11.1(g) and also due to the prohibition on such activity in Section 106.113 (2), Florida Statutes, there would be no prohibition against her expressing her views on an issue at her own expense, just as any citizen would have such a right under the First Amendment of the U.S. Constitution. Moreover, Section 106.113(3), Florida Statutes specifically provides that, "With the exception of the prohibitions specified in subsection (2), this section does not preclude an elected official of the local government from expressing an opinion on any issue at any time."

Joseph M. Centorino

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