

## Sanchez, Rodzandra (COE)

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**From:** Diaz-Greco, Gilma M. (COE)  
**Sent:** Monday, October 31, 2016 11:24 AM  
**To:** Sanchez, Rodzandra (COE)  
**Subject:** Jean Olin, Esq., Special Counsel, City of North Miami Beach (Exploitation) INQ 16-244

INQ 16-244 Olin

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**From:** Centorino, Joseph (COE)  
**Sent:** Friday, October 28, 2016 5:23 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 16-244 Jean Olin, Esq., Special Counsel, City of North Miami Beach (Exploitation)

Jean Olin, Esq., who serves as special counsel to the City of North Miami Beach inquired regarding whether it would be appropriate for a Council to speak out on a ballot referendum from the dais during a Commission meeting, which is broadcast over the city's cable TV. I informed her that a Councilperson is permitted to speak out and express an opinion about an issue at any time from the dais without it amounting to an Exploitation of Official Position, provided that the Councilperson is not endorsing a political candidate or somehow misusing his or her position to improperly interfere with an election under Section 104.31, Florida Statutes. Section 106.113(3) provides the justification for this. It was recommended that the Councilperson state his or her position on the issue publicly and avoid pressuring anyone to vote one way or the other in order to avoid a possible violation of 104.31.

### *Joseph M. Centorino*

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