

**COMMISSION ON ETHICS**  
**ADVISORY OPINION**  
**RQO 00-92**

**BACKGROUND:** Angel Jurado, a Department of Solid Waste employee, is seeking an advisory opinion regarding whether he can contract with the county to provide Section 8 housing.

**FACTS:** Jurado is a truck driver for the Department of Solid Waste. Jurado would like to contract with the Housing Department to provide Section 8 housing. Section 8 is a federally-funded program that provides rental assistance to low-income tenants.

**ARGUMENT:** Jurado may not contract with the Housing Department to provide Section 8 housing. Section 2-11(c) provides that "Notwithstanding any provision to the contrary herein, subsection (c) and (d) shall not be construed to prevent any employee...from entering into any contract, individually or through a firm, corporation, partnership or business entity in which the employee or any member of his or her immediate family has a controlling financial interest, with Miami-Dade County or any person or agency acting for Miami-Dade County as long as 1) entering into the contract would not interfere with the full and faithful discharge by the employee of his or her duties to the County, 2) the employee has not participated in determining the subject contract awards or awarding the contract, and 3) the employee's job responsibilities and job description will not require him or her to be involved with the contract in any way, including but not limited to its enforcement, oversight, administration, amendment, extension, termination or forbearance. Since Jurado's position with the Department of Solid Waste would not require him to be involved in the enforcement, oversight or administration of the subject contract, he may contract with the Housing Agency to provide Section 8 housing.

**CONCLUSION:** The Conflict of Interest and Code of Ethics ordinance does not permit Jurado to contract with the county to provide Section 8 housing.