

REQUEST FOR OPINION CHECKLIST

Request for Opinion

Dated: 7/9/02

Investigative File

Draft Opinion

Notification to requestor of hearing before commission:

Scheduled for _____ at _____ .m; or No _____

Commission Action: _____

Final Opinion Letter: Mailed on: 07/25/02; or

Final Disposition: _____

**COMMISSION ON ETHICS
ADVISORY OPINION
RQO 02-084**

BACKGROUND: Eddie Lee, a Network Manager with the Miami-Dade County Judicial Administration, is seeking an advisory opinion regarding his ability to contract with the county to provide Section 8 housing.

FACTS: Lee is a Network Manager with the Miami-Dade County Judicial Administration and would like to contract with the Miami-Dade Housing Agency to provide Section 8 housing. Section 8 is a federally-funded program which subsidizes landlords who rent to low-income tenants.

ARGUMENT: Lee may contract with the Miami-Dade Housing Agency to provide Section 8 housing. Section 2-11.1 (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 Lee's job responsibilities with the Miami-Dade County Judicial Administration will not require his involvement in any aspect of the contract, Lee may contract to provide Section 8 housing.

CONCLUSION: The Conflict of Interest and Code of Ethics ordinance permits Lee to contract with the county to provide Section 8 housing.

Batista, Sylvia (COE)

From: Batista, Sylvia (COE)
Sent: Friday, July 19, 2002 3:08 PM
To: Lee, Eddie (AOC)
Subject: Request for Advisory Opinion No. 02-84

Dear Mr. Lee:

The Commission on Ethics and Public Trust is in receipt of your request for an advisory opinion. The commission will hear your request and render its opinion at its meeting scheduled for July 25, 2002. Please note that you are permitted to be present at the meeting. Our office will require your advanced notification in the event you wish to appear. **Requests for opinions will be heard at 10:00 a.m.**

If you have any questions regarding the foregoing, please call the undersigned at (305) 350-0616.

Sincerely,

ARDYTH WALKER
Staff General Counsel

155 Ponce De Leon Blvd.
Coral Gables, FL 33134

R00 02-84

Monday, July 08, 2002

Ms. Walker
Miami-Dade County, Commission on Ethics.

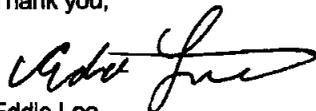
Dear Ms. Walker:

Subject: Approval for Section 8 Housing Payment.

My name is Eddie Lee. I work for Judicial Administration in Miami-Dade County. The position I currently hold here in the county is: Network Manager I. I need approval from the commission in order to rent a property to a "Section 8" participant.

Please notify me once the outcome of my request has been finalized.

Thank you,



Eddie Lee

Tel: 305-401-5299
Email: elee3@miamidade.gov