

IHQ 00-26

**Meyers, Robert (COE)**

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**From:** Walker, Ardyth (COE)  
**Sent:** Monday, November 27, 2000 6:00 PM  
**To:** Meyers, Robert (COE); Sanchez, Gerald  
**Subject:** Barreiro ordinance

My review of §112.313 indicates that the Commissioner's parents could contract with the county to lease property under the statute. The language of the statute provides that a public officer acting in his official cannot directly or indirectly purchase rent or lease any realty, goods or services for his agency from any agency in which the officer or his spouse or child is an officer, partner, director or proprietor. The statute differs from the ordinance in that the covered family members are spouse and children rather than parents, spouse and children. Parents are not covered under the statute. Therefore, the statute doesn't prohibit parents from contracting.

However, the Conflict of Interest ordinance doesn't provide a waiver provision for commissioners and their immediate family. Therefore, the amended waiver provision wouldn't permit the county to contract with the commissioner's family.