

**COMMISSION ON ETHICS  
ADVISORY OPINION  
RQO 00-190**

**BACKGROUND:** Brenda Jones, Community Action Agency employee, is seeking an advisory opinion regarding his ability to contract with the county to provide Section 8 housing.

**FACTS:** Jones is an Administrative Officer 2 with the Community Action Agency 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:** Jones 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 Jones' job responsibilities with the Community Action Agency will not require her involvement in any aspects of the contract, she may contract to provide Section 8 housing.

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