

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 your job responsibilities as a Registered Nurse with the Miami-Dade Public Health Trust will not require your involvement in any aspect of the contract, you may contract to provide Section 8 housing.

If you have any questions regarding this opinion, please call Ardyth Walker, Staff General Counsel, at (305) 350-0616.

Sincerely yours,



ROBERT MEYERS

Executive Director

/sb



October 12, 2001

ETHICS COMMISSIONERS

Kerry E. Rosenthal, Chairperson
Charles A. Hall, Vice Chairperson
Elizabeth M. Iglesias
Knovack G. Jones
Robert H. Newman

Marion Livingstone
18570 N.W. 21st Avenue
Miami, FL 33056

ROBERT A. MEYERS
EXECUTIVE DIRECTOR

RE: REQUEST FOR ADVISORY OPINION 01-96

MICHAEL P. MURAWSKI
ADVOCATE

Dear Mrs. Livingstone:

ARDYTH WALKER
STAFF GENERAL COUNSEL

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on October 11, 2001 and rendered its opinion based on the facts stated in your letter.

You requested an opinion regarding your ability to contract with the county to provide Section 8 housing.

In you letter, you advised the Commission that you are a Registered Nurse for the Miami-Dade County Public Health Trust 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.

The Commission found that you 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