



May 23, 2002

ETHICS COMMISSIONERS

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ARDYTH WALKER
STAFF GENERAL COUNSEL

Via Facsimile No. (305) 597-2624

C. W. Grimsley

RE: REQUEST FOR ADVISORY OPINION 02-064

Dear Mr. Grimsley:

The Commission on Ethics and Public Trust considered your request for an advisory opinion at its meeting on May 22, 2002 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 your letter, you advised the Commission that you are a Corrections Office with the Miami-Dade Department of Corrections and Rehabilitation and you 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

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 with the Miami-Dade
Department of Corrections and Rehabilitation
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 Ardath Walker, Staff
General Counsel, at (305) 350-0616.

Sincerely Yours,



ROBERT MEYERS

Executive Director

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