



January 13, 2004

**ETHICS COMMISSIONERS**

Kerry E. Rosenthal, Chairman  
Robert H. Newman, Vice Chairman  
Gail Dotson  
Dawn Addy  
Elizabeth M. Iglesias

Stephen A. Isakson  
14734 SW 53 Terrace  
Miami, FL 33185

**ROBERT A. MEYERS**  
EXECUTIVE DIRECTOR

**RE: REQUEST FOR ADVISORY OPINION 04-02**

**MICHAEL P. MURAWSKI**  
ADVOCATE

Dear Mr. Isakson:

**ARDYTH WALKER**  
STAFF GENERAL COUNSEL

I considered your request for an advisory opinion and I am rendering my 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 work as a Hydrogeologist II, with the Miami-Dade County Department of Environmental Resources Management [DERM]. 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.

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  
forebearance.

Since your job responsibilities with DERM would not require your  
involvement in any aspect of the contract, you may contract with the  
Miami-Dade County Housing Agency to provide Section 8 housing.

This opinion construes the Miami-Dade Conflict of Interest and  
Code of Ethics ordinance only and is not applicable to any conflict  
under state law. Please contact the State of Florida Commission on  
Ethics if you have any questions regarding possible conflicts under  
state law.

If you have any questions regarding this opinion, please call the  
undersigned at (305) 579-2594.

Sincerely Yours,

A handwritten signature in black ink, appearing to read "Robert Meyers", with a long horizontal line extending to the right.

ROBERT MEYERS  
Executive Director