



MIAMI-DADE COMMISSION ON ETHICS AND PUBLIC TRUST

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MEMORANDUM

TO: Tammie Johnson, Administrative Assistant to Major William R. Cook,
North District Substation of the City of Miami Police Department

FROM: Gilma Diaz-Greco, Staff Attorney
Commission on Ethics

SUBJECT: INQ 2021-90

DATE: 06-10-21

CC: COE;

Thank you for contacting the Miami-Dade Commission on Ethics and Public Trust (COE) and requesting our guidance regarding your application for the Homeownership Preservation Program (“HPP”)¹ administered by the City of Miami Department of Housing and Community Development.²

Facts:

You are employed at the North District Substation of the City of Miami Police Department as an Administrative Assistant to Major William R. Cook. In your

¹ The HPP provides low or no-interest loans to homeowners in the City of Miami to repair eligible properties. Covered repairs include repair or replacement of roofs, replacement of windows or doors and/or installation of hurricane shutters, necessary to bring the home to decent, safe, and sanitary conditions, and to reinforce the property’s exterior to better withstand natural weather occurrences while maximizing the home’s energy efficiency. The City of Miami selects a contractor from a City of Miami procured Job Order Contracting (“JOC”) Contracting firm. Housing and Community Development inspectors inspect the work, and contractors are paid for completed work following approval by the homeowner and the inspector. *See* <https://www.miamigov.com/Residents/Housing/Homeownership-Preservation-Program>.

²² *Id.* The HPP is funded with City of Miami Forever Funds (through a General Obligation Bond approved in November 2017 for capital projects).

application dated June 7, 2021, you stated you would like to participate in the City of Miami's HPP.

Issue:

Whether there exists a conflict of interest that would prevent you from participating in a housing preservation/ replacement/repair program administered by the City of Miami Department of Housing and Community Development.

Discussion and Opinion

Based on the facts as described herein, you are not prohibited from participating in the HPP, provided you abide by and Section 2-11.1(c)(5) of the County Ethics Code and Section 2-612 (a) of the City of Miami Code

Section 2-11.1(c)(5)(5) allows (City) employees and their immediate families to apply for housing assistance (rehabilitation) programs from the County's Public Housing and Community Development Department (or City equivalent) if they meet certain conditions, including that the employee is eligible to receive the assistance and the employee does not work in the department that oversees or administers the program.

Similarly, Section 2-612(a) of the City of Miami Code allows a city employee to participate in housing programs administered by the department of community development "provided that the employee meets all the criteria of the program and provided that the city manager approves the participation of the employee, and that the employee is identified as being an employee of the city in applicable documents."

Consequently, provided you qualify for the HPP and your employment as Administrative Assistant in the North District Substation of the City of Miami Police Department will not require you to be involved in any way in the selection, administration, or enforcement of the HPP, you are not prohibited by the County Ethics Code from participating in the Program.

This opinion is limited to the facts as you presented them to our office regarding potential conflicts with Sections 2-11.1(c) and (d) of the County Ethics Code. Should you have any questions, do not hesitate to contact us.

Please submit this opinion to Public Housing and Community Development department for inclusion in your file. The Ethics Commission does not submit this memorandum on your behalf.