



**PUBLIC NOTICE  
CITY OF NORTH MIAMI  
PUBLIC DISCLOSURE OF TENANT-BASED RENTAL ASSISTANCE**

The City of North Miami ("City") is a recipient of federal funds from the U.S. Department of Housing and Urban Development ("HUD") under Home Investment Partnerships Program ("HOME").

The City has received an application from Mr. Jean Bertrand Bourdeau & Mrs. Carmele Bourdeau, an income eligible applicant, relative of an employee at the City, working in the capacity of a Constituent Services Coordinator for the Mayor and Council office to participate in the North Miami Tenant-Based Rental Assistance ("TBRA") Program. The Federal Government's Code of Federal Regulations, 24 CFR Section 92.356(b) and (c) state that:

"(b) Conflicts Prohibited. No persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to activities assisted with HOME funds or who are in a position to participate in a decision-making process or gain inside information with regard to these activities may obtain a financial interest or financial benefit from a HOME-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to the HOME-assisted activity, or the proceeds from such activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. Immediate family ties include (whether by blood, marriage or adoption) the spouse, parent (including a stepparent), child (including a stepchild), brother, sister (including a stepbrother or stepsister), grandparent, grandchild, and in-laws of a covered person.

"(c) Persons Covered. The conflict-of-interest provisions of paragraph (b) of this section apply to any person who is an employee, agent, consultant, officer, or elected official or appointed official of the participating jurisdiction, State recipient, or subrecipient which are receiving HOME funds"

Exception

The U.S. Department of Housing and Urban Development may grant an exception to these provisions and allow Mr. & Mrs. Bourdeau to receive assistance from the TBRA Program, providing the City publicly discloses the nature of the potential conflict in addition to retrieving an opinion from the City Attorney that the interest(s) for which we are seeking the exception is not in violation of State or local law.

The potential conflict of interest in this case arises from the fact that Mr. & Mrs. Bourdeau are related to an employee of the City of North Miami, and the City is a recipient of HOME funding.

The City Attorney's office has reviewed all documentation for this application and issued a legal opinion regarding the potential conflict(s) of interest. In their opinion, the application of Mr. & Mrs. Bourdeau, do not violate State or local law or any City administrative policies.

Public Comment

Residents are encouraged to review the complete opinion and provide written comments. Copies of the opinion are available for review at the Housing & Social Services office located at 12300 NE 8<sup>th</sup> Avenue, North Miami, Florida 33161; North Miami City Hall located at 776 NE 125<sup>th</sup> Street, North Miami, FL 33161 during regular business hours, Monday to Friday from 8:00 a.m. to 4:00 p.m.; and City's website, during the 10-day period to commence on 09/04/2025 and end on 09/13/2025. Comments may be submitted to the Housing & Social Services Department by mail, in person, or by e-mail to [housing@northmiamifl.gov](mailto:housing@northmiamifl.gov).

City of North Miami  
Vanessa Joseph, Esq.  
City Clerk

**TO:** Alberte Bazile, Housing and Social Services Director

**FROM:** PaulMarie E. Bobb, Esq., Assistant City Attorney 

**DATE:** August 27, 2025

**RE:** **Conflict of Interest Legal Opinion for Bertrouva Bourdeau Grimard**

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## **BACKGROUND**

Jean Bertraud Bourdeau and Carmele Bourdeau, eligible applicants, have submitted an application for the City of North Miami Tenant-based Rental Assistance Program (“Program”). Bertrouva Bourdeau Grimard, a Constituents Services Coordinator in the City of North Miami Mayor and Council Office, is related to the applicants. Ms. Grimard has requested a legal opinion regarding whether Mr. and Mrs. Bourdeau’s participation in the Program presents a conflict of interest and/or ethics violation as set forth in the City of North Miami Conflict of Interest and Code of Ethics Ordinance, the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, or the State of Florida’s Conflict of Interest guidelines.

## **ANALYSIS**

### ***Local Law:***

The City of North Miami’s Conflict of Interest and Code of Ethics Ordinance, section 2-316(e) provides:

“No person included in the terms defined in subsections 2-316(b)(1)-(6) and in subsection 2-316(b)(9) shall enter into a business transaction with any person or entity that has a contract with the city or any shareholder, partner, officer, director or employee of such contractor, unless the business transaction is an arm’s length transaction made in the ordinary course of business.”

Further, Miami-Dade County’s Conflict of Interest and Code of Ethics Ordinance, Section 2-11.1(c) provides that:

“[this section] shall not be construed to prevent any employee as [...] 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 [...] 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 requirements 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 Ms. Grimard’s job responsibilities with the Mayor and Council Office do not require her participation in any aspect of Mr. and Mrs. Bourdeau’s contract, no conflict arises under the City or County ordinances and may contract with the City of North Miami to participate in the Program.

***State Law:***

Additionally, the Florida Statute outlining standards of conduct for public officers, employees of agencies, and local government attorneys expressly exempts such a transaction from its conflict-of-interest provisions. Section 112.313, Florida Statutes provides that no person shall be held in violation of the conflict-of-interest provisions if:

“(i) The public officer or employee purchases in a private capacity goods or services, at a price and upon terms available to similarly situated members of the general public, from a business entity which is doing business with his or her agency. (j) The public officer or employee in a private capacity purchases goods or services from a business entity which is subject to the regulation of his or her agency and: 1. The price and terms of the transaction are available to similarly situated members of the general public; and 2. The officer or employee makes full disclosure of the relationship to the agency head or governing body prior to the transaction.”

Given that Ms. Grimard’s job responsibilities do not intersect with Mr. and Mrs. Bourdeau’s contract, their participation would fall within the exemption outlined in the Florida Statute.

**CONCLUSION**

Based on the foregoing, unless and until legislatively or judicially determined otherwise, it is the opinion of this office that Jean Bertraud Bourdeau and Carmele Bourdeau’s participation in the Program would not violate the City of North Miami Conflict of Interest and Code of Ethics Ordinance, the Miami-Dade County Conflict of Interest and Code of Ethics Ordinance, nor the State of Florida’s Conflict of Interest guidelines. Therefore, Mr. and Mrs. Bourdeau are eligible to participate in the Program.