



**PUBLIC NOTICE
CITY OF NORTH MIAMI
PUBLIC DISCLOSURE OF EMERGENCY ELDERLY ASSISTANCE TO DOUGLAS & BERETA SALMON**

The City of North Miami ("City") is a recipient of federal funds from the U.S. Department of Housing and Urban Development ("HUD") under the Community Block Development Grant (CDBG).

The City has provided assistance to Mr. Douglas Salmon & Mrs. Bereta Salmon, an income eligible applicant, relative employee of an employee, Yvonne Wright working in the capacity of Account Clerk in the Utility Billing Division of Finance Department for the City of North Miami through the City of North Miami Emergency Elderly Assistance Program. The Federal Government's Code of Federal Regulations, 24 CFR 570.611(c) states that:

"(b) Conflicts prohibited. The general rule is that no persons described in paragraph (c) of this section who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decision making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. For the UDAG program, the above restrictions shall apply to all activities that are a part of the UDAG project, and shall cover any such financial interest or benefit during, or at any time after, such person's tenure."

"(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 recipient, or of any designated public agencies, or of subrecipients that are receiving funds under this part."

Exception

The U.S. Department of Housing and Urban Development may grant an exception to these provisions and allow Mr. Douglas Salmon & Mrs. Bereta Salmon to receive assistance from the Emergency Elderly Assistance 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. Douglas Salmon & Mrs. Bereta Salmon are related to an employee of the City of North Miami, and the City is a recipient of CDBG 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. Douglas Salmon & Mrs. Bereta Salmon, does 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 8th Avenue, North Miami, Florida 33161; North Miami City Hall located at 776 NE 125th 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 09/08/2025 and end on 09/17/2025. Comments may be submitted to the Housing & Social Services Department by mail, in person, or by e-mail to housing@northmiamifl.gov.

City of North Miami
Vanessa Joseph, Esq.
City Clerk



MEMORANDUM

TO: Alberte Bazile, Housing and Social Services Director

Jennifer Lynn Warren

FROM: Jennifer Lynn Warren, Deputy City Attorney

DATE: January 15, 2025

RE: **Conflict of Interest Legal Opinion for Douglas & Bereta Salmon**

BACKGROUND

Douglas & Bereta Salmon, eligible applicants, have applied for assistance with the City of North Miami's Elderly Emergency Repair Program. Mr. and Mrs. Salmon are the parents of Yvonne Wright, an Account Clerk in the Utility Billing Division of the Finance Department. Mr. and Mrs. Salmon are seeking a legal opinion regarding their eligibility to participate in the Program and whether there is 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

Douglas & Bereta Salmon may participate in the North Miami Elderly Emergency Repair Program.

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 Yvonne Wright's job responsibilities with the Finance Department do not require participation in any aspect of Mr. and Mrs. Salmon's contract, they may contract with the City of North Miami to participate in the Elderly Emergency Repair 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 Yvonne Wright’s job responsibilities do not intersect with Mr. and Mrs. Salmon’s contract within the program, and they have made full disclosure of their relationship with Yvonne Wright, the transaction 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 Douglas & Bereta Salmon’s participation in the City of North Miami Elderly Emergency Repair 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, Douglas & Bereta Salmon are eligible to participate in the City of North Miami Elderly Emergency Repair Program.