



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator: Robert Steinback

Case No.: K13-106	Case Name: Hardemon and Woods-Richardson	Date Open:	
Complainant(s): Glee Sake	Subject(s) : Billy Hardemon and Kathleen- Woods-Richardson	August 9, 2013	

Allegation(s):

Complainant alleges that subject Billy Hardemon (Hardemon), while employed by the Miami-Dade County Department of Public Works and Waste Management (PWWM), spent substantial amounts of county time, taken without authorized leave, in the City of Miramar, in Broward County, acting as a *de facto* Chief of Staff for newly elected Miramar City Commissioner Yvette Colbourne (Colbourne), during hours when Hardemon was understood to be working at his Miami-Dade County job. Complainant further alleges that the then-director of PWWN, Kathleen Woods-Richardson (Woods-Richardson), was aware of Hardemon's activities and sanctioned same.

Relevant Ordinances:

Sections 2-11.1(g) and 2-11.1(k)(2) of the Miami-Dade County Conflict of Interest and Code of Ethics ordinance (the Code).

Sections 2-11.1(g): *Exploitation of Official Position prohibited.* No person [covered by this section] shall use or attempt to use his or her official position to secure special privileges or exemptions for himself or herself or others [unless exempted or permitted elsewhere in this code].

Section 2-11.1(k)(2): All full-time County and municipal employees engaged in any outside employment for any person, firm, corporation or entity other than Miami-Dade County, or the respective municipality . . . shall file, under oath, an annual report indicating the source of the outside employment, the nature of the work being done pursuant to same and any amount or types of money or other consideration received by the employee from said outside employment

Investigation:

Interviews

Wazir Ishmael (Ishmael), then-interim City Manager of the City of Miramar, on or about Tuesday, August 13, 2013, by telephone.

Ishmael explained that the selection process for naming the new City Manager was down to eight remaining candidates, from whom a winner was expected to be chosen on Friday of that very week. Among the finalists was Woods-Richardson.

Ishmael said that in municipal commission elections such as those in his city, it was “rare” that a newly elected commission would have a transition team. However, when Colbourne was elected in March 2013, “Mr. Hardemon was part of the transition team for Commissioner Colbourne... [he] acted like her Chief of Staff.”

Ishmael reported that he encountered Hardemon both during day and evening hours. Hardemon often attended the routine agenda review meetings Ishmael would hold with commission members. In addition, Hardemon “would accompany her on several city orientation meetings.” Ishmael said he never heard Hardemon introduced or referred to by a specific title. Ishmael added that at the time he did not believe Hardemon was acting in a lobbying capacity, but since has come to believe that perhaps he was.

Ishmael also stated that Hardemon acted in a generally similar role when Miramar Vice Mayor Alexandra Davis (Davis) was first elected to office. [Davis also is a former Miami-Dade County employee].

Ishmael said that Hardemon “met quite often with department directors.” ... “I do know early on, the commissioner wanted to meet with all the heads of departments, [Hardemon] was in a lot of those early meetings: Fire, I know he was there, with Public Works and Utilities, others as well.”

Hector Vasquez (Vasquez), Miramar Finance and Economic Analysis Officer, on or about August 26, 2013, by telephone.

Vasquez said, “I did have one meeting where I was present and [Hardemon] was present, a couple of months ago.” After checking with a colleague, he recalled the date as June 26, 2013, roughly 3 to 4 p.m. Vasquez said Hardemon asked “a couple of questions about police headquarters under construction. ... Mr. Hardemon was basically just listening in, Commissioner Colbourne was asking the questions.” Although Vasquez had “some familiarity” with Hardemon’s transition team role for Colbourne, Vasquez said he did not interact with Hardemon much beyond the meeting noted.

Celeste Lucia (Lucia), Miramar Finance Director, on or about August 26, 2013, by telephone.

Lucia said she had been in meetings several times with Hardemon since Colbourne was elected in March 2013. Lucia said, “I was kind of told that he was her advisor. I don’t know if that was paid.” Lucia said Hardemon was “Very much engaged.” Lucia described one of

Colbourne's first meetings with her after Colbourne's election, which was a joint department orientation meeting with Utilities. Lucia recalled that Hardemon came in a bit late, but actively asked follow-up questions, and asked his own direct questions. Lucia's understanding was that Hardemon was going to be assisting Colbourne as she got settled. She said she would look up the meeting date. Lucia said she last saw Hardemon just in the previous week on Monday or Tuesday. The city was contemplating issuing bonds, and Hardemon sought more information on that agenda item for the commissioner. That meeting took place after 6 p.m. Lucia said there have been other unscheduled, impromptu meeting in which she also saw Hardemon, but could not recall specifics.

Terrence Griffin (Griffin), Miramar Parks and Recreation Director, on or about Tuesday, August 27, 2013, by telephone

Griffin said he knows Hardemon, and had met with him several times during meetings in the manager's (Ishmael's) office as well as in Colbourne's office. Griffin estimated there were three to five such meetings. Griffin said none of the meetings were scheduled; rather, all were informal meetings to which he was called on an impromptu basis. Griffin said he had no written record of the meetings.

Harold Zombek (Zombek), Miramar Community Development director, on or about Wednesday, August 28, 2013, by telephone.

Zombek said he has had no contact with Hardemon, and has never met him. Zombek said he has heard other city staff members talk about Hardemon, but could provide no specifics.

Vernon Hargray (Hargray), on or about Wednesday, August 28, 2013, by telephone.

Hargray said he had only seen Hardemon on certain occasions in meetings with Colbourne, which were arranged through the office of the acting city manager (Ishmael). Colbourne was "trying to learn the budget."

Ray Black (Black), Miramar Police Chief, on or about Thursday, August 29, 2013, by telephone.

Black said he had been in meetings with Hardemon just in the previous couple of weeks. Prior to that, he didn't recall ever having a direct conversation with him, though he might have passed him in the hall on occasion.

One of the meetings was regarding the project to construct a new police station headquarters facility. It was held in the commissioners' conference room, and Hardemon was there. The discussion was about the building and site location. Black said, "He sat across from me, I had a conversation with him [about] what she was doing, her routine, she was reviewing the upcoming city commission agenda, she was conducting an agenda review meeting. ... I have not had [prior] meetings with her, this was first time. [We were] talking about items on the agenda, site plan approval for police station headquarters." Black said he had no specific items on the agenda, but the site plans were being submitted. Black said a conversation was held about the location of the new station. Black said Hardemon "engaged me about the

meeting.” Black did not stay for the entirety of the meeting.

Black said the other meeting was held on the previous Thursday (August 22). Black said Colbourne requested a meeting at the multiservice center at 6700 Miramar Pkwy, to meet with staff “to discuss some general issues including code enforcement, public works and other community issues; how we track complaints, how we work together, and how we [address] residents’ concerns.” Others in attendance included Gus Zambrano (Zambrano), Hong Guo (Guo), Karen Arndt (Arndt), assistant public works director, was there, and Robert Morgan (Morgan) [Miramar Code Enforcement manager]. That meeting was at 2 p.m. Constituent Services meeting...

Black said Colbourne has had meetings with the assistant city manager. “I have an agenda provided to meeting. Hardemon arrived late and he was at that meeting as well. Tom Good [Miramar Director of Public Works] sent his number two assistant director; [also] Clint Conliffe, Colbourne’s assistant.”

Black said a second constituent services meeting with Colbourne was scheduled for that very day. He said he would contact me if Hardemon was in attendance. Investigator notes that Black did not make a subsequent contact.

In response to the investigator’s question as to whether Hardemon was mentioned along with a title, Black said Hardemon had never been formally introduced to him as, “he does ‘blank.’” Black said, “Interaction since assisting Colbourne ... has certainly been occurring in the months prior. The expectation seems to be you don’t need to introduce the guy.”

Black said, “I’ve heard his [Hardemon’s] name mentioned by the acting city manager [Ishmael] about being in some role as advisor to Colbourne. When he came into the meeting two weeks [ago], he sat right across from me.” Black said that at the previous Thursday meeting, Hardemon was present from about 2:30 p.m. to 4 p.m.

Black said, “I also remember the conversation with Mr. Hardemon, somewhere in conversation, he got the impression that he offended me. In commission meeting on 21st, during one of the breaks, he said ‘Can I talk to you?’ He said ‘I hope I didn’t say anything to offend you.’”

Black subsequently sent by e-mail memos of the two meetings he was referring to, Aug. 15 and Aug. 22. Neither memo indicates that Hardemon was there, but Black affirms that Hardemon was in fact present at each meeting.

Hong Guo, Utilities Director, on or about Tuesday, September 03, 2013, by telephone.

Guo recalled seeing Hardemon at one meeting. She said, “I did see him one time. I recall one meeting with newly elected commissioner Colbourne, the interim City Manager [Ishmael], the assistant city manager [identity unverified].” Guo said the meeting was not called or scheduled by Hardemon, but by Colbourne. Hardemon came about lunch time, at that time, the meeting was almost over, he came for a brief few minutes. She did not recall how Hardemon was introduced. Guo said, “Apparently he came as her guest? Some role as her guest. At that time I

didn't even remember his name." Guo said the meeting was on April 10, and that Colbourne called the meeting to get familiar with Guo's department. The meeting was scheduled to begin at 9 a.m., but started late. Guo said, "I remember we didn't start at 9, somewhere, maybe between 10 and 11." Guo said others in attendance included Ishmael, the assistant city manager who oversees meetings, the Finance Director, and Hargray.

Guo said she received a call from Hardemon later in the evening, saying he couldn't find certain information in the budget. She said she retrieved and sent him the information.

Fred Kunz (Kunz), Miramar Fire Chief, on or about Tuesday, September 3, 2013, by telephone.

Kunz said he polled his staff regarding Hardemon, and determined there was contact between his staff and Hardemon on a number of occasions. Kunz himself remembered two meetings at which Hardemon was present, and said his assistant also recalled a third.

Kunz subsequently sent documentation of the three meetings:

- April 8, 2013, between 1 p.m. and 4 p.m., a Fire Department presentation at Station 19. In attendance were Colbourne, Hardemon, Hardemon's wife, Deputy Chief Chris Armstrong (Armstrong), Administrative Manager Erica Bradley (Bradley), Ishmael and Kunz.
- April 16, 2013, approximately noon to 1 p.m., in Colbourne's office, regarding the SAFER grant. In attendance were Colbourne, Hardemon, Ishmael, Armstrong, Division Chief Ron DeShong, and Kunz.
- June 26, 2013, between approximately 2 and 2:30 p.m., in the Commission conference room, regarding the budget. In attendance were Colbourne, Hardemon, Ishmael, Assistant City Manager Don Waldron, Armstrong and Bradley.

Asok Ganguli, assistant director of Solid Waste Management at PWWM, and **Paul Mauriello**, deputy director of Solid Waste and then-interim director, on Thursday, Sept. 12, 2013. Interview was at Solid Waste office at 2525 NW 62nd St.

During the time in question, Ganguli was Hardemon's direct supervisor. Mauriello took over as interim director of PWWM after the resignation of Woods-Richardson, which occurred during the time in question.

Ganguli affirmed that he was Hardemon's direct supervisor. Hardemon served as Resource Recovery Administrator. Ganguli said Hardemon "worked negotiating contracts." In particular, Hardemon worked on a huge contract for a resource recovery electric generating plant, largest in U.S., with private company Covanta, which generates \$30 million in electricity revenue every year. "Hardemon was the main player dealing with Covanta," Ganguli said. He added that Mauriello had ultimate authority over the Covanta contract.

Ganguli's evaluation of Hardemon's work: "I have no complaint about that. He was a good negotiator besides that. He often would work directly with Paul." Also, Hardemon handled hauler contracts. This area accounted for about 20 percent of Hardemon's work, while the

Covanta contract/plant administration was about 80 percent.

Ganguli said Hardemon's hours were almost always day hours, more or less 8 to 4:30 or 8 to 5. Ganguli said that during Covanta negotiations, Hardemon worked extra hours in the evening, but "I never saw Hardemon book more than 8 hours. He never did."

Ganguli said that Colbourne was director Woods-Richardson's executive assistant. Hardemon's office was right next to those of Woods-Richardson and Colbourne.

Regarding Colbourne's Miramar campaign, Ganguli said, AG: "Billy told me he would be doing consulting work. ... he said, 'I'll be helping Yvette.' I said, 'If you can, not in the office. I want you to fill out leave slip and take time off.'"

Ganguli said Hardemon "never called in sick." Hardemon also never took HWE hours, (hours worked in excess). Danny Diaz said Hardemon used his own car.

At this point in the interview, Muriello arrived and participated. Mauriello said Hardemon took a lot of leave; used to do a lot of work for United Way fundraisers. He'd cook. For that, he wouldn't be expected to take leave time.

Mauriello described the Covanta contract as a 100-page contract, \$70-\$80 million contract annually. Mauriello said he was in charge of that relationship, and that he and Hardemon worked on the contract for a year and a half. Hardemon handled any contract modifications. Covanta contract was just approved in July 2013.

Mauriello said most of the work on the big stuff (in contract) is done. Mostly just annual report due at year end on waste management and waste services agreements.

Mauriello said Hardemon did not announce his retirement [which was effective August 31, 2013] in advance, just gave 1 to 2 weeks' notice that he would go. Mauriello said he wasn't like most people who count down weeks or months to retirement day.

Asked if Hardemon's job ever took him to Broward, Mauriello said that occasionally administrators would go to Broward waste management facilities to observe. "We will have occasion to visit other facilities outside of the county." But Hardemon's regular job was only in Miami-Dade County. "We do have to go out of the county (occasionally) to meet with other people. Waste to energy is big in Florida. We visit other people see what they're doing. We also do have relationships with Waste Services and Waste Management.

Mauriello said "We've always been pleased with the work he [Hardemon] does. He was a vital part of our operation. ... I never heard him say ever that he was leaving but then, boom, he was gone. But then I never thought Yvette was going to leave either."

Ganguli said Hardemon would never (call in) sick, nor did he take a pool car.

Yvette Colbourne, Miramar City Commissioner, in deposition Monday, Oct. 28, 2013, taken at the offices of Weiss Serota law office in Fort Lauderdale, 2 p.m. Court reporter present.

Colbourne described Hardemon as an “advisor,” but said he was not paid or compensated in any way, nor was there any understanding about future compensation or benefit. She said Hardemon had assisted her during her campaign. [A review of Colbourne’s campaign expenditure reports shows that her campaign paid B & B Professional Consultants Inc. (B&B) approximately two-thousand dollars (\$2,000.00) during her campaign for Miramar Commissioner. B&B, according to State of Florida Division of Corporations records, shows that Hardemon’s wife, Barbara, is the President and Registered Agent for B&B and B&B’s mailing address is Respondent’s home address.] Colbourne said Hardemon’s role was to serve as an advisor and attend meetings for and with her.

Colbourne described “Team Colbourne” as her current aide, Clint Conliffe, Billy and Barbara Hardemon, and attorney Christine King.

Asked if she understood that Hardemon had a full-time job with Miami-Dade County, Colbourne said “I felt that was being handled with his superiors.”

Asked how Hardemon knew what meetings to attend, if he was given a calendar, Colbourne said, “I don’t recall giving him a calendar.” She said she would call Hardemon personally, and that it was not Conliffe’s job to call him. Any calls came from her.

Asked if any Miramar officials questioned his role, Colbourne said, “I don’t recall anyone asking about his role. I don’t recall having to explain his role.”

When Hardemon attended a meeting, “he was coming at my invitation to advise me or help or to support me. ... his primary role was to help me.”

Colbourne was asked for her recollection as to whether Hardemon was present at any of the following meetings (all dates 2013).

- April 16 meeting regarding the SAFER grant: Colbourne did not recall the meeting, but said she wouldn’t contest testimony that he was there.
- June 26 meeting on the budget: Colbourne remembers a meeting on the budget. She did not recall the exact date, but remembers that Hardemon was present. Colbourne said Hardemon’s role was to help her understand the budget. She said Hardemon did not simply observe, but asked several questions.
- April 8 meeting with the Fire Chief at Station 19: Colbourne remembered the meeting and remembered that Hardemon was there.
- May 9 meeting about a capital project, held at 6303 Miramar Parkway: Colbourne said she remembered meeting with Luis Gomez, director of the engineering department for Miramar. Colbourne affirmed that Hardemon was there.
- Told that Miramar Parks Director Terrence Griffin remembers “three to five” occasions meeting with Colbourne with Hardemon present. Colbourne said she believed that “five sounds like quite a bit,” but that Griffin’s recollection was “plausible.”
- Colbourne said the recollection of Utilities Director Guo that Hardemon called her directly to request information “might have been the only time that has ever

happened,” and that such contact by Hardemon directly with city administrators “would not be normal.”

- July 2 meeting with Finance Director Lucia regarding debt funds: Colbourne said she remembered the meeting, and believed that Hardemon was present.
- July 15 meeting and tour with Economic Development Director Zambrano: Colbourne said she remembered that tour, and remembered that Hardemon was there.
- August 15 meeting with Police Chief Black to discuss the proposed new police headquarters: Colbourne said she didn’t recall that meeting, but said she would have no reason to contest Black’s recollection that Hardemon was there.
- August 22 constituent services meeting: Colbourne said she has had “a couple” of these, and that Hardemon did not routinely attend. Colbourne did not say whether she remembered if Hardemon attended this particular meeting.

Colbourne said she never issued a memo or comment to city administrators describing Hardemon’s role or the scope of his duties on her behalf. Colbourne said no one ever questioned his presence at a meeting.

Colbourne said it was clear to all in attendance that Hardemon was present at these meetings at her invitation, and not as a member of the public who just happened to come by. Colbourne said his role was “to advise me, and to help me, support me in understanding the issues discussed.” Colbourne said she supposed that she could still call Hardemon to serve in that role for her. She said that Hardemon attended a constituent meeting in October, which was also attended by city officials including Zambrano, Griffin and Hargray.

Asked if she was aware of any businesses or corporation that Hardemon owns or works for, or whether he is self-employed by any company, Colbourne said, “not to my knowledge.”

Kathleen Woods-Richardson (Woods-Richardson), December 10, 2013, about 4 p.m., at her office at Miramar City Hall. Meeting was audio recorded.

Woods-Richardson said she worked with Hardemon at least as far back as 2000, when she was assistant director for collections operations in Solid Waste. She considers him a friend. Woods-Richardson, Hardemon and Colbourne at one time had side-by-side offices in the MLK building (2525 NW 62nd St.) for PWWM for an extended period.

Asked if she was aware of the work Hardemon was doing for Colbourne, Woods-Richardson said, “Absolutely not.” When I expressed surprise that she was long-time friends with Hardemon and Colbourne yet claims not to have known Hardemon was helping Colbourne in her race and afterward, Woods-Richardson said, “Then you don’t know what I did. Seriously.” Woods-Richardson said that though they were all friends, they didn’t spend a lot of time together outside the office. At work, Woods-Richardson said she spent most of her final two years at PWWM working on reconstruction of the Rickenbacker Causeway bridge out of her downtown office, and rarely spent time at the MLK office. She said she was “consumed” by this work for most of 2013. Hardemon reported to Ganguli and Mauriello, she said.

Hardemon was the contract administrator for the waste-to-energy facility. Woods-Richardson said, “If he was not in the office when I was there, I seldom had occasion to ask, “I need Billy,

where is Billy?" She said it would have been unusual for Hardemon's supervisors to report anything about him to her.

Woods-Richardson said she had not heard of the allegations about Hardemon's absences while on-the-clock until the complainant's letter of allegations went out. She said the letter contained inaccuracies. She said the letter "mentioned Brown and Caldwell issue, it associated me with that. I had nothing to do with B and C contract. There was an investigation, the only involvement I had was implementing the changes that were made as a result of Inspector General's investigation."

Woods-Richardson said she was in Louisiana when the complainant's letter was distributed. Asked if she launched an investigation of her own, she said she sent the letter to Michelle Sifontes (Sifontes) at the HR department and told Sifontes' office to check it. Woods-Richardson said Sifontes' department never got back to her before she left to take the Miramar job. [It should be noted that Sifontes said she was not asked to investigate Hardemon, but only to pull up his ePars records.]

Woods-Richardson said that between April and August, the period in question, she hadn't heard of any concerns or had any knowledge that Billy was spending time in Miramar. "That's not the kind of report I would have received." She said the normal scope of his work would not require him to be outside the county on county business, although she mentioned that he would have had authority over the landfill site in northern Miami-Dade County which is right across the county line from Miramar.

After taking the Miramar job, Woods-Richardson said her deputy manager (Ishmael) told her that Hardemon was in the city and often attended meetings. "I heard that from a person who is here who told me. I've not heard that any place else."

Asked if this discovery surprised her, she said, "Yes it did. I was like, really? I was quite surprised. I didn't expect him to be here. He's not supposed to be here. I don't know of any reason why he'd be here unless he was visiting. ... It's nothing I can explain, and certainly nothing that I would have seen as part of our job responsibilities."

She said she didn't hear about the allegations against Hardemon until she was interviewing for the Miramar position.

Woods-Richardson said Hardemon's position was job basis.

"I felt that... I was really surprised, kind of shocked, I don't want to say there was not an explanation, but I certainly didn't know of one. If there was some arrangement, I would not have known. When I did hear, I said, that's strange, that's odd, that's not what I would have expected."

She has not talked with him about this since then, but has seen him.

Regarding Hardemon's sudden retirement, Woods-Richardson said she was caught off guard. He left after she did. She left Aug. 6. "The day I learned he was leaving was the day he was

leaving. I hadn't heard that he was leaving."

"I've seen him with her [Colbourne]. I've seen him at commission meetings. But I haven't seen him as it was before. But I don't see her, her office is on the other side of the building. I haven't been at any meetings where he has been a central part of the meeting. I've seen him in her office, but it's not like he was in a budget meeting and he was there, and I've heard that happened before."

Asked if there was any anticipation that Billy would come to work for Miramar, or apply for contracts, put in any bids or have any other form of formal relationship with the city, Woods-Richardson said, "Nothing has come to my attention where I can see him bidding for anything. We have some jobs available. I haven't heard anybody say he is interested in applying for a job. He said he was happy with retirement, he's never asked me for a job. I've never heard of anything. I have no knowledge or any inclination that he is interested in doing anything with the city."

Document/Audio/Video Review:

Security camera stills of Hardemon taken in the lobby of Miramar City Hall:

- Six photographs from June 5, 2013.
- Five photographs from June 26, 2013
- Six photographs from July 1, 2013
- Four photographs from July 2, 2013
- Four photographs from July 3, 2013

Several visitor log pages from Miramar City Hall.

CD of e-mails between Miramar city officials, Colbourne and Hardemon.

News accounts of the Miramar search for a new city manager.

From PWWM HR: Hardemon's ePars electronic time reports from December 24, 2012 through August 31, 2013.

Hardemon leave slips January through August 2013.

Colbourne campaign treasurers' reports from Oct. 1, 2012 through June 10, 2013.

Florida Department of State Division of Corporations records for B&B Professional Consultants, Inc. and Debonaire Beauty Salon, Inc.

Broward County Property Appraiser's record for 3840 SW 26th St, West Park, Fla., 33023, residence of Billy and Barbara Hardemon.

Analysis

This case was opened on August 9, 2013, prompted by a complaint that arrived at COE via e-mail from a sender using the name or title Glee Sake. The complaint was lodged against Woods-Richardson, then the director of Public Works and Waste Management for Miami-Dade County, and Hardemon. [The complainant calls him William Hardemon, but it appears that “Billy” is the subject’s legal given name. In addition, numerous source materials, including certain Miami-Dade County employee records, indicate Hardemon sometimes spells his name “Hardeman.”] The e-mail was simultaneously copied to numerous public officials including each Miramar City Commissioner and their chiefs of staff, and several Miami-Dade County Commissioners. This investigator sent e-mails to the sender’s address and tried other means to contact the sender, to no avail.

The complaint highlighted several then-current facts and some history about the subjects evidently to buttress the allegations. The detail provided reflects a very intimate awareness of past and current events involving Woods-Richardson and Hardemon. Specifically, the e-mail observed:

- That the City of Miramar at the time was conducting a search for a new city manager, and that Woods-Richardson was a finalist for the position. [Woods-Richardson, in fact, won that position shortly thereafter.]
- That one of Woods-Richardson’s employees at Public Works and Waste Management was Hardemon. [In fact, Hardemon served as a senior administrator under Woods-Richardson, with the title of Resource Recovery Administrator until he retired effective August 31, 2013.]
- That “Recently, Hardemon has become a fixture at Miramar City Hall, regularly attending meetings with City Commissioner Colbourne, in many cases acting as her surrogate, demanding meetings with City staff and interrogating them as if he was a Miramar City Commissioner.”
- That many of these meetings took place during the day, when he presumably was on the clock for his job with Miami-Dade County PWWM.
- That Hardemon “has been pushing for Ms. Woods-Richardson to be appointed to the position of Miramar City Manager.” The complainant accused Woods-Richardson of exploiting her position by directing Hardemon to work on her behalf to secure the City Manager position.

The complainant then offered what appears to be a fairly comprehensive review of alleged scandals from 2005 involving Woods-Richardson, Hardemon and no-bid work orders, particularly involving two firms, one called Brown and Caldwell and another called Montenay Power Corp. The complaint said Brown and Caldwell was accused of receiving no-bid waste management contracts and of subcontracting work to former PWWM employees.

The complaint further looks into Hardemon’s past arrest and trial for his alleged participation in the “Operation Greenpalm” investigation. Although one defendant, James Burke, was convicted, Hardemon and Calvin Grigsby were acquitted.

COE issued a public records request of the city of Miramar for “copies of any records the City of Miramar has documenting contact between William ‘Billy’ Hardemon and Miramar

administrators including the city manager, interim city manager and deputy city managers, department heads, assistant department heads, and the city attorney, between March 1, 2013, and the present.” A subsequent public records request sought “copies of any record of communication or contact, including but not limited to e-mails, letters, phone logs and meetings scheduled or unscheduled, between Hardemon (or Hardeman) and each of the Miramar city commissioners, including the mayor.”

These records show minimal written correspondence between Hardemon and Miramar city officials.

Personnel records were also requested from the Human Resources office of the Miami-Dade County Department of Public Works and Waste Management. In addition, Hardemon’s ePars records were gathered, and copies of his leave slips for calendar 2013 were obtained. Payroll records show that Hardemon was hired on September 27, 1982. He has been paid by physical check since at least 2004 through his retirement, which was effective August 31, 2013.

Through records received from the City of Miramar, and also through follow-up telephone calls to numerous Miramar department heads, this investigator was able to determine that Hardemon was present in the City of Miramar during business hours on numerous occasions throughout calendar 2013. Where a connection could be made, Hardemon’s presence was linked almost exclusively to Colbourne, formerly the executive assistant to Woods-Richardson at PWWM, who was running for the Miramar City Commission in the months leading up to the election in March 2013. She would win that election and be seated for her first term in that role.

The records received from the City of Miramar included e-mails, photographs captured by the security cameras in the lobby of City Hall, and copies of the visitor log-in sheets maintained in the lobby.

Hardemon apparently spent many hours in Miramar prior to the election. Miami-Dade County personnel records show that Hardemon frequently filed the paperwork to claim personal leave time prior to March, and so this period was not a focus of this investigation. However, records also showed that save a scant few exceptions, Hardemon did not take leave time after March. Nonetheless, records, evidence and testimony placed him in Miramar during the normal PWWM workday on many occasions between March and August 2013. Records also show Hardemon had no county cell phone, never checked out a county car or claimed mileage on his own car during 2013.

Investigation has determined that Hardemon was present in the City of Miramar during times that would constitute his normal work day for PWWM, on at least the following occasions.

(1) March 20, 2013, Wednesday

Time in Miramar: 4:22 p.m. to 6:28 p.m.

Plus travel time from office = county time, **1 hour**

Event: Unknown

Witness: Visitor log

Leave taken: none.

- (2) **April 8, 2013, Monday**
Time in Miramar: approx. 1-5 p.m.
Plus travel time from office = county time, **4.5 hours**
Event: Fire Department presentation at Station 19
Witnesses: Colbourne, Ishmail, Armstrong, DeShong, Kunz.
Leave taken: none.
- (3) **April 10, 2013, Wednesday**
Time in Miramar: approx. 11 a.m., departure unknown
Plus travel time from office = county time, minimum **1.5 hours**; maximum **5.5 hours**.
Event: Meeting for Colbourne at the Utility Department office regarding utility operations and billing.
Witnesses: Colbourne, Lucia, Guo, others; Conliffe memo cites this meeting as 10 a.m. to 5 p.m.
Leave taken: none
- (4) **April 16, 2013, Tuesday**
Time in Miramar: approx. noon - departure unknown
Plus travel time from office = County time minimum **1.5 hours**.
Event: Meeting for Colbourne to discuss SAFER grant.
Witnesses: Colbourne, Goldman, Ishmael, Kunz, Armstrong, deShong, Waldron, organized by Speck. Conliffe memo cites this meeting as 12 p.m. to 12:30 p.m.
Leave taken: none.
- (5) **May 9, 2013, Thursday**
Time in Miramar: unclear
Plus travel time from office = County time minimum **1.5 hours**.
Event: Meeting with Colbourne at 6303 Miramar Parkway to discuss an ongoing capital project. Subject: Progress of Project and access to shopping center.
Witnesses: Colbourne, Lopez. (Colbourne confirms Hardemon presence.)
Leave taken: none.
- (6) **June 5, 2013, Wednesday**
Time in Miramar: 12:15 p.m. to 3:37 p.m.
Plus travel time from office = county time: **4 hours**
Event: unknown.
Witness: Visitor log, also confirmed by security camera snapshot.
Leave taken: none
- (7) **June 26, 2013 – Wednesday**
Time in Miramar: 12:23-1:28 p.m.; 2-2:30 p.m.; 3-4 p.m.
Plus travel time from office = county time: **4.5 hours**
Event: Series of meetings, in full or partly in Commission conference room.
Witnesses: Visitor log, security camera, also Colbourne, Goldman, Waldron, Ishmael, Vazquez, Lopez, Armstrong, Vempala and Lopez.

Leave taken: none.

(8) July 1, 2013 – Monday

Time in Miramar: 4:46 – 5:51 p.m.

Plus travel time from office = county time: **.75 hours**

Event: unknown

Witness: Visitor log, security camera

Leave taken: none

(9) July 2, 2013 – Tuesday

Time in Miramar: 10 a.m.-departure uncertain; 11:55-3:55 p.m.

Plus travel time from office = county time, **7 hours**

Event: Meeting with finance department to discuss debt funds.

Witness: Celeste Lucia; visitor log, Colbourne.

Leave taken: none.

(10) July 3, 2013 -- Wednesday

Time in Miramar: 1:48 – 3:53 p.m.

Plus travel time from office = city time, **2.5 hours**

Event: unknown

Witness: visitor log, security camera

Leave taken: None

(11) July 15, 2013 – Monday

Time in Miramar: Time unclear

Plus travel time from office = city time, minimum **1.5 hours**

Event: Tour of Economic Development

Witnesses: Colbourne, Zambrano

Leave taken: none

(12) August 15, 2013 – Thursday

Time in Miramar: 2-4 p.m.

Plus travel time from office = city time: **3 hours**

Event: Colbourne meeting to discuss police station headquarters project. Met in mayor/commissioner's conference room

Witnesses: Colbourne, Black

Leave taken: None

Estimated minimum county time: 33.25 hours

Likely minimum county time: >37.25 hours.

Hardemon hourly pay rate: \$48.98125

The estimated minimum county time above is the absolute lowest estimate of the time Hardemon can be documented as being present in Miramar during his normal working hours in Miami-Dade County for his county job. At his pay rate, the minimum 33.25 hours equates to \$1,661.88 Hardemon was paid while he was representing Colbourne in the City of Miramar. The more likely minimum time of 37.25 hours computes to \$1,824.55 in county pay for

Hardemon's time. These estimates are based on the most conservative estimates possible of Hardemon's time in Miramar, including travel time from his office, and not including any time after 5 p.m. [It should be noted that the City of Miramar operates on a four-day, 10-hours-per-day work week, 7 a.m. to 6 p.m. Monday through Thursday.]

It was learned subsequent to the Colbourne deposition that one of the expenditures shown on Colbourne's campaign treasurer's report (filed with the Miramar City Clerk on March 11, 2013) was a \$2,000 payment made to B&B Consultants, with an address listed as 21487 Northwest Second Avenue, Miami [actually, Miami Gardens], FL, 33125 [the correct ZIP code for that address is believed to be 33169.]. The purpose listed for the expenditure is "signs." Subsequent research determined that a company by the name of B&B Professional Consultants is registered with the State of Florida, listing its principal address as 21487 Northwest Second Ave., Miami, FL 33169, whose president and registered agent is Barbara Hardemon, wife of Hardemon, whose address is the home address of the couple, that is, 3840 SW 26th Street, West Park, FL 33023. The corporate address is a beauty salon in property not owned by the Hardemons.

[Colbourne signed the report under the statement, "I certify that I have examined this report and it is true, correct and complete."]

In her deposition (which predated the discovery of the B&B expenditure), Colbourne was asked, regarding Hardemon, "There was no understanding about compensation? Was there any understanding about compensation perhaps in the future? What was the arrangement with him, as far as whether there was compensation or not?" Colbourne replied, "There was no arrangement for compensation."

Later in the deposition, the COE advocate asked Colbourne, "You said that Mr. Hardemon also served as an advisor for you during your campaign?" Colbourne: "Yes." COE advocate: "Was he paid by the campaign?" Colbourne: "Volunteer. He was campaign volunteer." [...] COE advocate: "Are you aware of any business or corporation that he owned or works for that he's self-employed by any company to know knowledge?" Colbourne: "Not to my knowledge."

Investigator regards Woods-Richardson's assertion that she did not know that Hardemon was assisting Colbourne during her campaign and afterward unpersuasive, considering that Hardemon and Colbourne were both close colleagues with Woods-Richardson for many years, and also that Woods-Richardson herself said she considers Hardemon "a friend." However, the investigation could turn up no evidence that, as the complainant asserts, Woods-Richardson "directed" Hardemon to work on her behalf for the purpose of enhancing her chances of winning the job as Miramar City Manager.

Conclusion(s):

Case referred to Advocate for filing decision.