

# MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST



## REPORT OF INVESTIGATION

#K13-056

Date Opened: 04/18/13

Date Closed: 04/29/13

Investigator: Sylvia Batista

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The COE received information from Steven W. Mayers of the Miami-Dade County Internal Services Department informing of a possible Cone of Silence violation in connection with the proposed Senator Villas project (the Project). Development of the Project was awarded to Global Development Initiatives (Global) as a result of an RFP. After being notified of the selection, Global's president, Doug Mayer, wrote a letter to Senator Javier Souto (Souto) prior to the County Mayor's written recommendation to the Board of County Commissioners, which marks the end of the Cone of Silence period.

The COE's issue relates to a possible violation of Section 2-11.1(t) of the Conflict of Interest and Code of Ethics Ordinance.

### **04/25/13 – Doug Mayer, President, Global Development Initiatives -**

Doug Mayer (Doug) was contacted by the COE investigator and asked about the allegation. Doug explained that when he wrote his April 12<sup>th</sup> letter to Souto, he was under the impression that Global had been selected as the developer of the project. The terms of the lease agreement had been in negotiation for approximately 2 months and an agreement had been

reached. When he reached out to Souto in his letter, he was of the belief that the award was finalized. Doug advised that the letter was the only communication he had with the Commissioner.

Doug said that he wrote to Souto to provide an update on the project which is located in Souto's district and has been in the books for 5 years. Years ago the project was started and never was completed. Then, about one (1) year ago, the County put out an RFP. Doug said his company, Global, was selected as the developer by a selection committee. He and the County were then negotiating the terms of the lease agreement which would give them site control. Once the agreement was reached, he believed that the award was final.

Doug said that his letter to Souto was also to inform him that Global has a gap in the budget for the project of \$2.23 million dollars. In the letter, Doug makes an effort to have Souto's office assist him in obtaining Surtax funding from the Affordable Housing Advisory Board. Doug explained that the project entails building 27 units of affordable housing for low-income elderly, and providing parking spaces for the Metro Bus Park & Ride by setting aside a portion of the property for parking spaces.

Doug said that Souto did not respond to his letter, and, through his staff, agreed to meet with him, but only with the County Attorney present. Doug advised that the meeting was never scheduled.

Doug concluded that he thought that when the selection committee approved Global it closed the book on the Cone of Silence. He did not realize that it was still in place.

**04/29/13 – Steven W. Mayers, Real Estate Development, Internal Services Department –**

Steven Mayers (Steven) was contacted by the COE investigator. Steven advised that, to the best of his knowledge, the letter written by Doug to Souto is the only communication which

may have violated the Cone of Silence. Steven explained that his office received a copy of Doug's letter from Cynthia Johnson-Stacks of the County Attorneys' Office, and was told to forward it to the COE for handling.

**04/29/13 – Mercedes Rodriguez, Legislative Assistant to Senator Javier Souto –**

Mercedes Rodriguez (Rodriguez) was contacted by the COE investigator. Rodriguez advised that Souto did not meet with Doug before or after the April 12, 2013 letter. Rodriguez said that Doug had tried to schedule a meeting with Souto, but they did not schedule it because of the limitations imposed by the Cone of Silence. Rodriguez said they forwarded Doug's letter to the attention of Cynthia Johnson-Stacks, R. A. Cuevas, Jr. and Gerald Sanchez, of the County Attorneys' Office.

**Conclusion:**

In consideration of the fact that no evidence was revealed indicating that Doug had any communication with Souto in addition to his April 12, 2013 letter, and that a copy of such letter was provided to the Clerk of the Board pursuant to 2-11.1(t)(c)(i), this matter is closed and no further action will be taken.