



Miami-Dade Commission on Ethics & Public Trust

Investigative Report

Investigator: Larry Lebowitz

Case No: K14-122 (originally PI 14-053)	Case Name: Davis-Raiford	Date Open:	CASE CLOSED
	Subject(s): Lucia Davis-Raiford	10/16/2014	

Date: 2/26/2015

Allegation(s):

Potential violations of Miami-Dade Conflict of Interest and Code of Ethics Ordinance where a County department head, serving at the pleasure of the Mayor, is also applying to the County administration for multi-million dollar grants on behalf of a family foundation in which the department head plays an active role.

Applicable Law:

Miami Dade County Code, Sec. 2-11.1(m)(1), *Certain appearances and payments prohibited.*
– prohibits County employees from meeting with any County personnel on behalf of third parties seeking a benefit from the County.

Investigation:

Interviews

Lucia Davis-Raiford (Davis-Raiford) is Director of the Community Action and Human Services Agency. She is also the daughter of former Congresswoman (and current Miami-Dade lobbyist) Carrie Meek (Meek), and plays an active role in the family foundation that bears the congresswoman's name.

In 2008, the Carrie Meek Foundation (hereinafter "CMF") was granted a long-term lease and development rights to 124 undeveloped acres at the County-owned Opa-locka Executive Airport. (The development rights had previously been assigned to the Opa-locka Community

Development Corp. in 1986, but the CDC failed to attract private investment and development partners and ultimately was forced to cede the rights back to the county). The lease allows CMF to act as master developer for the property and make annual lease payments based on a schedule.

On Oct. 15, 2014 (online) and Oct. 16, 2014 (print), The Miami Herald published a story about a number of organizations – including CMF -- that were vying for grants from a \$75 million pool known as Economic Development Fund Project 124 (hereinafter “EDF”) that was created by Miami-Dade voters in 2004 with the passage of the \$2.4 billion Building Better Communities general-obligation bond issue. CMF was seeking a \$5 million grant from the EDF Project 124 Pool to defray costs for public infrastructure at the site in return for new job-creation. It was one of three projects seeking grants aimed at improving facilities and creating jobs at the Opa-locka airport. The newspaper story identified Davis-Raiford as a member of the County administration and as the “point person” on the Opa-locka airport project for CMF. A preliminary inquiry was opened by the COE on Oct. 16th. Davis-Raiford was interviewed on Oct. 21st at her office on the 10th floor of the Overtown Transit Village.

Unaware that the COE had already opened up a preliminary inquiry, Davis-Raiford said she anticipated a problem as the newspaper story was published and contacted COE Executive Director Joseph Centorino (Centorino) by e-mail to address the issue. In a subsequent e-mail to Centorino, Davis-Raiford included a copy of a March 2009 ethics opinion she had requested from Centorino’s predecessor, Robert Meyers (Meyers). Davis-Raiford, who has a law degree (Antioch 1978), and extensive public-sector experience in New York City and Miami-Dade County, said she requested the opinion in 2009 (when she was Director of the Office of Human Rights and Fair Employment) due to her active involvement in several prominent non-profits that intersect with county government – such as CMF, the Early Learning Coalition, The Women’s Fund of Miami-Dade and others. A copy of her request and Meyer’s response opinion is attached along with the newspaper stories.

In the interview, Davis-Raiford said she has acted ethically, appropriately and within the boundaries of the 2009 Meyers opinion. She specifically pointed to language from the opinion in defending herself against any accusations: “A County employee is not permitted to personally appear before any County board, agency or committee, or meet with County officials or employees as a representative of his/her non-profit agency when such agency is seeking County funding.” (Emphasis hers).

Davis-Raiford said that while she is playing a somewhat active role in all matters relating to the Meek foundation – including the potential development of the Opa-locka airport parcel --- she has not appeared publicly on behalf of the foundation at any of the recent commission hearings at which CMF was seeking \$5 million economic-development grants from the \$75 million pool created with the general-obligation bond (GOB) campaign in 2004.

Retired Congresswoman Meek and the foundation’s private-sector financing and development partners represented CMF at the public hearings in July, September, October and November on this issue. Davis-Raiford said the bulk of the work on the grant application and responses to the appropriate County employees is being handled by the foundation’s hand-picked private-sector development and financing partners. The Board of County Commissioners ultimately

ratified the \$5 million grant on Nov. 5th.

Based on her interpretation of the Meyers opinion, Davis-Raiford believed she could appear before county boards, agencies, committees, officials or employees as a representative of the Meek family foundation in any number of hypothetical scenarios that could generate the appearance of a conflict between her job as director of a major County agency working for the same County administration that has granted development rights to the foundation.

In her interpretation, Davis-Raiford believed she could hypothetically represent the foundation; appear before any board, agency or committee and meet with County officials or employees *as long as the agency wasn't seeking funding*.

But her interpretation would have proven problematic, if, for example, the foundation's development partners ran into permitting issues at the airport and she needed to lobby the administration for further review. From Davis-Raiford's perspective, she would be allowed to lobby her department-director-level colleagues within County government because no County grant funding is directly at stake. The perception would be that she might be eliciting special treatment for herself and her family's foundation.

Document/Audio/Video Review:

Copy of March 2009 e-mails between Davis-Raiford, who was Director of the Office of Fair Employment Practices at the time, and Meyers, then-Executive Director of the Miami-Dade Commission on Ethics and Public Trust. [Reference file INQ 09-33]

Document/Audio/Video Review

"Miami-Dade mayor scraps grant plan in favor of money for SkyRise, Miami Wilds" published in the Miami Herald, Oct. 15, 2014 (online) and Oct. 16, 2014 (print).

Document/Audio/Video Review

Miami-Dade Legislative Item File Number: 141515. Resolution approving \$5 million from the Building Better Communities Economic Development Fund, Project 124, to the CMF to fund infrastructure projects at Opa-locka Executive Airport.

Document/Audio/Video Review:

Copy of Centorino's e-mail correspondence with Davis-Raiford clarifying the COE's position on her dual roles, citing, in part, the COE's subsequent opinion in RQO 12-10 (Ahmed). [Reference file INQ 14-283]

Document/Audio/Video Review:

Copy of RQO 12-10, which was provided to Davis-Raiford as further guidance.

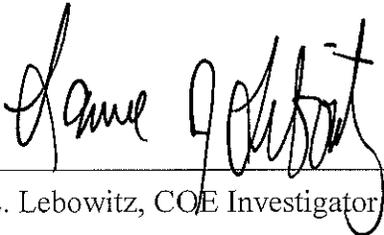
Conclusion(s):

There is no evidence, at this time, to merit a full-scale investigation into Ms. Davis-Raiford's dual roles as county department director and as unpaid, volunteer "point person" for the family foundation that sought and was awarded \$5 million in county funding to develop vacant land at a county-owned airport.

After this investigator's original interview with Ms. Davis-Raiford and the broad manner in which she was interpreting the 2009 Meyers opinion, COE Executive Director Joseph Centorino reached out to Ms. Davis-Raiford, ultimately updating and clarifying the current COE staff's view of the boundaries for her to continue acting as both a department director for the county administration and as a non-profit director interacting with the same administration. She has been furnished with a more up-to-date set of standards to govern her behavior in adherence with RQO 12-10. That opinion explicitly states that a county employee may not appear before any County personnel, including officers, employees and advisory and quasi-judicial board members, on behalf of private clients and other third parties, even in routine ministerial matters.

According to Executive Director Centorino, Ms. Davis-Raiford received and read RQO 12-10 and agreed to abide by its parameters, which are much narrower than her interpretation of the 2009 Meyers opinion under which she had previously been operating.

Recommending that the matter be closed.

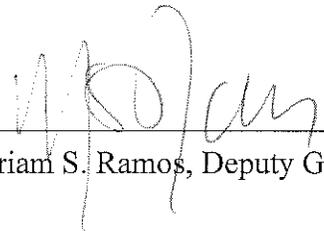


L. Lebowitz, COE Investigator

Approved by:



Michael Murawski, Advocate



Miriam S. Ramos, Deputy General Counsel



Joseph Centorino, Executive Director

2/26/15
Date