



**Miami-Dade Commission on Ethics & Public Trust**

**Investigative Report**

**Investigators:** Karl Ross & Larry Lebowitz

<b>Case:</b> PI 16-08	<b>Case Name:</b> Opa-locka Wedding	<b><u>Date Open:</u></b>	<b><u>Date Closed:</u></b>
<b>Complainant(s):</b> COE (Self-generated)	<b>Subject(s):</b> Mayor Myra Taylor, Comm. Luis Santiago, et al.	<b>CASE</b> March 4, 2016 <b>CLOSED</b>	

**Allegation(s):**

Date: 2/27/17

It was alleged that city workers and resources were employed in planting trees and landscaping the grounds of the Opa-locka United Methodist Church, located at 630 Sharar Ave., on or about March 3, 2016. Several photos were taken at that time showing a city public works truck was at the church, along with a truck belonging to My Lawn, a city landscaping vendor.

Workers for both entities appeared to be involved in planting trees and using a back-hoe to carry out landscaping at the church, which is reportedly the site of a wedding the following Saturday (March 5) between the children of two city elected officials – Johane Taylor, son of Mayor Myra Taylor, and Claudia Gonzalez, stepdaughter of Comm. Luis Santiago.

**Relevant Ordinances:**

The Miami-Dade Code of Ethics and Conflict of Interest Ordinance prohibits Exploitation of Official Position, as described in Sec. 2.11-1(g) of the county's ethics ordinance.

The Conflict of Interest and Code of Ethics Ordinance, Section 2-11.1(e) defines a gift as referring to "the transfer of anything of economic value, whether in the form of money, service, loan, travel, entertainment ... without adequate and lawful consideration." Subsection 2-11.1(e) (4) requires that "Any person ... shall disclose as provided herein any gift or series of gifts from any one person or entity having a value in excess of one hundred dollars (\$100).

## Investigation:

### Interviews

Marina Ojeda, owner

My Lawn Services

June 24, 2016

Ms. Ojeda, a city contractor, appeared for a voluntary interview at COE offices, and answered questions relating to the landscaping work performed at the United Methodist Church. She advised that her son helped plant approximately 50 “pentas” – a type of flower commonly used in tropical landscaping – at the request of Comm. Luis Santiago.

Ms. Ojeda said the plants were left over from a *pro bono* job she performed at Ingram Park at the request of commissioners Terence Pinder and Joseph Kelley. She said former interim City Manager Ed Brown oversaw the work, much of which was funded by a \$600 grant from an organization called Greater Miami Service Corp., located at 10 NW 28th St., Miami, FL. She supplied contact info: Deborah Dorsel, at (305) 638-4672 or (407) 910-7149.

Ms. Ojeda stated that she advised Comm. Kelley how to landscape a memorial garden at Ingram Park dedicated to victims of gun violence. She said she helped design the garden and a cross-shaped walkway with a statue of a lion and benches. She said she helped select white rocks for the landscaping and the pentas that she purchased with the donated funds. She said that her firm did the work free of charge since it was for a public space.

Ms. Ojeda said the project was targeted for completion by Martin Luther King day, but delays occurred because of rainfall. She said that a day or so before completion, Comm. Santiago visited the project site and asked her if she might have some extra flowers. She said Santiago told her that there was a church located across the street from city hall that needed some beautification and that it would be good if she was able to donate any surplus flowers. “Do you have any pentas left over?” Ojeda said Santiago asked her. “If so, you can give them to a church across from city hall. ... This lady there needs everything to look real pretty.” She said Santiago did not mention that his stepdaughter was getting married there soon.

Ms. Ojeda said she took the remaining 50 or so plants to her home and watered them. A few weeks later, she had her son drive them to Opa-locka and, with the help of a city public works crew, planted the pentas. Before that, she told Comm. Santiago dirt would be needed to plant the flowers. She said she suggested a pile of dirt on a city-owned lot near Burlington Street, but Santiago rejected that idea because the dirt wasn’t “clean.” She said Santiago asked if she could supply the dirt for free, but that she refused and instead referred him to a nursery where she buys plants and materials, Jeny Sod Service Corp. She provided a copy of an invoice made out to Santiago for \$347.75 for 8 cubic yards of dirt. The invoice was dated Feb. 25, 2016.

Ms. Ojeda estimated that the pentas would be worth about .59 cents each, or about \$30 for 50. She further estimated the cost of her son’s labor at \$28.50 or 3x \$9.50 hour. She said that she recognized one or two of the public works employees, including one with the last name Witherspoon and another who regularly operates the city’s back-hoe. She said that the palm trees and landscaping rocks were already at the site where the flowers were planted. She estimated the value of the landscaping would be about \$350 for the flowers alone.

Ms. Ojeda said she has worked as a landscaping contractor for the city off and on for about seven years, and presently has contracts to cut the grass in the alleys and streets worth about \$15,860 a month – or more than \$180,000 a year. She said that she cuts the grass along Northwest 22<sup>nd</sup> and 27<sup>th</sup> avenues as well as major streets such as Pervis and Sharazad boulevards.

Ms. Ojeda said she was aware that Comm. Santiago's stepdaughter had a child with Mayor Taylor's son, but that she had not been invited to the wedding or asked to make a donation. She said that since his election, Comm. Santiago has treated her dismissively.

Pastor JoAnn Brookins

1336 NW 69 St.

Oct. 3, 2016

Investigators Lebowitz and Ross responded to the home of Pastor Brookins to interview her about the landscaping done at the Opa-locka United Methodist Church in March prior to the wedding of the aforementioned individuals. Pastor Brookins said she was first approached by the bride, Claudia Harth Gonzalez, and an older woman she assumed to be her mother.

Pastor Brookins said Gonzalez announced she was getting married and wanted to know if the church would be available. Pastor Brookins said she consulted her church calendar and got back to Gonzalez and advised her the date would be fine. She said the younger woman advised her that she was Comm. Santiago's daughter and that her father would be contacting her. She said the initial contact took place sometime in mid to late January. She said she exchanged text messages with her on Feb. 4, and provided Gonzalez's cell number, (954) 993-1942.

Pastor Brookins said Comm. Santiago stopped by and asked her how much it would cost to rent the church. She said she advised him it would cost \$500, and took a \$200 deposit. She said that a few weeks before the weddings Santiago paid her the balance in cash.

With respect to the landscaping, Pastor Brookins stated that she requested beautification for the church about three years ago during a monthly pastor's meeting held for Opa-locka clergy members. She said Comm. Joseph Kelley, himself a reverend at a local church, chaired the meeting. She said that she completed an online application for beautification, but never heard back from the city. She said she stopped going to the meetings, and nothing ever happened. "So I mentioned it to him (Santiago), and he said, 'Don't worry. We'll help you.'"

Pastor Brookins said that a short time later (early March), she got a call from Sara Allen, a church employee who lives on the premises, stating that workers had shown up unannounced and started moving large landscaping rocks that had been there since 1956, the year the church was built. Brookings said, "I jumped in my car" and headed to the church to find out what was going on. She said was met there by a man later identified as former Public Works Director Gregory Harris. She said Harris told her they were doing some landscaping, and she said that she and Harris, who told her he was also a pastor, had a long talk about theology.

Investigators asked Pastor Brookins to forward text messages with Gonzalez and/ or copies of online applications or other records pertaining to the beautification project. She advised that

workers only landscaped the portion in front of the main church, but not the annex.

Willie Witherspoon, public workers employee  
Canal Maintenance Division  
City of Opa-locka, FL  
Oct. 3, 2016

Investigators Lebowitz and Ross visited the City of Opa-locka public works building and asked to speak with Mr. Witherspoon about the landscaping project. He advised that he and another public works employee, Cortrell Robinson, worked on the project. He said that former Public Works Director Greg Harris directed them to assist with moving rocks in front of the church, so that the city's landscaping contractor, My Lawn, could landscape the area. He said he recalled that Harris told them that this was being done as "a favor" to Comm. Santiago. He said that Robinson operated the city's back-hoe. "He (Harris) did mention Santiago. We were doing something else, but he said that Comm. Santiago needed us at the church." Witherspoon further stated that: "We did do it – even though we knew it was not protocol."

Cortrell Robinson, public works employee  
Canal Maintenance Division  
City of Opa-locka, FL  
Oct. 3, 2016

Mr. Robinson stated that he also responded to the United Methodist Church to assist with the landscaping project. He said that King Leonard, an assistant public works director, told them the day before about helping with the landscaping and that the following day, then Director Harris told them to report to the church. "Harris sent us over there. He said he needed help moving some plants. . . . He said Santiago wants us to go over there and help My Lawn to plant some plants." He said that he then went to a city depot either by the golf course or behind the Wells Fargo and retrieved "a bucket and a half" of dirt or "fill" to use for the project.

Robinson said he doesn't know how much the fill might be worth, but said it was enough to fill the larger shovel at the front of the back hoe one and a half times.

Comm. Joseph Kelley  
City of Opa-locka, FL  
Nov. 4, 2016

Comm. Kelley stated in a telephone interview that he recalled Pastor Brookins' request for assistance with beautification at a monthly pastors meeting. He said local congregations were "financially hurting" at that time, and that he was trying to implement an informal assistance

program. He said religious leaders would request materials and paint for beautification projects and he would try to find local businesses to donate the items.

"There was no official program," Comm. Kelley said. "We were just trying to get donations. We tried to help the churches but it never materialized. There was never a formal program." He said efforts to obtain charitable support from local businesses were unsuccessful. He said there was no formal resolution and that no city resources were used or encumbered.

With respect to the landscaping done at the Opa-locka United Methodist Church, Comm. Kelley said he noticed the landscaping when he attended the wedding for Mayor Taylor's son and Comm. Santiago's daughter. He said he recalled thinking "it looked real nice," but said he had no idea a city vendor and public works employees carried out the landscaping.

Luis Santiago, city commissioner

Opa-locka, FL

Nov. 23, 2016

Investigators Lebowitz and Ross responded to the home of Comm. Santiago, at 1156 Peri Street, after Comm. Santiago failed to appear at CEO for a previously scheduled interview. The commissioner invited the investigators inside and consented to an interview. He declined to have the interview tape-recorded, and attempted to reach his attorney, Rod Vereen, but was unsuccessful. He advised the following as it relates to the matter at hand:

- He stated that Claudia Harth Gonzalez is his stepdaughter, noting that he raised her and that they have a close relationship. He advised that she has two children with Mayor Myra Taylor's son Johane Taylor, and the children are ages 3 and 1 ½ years old. He said they have been together for more than four years.
- He said he and his family attended another church in Opa-locka, a Pentacostal church located at NW 135<sup>th</sup> Street (Opa-locka Boulevard) and 45<sup>th</sup> Avenue. He said they didn't consider having the wedding there because the church is not very large and was located in a warehouse. He added the Taylors were in the process of "losing" or moving out of their church at the time so they couldn't hold the wedding there.
- He said his stepdaughter approached Pastor Brookins because her church is larger and more accommodating. He said his stepdaughter made the payments for the wedding, but that he helped her out. He said he later spoke to Pastor Brookins and she mentioned that she wanted help "to beautify the little garden in the front lawn."
- He said that, in response, his wife "donated" about \$300 for the garden to buy materials and flowers. He said that his wife "paid by check," giving the check to employees of My Lawn to purchase the materials.
- He said the payment was made about one week prior to the wedding, and that the account she used was an account with Chase Bank. He said he would attempt to find a

copy of the check.

- He advised he did not know if the check was made payable to My Lawn or to Jeny Sod Service Corp., the company where My Lawn purchases its materials.
- He categorically denied that he asked any Public Works Department employees or other city official to provide assistance with the landscaping. He claimed he was unaware that city personnel and machinery were used for the job. He said he never discussed the matter with Witherspoon, Robinson or former Director Harris.
- “I can’t do that,” the commissioner said. “I paid for whatever was out there. If there was anything else (used to complete the job). It’s not my problem.”
- Investigators asked Comm. Santiago if he spoke to My Lawn owner Marina Ojeda about using left-over plants from the memorial garden at Ingram Park for the church, but he claimed he never made such a request. He said he never discussed the landscaping job at the church with Ojeda, but that he only discussed it with “one of the kids” who worked for My Lawn. He said he didn’t know if the employee was Ojeda’s actual son or not. He said he only discussed the matter with the workers.
- “When I talked to the guys, they talked to Marina (on the phone). They called her. They said they would buy us some plants.”

Investigators asked Santiago to provide a copy of the check used to purchase the plants and materials from My Lawn. He said he would ask his wife and request a copy.

UPDATED: Dec. 28, 2015

Investigator KRoss re-contacted Comm. Santiago and reminded him that he hadn’t fulfilled his original promise from the Nov. 23 conversation where he said he would deliver a copy of the check used to purchase the plants and materials from MyLawn. Comm. Santiago said he would follow up with his wife and fax a copy of the check later that day. Investigator KRoss gave Comm Santiago the fax number. And, again, he failed to send the copy of the check.

Two days later, on Dec. 30, Comm. Santiago was arrested by the FBI and charged with his role in the bribery and extortion scheme that has already led to the arrests of former Public Works Director Harris, former City Manager David Chiverton and Corleon Taylor, the brother of the groom and son of Opa-locka Mayor Myra Taylor.

Gregory Harris, former Public Works Director,  
City of Opa-locka, FL

Investigators Lebowitz and Ross made repeated attempts to reach former Public Works Director Gregory Harris, who was forced to resign in August when he surrendered to federal law enforcement authorities on charges that he helped extort large sums from city vendors. He pleaded guilty in September and has been free on \$50,000 personal surety bond. He is

cooperating with federal prosecutors in hopes of securing a reduced sentence that will keep him out of prison.

On Dec. 28, COE Executive Director Joseph Centorino called Harris' defense attorney, Nathan Diamond, to request permission for investigators to speak with his client regarding Comm. Santiago's role in the planting of the church landscaping. The speakerphone call was made in the presence of Investigator Ross with Mr. Diamond's consent.

Mr. Diamond advised that he would be willing to allow Mr. Harris to meet with investigators; however, he said that Mr. Centorino would need to first clear it with the lead federal prosecutor on the Opa-locka case, Assistant US Attorney Ed Stamm. Mr. Centorino said he would get back to Mr. Diamond after speaking with Mr. Stamm.

#### *Document/Audio/Video Review:*

Investigators obtained a copy of the online marriage license record from the Miami-Dade County Clerk's office, showing that Johane Taylor married Claudia Harth-Gonzalez on March 5, 2016. The license was issued Feb. 23, 2016.

A public records request was made to Opa-locka City Clerk Joanna Flores on Oct. 5, 2016, regarding any program to beautify local religious institutions.

Ms. Flores responded in an Oct. 31, 2016, email stating in pertinent part: "I was unable to locate any records in my office dealing with a beautification program in which Pastor Brookins submitted an online application. The only beautification project that I can recall was the through Commissioner Jordan's (District 1) office which was available to District 1 homeowners. That program was through the county and we have no records."

Copy of a Jeny's Sod Service Corp. invoice #34036 addressed to Luis Santiago and dated Feb. 25, 2016 indicating Santiago paid \$347.75 for 8 cubic yards of dirt to be delivered on Feb. 26, 2016. The invoice includes a contact name and cellphone number for "Marina" (Ojeda from My Lawn). Ms. Ojeda provided the invoice to investigators. It is important to note that the invoice only covers "50/50" dirt, but no flowers or other landscaping materials.

Copy of cellphone photos provided to investigators by sources in the community which show city workers and city equipment in front of the church on March 3, 2016, helping to install the new landscaping. Some of the photos indicate that a city back-hoe, operated by a city employee, was in use. A city Public Works pickup truck is also seen in a couple of the photographs.

**Conclusion(s):**

The above findings suggest that Comm. Santiago may have violated the Miami-Dade County ethics code with respect to his request that city workers and resources be used in connection with a private event, namely his stepdaughter's wedding to Mayor Taylor's son. He may have incurred a further violation by enlisting the assistance of a city vendor, My Lawn.

My Lawn owner Marina Ojeda stated in an interview that Comm. Santiago made no mention that 50 surplus plants (pentas) from a city landscaping project were to be donated for a private affair, but instead made it seem like a philanthropic gesture for the pastor of a local church, stating: "This lady (Pastor Brookins) there needs everything to look real pretty."

While the estimated cost of the plants (\$30), plus the reported labor cost (\$28.50) from the private vendor, add up to less than the \$100 minimum reporting requirement for gifts, Ms. Ojeda's estimate for the total value of the landscaping job of \$350 would seem to be a more accurate representation, especially when considering that city labor, materials and machinery were also deployed – which was confirmed in the statements of the Public Works employees.

The city employees, interviewed separately, both recalled former Public Works Director Gregory Harris – subsequently charged and convicted on federal corruption charges -- told them their assistance with the church landscaping project was "a favor" for Comm. Santiago. The employees stated it took about two hours to complete the landscaping job and confirmed that city equipment and materials were used.

The use of city employees and materials might have been justified had there been a formal city program authorizing the use of such resources. However, Comm. Kelley stated in his interview that no such program existed and that any conversations with Pastor Brookins about donating materials and other assistance for beautification were done on an informal basis.

In a Nov. 23 interview at his home, Comm. Santiago contradicted city vendor Ojeda's account of their conversation or her allegation that he asked her to donate the surplus flowers to the church. He denied ever discussing the matter directly with her, saying he only spoke to her through My Lawn employees he approached about landscaping the church.

Comm. Santiago further denied making any request for assistance with this matter through the Public Works Department, its former Director Gregory Harris or any of the employees.

Harris' value as a witness is debatable. He is cooperating with federal authorities in hopes of avoiding a prison sentence and the lead federal prosecutor, who has the most leverage over Harris' future liberty, has shown no signs of allowing Harris to cooperate with COE any time soon. Public Works employees Witherspoon and Robinson only had second-hand knowledge of this alleged contact between Comm. Santiago and Harris that resulted in the city workers assisting with the landscaping job at the church as "a favor" for the commission.

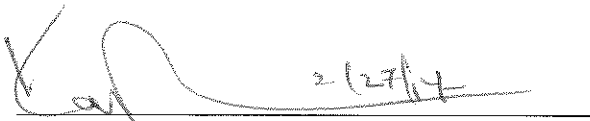
Comm. Santiago further stated to investigators that his wife made a payment of approximately \$300 to My Lawn in connection with the landscaping project. He said he felt that this payment covered the expenses of the project in their entirety, and claimed he was unaware that any city materials or surplus flowers were used to beautify the church.



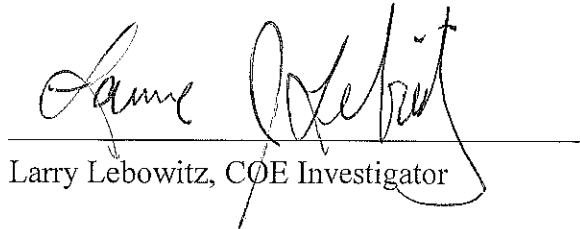
Due to the fact that Comm. Santiago is now charged, and free on bond, in the federal criminal case the filing of an ethics complaint against him seems superfluous. If published reports are accurate and he isn't cooperating with authorities, he is likely facing a prison sentence. An ethics complaint would, if successful, result at most in a monetary fine and Public Reprimand.

Moreover, one of the key witnesses against Comm. Santiago, ex-Public Works Director Harris, has already pleaded guilty in the ongoing federal case and is cooperating in hopes of a sentence that will keep him out of prison. Until that case is complete, however, it is unlikely that Mr. Harris will be made available to cooperate with this COE investigation. Accordingly, this matter should be closed with no further action.

(Signature)

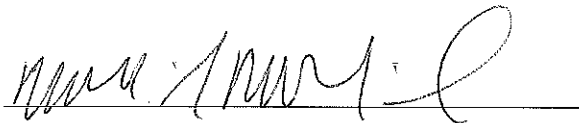


Karl Ross, COE Investigator

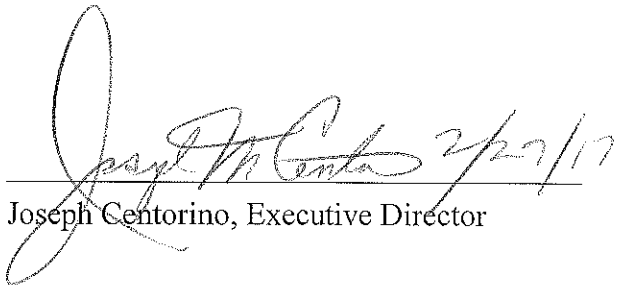


Larry Lebowitz, COE Investigator

Approved by:



Michael Murawski, Advocate



Joseph Centorino, Executive Director