



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

**Investigative Report**

**Investigator:** Karl Ross

**CASE  
CLOSED**

<b>Case K17-006</b>	<b>Case Name:</b> John Riley City Vehicle	<b>Date Open:</b> Jan. 31, 2017 Date:	<b>Date Closed:</b> 4/11/17
<b>Complainant(s):</b>	<b>Subject(s):</b> Opa-locka Comm. John Riley		

**Allegation(s):**

It was alleged that recently elected Opa-locka City Comm. John Riley was improperly using former City Comm. Luis Santiago's city vehicle in violation of a directive from the State financial oversight board ordering all elected officials to return their vehicles as a cost-saving measure. An email tip further advised Riley is fueling the vehicle free-of-charge at a city gas pump located at the Public Works Department office locate at 12950 NW 42nd Ave.

Comm. Riley, a former Opa-locka mayor, was returned to office in November 2016 while now former Comm. Santiago lost his re-election bid and later pleaded guilty to federal bribery charges in an ongoing corruption probe. He faces up to three years in federal prison.

**Relevant Ordinances:**

Miami-Dade County Code, Sec. 2-11.1(g), Exploitation of official position prohibited, stating in applicable part that no person ... "shall use or attempt to use his official position to secure special privileges or exemptions for himself or others ..."

**Investigation:**

***Interviews***

Feb. 27, 2017

A source of information advised that Comm. Riley was forced to return Comm. Santiago's vehicle, a black Ford Expedition, to the Opa-locka police department. The source stated that the vehicle is kept at the police headquarters parking lot and is still used by Mayor Myra Taylor, and that Mayor Taylor relies upon former Police Chief James Smith, better known as "Smitty," to act as her chauffeur when she needs the vehicle. (The former chief is reportedly serving as a reserve officer for the city in order to keep his L/E certification.) The source further advised Mayor Taylor's city vehicle, a red Ford Taurus, is also kept on the same lot, and may also be used by the mayor in possible violation of the oversight board's directive.

March 2, 2017

Responded to Opa-locka Police Station at 2495 Ali Baba Avenue, and asked to meet with the police chief. I was advised that none was present at the time, so I left a business card and requested that Chief James Dobson call me. While there, I observed a vehicle resembling that of former Comm. Santiago and took a photograph. I also took a photograph of a vehicle toward the rear of the lot that resembled the vehicle used by Mayor Taylor.

March 7, 2017

COE responded to the Opa-locka Police Station for a second time, and was advised that the chief was out to lunch and no other member of the command staff was present. Former Comm. Santiago's vehicle was not in the same spot and could not be located in the parking lot. Access to the police parking lot is restricted, and no further inquiry could be made.

On this same day, COE drove past Comm. Riley's home at 2963 NW 135<sup>th</sup> Street, and observed three vehicles parked in front of his home. None appeared to be city vehicles. A photograph of the vehicles was taken and added to the file.

Chief James Dobson, Police Chief

City of Opa-locka, FL

March 8, 2017

Chief Dobson advised that the elected officials' city-issued vehicles were returned to the public works department following the order of the State oversight board. He said the police department took possession of the vehicles because Public Works lacked the personnel to properly maintain them. "The only reason I brought them in here was so we could maintain them, and do things like charge the battery and change the spark plugs ..."

He said the inventory of vehicles includes the following: former Comm. Santiago's black Ford Expedition, Comm. Kelley's white expedition, and Mayor Taylor's red Ford Taurus. He said that Comm. Pigatt never had a city vehicle, and Comm. Holmes was allowed to continue to use his vehicle because it is specially equipped for his physical handicap.

Chief Dobson said he was not aware as to whether Comm. Riley had been using former Comm. Santiago's vehicle prior to its transfer to police custody and care. "I honestly don't know ... I never picked up the vehicle from his home, but from Public Works."

Chief Dobson said the vehicles are overseen by a fleet manager, and that, if they are needed for city business, a reserve officer will typically provide escort services "so we don't have to pull an active officer off the street." He said former police chief James Smith, better known as "Smitty," is one of the reserve officers providing escort services to the elected.

The chief said that if an elected official needs a vehicle for official business, the request is made through the City Clerk's office and that the Clerk will send an email to the police department. He said this creates a paper trail to document all usage of the vehicles.

He said it is up to the City Manager to enforce the directives of the oversight board.

March 16, 2017, COE visited Comm. Riley's home at 2963 NW 135<sup>th</sup> Street, and noted no official vehicle in his driveway. Contact was made with a grandson, and the commissioner was asked to contact this investigator.

John Riley, City Commissioner

City of Opa-locka, FL

March 17, 2017

Comm. Riley advised that he has used former Comm. Santiago's city vehicle on two occasions – the first time to attend Miami-Dade Mayor Carlos Gimenez's State of the County Address on January 18 at the South Dade Cultural Arts Center. Located at 10950 SW 211 Street, and the second time "to make a survey of trash piles" throughout the City of Opa-locka.

He said that on both occasions he got the keys from the City Manager's Office and returned the vehicle as soon as he was finished and that no personal business was conducted. "I had it for a few hours," Comm. Riley stated, asking what possible ethical violation he may have

committed. He was advised that COE was responding to a tip from the State.

On March 17, 2017, a public records request was made to the City Clerk's office seeking any records relating to Comm. Riley's usage of a city of Opa-locka official vehicle.

Yvette Harrell, City Manager  
City of Opa-locka, FL  
March 29, 2017

Ms. Harrell said the city does not have a formal policy regulating the use of city vehicles by elected officials, only by city employees generally. She agreed to provide a copy.

With respect to Comm. Riley, Ms. Harrell stated she was unaware of any unauthorized usage by the commissioner. She corroborated that Comm. Riley did use a city vehicle to document the proliferation of trash piles all over the city as a result of a contract dispute with the city's former solid waste collection firm. "He took pictures all over," Ms. Harrell said. "It was done during the height of the waste debacle ... I told him I was short-staffed and so he offered to ride around and take pictures. His usage (of the city vehicle) was authorized."

Ms. Harrell questioned the oversight board's decision to strip elected officials of their city vehicles, noting that "the city's still paying for them." She said the board did make an exception for Comm. Holmes because the vehicle had been specially equipped for his disability. She said that current usage of the vehicles complies with city policy.

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

A copy of the minutes of the Aug. 11, 2016, meeting of the Opa-locka Financial Emergency Board show on page six that board member Frank Rollason "made a motion for the city vehicles in the possession of officials be returned to the city ..." The motion was seconded by board member Andrew Collins and unanimously approved, according to the minutes.

During the public comment portion of the Aug. 11, 2016, meeting, now Comm. Riley, then a candidate for the seat, stated that he has four personal vehicles and would not need the city to provide him with one, according to the minutes.

A public records request was made to the Opa-locka City Clerk's Office on March 17, 2017, requesting an emails or other correspondences referencing requests by Comm. Riley for the usage of a city vehicle pertaining to Opa-locka official city business.

On March 22, City Clerk Joanna Flores replied that she had received two such requests and provided the related documentation. This included a request from her office to City Manager Yvette Harrell relating to the January 9, 2017, State of the County Address by Mayor Carlos Gimenez, as well as a request for transportation to the Florida League of Cities training seminar for newly elected municipal officials to be held on June 2 to 4 in Tampa.

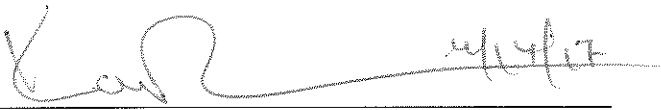
There were no records relating to Comm. Riley's reported survey of "trash piles."

**Conclusion(s):**

Based on the above findings, it would not appear that further investigation into this matter is warranted. The vehicle assigned to former City Comm. Luis Santiago is no longer in the possession of Comm. Riley or any other City official – except for when it has been reserved for official business by Comm. Riley or any other City of Opa-locka elected official.

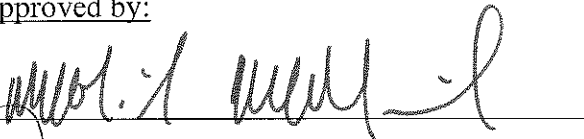
Records provided by the City Clerk's office indicate that Riley did request usage of a city vehicle for travel to an official event on Jan. 9, 2017 – the State of the County address. No such records could be found for any survey of the city's solid waste problems. However, City Manager Harrell confirmed Comm. Riley's usage of a city vehicle in that instance was authorized and related to official city business.

Accordingly, the investigation should be closed without further action.

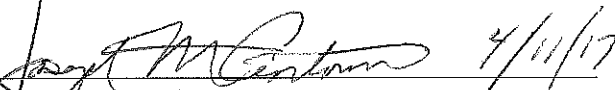


Karl Ross, COE Investigator

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