

Sanchez, Rodzandra (COE)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, April 26, 2018 3:27 PM
To: Sanchez, Rodzandra (COE)
Subject: Lakisha Gray, Admin. Officer, PHCD, Prohibited Appearances (m)(1), Outside Employment (k), INQ 18-100
Attachments: INQ 18-100 Dox.pdf

INQ 18-100 Gray

From: Perez, Martha D. (COE)
Sent: Thursday, April 26, 2018 2:06 PM
To: Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>
Subject: RE: Lakisha Gray, Admin. Officer, PHCD, Prohibited Appearances (m)(1), Outside Employment (k), INQ 18-100

[See attached](#)

From: Diaz-Greco, Gilma M. (COE)
Sent: Thursday, April 26, 2018 12:49 PM
To: Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>
Subject: RE: Lakisha Gray, Admin. Officer, PHCD, Prohibited Appearances (m)(1), Outside Employment (k), INQ 18-100

Do you have supporting documents to include in digital file ? Please send if you do-

Thanks-

From: Perez, Martha D. (COE)
Sent: Thursday, April 26, 2018 11:35 AM
To: Gray, Lakisha (PHCD) <Lakisha.Gray@miamidade.gov>
Cc: Centorino, Joseph (COE) <Joseph.Centorino@miamidade.gov>; Murawski, Michael P. (COE) <Michael.Murawski@miamidade.gov>; Diaz-Greco, Gilma M. (COE) <Gilma.Diaz-Greco@miamidade.gov>; Turay, Radia (COE) <Radia.Turay@miamidade.gov>; Dana, Jacqueline (PHCD) <Jacqueline.Dana@miamidade.gov>
Subject: Lakisha Gray, Admin. Officer, PHCD, Prohibited Appearances (m)(1), Outside Employment (k), INQ 18-100

Dear Ms. Gray,

You inquire whether your husband, a County employee, may apply for CDBG-Public Service funds on behalf of your nonprofit organization when you are also employed in the County as an Administrative Officer in Miami-Dade County Public Housing and Community Development (PHCD), the department which administers the CDBG Program.

Background

Among its diverse functions, PHCD is responsible for the oversight and administration of the Community Development Block Grant (CDBG) Program. Applications for funding are submitted via Request for Applications (RFAs). The funds are awarded from the U.S. Department of Housing and Urban Development (HUD). In general, these funds are designed to build communities through economic development; repair or facilitate housing; provide or increase *public services*; or, *fund initiatives that generate jobs*.

You are employed as an Administrative Officer 2 with PHCD. In your position at PHCD you are the secretary to the Affordable Housing Trust Fund Board (AHTF) and the Affordable Housing Advisory Board (AHA). The AHTF provides a source of revenue to meet affordable housing needs to County residents. The AHA serves as the Affordable Housing Committee to the Board of County Commissioners and makes recommendations on local *housing* incentive strategies. Your duties and responsibilities as Board Secretary of AHTF and AHA involve preparing agendas, recording meetings, preparing the minutes and researching information for the boards as it pertains to the creation of a revolving loan fund for a future RFP regarding the hiring of a provider to administer and handle board vacancies. These board(s) do not have any involvement with the CDBG Program. You have indicated that your job functions do not require you to be involved with CDBG applications or funds except for handling the email blast distribution list to notify the community of the availability of CDBG applications.

Your husband, David Gray, is also a County employee assigned as a part-time bus operator for the County's Department of Transportation and Public Works (DTPW).

You are the President and Director and your husband is the Vice-President and co-Director of GET SCHOLARSHIP READY CORP. (GSR), a not for profit organization created to promote education and self-sufficiency among youth, inform them on eligibility requirements for Bright Futures scholarships and motivate them to achieve their educational and career goals. You both currently serve on an uncompensated volunteer basis. However, you have indicated that although you and your husband are not receiving financial compensation for your services at the nonprofit (GSR) at this time, "we look forward to doing so [i.e., receiving financial compensation] in the future."

Analysis

The CDBG Program allocates funding for several national objectives, to wit: building community facilities, repairing or rehabilitating housing; providing public services to local residents or funding initiatives that generate jobs. See <https://www.miamidade.gov/housing/community-development.asp>

The Conflict of Interest and Code of Ethics ordinance permits a County employee to receive CDBG funds as long as the County employee(s) does/do not financially benefit from CDBG funds distributed to the nonprofit organization. See RQO 05-19, RQO 07-42; See also INQ 10-201, INQ 09-135.

However, since you and your husband are County employees, you are *both* prohibited from appearing before any County agency regarding your CDBG application. See Section 2-11.1(m)(1), County Ethics Code, which prohibits County employees from appearing before any County board or agency and make a presentation on behalf of a third party (nonprofit organization) with respect to a benefit sought by the third party (i.e., grant funding) or from receiving compensation, directly or indirectly or in any form, for services rendered to a third party which is seeking some benefit from the County. Consequently, **since your nonprofit organization (GSR) is seeking a benefit from the County, neither you nor your husband may appear at meetings with PHCD personnel or negotiate terms on behalf of GSR regarding the grant. In addition, neither you nor your husband may sign any application documents or funding agreements.** See RQO 08-30, RQO 01-106; See also INQ 12-13, INQ 09-33, INQ 04-89

In addition, you may not receive compensation from CDBG funding awarded by PHCD, the County department that employs you. See RQO 05-19 (County employee is prohibited from accepting compensation from non-profit agencies from any dollars awarded by Miami-Dade County). Based on the facts you provided, *you look forward to your husband receiving financial compensation for his services at GSR.* If CDBG funding is awarded to GSR, it would be improper for you or your husband to receive compensation from the grant.

RFAs for CDBG-Public Service funding must meet all federally-mandated requirements including conflict of interest provisions which provide that : *No person [employee, agent, consultant, officer, elected or appointed official of the recipient] who exercises or has exercised any functions with respect to CDBG activities or who is in a position to participate in the decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract or agreement with*

respect to a CDBG-assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. See County CDBG RFA, citing to 24 C.F.R. §570.611. Consequently, any intent by either you or your husband to receive a personal financial benefit from the CDBG funds to be allocated to the nonprofit entity (GSR) would appear to be in violation of the federal conflict of interest provisions applicable to CDBG funding recipients.

Please be aware that the following limitations under the County Ethics Code *also* apply to you *and* your husband:

- 1) You may not use or attempt to use your official position(s) to secure special privileges or exemptions for yourself or others. See Section 2-11.1(g), County Ethics Code. In order to ensure that there is no appearance that you are using your County position to benefit yourself, your husband or GSR, there should be no connection or involvement whatsoever between your County position and any aspect of the CDBG Program. See INQ 14-62. Consequently, you may not participate in any aspect of the CDBG Program, including oversight, administration or determination of CDBG funding during the entire term of the grant/funding. See RQO 09-20; RQO 09-118; INQ 14-87. This means you may not be involved in any decisions or actions taken by PHCD regarding the CDBG Program, including any clerical or administrative functions. See INQ 04-15
- 2) You may not use confidential information gained through your official position(s), directly or indirectly, for your personal gain(s) or benefit(s). See Section 2-11.1(h), County Ethics Code

Furthermore, as the President, Vice-President and directors of the nonprofit organization, you and your husband are actively involved in the administration of GSR and are thus engaged in outside employment, prompting the requirement to obtain approval from your supervisors on a yearly basis. See RQO 17-03; Section 2-11, Miami-Dade County Code; Section 2-11.1 (k), County Ethics Code; County A.O. 7-1; Procedure 403, Human Resources. Consequently, you and your husband are required to submit Outside Employment Requests to your respective supervisors on a yearly basis. Also, as a full-time County employee, you are required to file an Outside Employment Statement with the Elections Department by July 1st of each year. See Section 2-11.1(k)(2), County Ethics Code

This opinion is based on the facts and circumstances that you have submitted. It is not applicable to any other conflict under State law. Inquiries regarding possible conflicts under State law should be directed to the State of Florida Commission on Ethics. Please contact us if we may be of further assistance.

Sincerely,

Martha D. Perez

Staff Attorney

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST

19 West Flagler St. Suite 820

Miami, FL 33130

(305)350-0656

PEREZMD@miamidade.gov

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Please see my response below.

thanks

Lakisha Gray

On Wednesday, April 11, 2018, 2:58:42 PM EDT, Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov> wrote:

Lakisha, could you please respond to the following?

1) Describe with specificity your duties and responsibilities at PHCD with regard to the two boards? For example, do you prepare or distribute the applications? Do you administer the grants?

My duties as the Board Secretary are to prepare agendas, record meeting, prepare minutes and research information for the Board as it pertains to creation of a Revolving loan Fund which an RFP is in the draft stage to hire an outside third party to administer and handle Board vacancies. My Board does not oversee any applications for PHCD nor its CDBG/HOME program.

2) How are you involved in the administration of the CDBG funds/grants?

My job functions does not require me to be involved with CDBG funds, in the past I have assisted the division once at most by preparing a timeline of due dates for the issuance of the Request for Applications for CDBG. I do handle the email blast distribution list to notify the community that the applications for CDBG are available.

3) Please provide us with your husband's name and position in the County.

David Gray - Part-Time Bus Operator

4) Please provide the name and purpose of your non-profit organization.

Get Scholarship Ready - the purpose is to promote education and self-sufficiency among youth, inform on the eligibility requirements for the Florida Bright futures scholarship and motivate youth to achieve their education and career goals.

5) Do you or your spouse receive any financial compensation in the non-profit?

We have not received any financial compensation from our organization, however, we do look forward to doing so in the future.

thanks

Thank you.

Martha D. Perez

Staff Attorney

MIAMI-DADE COUNTY COMMISSION ON ETHICS & PUBLIC TRUST

19 West Flagler St. Suite 820

Miami, FL 33130

(305)350-0656

PEREZMD@miamidade.gov

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From: Ethics (COE)
Sent: Tuesday, April 10, 2018 4:49 PM
To: Perez, Martha D. (COE) <Martha.Perez2@miamidade.gov>
Subject: FW: Request for An Ethics Opinion

Please handle. Thanks.

From: Lakisha Gray [<mailto:lakishawest@yahoo.com>]
Sent: Tuesday, April 10, 2018 4:12 PM
To: Ethics (COE) <ethics@miamidade.gov>
Subject: Request for An Ethics Opinion

This is an EXTERNAL email. Exercise caution. DO NOT open attachments or click links from unknown senders or unexpected emails. Please click here if this is a suspicious message reportspam@miamidade.gov **Enterprise Security Office**

I am an AO2 for PHCD who is responsible for the Affordable Housing Trust Fund Board and Affordable Housing Advisory Board under Community Development. My husband is a Part-Time Bus Operator for Miami Dade County Transit. We have a not for profit organization which assist youth in Miami Dade. Our question is would it be a conflict if my husband applied for CDBG - Public Service funds under our not for profit organization to receive funding to employ youth to work summer jobs in Miami Dade County with Miami Dade County Businesses?

Lakisha Gray
305-331-1177

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My BlueBook Profile

Search for County Employee

Select Department

Select Department ▼

Last Name First Name Office Number (305-xxx-xxxx)

Gray Lakisha

Exact Match

[Locate](#) | [Clear](#) | [My Blue Book Info](#)

Results

This is 1 out of 1 pages of results.

First Name	Last Name	Position	Division	Department	Email Address	Phone Number	Office Location
LAKISHA	GRAY	AM OFF 2	HOUSING AND COMMUNITY DEVELOPMENT	PUBLIC HOUSING AND COMMUNITY DEVELOPMENT	lagray@miamidade.gov	786-469-4141	701 N.W. 1st Court Miami FL 33136

This is 1 out of 1 pages of results.

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My BlueBook Profile

Search for County Employee

Select Department

Select Department ▼

Last Name First Name Office Number (305-xxx-xxxx)

Gray D

Exact Match

[My Blue Book Info](#)

Results

This is 1 out of 1 pages of results.

First Name	Last Name	Position	Division	Department	Email Address	Phone Number	Office Location
DAVID	GRAY	BUS OPERAT	BUS OPERATIONS	TRANSPORTATION AND PUBLIC WORKS		305-638-6045	3300 NW 32 AVE Miami FL 33142

This is 1 out of 1 pages of results.

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Detail by Officer/Registered Agent Name

Florida Not For Profit Corporation
GET SCHOLARSHIP READY CORP

Filing Information

Document Number	N13000005671
FEI/EIN Number	46-3000414
Date Filed	06/18/2013
Effective Date	06/18/2013
State	FL
Status	ACTIVE
Last Event	AMENDMENT AND NAME CHANGE
Event Date Filed	01/29/2015
Event Effective Date	NONE

Principal Address

3450 NW 213 ST.
MIAMI GARDENS, FL 33056

Changed: 01/29/2015

Mailing Address

3450 NW 213 ST.
MIAMI GARDENS, FL 33056

Changed: 01/29/2015

Registered Agent Name & Address

GRAY, LAKISHA
3450 NW 213 ST.
MIAMI GARDENS, FL 33056

Address Changed: 01/29/2015

Officer/Director Detail

Name & Address

Title PD

GRAY, Lakisha Y
3450 NW 213 ST.
MIAMI GARDENS, FL 33056

2018 FLORIDA NOT FOR PROFIT CORPORATION ANNUAL REPORT

DOCUMENT# N13000005671

Entity Name: GET SCHOLARSHIP READY CORP

Current Principal Place of Business:

3450 NW 213 ST.
MIAMI GARDENS, FL 33056

Current Mailing Address:

3450 NW 213 ST.
MIAMI GARDENS, FL 33056

FEI Number: 46-3000414

Certificate of Status Desired: No

Name and Address of Current Registered Agent:

GRAY, LAKISHA
3450 NW 213 ST.
MIAMI GARDENS, FL 33056 US

The above named entity submits this statement for the purpose of changing its registered office or registered agent, or both, in the State of Florida.

SIGNATURE:

Electronic Signature of Registered Agent

Date

Officer/Director Detail :

Title PD
Name GRAY, LAKISHA Y
Address 3450 NW 213 ST.
City-State-Zip: MIAMI GARDENS FL 33056

Title VD
Name GRAY, DAVID A
Address 3450 NW 213 ST.
City-State-Zip: MIAMI GARDENS FL 33056

I hereby certify that the information indicated on this report or supplemental report is true and accurate and that my electronic signature shall have the same legal effect as if made under oath; that I am an officer or director of the corporation or the receiver or trustee empowered to execute this report as required by Chapter 617, Florida Statutes; and that my name appears above, or on an attachment with all other like empowered.

SIGNATURE: LAKISHA GRAY

PRESIDENT

02/21/2018

Electronic Signature of Signing Officer/Director Detail

Date

Title VD

GRAY, David A
3450 NW 213 ST.
MIAMI GARDENS, FL 33056

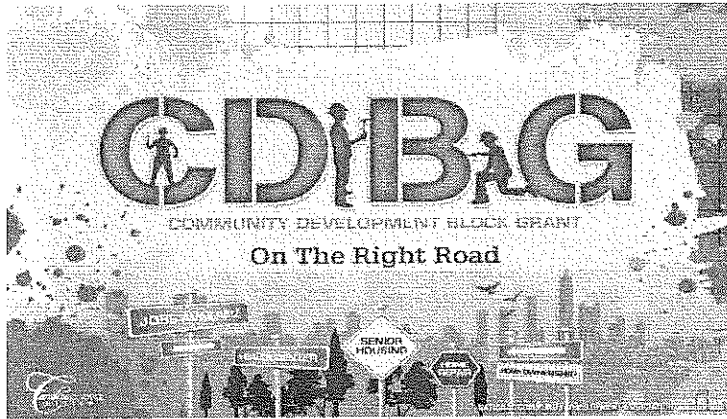
Annual Reports

Report Year	Filed Date
2016	02/19/2016
2017	01/29/2017
2018	02/21/2018

Document Images

<u>02/21/2018 -- ANNUAL REPORT</u>	View image in PDF format
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<u>01/29/2015 -- Amendment and Name Change</u>	View image in PDF format
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<u>06/18/2013 -- Domestic Non-Profit</u>	View image in PDF format

**MIAMI-DADE COUNTY
CDBG REQUEST FOR APPLICATION
FY 2018**



**COMMUNITY DEVELOPMENT BLOCK GRANT
APPLICATION**

Public Service

Public Facilities and Capital Improvements

Economic Development

Housing

December TBD, 2018

Miami-Dade County
Department of Public Housing and Community Development
701 NW 1st Court, 14th Floor – Miami, Florida 33136



*Dates are
subject to change



INTRODUCTION

The Miami-Dade County Department of Public Housing and Community Development (PHCD) administers Miami-Dade County's Community Development Block Grant (CDBG) Program. In this FY 2018 Request for Applications (RFA), PHCD is soliciting applications to fund activities with CDBG funds. This RFA is seeking applications to address high priority needs in areas designated as the County's Neighborhood Revitalization Strategy Areas (NRSAs) and Eligible Block Groups (**Attachment 14**).

- Funds awarded from the United States Department of Housing and Urban Development (HUD) are allocated to not-for-profit community-based development organizations, community development corporations, community-based organizations, municipalities, for-profit entities, and County departments to support activities that meet HUD national objectives to benefit Low-and-Moderate-Income (LMI) persons. CDBG defines a low- and moderate-income person as a member of a household whose income would qualify as "very low-income" under the Section 8 Housing Assistance Program. Generally, these Section 8 limits are based on 50% of area median income. The Area Median Income for Miami-Dade County is \$51,800. For CDBG purposes moderate-income is defined as 80% of the area median income.

The following paragraphs describe the objectives and requirements of the CDBG program, the categories of activities that will be funded, and estimated funding in this RFA.

NATIONAL OBJECTIVES FOR CDBG APPLICATIONS

The primary objective of the CDBG program is to benefit low- and moderate-income (LMI) persons who earn at or below 80% of the area median income (AMI) and/or reside in census block groups where at least 51% of the population is at low- and moderate-income levels, defined in Title 24, Code of Federal Regulations (CFR) 570.208(a). Without exception, federal regulations require that all CDBG program activities meet one of the national objectives listed below:

Low/Moderate Income Area Benefit (LMA) - An activity that benefits all residents in a particular residential area, where at least 51% of the residents are LMI persons.

Low/Moderate Limited Clientele (LMC) – Activities in this category provide benefits to a specific group of persons in an area, where at least 51% of the beneficiaries of an activity are LMI. HUD presumes that certain populations such as: elderly, severely disabled adults, homeless persons, illiterate adults, migrant farm workers, abused children, persons living with HIV/AIDS, or victims of domestic violence are low-income. However, this does not preclude other LMI populations from being deemed LMC that are not included in the list provided.

CDBG-funded activities for Public Service and Public Facilities and Capital Improvements categories must meet a CDBG national objective as either LMA or LMC activities. The distinguishing factor between the two objectives is whether the service will be offered to all residents of a particular LMI area or to a particular group of LMI residents in the entire community. The LMA National Objective allows the activity to be offered to all the residents of the service area provided the activity's defined area is populated by 51% or more low to moderate income residents. For example: utilizing CDBG funds for a local park. However, a LMC activity must serve a specific group which HUD presumes are LMI and at least 51% of the beneficiaries are LMI. (See LMC definition above).

- **Low/Moderate Income Job Creation or Retention (LMJ)** – Activities designed to create or retain jobs for LMI persons, at least 51% of which will be made available to or held by LMI persons. The jobs created must be retained for a minimum of one year.

repair of public buildings or public works shall contain a clause setting forth the minimum wages to be paid to various classes of laborers.

- Conflict of Interest - The general rule is that no person(s) (defined as any person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient, or of any designated public agencies, or of sub-recipients that are receiving funds under this part) who exercise or have exercised any functions or responsibilities with respect to CDBG activities assisted under this part, or who are in a position to participate in a decision-making process or gain inside information with regard to such activities, may obtain a financial interest or benefit from a CDBG-assisted activity, or have a financial interest in any contract, subcontract, or agreement with respect to a CDBG assisted activity, or with respect to the proceeds of the CDBG-assisted activity, either for themselves or those with whom they have business or immediate family ties, during their tenure or for one year thereafter. The complete Code of Federal Regulations (CFR) can be viewed at <http://www.ecfr.gov>, 24.CFR.570.611.
- Applicants shall be entitled to review their scores and application ranking. Score reviews will not be conducted after final scores are published. Request for reviews of initial application scores must be submitted in writing, via email at phcdcommunitydevelopment@miamidade.gov. Applicants requesting an appeal will then be scheduled to meet with PHCD staff to review their scores. Changes to scores are at the discretion of PHCD and will be based solely on documents submitted in the application. **Please note: Applications with a score lower than 70 points will not be recommended for funding.**
- The entity must submit a formal written request to PHCD within five (5) business days of the publication of the entity's initial score(s) and ranking. To the extent issues are identified in the initial scoring of the application, the appropriate adjustments may be made prior to the applicant's final score and ranking in preparation for the final funding recommendations. The County shall not address any request that has not been submitted in writing and received by the County within the established five-day review period after initial scores have been posted. Additionally, the score review process shall not apply to subsequent recapture/reallocation activities.
- Notwithstanding the above, **Miami-Dade County reserves the right not to fund an entity or affiliate** with defaulted loans, breach of contract, debarment actions or any other legal encumbrances which cause risk to County funding or are determined by the County, in its sole discretion, to threaten the applicant's ability to complete the project proposed in a timely manner, regardless of the merits of the submitted application. Miami-Dade County reserves the right not to fund entities listed in the Federal Excluded Parties List System, as those entities are prohibited from receiving federal contracts or federally-approved subcontracts, or from receiving certain types of federal financial assistance (CDBG funds) and benefits.

Comments pertaining to this application must be submitted to phcdcommunitydevelopment@miamidade.gov and will be addressed at the Technical Assistance Workshops on December 12 and 14, 2017.