



3900 Hollywood Boulevard, Suite 301  
Hollywood, FL 33021

October 23, 2024

**VIA ELECTRONIC MAIL**

Angel Petti Rosenberg, Esq.  
Hall & Rosenberg, P.L.  
8850 W. Oakland Park Blvd., #101  
Sunrise, FL 33351

**Re: Investigation re: Use of City Vehicle by Commissioner Denise Grant**

Dear Mrs. Petti Rosenberg:

On or about June 21, 2024, as directed by the City of Lauderhill's Commission you retained my firm to conduct a neutral investigation on behalf of the City of Lauderhill ("the City"). The Scope of Services called for objective investigative services and recommendations regarding the use of City vehicles, various reimbursement requests and to determine whether any of the City's policies, ordinances and/or Charter provisions were violated by any individual. I was given complete freedom to investigate the matter by gathering and reviewing relevant records and interviewing relevant witnesses. The agreement also required preparing a report of my findings and potentially meeting with the City Commission regarding my recommendations. This document summarizes my investigation and serves as the report of my findings and recommendations.

Very Truly Yours,

*Ria Chattergoon*

Ria Chattergoon



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### **Investigation of Complaints**

Following a criminal investigation by the Miami-Dade State Attorney's Public Corruption Unit ("MDSAO"), the City contracted me to determine whether any of the City's policies, ordinances or Charter were violated by Commissioner Grant's use of City vehicles or requests for reimbursements.<sup>1</sup> I was provided with copies of the MDSAO's case investigative report, close out memorandum and evidence attached to the same. I was also provided with the City's Police Department response to the MDSAO. In preparation for all interviews, I reviewed the relevant Employee Handbook, Code of Ordinances, the City Charter, the City's Commission Meeting/Workshop recordings, and the Personnel Administrative Policies & Procedures Manual. During my investigation, I was provided complete autonomy to interview City employees without input or participation by any of the City's Human Resources staff or City Management. The purpose of this report is to relate the findings of my investigation and is the product of the above described process.

### **Stage 1: Review of Governing Documents**

#### **A. October 24, 2019 Travel Policy**

The City's 2019 Travel Policy stated:

The policy of the City of Lauderhill to provide authorization and funding for necessary travel to **staff** with respect to their job function. Travel expenses are paid through limited tax dollars.

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#### **Overnight Travel**

A Travel Authorization Form (see attachment #1) is to completed no less than two weeks prior to travel....

If a rental car is required, it must be approved by the City Manager in advance. Personal vehicles may only be used when a

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<sup>1</sup> Unlike the FDLE's criminal investigation of this matter, a determination of knowledge or intent is not required to determine whether a violation of policies, ordinances or the City's Charter exists.



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city vehicle is not available or when traveling with family or friends. The Department Director of the division will determine the availability of a City vehicle and will advise if there are not city vehicles available. ***The employee may then use a personal vehicle and be reimbursed for mileage at \$.575 per mile***, which reflects the 2015 standard mileage rate for all business miles according IRS Publication 463, and will be adjusted each year based upon this publication per City Manager's approval. ***If the employee takes a personal vehicle to accommodate family or friends or for personal business, (i.e. vacation), the employee will be reimbursed for fuel and parking only.***

**See 2019 Travel Policy, attached as Exhibit A.** The 2019 policy specifically referred to use of vehicles by City "employees" and did not mention elected officials.

**B. February 13, 2023 Travel Policy**

On February 13, 2023 the City amended its Vehicle Use Policy to reflect its general Travel Policy with regard to City employees and City Officials when traveling for City business. In pertinent part, the City's Travel Policy require that:

All city officials must complete a statement that the expenses serve ***a public purpose***, that they were actually incurred as necessary travel ***expenses in the performance of official duties, and it shall be verified by a written declaration that it is true and correct as to every material matter.*** Any person who willfully makes and subscribes any such claim that they do not believe to be true and correct as to every material matter commits a misdemeanor of the second degree. Whoever receives an allowance or reimbursement by means of a false claim is civilly liable in the amount of the overpayment for the reimbursement of



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the public fund from which the claim was paid. The statement need not be notarized. Fla. Stat. 166.021(9)(c).

**See 2023 Travel Policy, attached as Exhibit B; see also, City Ordinance No: 230-02-101 - Chapter 2, Administration, Article II, Officers and Employees, Division I, Generally, Section 2-22, Travel, Entertainment and Subsistence Allowance, as amended on February 26, 2024, attached as Exhibit C.**

**C. Code of Ethics/Code of Conduct**

On February 12, 2024, the City implemented a Code of Ethics/Code of Conduct for City Public Officials and Charter Officers. The intent of the policy is to establish conduct guidelines when an individual is representing the City. **See 2024 Code of Ethics/Code of Conduct, attached as Exhibit D.**

**D. Florida Statute § 112.313 – Standards of Conduct for Public Officers**

- (6) MISUSE OF PUBLIC POSITION.—No public officer, employee of an agency, or local government attorney shall corruptly use or attempt to use his or her official position or any property or resource which may be within his or her trust, or perform his or her official duties, to secure a special privilege, benefit, or exemption for himself, herself, or others.

**E. Florida Statute § 838.022- Misuse of Public Office/Official Misconduct**

- (1) It is unlawful for *a public servant* or public contractor, to *knowingly and intentionally obtain a benefit* for any person or to cause unlawful harm to another, by:

- (a) Falsifying, or causing another person to falsify, any official record or official document;



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(b) Concealing, covering up, destroying, mutilating, or altering any official record or official document, except as authorized by law or contract, or causing another person to perform such an act; or

(c) Obstructing, delaying, or preventing the communication of information relating to the commission of a felony that directly involves or affects the government entity served by the public servant or public contractor.

### **STAGE 3: BACKGROUND**

On or about May 10, 2023, the City's Police Department ("LPD") requested review from the Florida Department of Law Enforcement ("FDLE") regarding a potential official misconduct claim by Commissioner Denise D. Grant. The LPD's complaint alleged that Commissioner Grant provided false information on a travel reimbursement request following a trip to Tallahassee, Florida. Following that trip, Commissioner Grant submitted reimbursement to the City for mileage for vehicle travel and hotel and per diem reimbursement. The LPD and FDLE's investigation revealed that Commissioner Grant sought reimbursement for mileage for use of a City vehicle and that she submitted an altered receipt for reimbursement for a hotel stay that the City already paid to her friend and vendor, Jacqueline Vernon-Thompson. The LPD and FDLE's investigation also confirmed that Commissioner Grant used a City vehicle for a personal trip to Tennessee. During the FDLE's investigation, Commissioner Grant claimed that the vehicle she used for these trips was a personal vehicle borrowed from a "friend" however, it was revealed that the car Commissioner Grant used for these trips was a City vehicle. The investigation by both LPD and FDLE subsequently gave rise to this investigation. The scope of my investigation included determining whether any City Official or employee violated any policy, ordinances or Charter provisions, including but limited to, determining whether Commissioner Grant committed any violations when she used a City Vehicle; or when she sought mileage reimbursement for using a vehicle that was not her personal vehicle for both City and personal trips; or when she altered an invoice and sought reimbursement for a hotel stay that was also submitted by Youth Empowerment Village and subsequently paid to that organization.



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The following facts are deemed credible based on the convergence of facts from independently interviewing 6 witnesses and a review of the LPD and FDLE's case files. The voluminous facts and evidence have been condensed for this report. It must be noted that between September 5<sup>th</sup> and October 7<sup>th</sup>, I requested Commissioner Grant's presence for an interview. On October 7, 2024, Commissioner Grant's attorney sent an email indicating that she would not submit to an interview for this investigation. Commissioner Grant, however, previously submitted to an interview with FDLE that was recorded and reviewed for this investigation.

#### **FACTUAL FINDINGS**

##### **A. The City's 2020 Ford Explorer**

The vehicle at the forefront of this investigation is the City's 2020 Black Ford Explorer that is assigned to the Finance Department. During 2022 and 2023, the Explorer was under the oversight of Kennie Hobbs, Deputy City Manager/Finance Director. Mr. Hobbs indicated that the Explorer did not have any insignia or governmental license plate to indicate that it was a City vehicle and that was how he received it. Mr. Hobbs stated that his Department oversaw over 40 vehicles, as well as, the Fleet Department. He stated that the Explorer in question is not a take home vehicle and that it was always parked in the City's parking lot. Mr. Hobbs indicated that Commission Aides and his staff frequently used the Explorer for City business only. He stated that there was no system in place for logging who used the Explorer, however, he stated that there was limited access to the Explorer and that either he or his assistant controlled who had access to the car keys.

##### **B. Commissioner Grant's Request to Use a City Vehicle**

Mr. Hobbs stated Commissioner Grant called him up one day and asked whether there was a City vehicle that she could use. He stated that when Commissioner Grant asked him for a City vehicle, he assumed that she was allowed to use it as the City's Commissioners are paid on a W-2. He further stated that he automatically assumed that Commissioner Grant was requesting use of a vehicle for City business. Mr. Hobbs stated that he had no reason to believe that a

Commissioner was not allowed to use City vehicles based on the 2019 Travel Policy in place at the time. Mr. Hobbs stated that he did not have a personal relationship with Commissioner Grant and that they were not friends. Mr. Hobbs stated that he has been employed by the City for over 35



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years and that he could not recall an occasion where a Commissioner used a City vehicle. Usually, a Commissioner would use their personal vehicle and submit for mileage reimbursement (per City policy) or a car would be rented for their use for City business.

Mr. Hobbs stated that on multiple occasions Commissioner Grant called him and asked to use a City vehicle. Mr. Hobbs stated that each time he did not question her and that he always assumed that it was for City business. On one occasion, Mr. Hobbs stated that he was out of the office and he asked Manny Cerezas, Fleet Manager to clean the Explorer and place the key in it for Commissioner Grant's use. Mr. Cerezas confirmed this conversation occurred and stated that he did as Mr. Hobbs requested. Mr. Cerezas stated that each key had a unit number indicating that it was a fleet key. He stated that he never got the key back from Commissioner Grant or the Finance Department.

**C. Commissioner Grant's Use of the City's Vehicle**

**i. 2022**

Between January 17-20, 2022, Commissioner Grant used the Explorer to attend an event labeled "Broward Days." The records for the Sunpass located in the Explorer evidences that Commissioner Grant used the Explorer to attend this event. **See Sunpass Statement, attached as Exhibit "E."** That Sunpass was a personal Sunpass that Kennie Hobbs placed in the Explorer and for which he personally incurred all charges. In February 2022, Commissioner Grant then submitted for a reimbursement of mileage for this event in the amount of \$507.36 and was paid by the City. **See February 2022 Reimbursement, attached as Exhibit "F."** Commissioner Grant has not reimbursed the City for this trip nor has she reimbursed Mr. Hobbs for the use of his Sunpass.

**ii. 2023**

In 2023, the evidence I obtained during this investigation indicates that Commissioner Grant used the Explorer on several occasions.<sup>2</sup> On or about March 18-25, 2023, Commissioner Grant used the City's Explorer for a personal trip to Tennessee for her son's soccer tournament.

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<sup>2</sup> There was testimony to suggest that Commissioner Grant used the vehicle frequently as there are Sunpass charges to Mr. Hobb's sunpass on the weekends when no City employee used the vehicle. According to one witness, Mr. Hobbs had to retrieve the vehicle from Commissioner Grant's home on one occasion.



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**See March-April 2023 Sunpass Statement, attached as Exhibit "G."** Mr. Hobbs had no knowledge of this out of state trip and stated that he never approved use of the Explorer for this purpose.

On or about March 26-30, 2023, Commissioner Grant again used the Explorer to attend an event called "Children's Week" in Tallahassee.<sup>3</sup> On her way back from Tallahassee, Commissioner Grant called City Clerk Andrea Anderson to ask her about the City's Travel policy. Ms. Anderson informed her that if she was driving a personal car, she would be reimbursed mileage and tolls and for the hotel. Upon her return, Commissioner Grant submitted reimbursement for mileage in the amount of \$567.50. **See Reimbursement Requests at Exhibit "H."** Again she submitted a reimbursement from the City for a City vehicle and not her personal vehicle. She also sought reimbursement for a hotel stay for \$804.92. **See Reimbursement, attached at Exhibit "I."** City Clerk, Andrea Anderson, however, noticed that vendor, Jacqueline Vernon-Thompson had submitted the same hotel invoice to the City for reimbursement. She then noticed that hotel invoice in question had been altered after comparing the two hotel invoices. City Clerk Andrea Anderson was advised not to reimburse Commissioner Grant for the hotel stay. During this stage, Ms. Anderson was made aware that Commissioner Grant had used a City vehicle for her trip and not her personal car. She was advised by FDLE not to process the request.<sup>4</sup> According to Ms. Anderson, Commissioner Grant followed up with her on the reimbursement for mileage on several occasions after she submitted her request. Commissioner Grant also followed up with several other persons who work for the City seeking that particular reimbursement for mileage.

Commissioner Grant later stated that she was submitting the hotel invoice for the Youth Empowerment Village, the entity who actually paid for the hotel. However, the instructions for the check request indicated that it was to be deposited in Commissioner Grant's direct deposit account. Furthermore, on October 24, 2023, following the notification of the FDLE's criminal investigation, Commissioner Grant attempted to "reimburse" the City for \$1,125.00<sup>5</sup> for mileage for her Tennessee trip and \$567.50 for her March 26-30, 2023 trip to Tallahassee. The City never

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<sup>3</sup> The details of this Tallahassee trip, including police activity in Tallahassee involving the car is discussed in the FDLE Investigative Report and will not be address in this report.

<sup>4</sup> This was not the first occasion that Ms. Anderson had to question a reimbursement for Commissioner Grant. Commissioner Grant previously took a copy of the City's Credit card and booked an unauthorized trip to Jamaica and Ms. Anderson had to request reimbursement to the City. Mr. Hobbs had to deduct the reimbursement from Commissioner Grant's paycheck. I was unable to seek any clarification from Commissioner Grant on this issue, as she did not sit for an interview.

<sup>5</sup> This was an arbitrary number calculated by Commissioner Grant without providing any proof of mileage.





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cashed those checks as Commissioner Grant was under criminal investigation at that time. **See Checks at Exhibit "J."**

**D. The Explorer was a City Vehicle**

Notably, during the FDLE investigation, Commissioner Grant claimed that she was unaware that the Explorer she was using was a City vehicle and she claimed that it was a personal vehicle of a "friend." Mr. Hobbs vehemently denies that he is "friends" with Commissioner Grant and stated that it was impossible for Commissioner Grant to believe that the Explorer was his "personal" vehicle. Mr. Hobbs stated that Commissioner Grant asked for a City vehicle and used the vehicle multiple times prior to these two March 2023 trips. Furthermore, Mr. Hobbs stated that City personnel cleaned the vehicle and that the City put gas in the car for her use. Manny Cerezas also stated that the key that Commissioner Grant used was tagged for the Fleet Department with a number on the key chain.

Mr. Hobbs also confirmed that he discovered that Commissioner Grant kept the key to the Explorer. According to Mr. Hobbs, he was at a conference in Orlando and Commissioner Grant called and texted him that he "was going to be upset with her." When he called her, Commissioner Grant stated that she had taken the vehicle from its parking spot at City Hall. At that time, Mr. Hobbs stated that he informed her that the car had been transferred to Randy Youse, Chief Building Official. Mr. Hobbs stated that she texted him later on stating that she returned the vehicle to City Hall. Commissioner Grant also contacted Police Chief Constance Stanley to inform her that she (Commissioner Grant) had the Explorer. Chief Stanley informed Commissioner Grant that she did not have any reports of the car being stolen.<sup>6</sup> According to Chief Stanley, Commissioner Grant informed her that she had a key to the Explorer and that she did not know that the car was reassigned. Chief Stanley further stated that Commissioner Grant stated to her that Mr. Hobbs should have told her that the car had been transferred to Randy Youse.

During his interview, Mr. Youse stated that one day he arrived in his office and that the extra key to the car – the one tagged for the Fleet department – was sitting on his desk. Neither Mr. Youse nor anyone in his department could attest to who placed the key on his desk.

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<sup>6</sup> Again, Commissioner Grant could not reasonably believe the Explorer was Mr. Hobbs personal vehicle given her reporting of her use to the City's Police Chief, after she was told the vehicle had been transferred to Randy Youse.



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Unfortunately, the City's camera system does not retain videos for 2023 unless specifically requested. Therefore, I was unable to determine who placed the key on Mr. Youse's desk.

### **CONCLUSION**

Based on my investigation, I find that Commissioner Grant violated the City's 2019 Travel Policy, 2023 Travel Policy and Florida Statute §112.313. Specifically, Commissioner Grant used the City's vehicle for personal use when she took the car out of state to Tennessee for her son's soccer tournament, which clearly was not City business and which was not approved by the City. Furthermore, Commissioner Grant improperly submitted reimbursements for mileage after using a City vehicle for her travels and not her personal car. Seemingly knowing this was improper, but only after receiving notice that the FDLE was investigating her use of the City vehicle, Commissioner Grant attempted to "reimburse" the City for using the City's vehicle for her personal benefit. Commissioner Grant's explanation that she believed the car was a personal vehicle of Kennie Hobbs is illogical and easily disproved by her own actions. Commissioner Grant had a key that was tagged by the City, she always picked up the car from the City's parking lot and she contacted the Police Chief when she feared that someone would report the City's vehicle stolen. Furthermore, while she may dispute whether or not she knew the Explorer was a City vehicle, she knew it was not her *personal* vehicle when she submitted for reimbursement from the City and *after* confirming the reimbursement policy with the City Clerk. Even if Commissioner Grant thought it was Mr. Hobb's personal vehicle, she never attempted to reimburse Mr. Hobbs for the mileage on his vehicle and instead obtained a monetary and personal benefit, from the City.

As it relates to Kennie Hobbs, Manny Cerezas and Andrea Anderson, I do not believe that they violated any City policies. Both Mr. Hobbs and Mr. Cerezas believed that Commissioners were considered employees of the City. Furthermore, both reasonably believed that they had to honor the request of a City Official. Additionally, Ms. Anderson reasonably believed that Commissioner Grant was submitting for mileage reimbursements for use of her personal vehicle in 2022.

As of February 2024, the City amended the Travel Policy and instituted a Code of Ethics/Code of Conduct for Public Officials; therefore, it is my belief that those policies will remedy some of the inconsistencies and uncertainty in that area for employees as well as City Officials.



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Notably, the Code of Conduct, Section 2-166(f), also sets forth the remedies or penalties the Commission can impose, and includes one or more of the following subject to a majority vote of all Commissioners who are not the subject of the violation: (1) oral reprimand (delivered in a private meeting); (2) written reprimand (delivered in a private meeting); (3) public reprimand (via publication); (4) referral to the Governor for action; (6) referral to the Florida Commission on Ethics; Office of Inspector General, or any other agency deemed appropriate; (7) any other lawful penalty deemed to be reasonable and appropriate by the City Commission.

While it is the Commission's responsibility to take any of the action described above, it is also my recommendation that Commissioner Grant be required to reimburse the City for her use of a City vehicle for her 2022 trip in the amount of \$507.36 and her personal trip to Tennessee in 2023. Specifically, the City should either proceed to deposit the checks she submitted at Exhibit "J" or because it is a year old, deduct the money from Commissioner Grant's paychecks. Furthermore, Commissioner Grant should be required to reimburse Mr. Hobbs for use of his personal Sunpass.<sup>7</sup> City employees should not be financially burdened on an elected official's behalf and are placed in a difficult position to address the issue.

Sincerely,  
*Ria Chattergoon*  
Ria N. Chattergoon

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<sup>7</sup> The Sunpass was used on more occasions than evidenced at Exhibits E and G and therefore a complete total should be obtained from Mr. Hobbs. At a minimum, Mr. Hobbs should be reimbursed \$86.47, which represents the total of Exhibits E and G.