



**OFFICE OF INSPECTOR GENERAL
PALM BEACH COUNTY**

**MANAGEMENT REVIEW
CASE NUMBER: 2012-0014**

Sheryl G. Steckler
Inspector General

"Enhancing Public Trust in Government"

EXECUTIVE SUMMARY

On December 9, 2011, a City of Boynton Beach (City) Utilities Department employee, David Austin, was arrested and charged with Knowingly Giving False Verification of Ownership (§ 539.001, F.S.), Grand Theft (§ 812.014, F.S.), and Dealing in Stolen Property (§ 812.019, F.S.) following a criminal investigation by the Boynton Beach Police Department involving the theft of City-owned equipment and/or property. Mr. Austin was alleged to have taken several items from the City's Utility facility and pawned the items for money.

Based on that information, the OIG initiated a Management Review [REDACTED]. During the course of the OIG's Management Review, a second City Utilities Department employee, Ronald Taylor, was arrested and charged with Petty Theft (§ 812.014, F.S.) following a criminal investigation by the Boynton Beach Police Department involving the theft of City-owned scrap metal. Mr. Taylor was alleged to have sold brass and copper fittings for money after removing the items from a City job site although he was required to bring the items back to the City facility.

The OIG review found that [REDACTED]

RECOMMENDED CORRECTIVE ACTIONS

Based on the finding that [REDACTED] the OIG recommends the following corrective actions:

1. [REDACTED]

2. The City take appropriate personnel actions.

Mr. Austin and Mr. Taylor are no longer employed by the City. Mr. Austin's employment was terminated while Mr. Taylor resigned. No additional action is necessary.

3. The City ensure that all City-owned equipment and/or property in all facilities is appropriately accounted for and/or inventoried.

[REDACTED] the OIG recommends the following corrective action:

4. The City implement a policy outlining procedures for staff related to the removal and/or disposal of scrap metal from City property, specifically addressing the removal and/or disposal of both large and small scrap metal items.

During the course of the review, the City implemented a new policy regarding the metal recycling program to provide further guidance on the disposition of waste metal. No additional action is necessary.

5. The City consider implementing a procedure requiring employees assigned to remove City-owned property, which includes scrap metal, provide attestation to the removal and/or disposal of all items.

[REDACTED] No additional action is necessary.

BACKGROUND

On December 9, 2011, a City Utilities Department employee, David Austin, was arrested and charged with Knowingly Giving False Verification of Ownership (§ 539.001, F.S.), Grand Theft (§ 812.014, F.S.), and Dealing in Stolen Property (§ 812.019, F.S.) following a criminal investigation by the Boynton Beach Police Department involving the theft(s) of City-owned equipment. Mr. Austin was alleged to have taken several items from the City's Utility facility and pawned the items for money.

Based on that information, the OIG initiated a Management Review [REDACTED] [REDACTED] During the course of the OIG's Management Review, a second City Utilities Department employee, Ronald Taylor, was arrested and charged with Petty Theft (§ 812.014, F.S.) following a criminal investigation by the Boynton Beach Police Department involving the theft(s) of City-owned scrap metal. Mr. Taylor was alleged to have sold brass and copper fittings for money after removing the items from a City job site although he was required to bring the items back to the City facility.

ISSUES REVIEWED AND FINDINGS

Issue (1):

[REDACTED]

Governing Directives:

§ 539.001(8)(b), F.S.; § 812.014(2)(c)(1), F.S.; and § 812.019(1), F.S.

Finding:

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Testimony of City Utilities Deputy Director Michael Low

Mr. Low stated that as a result of Mr. Austin's arrest, [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

¹ Reference to RFQ 072-2821-11/THW. Per information received from the City dated April 2, 2012, the expenditure was approved by the City Commission on March 17, 2012. [REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

Issue (2):

[REDACTED]

Governing Directives:

§ 538.23(3), F.S.; § 812.014(2)(e), F.S.; and § 812.019(1), F.S.

Finding:

[REDACTED]

According to the OIG's review of Mr. Taylor's statement (February 15, 2012) to the Boynton Beach Police Department, the following pertinent information was disclosed:

[REDACTED]

[REDACTED]

Testimony of City Utilities Deputy Director Michael Low

Mr. Low stated that while the City has [REDACTED]

[REDACTED]

ARTICLE XII, SECTION 2-427

Pursuant to Article XII, Section 2-427 of the Palm Beach County Code, the City of Boynton Beach was provided the opportunity to submit a written explanation or rebuttal to the findings as stated in this Management Review within ten (10) calendar days. Based on Interim City Manager Lori LaVerrier's written response (attached) the following items were updated in the OIG Management Review:

- Page 3: Footnote #1 was updated to reflect the most recent RFP approval.
- Page 4: [REDACTED]
- Page 5: Information was updated pertaining to the initial reference to "no supervision" to "limited supervision."

This Management Review has been conducted in accordance with the ASSOCIATION OF INSPECTORS GENERAL Principles & Quality Standards for Investigations.

² According to Ms. LaVerrier, there are up to five different teams from water distribution working in the field at any time [REDACTED]

The City of Boynton Beach



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April 2, 2012

Donald Balberchak
Director of Investigations
Office of Inspector General
Investigations Section
P.O. Box 16568
West Palm Beach, FL 33416

Dear Mr. Balberchak,

Thank you for the draft of your report on the recent thefts at our Utility. We have reviewed the report and have a few minor corrections to some of the specific facts.

Issue 1

[Redacted text block]

[Redacted text block]

Issue 2

[Redacted text block]

[REDACTED]

B) There are up to 5 different teams from water distribution working in the field at any one time.

[REDACTED]

Please contact me if you need further clarification of any of these points,

Sincerely,



Lori LaVerriere
Interim City Manager