



city of
PALM COAST

Internal Control “ICE” Team

Internal Control - Ethics Point Case # 4

January 11th 2019

Classification: Unauthorized Discounts

Complaint Summary Based upon information that came to light at a recent ICE Team meeting, an audit was conducted of Genetec Security Footage. The footage was from 12/17/18 to 12/27/2018 of the Building Department, Permitting area. The audit revealed that on 12/20/2018, at approximately 10:38 am, Teresa Williams, a Planning Technician, accepted 8 gift boxes of Crown Royal Whiskey, 1 Bottle of Jack Daniels Whiskey and 8 boxes of chocolate. The items were all handed over the counter, in plain view, with the contractor dictating which gifts were for specific employees. Ms. Williams hid several of the items in the cabinets behind her desk. Several of the items were also hidden below her desk. The entire transaction took approximately 10 minutes to complete. During this time, another business owner was seated three seats away, with Marga Defreitas. This customer did not face Marga during their interaction but was in fact, turned in his seat watching the entire alcohol transaction unfold. The optics of these transactions, coupled with the interaction with the plans examiner, cannot be understated.

At the conclusion of the transactions, the contractor that had given the alcohol to Ms. Williams, requested to speak with Plans Examiner Daniel Rewis. As Daniel Rewis approaches the desk, it appears that Ms. Williams's motions to a Crown Royal Box Set and box of chocolates she had secreted on the floor under her desk. After showing Daniel Rewis the items, Ms. Williams then pushed the items further out of sight, under her desk with her foot. Daniel Rewis is observed on the video taking a survey from the contractor, he then appears to bring a permit record up on the desks computer screen and turns the monitor so that the contractor can see something on the screen. He then hands the survey back to the contractor. An audit of CD plus was conducted of this transaction to determine what had transpired. The audit showed that Daniel Rewis had previously placed a hold on a permit belonging to the contractor. The hold is for a final survey. Daniel Rewis did not lift the hold at this point in time. The hold that Daniel Rewis placed on the permit still exists. Soon after the contractor left, Daniel Rewis can be seen bending over and reaching under Ms. Williams's desk, hiding the Crown Royal and chocolates under his sweater. He then removed the items hidden in the sweater from the building via the front door. A short time later, Ms. Williams is also seen reaching under the desk on the right side hiding something

under her sweater and leaving the buildings department. Later in the video, Ms. Williams retrieves empty coffee boxes and brings them to her desk. She shows them to Libby Musgrove and then walks away with them. During subsequent interviews, this observation becomes significant in that witnesses state that those same boxes were used to hide the Crown Royal gift boxes and the Jack Daniels Whiskey so that they could be removed from the building.

Investigation

Interview of Planning Technician Teresa Williams

On 12/27/2018 at 1440 hrs. Ms. Teresa Williams was interviewed by Debbie Streichsbier and Jay Maher. The interview began by reading Ms. Williams her Garrity Warnings. The rights were read three times due to the fact that Ms. Williams stated that she did not fully understand them the first two times they were read. During the course of the third reading, Ms. Williams was asked after each of the 6 rights whether she understood them. Ms. Williams acknowledged that she did understand her rights and then requested Damaris Ramirez be asked to be present as a witness. Debbie Streichsbier brought Ms. Ramirez to the Belle Terre Conference room.

The interview began by playing Genetec Security video footage of City Hall-Building Tech 2 for the period of Thursday, 12/20/2018 from 10:38 am to 11:13 am. Ms. Williams was then asked a predetermined set of questions developed by the ICE team for this specific Investigation. In sum and substance, Ms. Williams states that she knows the person depicted in the video as being from Blue Crown Construction. She states that she knows him from coming into the City. She believes his name is Sergey. She states that she does not have a personal relationship with him although she occasionally sees him out in public at locations such as Home Depot, Lowes and restaurants. She states that she has helped him in the past on the phone and in person. Ms. Williams states that she believed the purpose of the gifts given to her was to give everyone Christmas gifts. Ms. Williams states that the reason he was at her desk that day had something to do with a hold placed by Daniel Rewis on a permit for a final survey. Ms. Williams acknowledged that she had been told in the past not to accept gifts from the public. She acknowledged that it was actually her supervisor, Tracey Doak that told her not to accept gifts. Theresa states that the contractor had told her exactly who each of the 8 bottles of Crown Royal Whiskey, Jack Daniels and boxes of candy were for. He instructed that the 8 bottles of Crown Royal were for; Scott Thomas, Marga Defreitas, Libby Musgrove, Alisha Mobley, Daniel Rewis, Jackie Gonzalez, Jeanne Montaruli and herself. Ms. Williams states that the contractor told her the Jack Daniels was for Lee. Ms. Williams states she placed all of the items in the cabinet directly behind the Building-Tech 3 position. Ms. Williams stated no one refused the gifts but Scott and Jeanne were off. Ms. Williams states she does not know who told everyone else about the gifts but someone went in the back and told everyone who the gifts were from. Ms. Williams was asked if she knew it was wrong that she accepted the gifts. She responded that "in a sense" she did. It was pointed out to her that the video showed her and Daniel Rewis had hidden the gifts under the desk and hid them under their coats to remove them from City Hall. Ms. Williams stated "in a sense I knew it was wrong, since you put it that way". Ms. Williams was shown the segment of the video showing her hiding something under her sweater that had been lying under her desk. She was then asked

what that item was. Ms. Williams responded that it was a box of chocolate. She was asked if it was just chocolate to which she responded that she only took a box of chocolate. Ms. Williams was then asked if she had only taken a box of chocolate to which she responded yes. Ms. Williams states she believes the bottles of Crown Royal for Scott and Jeanne may still be in the cabinet behind the counter.

During the course of the conversation an electronic beeping was heard several times coming from Ms. Williams. Ms. Williams stated the beeping sound was from her security cameras at home. Jay Maher advised Ms. Williams of Florida Statutes regarding surreptitiously recording people without their knowledge or permission. Ms. Williams acknowledged that she understood. Ms. Williams was told she did not have our consent to record our conversation. The beeping sound emanating from Ms. Williams subsided soon after.

Subsequent to the interview of Teresa Williams, Debbie Streichsbier went to the cabinets behind Building Department Tech Position # 3 and recovered two boxed sets of Crown Royal Whiskey and one box of chocolate.

**** On 1/9/2019 at approximately 0830hrs Ms. Teresa Williams appeared at the Compliance Managers office with a bag containing a Crown Royal gift box. She advised at this time that she heard everyone was returning theirs and wasn't previously given an opportunity to do so. ****

Interview of Zoning Supervisor Tracey Doak

On 12/27/2018 at approximately 1610hrs. Debbie Streichsbier and Jay Maher interviewed Zoning Supervisor, Tracey Doak. Ms. Doak is Teresa Williams's direct supervisor. Ms. Doak stated that during the Christmas season of 2017 several improprieties regarding gifts being given to Community Development clerks came to light. Ms. Doak advises that shortly after the first of the year (2018) she told all present during a zoning meeting that accepting personal gifts from contractors and residents was strictly prohibited. Ms. Doak states that Ms. Teresa Williams was present at this meeting.

Interview of Sergey Nevod- Blue Crown Construction

On 12/27/2018 at 1545 hrs. Sergey Nevod of Blue Crown construction was present at City Hall. Mr. Nevod apologized for giving the alcohol to the employees. He stated he believed there was nothing wrong with doing so. He stated that the reason he gave the gifts is that he does a lot of construction work and the workers in the Building Department help him. He mentioned calling in for inspections and that he never has any problems. He added that he gives boxes of Crown Royal to Utilities workers as well. He specifically mentioned Lucy in the front area of City Hall. When he was asked why there was one bottle of Jack Daniels, he replied that it was for Rickie Lee, the Building Official. He promised not to give gifts in the future. He then took the two

Crown Royal gift boxes and chocolate and left. His departure from the building is documented by the Genetec security footage, saved to this case.

**** On 1/8/2019 Mr Nevod was present at Human Resources and retrieved three gift boxes of Crown Royal****

**** On 1/9/2019 Mr. Nevod was present at Human Resources and Retrieved two gift boxes of Crown Royal and one bottle of Jack Daniels****

Based upon information provided by Sergey Nevod, a review of Genetec security video from the front hallway of City Hall was conducted for 12/20/2018 @ 10:48 am. The video shows Sergey Nevod leaving the Building Department with a Crown Royal gift box in his left hand. He approached the front counter (Customer Service #1) motions into the back and hands the Crown Royal gift box to Brittany Vitale, who was stationed there. As the video continues on, Ms. Vitale takes the box into the back of the customer service area, as Mr. Nevod leaves the building. Video has been recorded and saved to case.

Interview of Permit Technician Lydia Musgrove

On 12/28/2018 at 1630 hrs. Ms. Musgrove was interviewed by Debbie Streichsbier and Jay Maher. The interview began by reading Ms. Musgrove her Garrity Warnings. Ms. Musgrove stated that she understood her rights. She states that there is currently no one present in City Hall that she would like to request and serve as a witness. She then agreed to speak with Investigators. Ms. Musgrove related that she came in late on Thursday 12/20. She states that the items were already present upon her arrival. She states that the items were on top of the cabinet behind the permitting techs. Ms. Musgrove states that she knew the gifts were for specific employees but does not know who specifically was named as recipients. Ms. Musgrove states that she did not give the gifts to anyone. She also stated that she did not give the Jack Daniels to anyone. When asked if she had offered the Jack Daniels to anyone, she responded that she showed it to Rickie Lee. She states she put it in a coffee box and tried to give it to Rickie Lee but he said he did not want it. Ms. Musgrove related that Rickie Lee said he would not accept it and to get rid of it or give it back. Ms. Musgrove states she kept the Jack Daniels in the box until the end of the day and took it out of the building. She advised that she then drove around the corner and threw it away. Ms. Musgrove states that she kept a box of Crown Royal. Ms. Musgrove states she has received cookies in the past from contractors. Ms. Musgrove was asked why the alcohol was hidden inside boxes to remove them from the building to which she responded that it was an adult decision not to just walk out with alcohol.

**** On 1/9/22018 at 8:05 hrs. Ms. Lydia Musgrove returned a Crown Royal gift box set and bottle of Jack Daniels in a Joffrey's Coffee box. It should be noted that Ms. Musgrove had told investigators during her interview that she had thrown the bottle of Jack Daniels away around the corner on 12/20/2018****

Unscheduled Interview of Planning Technician Alisha Mobley

12/28/2018 @ 2:25 pm Alisha Mobley, was present at Jay Maher's office with an unopened Crown Royal gift box. Ms. Mobley states she received the box wrapped in a coat last week from Libby Musgrove, who told her to take it to her car. Once she was at her car, she realized what it was. She asked her supervisor, Tracey Doak, what to do with the item. Ms. Doak advised her to turn it in to the ICE team.

Conversation with Building Official Rickie Lee

On 1/3/2019 at 0900 hrs. While reviewing the Genetec Video pertaining to this case with Building Official Rickie Lee, as well as others, Mr. Lee recalled that Lydia (Libby) Musgrove had come to him on the day in question. She had a coffee box containing a bottle of Jack Daniels. She attempted to give it to him but he refused the item and told her to give it back to Serge, the contractor whom she had identified as the person that gave it to her. Mr. Lee was advised that Ms. Musgrove had stated that the bottle of Jack Daniels had been thrown away. Mr. Lee is adamant that he ordered Ms. Musgrove to return it to the contractor. He then asked if Ms. Musgrove had kept a bottle of Crown Royal. Mr. Lee stated that it made no sense that he had ordered Libby to return the bottle of Jack Daniels to the contractor but she then kept the bottle of Crown Royal that was given to her.

Interview of Planning Technician Jackie Gonzalez

On 1/7/2019 at 10:00am Debbie Streichsbier and I interviewed Jackie Gonzalez in the Belle Terre Conference room regarding the incident on 12/20/2018. The interview was begun by reading Ms. Gonzalez the Garrity Warnings. Ms. Gonzalez stated she understood them and agreed to speak with Investigators. Ms. Gonzalez states she became aware of the alcohol and chocolate gifts when Libby Musgrove came and told her a contractor had left gifts for her up front. Ms. Gonzalez states that Libby came to her three or four times before she finally went up front to see what it was. Ms. Gonzalez states she initially walked away when she saw what the gifts were but she took them upon returning the second time. Ms. Gonzalez states she should have stuck with her better judgement and not taken it. Ms. Gonzalez states that the chocolates were opened and left out for everyone to share but she took the Crown Royal to her car where it remained unopened until this morning, when she brought it in her house. Ms. Gonzalez states she wishes to return the Crown Royal. She was advised to bring it to HR so that it can be returned to the contractor. Ms. Gonzalez states she is unaware of Libby Musgrove giving the alcohol to other employees. She reiterated that Libby came to her three or four times to go get the alcohol out front. Ms. Gonzalez states that she is aware of policy regarding receiving gifts from the public but she was never instructed directly not to accept gifts. Ms. Gonzalez states that she may have been off during the time the discussion was held.

**** On 1/7/2019 @ 12:00 pm Ms. Gonzalez returned the Crown Royal Gift Box set to Human Resources****

Interview of Senior Permit Technician Marga DeFreitas

On 1/7/2019 at 10:15 am, Debbie Streichsbier and Jay Maher interviewed Marga Defreitas in the Belle Terre Conference Room regarding the incident on 12/20/2018. Ms. Defreitas was read her Statement of Rights and agreed to speak with us. Ms. Defreitas states that although she may have been present at her desk at the time that Sergey handed the gifts to Teresa, she was involved with another customer and was unaware of what was going on. She did notice the commotion but was not aware of what was transpiring. Ms. Defreitas states that she asked Sergey for the boxes he had, as she needed them for moving. Ms. Defreitas believes it was a business owner that she was helping at the time. He was obtaining a CO for a new business possibly located on Pine Cone Drive. Ms. Defreitas states she only became aware of the Crown Royal and chocolate left for her when Libby called and told her Sergey had left it for her. Ms. Defreitas states she knows that Libby attempted to give Rickie Lee a bottle that Sergey had left for him but he refused it. She states she does not know what happened to that bottle. Ms. Defreitas states she has never been told that she could not receive gifts. It is her understanding that, as long as the gifts, (things such as cookies or sandwiches) are shared, that it is ok. Ms. Defreitas states that the bottle of Crown Royal is at her home unopened and she will return it to HR so that it can be returned to the contractor.

An audit of CD Plus permitting records reveals that Marga Defreitas issued an Occupancy Permit (2018120582) for a company named Progressive Hearing LLC during the course of the alcohol transactions.

**** On 1/8/2019 @ 08:30 am Ms. Defreitas returned the Crown Royal gift box set to Human Resources ****

Interview of Permitting Supervisor Barbie Bembry

On 1/7/2019, Debbie Streichsbier & Jay Maher interviewed Permitting Supervisor Barbie Bembry in the Belle Terre Conference room. The interview was begun by reviewing the video from 12/20/2018. When asked what she knew about the gifts given to her staff on 12/20 she responded that she did not want to know about the gifts that were given to her staff by the contractor. Ms. Bembry went on to question why the case was being investigated by the ICE team instead of the Department Director. It was pointed out to Ms. Bembry that accepting gifts from a contractor could be construed as a form of corruption. Ms. Bembry did not agree with this observation and attempted to minimize the acts by stating that the Permitting Techs are limited in what they can do for contractors. Ms. Bembry was asked several times if she had specifically instructed her staff not to accept gifts to which she responded “they all know it is wrong to accept gifts”. She explained that they had a lot of training on the subject prior to Rickie Lee being hired. She added that “Teresa” should be given slack as she is new. Ms. Bembry was asked specifically about the Jack Daniels that was given by the contractor. Ms. Bembry states that Rickie Lee came to her immediately following Libby offering the Jack Daniels to him. Ms. Bembry stated that Rickie Lee appeared very upset and told her that he had instructed Libby to

give it back to the contractor. Ms. Bembry was asked if she had addressed the issue with Libby at that point to which she responded that she did not want to know anything about it.

Ms. Bembry stated that she did not believe this behavior warranted termination as all the employees were equally wrong. Ms. Bembry was not bothered by the extent that the staff had gone to hide the items that had been given to them by the contractor. She stated that she felt that once they took the items, they already knew they were wrong so she would expect them to attempt to conceal the items.

Ms. Bembry went on to state that she feels Teresa Williams is being picked on and has often wondered why she is still working here. It was pointed out to Ms. Bembry that the offense committed by Ms. Williams is clearly visible in the video. No one told her to take the items, in fact, she was specifically directed not to take items in these type of situations. Ms. Bembry went on to speak poorly the Planning Departments management style.

Interview of Utilities Customer Service Rep Lucy Nabico

On 1/9/2019 @ 0825 hrs. Debbie Streichsbier and Jay Maher interviewed Utilities Customer Service Rep Lucy Nabico in the Belle Terre conference room. Ms. Nabico was read her Garrity Warnings and agreed to cooperate with the investigation.

Ms. Nabico states that on 12/20/2018 upon returning from lunch she discovered a Crown Royal gift box set on her desk. Ms. Nabico states she does not know who placed it there. Ms. Nabico states that earlier in the day she observed the man from Blue Crown Construction entering the building with two boxes of Crown Royal. She states she joked with him about the name being similar to his company name and then jokingly stated "Where's mine?" Ms. Nabico states she observed the man distributing the Crown Royal gifts in the Buildings Department to other employees.

Ms. Nabico states her understanding of the policy regarding gifts is that if it is shared with everyone then it is ok but gifts given to individuals are unacceptable. Ms. Nabico used a cookie tray brought in by a builder as an example. She stated if it is shared by everyone in the department then it is acceptable. It was pointed out to Ms. Nabico that the gifts of Crown Royal were given only to specific people and that in fact she was the only one in her area that received the gift. Ms. Nabico states she has never had formal training regarding the acceptance of gifts. She recalled last being instructed about acceptance of gifts about five years ago when she first came here.

**** On 1/14/2018 @ 08:15am Ms Nabico returned a Crown Royal gift set to Human Resources****

Interview of Utility Customer service Rep. Brittany Vitale

On 1/10/2018 @ 0930hrs. Debbie Streichsbier and Jay Maher interviewed Customer Service Rep Brittany Vitale by phone. Ms. Vitale had previously been sent a copy the Garrity Warnings by Debbie Streichsbier via email. Ms. Vitale returned a signed copy of the rights. The phone interview began with Jay Maher discussing the Garrity Warnings with Ms. Vitale. Jay Maher

asked Ms. Vitale if she wished to have a witness present to which she replied that she did not. Jay Maher asked her about a gift Box of Crown Royal Whiskey that had been delivered to the front counter on 12/20/2018. Ms. Vitale states that a contractor placed a gift box of Crown Royal on the front counter with instructions to give it to Lucy Nabico. Ms. Vitale states she gave the gift box to Lucy Nabico. Lucy asked Ms. Vitale if the contractor was still present out front to which Ms. Vitale responded no. Ms. Vitale was asked if she had placed the item on Lucy Nabico's desk to which she responded no. She stated that she gave it to Lucy. Ms. Vitale states she has not been given training by her supervisor or manager regarding acceptance of gifts. She states that during the holiday season, gifts such as fruit baskets and cookie trays are dropped off at the front counter all the time. Jay Maher asked Ms. Vitale what her understanding of the gift policy was to which she stated that she did not know. She assumed it was ok because it happens all the time.

Interview of Customer Service Supervisor Kim Small

On 1/10/2018 at approximately 1000 hrs. Debbie Streichsbier and Jay Maher interviewed Kim Small regarding instruction and training related to acceptance of gifts by employees. Ms. Small does not recall any formal training being provided regarding acceptance of gifts by employees. She stated that receiving alcohol would seem to be more about common sense in not accepting it.

Interview of Planning Tech. Alisha Mobley

On 1/14/2019 @ 11:30am Debbie Streichsbier & Jay Maher Interviewed Alisha Mobley. Ms. Mobley was read her Garrity Warnings and agreed to speak with the investigators. Ms. Mobley states that on 12/20/2018 Libby Musgrove came to her and told her she had a gift from a contractor. She told her to get her keys, she was going to wrap it up so she could take it to her car. Ms. Mobley states Ms. Musgrove gave her a box wrapped in a sweater and she brought it to her car. She did not see what it was until she put it in her car. Ms. Mobley states that she told her supervisor what had happened the next time she saw her. Because of scheduled days off and the holiday closures, Ms. Mobley did not see her Supervisor again until 12/27/2018. Ms. Mobley states her supervisor told her she may want to give it back, and that she is not supposed to accept gifts. Ms. Mobley states that once she spoke with her supervisor she brought it in. Ms. Mobley states that her supervisor Tracey had told her not to accept gifts at Christmas time in 2017.

Conclusion:

On 12/20/2018 at approximately 1038 hrs. Teresa Williams accepted alcoholic gifts from a contractor. Ms. Williams was instructed by the contractor to distribute these items to specific employees within Community Development. The transactions were immediately followed by the contractor producing a final survey and discussing a hold on one of his building permits with a Plans examiner. The transaction and subsequent discussion between the contractor and the Plans Examiner took place in public view while a customer sat nearby observing. During the ensuing hours the items were hidden then distributed to the employees as directed by the contractor.

Teresa Williams- Ms. Williams accepted gifts from a contractor with whom only a working relationship existed. She was the conduit through which unauthorized gifts were accepted into the city. Ms. Williams hid the unauthorized items to escape detection using coffee boxes and garments. During her interview, Ms. Williams acknowledged that she knew her actions were wrong and that she had in fact, recently been instructed by her Supervisor not to accept gifts from customers. Ms. Williams stated during her interview that she had only taken a box of chocolates and had not taken Crown Royal. On 1/9/2019 Ms Williams returned a bottle of Crown Royal Gift box that she had taken

It is concluded that Ms. Williams violated the following personnel policies:

3.05 A. – Employees who may be in a position to influence actions and decisions regarding the administration of the City shall refrain from relationships that may adversely affect the exercise of his/her independent judgment in dealing with suppliers, bidders, vendors and contractors, or any other person doing business with the City.

3.05 F. - The acceptance of anything of value, including but not limited to: loans, advances, gifts, gratuities, rewards, favors, entertainment or promise of future employment from any party doing business with the City, including but not limited to vendors, suppliers, and bidders may be considered improper.

3.16 A. 2 – Acceptance of Gifts - Employees should not accept anything of value including gifts that is intended to influence the judgment of the employee in carrying out his or her employment responsibilities

11.07.3 - Receiving from any person, or participating in any fee, gift or other valuable thing in the course of work, when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor of better treatment than that accorded other persons.

11.07.7 - Insubordination by refusing to perform work assigned, or to comply with written or verbal instructions of a supervisor

11.07.12 - Knowingly Making False Statements during an official Investigation – Group III

11.07.22 - Threatening, intimidating, coercing, or interfering with employees/supervisor at any time during an inquiry or investigation

Lydia Musgrove - Ms. Musgrove accepted gifts from a contractor. She assisted in hiding the items and distributing them to other employees. She disregarded specific instructions given to her by the Building Official regarding the gifts and made untrue statements regarding distribution and disposal of items during an official investigation. These untrue statements were made after being informed of her Garrity Warnings and agreeing to speak to investigators.

It is concluded that Ms. Musgrove violated the following personnel policies:

3.05 A. – Employees who may be in a position to influence actions and decisions regarding the administration of the City shall refrain from relationships that may adversely affect the exercise of his/her independent judgment in dealing with suppliers, bidders, vendors and contractors, or any other person doing business with the City.

3.05 F. - The acceptance of anything of value, including but not limited to: loans, advances, gifts, gratuities, rewards, favors, entertainment or promise of future employment from any party doing business with the City, including but not limited to vendors, suppliers, and bidders may be considered improper.

3.16 A.2 - Acceptance of gifts- Employees should not accept anything of value including gifts that is intended to influence the judgment of the employee in carrying out his or her employment responsibilities.

11.07.3 - Receiving from any person, or participating in any fee, gift or other valuable thing in the course of work, when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor of better treatment than that accorded other persons.

11.07.7 - Insubordination by refusing to perform work assigned, or to comply with written or verbal instructions of a supervisor

11.07.12 - Knowingly Making False Statements during an official Investigation – Group III

11.07.22 - Threatening, intimidating, coercing, or interfering with employees/supervisor at any time during an inquiry or investigation

Daniel Rewis – Mr. Rewis accepted gifts from a contractor he was assisting with a permit hold. Mr. Rewis hid the items inside of a sweater in order to remove the items from the building and escape detection.

It is concluded that Mr. Rewis violated the following personnel policy:

3.05 A. – Employees who may be in a position to influence actions and decisions regarding the administration of the City shall refrain from relationships that may adversely affect the exercise of his/her independent judgment in dealing with suppliers, bidders, vendors and contractors, or any other person doing business with the City.

3.05 F. - The acceptance of anything of value, including but not limited to: loans, advances, gifts, gratuities, rewards, favors, entertainment or promise of future employment from any party doing business with the City, including but not limited to vendors, suppliers, and bidders may be considered improper.

3.16 A. 2- Acceptance of gifts- Employees should not accept anything of value including gifts that is intended to influence the judgment of the employee in carrying out his or her employment responsibilities.

11.07.3 - Receiving from any person, or participating in any fee, gift or other valuable thing in the course of work, when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor of better treatment than that accorded other persons.

Jackie Gonzalez- Ms. Gonzalez acknowledged accepting a gift box of Crown Royal Liquor from a contractor. Ms. Gonzalez stated she knew it was wrong and was against city policy. Ms. Gonzalez states that she does not recall being told by her supervisor not to accept gifts and may in fact have been out the day the meeting in which the discussion occurred.

It is concluded that Ms. Gonzalez violated the following personnel policy:

3.05 A. – Employees who may be in a position to influence actions and decisions regarding the administration of the City shall refrain from relationships that may adversely affect the exercise of his/her independent judgment in dealing with suppliers, bidders, vendors and contractors, or any other person doing business with the City.

3.05 F. - The acceptance of anything of value, including but not limited to: loans, advances, gifts, gratuities, rewards, favors, entertainment or promise of future employment from any party doing business with the City, including but not limited to vendors, suppliers, and bidders may be considered improper.

3.16 A.2- Acceptance of gifts- Employees should not accept anything of value including gifts that is intended to influence the judgment of the employee in carrying out his or her employment responsibilities.

11.07.3 - Receiving from any person, or participating in any fee, gift or other valuable thing in the course of work, when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor of better treatment than that accorded other persons.

Marga Defreitas – Ms. Defreitas acknowledged accepting a gift box of Crown Royal Liquor from a contractor. Although Ms. Defreitas cannot definitively identify when she was informed of city policy she stated that she is aware of personnel policies regarding acceptance of gifts.

It is concluded that Ms. Defreitas violated the following personnel policy:

3.05 A. – Employees who may be in a position to influence actions and decisions regarding the administration of the City shall refrain from relationships that may adversely affect the exercise of his/her independent judgment in dealing with suppliers, bidders, vendors and contractors, or any other person doing business with the City.

3.05 F. - The acceptance of anything of value, including but not limited to: loans, advances, gifts, gratuities, rewards, favors, entertainment or promise of future employment from any party doing business with the City, including but not limited to vendors, suppliers, and bidders may be considered improper.

3.16 A.2- Acceptance of gifts- Acceptance of gifts- Employees should not accept anything of value including gifts that is intended to influence the judgment of the employee in carrying out his or her employment responsibilities.

11.07.3 - Receiving from any person, or participating in any fee, gift or other valuable thing in the course of work, when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor of better treatment than that accorded other persons.

Lucy Nabico- Ms. Nabico acknowledged accepting a gift box of Crown Royal Liquor from a contractor that was left on her desk by another employee. Ms. Nabico cannot definitively identify when she was informed of city policy. She stated that she is aware of personnel policies regarding acceptance of gifts. Interview of Brittany Vitale regarding how the items were delivered differs from that of statements made by Lucy Nabico in that Ms. Vitale states she handed the gift box to Ms. Nabico. A review of Kronos for 12/20/2018 reveals that Ms. Nabico did not punch out for lunch that day.

It is concluded that Ms. Nabico violated the following personnel policy:

3.05 A. – Employees who may be in a position to influence actions and decisions regarding the administration of the City shall refrain from relationships that may adversely affect the exercise of his/her independent judgment in dealing with suppliers, bidders, vendors and contractors, or any other person doing business with the City.

3.05 F. - The acceptance of anything of value, including but not limited to: loans, advances, gifts, gratuities, rewards, favors, entertainment or promise of future employment from any party doing business with the City, including but not limited to vendors, suppliers, and bidders may be considered improper.

3.16 A.2- Acceptance of gifts- Acceptance of gifts- Employees should not accept anything of value including gifts that is intended to influence the judgment of the employee in carrying out his or her employment responsibilities

11.07.3 - Receiving from any person, or participating in any fee, gift or other valuable thing in the course of work, when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor of better treatment than that accorded other persons.

Alisha Mobley -Although Ms. Mobley was given the Crown Royal wrapped up in a sweater by Libby Musgrove she states Ms. Musgrove told her that it was a gift from a contractor. In addition Ms. Mobley acknowledges being instructed by her Supervisor not to accept gifts from customers. Ms. Mobley did turn the Crown Royal gift set over to Jay Maher on 12/28/18.

It is concluded that Ms. Mobley violated the following personnel policies:

3.05 A. – Employees who may be in a position to influence actions and decisions regarding the administration of the City shall refrain from relationships that may adversely affect the exercise of his/her independent judgment in dealing with suppliers, bidders, vendors and contractors, or any other person doing business with the City.

3.05 F. - The acceptance of anything of value, including but not limited to: loans, advances, gifts, gratuities, rewards, favors, entertainment or promise of future employment from any party doing business with the City, including but not limited to vendors, suppliers, and bidders may be considered improper.

3.16 A. 2 – Acceptance of Gifts - Employees should not accept anything of value including gifts that is intended to influence the judgment of the employee in carrying out his or her employment responsibilities

11.07.3 - Receiving from any person, or participating in any fee, gift or other valuable thing in the course of work, when such fee, gift or other valuable thing is given in the hope or expectation of receiving a favor of better treatment than that accorded other persons.

11.07.7 - Insubordination by refusing to perform work assigned, or to comply with written or verbal instructions of a supervisor



J. Maher
Compliance Manager
Internal Control Team

