



**BROWARD OFFICE OF THE  
INSPECTOR GENERAL**

**2022 - 2023  
ANNUAL REPORT**

## A MESSAGE FROM THE INSPECTOR GENERAL

I am pleased to present the Broward OIG's first Annual Report to be released since I succeeded John W. Scott on May 2, 2023.

Mr. Scott was Broward's first-ever Inspector General, and he served the County and Municipalities for three terms (12 years) with clear vision and strong leadership. From the beginning of his tenure, he based the office's processes and decisions upon values of public service and what would best improve Broward's local governments, taking into consideration the need to establish the office's relevance and sustainability. The office and, indeed, the County and Municipalities were fortunate to benefit from those efforts.

At the time the Inspector General Selection-Oversight Committee selected me, I emphasized my respect for the OIG's mission, standards, people, and relationships and the necessity to consider whether a case would add value to public discourse, would have broad application, and would justify the use of our limited resources. I also cited the responsibility to mitigate, as appropriate, any injury to those persons and organizations our reported findings might affect. On May 2, 2023, I recounted these values and principles with my colleagues on staff, who agreed to be evaluated in the future in part on how they uphold these values and principles.

In this way, we are working to build upon the foundation that Mr. Scott has bequeathed us with improvements that would ensure these values and principles are carried out. It is my hope that, whenever my own tenure draws to a close, my successor will consider the ensuing changes to have strengthened the OIG's foundation for that distant future.

Sincerely,



**Carol J. Breece**  
Broward Inspector General

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# TABLE OF CONTENTS

|   |    |
|---|----|
| Mission Statement .....                         | 5  |
| Authority and Responsibilities .....            | 7  |
| Budget.....                                     | 7  |
| OIG COVID-19 Response .....                     | 8  |
| The OIG Team .....                              | 8  |
| Professional Development .....                  | 9  |
| Complaints, Tips, and Information .....         | 10 |
| Programs .....                                  | 11 |
| Investigations .....                            | 12 |
| Audit and Contract/Procurement Oversight.....   | 16 |
| Ethics.....                                     | 20 |
| CFA Accreditation.....                          | 21 |
| Intergovernmental Cooperation and Outreach..... | 22 |

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## BROWARD OIG MISSION STATEMENT

THE MISSION OF THE BROWARD OFFICE OF THE INSPECTOR GENERAL (OIG) IS TO ACT AS AN INDEPENDENT WATCHDOG FOR THE RESIDENTS OF BROWARD COUNTY. WE PROMOTE INTEGRITY AND ACCOUNTABILITY BY INVESTIGATING ALLEGATIONS OF MISCONDUCT—INCLUDING FRAUD, CORRUPTION, AND ABUSE—AND GROSS MISMANAGEMENT, BY OFFICIALS AND EMPLOYEES OF THE CHARTER GOVERNMENT OF BROWARD COUNTY, ITS THIRTY-ONE MUNICIPALITIES, AND ALL ENTITIES AND PERSONS WHO PROVIDE GOODS AND SERVICES TO THE COUNTY AND THE MUNICIPALITIES. THE OIG PUBLICLY REPORTS ITS FINDINGS TO KEEP RESIDENTS INFORMED. WHENEVER APPROPRIATE, THE OIG SEEKS CRIMINAL PROSECUTION, CIVIL RECOVERIES, ADMINISTRATIVE AND MONETARY SANCTIONS, AND ETHICS SANCTIONS OF THOSE RESPONSIBLE FOR FRAUD, WASTE AND ABUSE IN GOVERNMENT.

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## AUTHORITY AND RESPONSIBILITIES

The OIG functions as an independent government watchdog on behalf of more than 1.94 million residents of Broward County. Its purpose, authority, and responsibilities are codified in Section 10.01 of the Broward County Charter.

The OIG's authority extends over:

- all elected and appointed officials and employees of the charter government of Broward County ("the County");
- all elected and appointed officials and employees of the 31 municipalities within the County ("the Municipalities"); and
- all entities and persons that provide goods and services to the County and the Municipalities.

This responsibility encompasses local government budgets totaling over \$13 billion, more than 29,000 employees, and more than 450 separate divisions and departments. In addition, the OIG has oversight responsibility for more than 170 elected officials, including county commissioners, mayors, vice mayors, city commissioners, and town council members, as well as more than 20,000 registered vendors that provide goods or services to the County and Municipalities.

The Inspector General has the authority to investigate the material waste or significant mismanagement of public resources ("gross mismanagement") and violations of state and federal constitutions, statutes, and codes; county

and municipal ordinances and codes; and conduct involving fraud, corruption, and abuse ("misconduct").

In connection with an investigation, the Inspector General has the power to subpoena witnesses, administer oaths, and require the production of documents and records. As part of an investigation, the Inspector General may audit any program, contract, or the operations of any division, department, or office of the County or any Municipality. The Inspector General may also audit the operations or performance of any provider as it relates to its contract with the County or any Municipality.

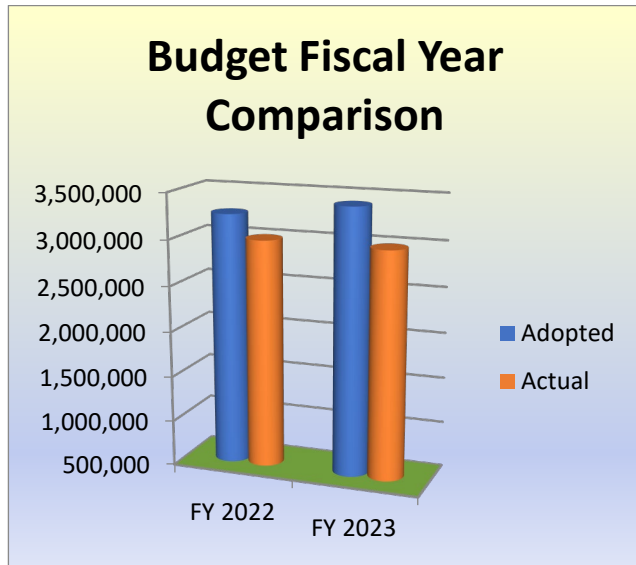
The Inspector General is also charged with the responsibility to enforce the Broward Code of Ethics for Elected Officials at Section 1-19 of the Broward County Code of Ordinances ("Broward Ethics Code"), which applies to the mayors and members of the governing bodies of the County and municipalities.

## BUDGET

Although the OIG's budget is funded through the County general fund, the charter requires that the OIG remain an independent organization to assure that no interference or external influence affects the objectivity of the office. The charter further requires that the Inspector General submit a proposed budget which "shall include a reasonable estimate of operating and capital expenditures of the Office of Inspector General, funds to enable Hearing Officers to be retained, and funds to enable the Inspector General to retain outside counsel to represent the Inspector General in connection with complaints referred to a Hearing Officer." Section 10.01 G.(3). The funds must be approved by the County Commission.



In addition, the County Administrator and the County’s Office of Management and Budget provide resources and support throughout the budget process.



The OIG remains committed to operating in a fiscally responsible manner. Its approved budget for fiscal year (“FY”) 2022 was \$3,256,220, with actual expenditures of \$3,153,072. The approved budget for FY 2023 was \$3,409,740 with an estimated actual expenditure of \$2,986,317.<sup>1</sup> The OIG’s FY 2023 budget represented approximately 0.049 percent of the County’s total budget. The adopted budget for FY 2024, which commenced on October 1, 2023, is \$3,717,806. Budgeted positions for the OIG have remained at 20 since FY 2016.

## OIG COVID-19 RESPONSE

The COVID-19 pandemic and its drastic effects to everyday life invited all to consider alternatives to daily in-office schedules. In order to provide the OIG team with the advantages of in-office availability while also acknowledging the

benefits of a remote work option to individual staff members and the organization as a whole, we adopted a new hybrid schedule in FY 2023. On May 1, 2023, OIG staff began working from the office Tuesdays through Thursdays, with the option of working remotely for the remainder of their work schedule.

Since then, OIG staff had one incident in which they were exposed to another staff member with presumptive COVID. The OIG encouraged staff to mask for the timeframe suggested by the Centers for Disease Control and Prevention’s guidelines as well as offered staff the option of working remotely during that timeframe.

Whether OIG staff are working in office or remotely, we are committed to continuing to fully serve the County’s residents without reducing our effectiveness.

## THE OIG TEAM

With the publication of the FY 2022 Annual Report, Broward’s first Inspector General, John W. Scott, announced that he would not be seeking a fourth term. At its annual meeting on December 1, 2022, the OIG Selection-Oversight Committee selected Carol J. Breece to be Mr. Scott’s successor. Her term began on May 2, 2023.

Ms. Breece has been with the OIG since 2012, first as Ethics Counsel and then as General Counsel. She has been an adjunct faculty member teaching public service ethics in Florida International University’s MPA program since 2015. Ms. Breece was a state prosecutor for 17 years, including nine years as a Chief Assistant

<sup>1</sup>The OIG has provided an estimate of actual expenditures because the Broward County Office of Management and Budget

had not finalized actual expenditures for FY 2023 as of the preparation of this report.

Statewide Prosecutor, and for three years ran her own law practice concentrating in civil and criminal white-collar defense. Her law degree is from The Catholic University of America in Washington, D.C., and her B.A. in Criminal Justice is from the University of Maryland at College Park. She is Board Certified in Criminal Trial Law by The Florida Bar, AV Preeminent Rated by Martindale-Hubbell, a Certified Fraud Examiner, and a Certified Inspector General. She is also a member of the national board of directors of the Association of Inspectors General (“AIG”).

The Inspector General leads the organization aided by highly experienced, skilled, and credentialed managers. The OIG team is a diverse group of extremely qualified individuals who bring to the organization a variety of specialties and skill sets. The professional qualifications of our team include certified public accountants; attorneys including former state prosecutors; former federal, state, and local law enforcement officers; former state regulatory investigators; procurement specialists; and administrative specialists.

## PROFESSIONAL DEVELOPMENT

The Inspector General recruits the highest quality professionals within their respective fields. As an accredited agency, we are committed to maintaining the highest level of professionalism by investing in our most valuable asset—our staff. Our team holds various professional certifications including fraud examiner, inspector general investigator, inspector general auditor, inspector general, criminal trial lawyer, public accountant, and criminal justice information system operator. To maintain these credentials, as well as the state’s

accredited status, continuing education hours are required.

To date, OIG staff members have received over 5,196 hours of continuing professional education, 328 of which occurred during fiscal year 2023.

The OIG provides in-house training to all new staff members on topics including the mission, function, and authority of the OIG; the charter, the Broward County Code of Ordinances, and municipal codes; county and municipal government organization and function; ethics codes, public records, and the Sunshine laws; the accreditation process; the OIG Manual of Directives; proper investigative techniques and protocols; and our investigative management system software.

Throughout the year, staff members participated in training provided by the County, including Microsoft Office 365 products; cyber security awareness; employment issues refresher; supervisor guide to FMLA; and electronic processes including procurement, payroll, and human resources.

In addition, staff members participated in training and conferences provided by various government entities and associations that focused on various legal, investigative, and auditing topics, including:

- CFA Annual Refresher Training
- AIG Annual Training Conference
- Ins and Outs of FedNOW Payment System
- FBI Cyber Security Lunch and Learn
- CJIS Security Awareness
- IG Investigator Certification
- IG Auditor Certification
- Developing a Data Analytics Strategy

- Understanding the Fraudster
- Managers & Auditors Fraud Examination
- Maximize your Productivity
- Fraudulent Financial Reporting
- Transferring Wealth
- CJIS Security Awareness Certification
- Local Agency Security Officer LASO
- CJIS Annual Symposium
- South Florida IG Council Economic Fraud Training

OIG staff members are affiliated with the AIG. In addition to the functions listed above under the section titled, “The OIG Team,” the AIG awards certification status to individuals who meet the eligibility requirements regarding education and experience and successfully complete the respective certification program.

After undergoing screening, training, and testing by the AIG, the Inspector General has been awarded the designation of Certified Inspector General; the OIG General Counsel, OIG Deputy General Counsel, and all OIG Special Agents have received the designation of Certified Inspector General Investigator; and the OIG Assistant Inspector General and all members of our audit team have received the designation of Certified Inspector General Auditor.

## COMPLAINTS, TIPS, AND INFORMATION

The OIG initiates investigations on complaints, tips, and other information that it thoroughly evaluates. The Inspector General has the authority to commence an investigation based on the existence of good cause to believe that any official, employee, or provider has engaged in misconduct or gross mismanagement. The Inspector General may find good cause based

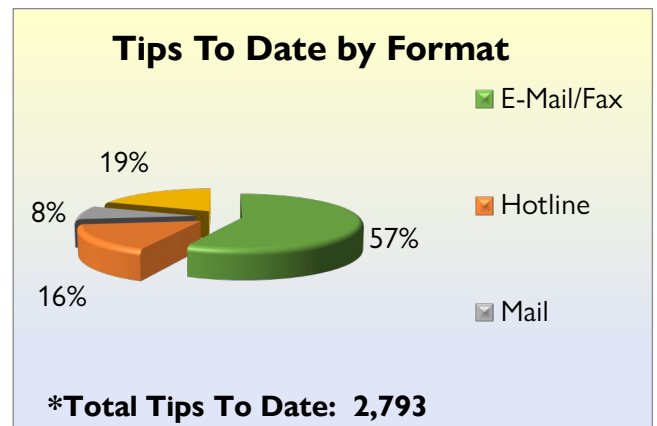
upon her own initiative or on a signed, sworn complaint.

### Tips and Information

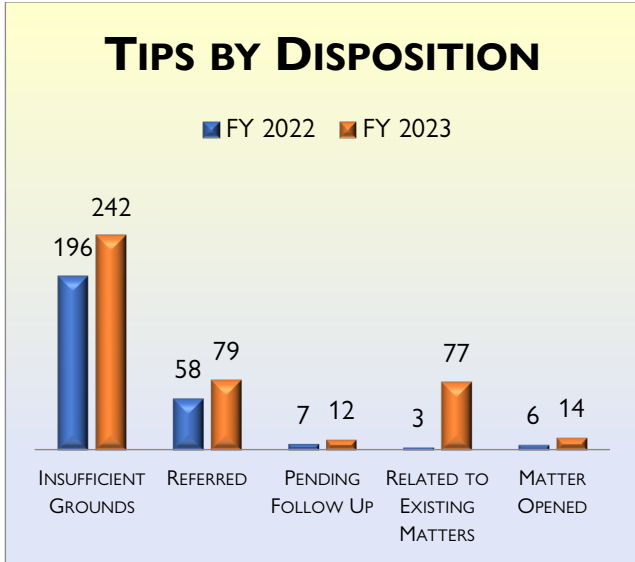
All county and municipal employees and residents are encouraged to assist the OIG in combating misconduct and gross mismanagement by providing tips and information. There are several ways to provide information to the OIG. We accept tips and information through our Hotline at (954) 357-TIPS (8477), email at InspectorGeneral@broward.org, fax at (954) 357-7857, mail, or in person.

Persons may provide information without disclosing their names or contact information, although the OIG encourages people to identify themselves should additional information be needed during the investigative process. The OIG maintains the confidentiality of the identity of all complainants and tipsters in accordance with State law and the Broward County charter.

To date the OIG has received 2,793 tips, 424 of which were received during this reporting period.



Once a tip is received, it is reviewed to determine the appropriate action and assignment.



Of all tips received in the reporting period, 26 resulted in investigative matters or are currently pending a determination by the OIG.

Since our inception, 292 tips have resulted in the initiation of investigative matters, and we have referred 607 tips to other governmental agencies.

### Complaints

The Inspector General may find good cause based on a signed, verified complaint. The charter requires a complaint to be signed, under a penalty of perjury, with a statement that the complainant has personal knowledge of the facts. Persons who wish to file a complaint with the OIG may obtain a complaint form from the OIG website or by contacting the OIG at (954) 357-7873.

The complaint must be completed, signed, and delivered to the Broward Office of the Inspector General, One North University Drive, Suite 111, Plantation, Florida, 33324.

To date, the OIG has received 268 signed complaints, including 28 during this reporting period.



Of these 28 complaints, three resulted in the initiation of investigative matters or are currently pending a determination, six were referred to other government agencies for their appropriate action, and good cause was not established in 19 of the complaints.

## PROGRAMS

The OIG is structured to support its primary mission of investigating gross mismanagement and misconduct, as well as to enforce the Broward Ethics Code. The OIG programs include Investigations, Audit and Contract/Procurement Oversight, and Ethics. These programs work together to fulfill the Inspector General’s mission.

As the result of OIG efforts, we have identified approximately \$43.9 million in questionable expenditures to date, including more than \$107,000 this fiscal year. Moreover, our efforts have led to the detection of over \$4.6 million in

recoverable funds, projected cost savings, and assessed penalties. To date, the OIG has identified over \$794,000 in misspent taxpayer funds that local governments have recovered.

Our structure allows for the flexibility to assign resources when and where they are needed to accomplish our mission most effectively. Each of the programs are discussed in more detail below.

## INVESTIGATIONS

Under the supervision of the Director of Investigations, Special Agents within the Investigations unit are tasked with investigating credible allegations of misconduct and gross mismanagement by County and Municipal elected officials, employees, and providers.

We also investigate alleged violations of the Broward Ethics Code, the Florida Code of Ethics for Public Officials and Employees (“State Ethics Code”), and municipal ethics codes. Special Agents also assist on procurement oversight and audit-related matters.

OIG staff are responsible for reviewing and corroborating information from hundreds of tips and complaints. They must also:

- conduct thorough, well-documented investigations;
- perform extensive background checks; and
- carry out detailed ethics and other regulatory compliance reviews.

Although OIG investigations vary in size and complexity, most require interviews of witnesses and implicated parties, review of numerous documents, analysis of financial records, and preparation of detailed reports that summarize investigative findings.

The OIG often issues final reports at the conclusion of investigations of alleged gross mismanagement. We also issue final reports involving alleged misconduct when we determine that such a report will assist the County or any Municipality in preventing similar misconduct in the future. When a final report is not warranted, the OIG may issue and/or publish a closing memorandum notifying officials of the closure of the investigation and detailing what we found.

The following are summaries of significant investigative findings the OIG made during this reporting period.<sup>2</sup>

### ***North Lauderdale Commissioner Improperly Accepted and Used Cash in 2020 Election***

The OIG issued a final report in October 2022 concluding in part that North Lauderdale City Commissioner Regina Martin’s campaign deposited cash and withdrew cash from the campaign’s bank account without reporting the transactions in compliance with Florida’s campaign finance laws before and after her election to office in November 2020.

The investigation uncovered campaign finance misconduct that included that Commissioner Martin and her campaign treasurer: (1) accepted a cash contribution in excess of \$5,000.00, a felony of the third degree, and accepted

<sup>2</sup> Two matters that were reported in the annual report for FY 2022 are also published in this annual report, as those matters were actually closed in FY 2023. Beginning with this annual

report, the OIG will report only the matters closed during a fiscal year in the annual report for that fiscal year.

numerous cash contributions in excess of \$50.00, each a misdemeanor of the first degree; (2) made cash withdrawals, expenditures, and dispositions of surplus campaign funds; (3) accepted contributions that were not made through the campaign treasurer and campaign depository; (4) accepted two or more contributions made through or in the name of another, a felony of the third degree; (5) accepted a contribution received less than five days before the election, a misdemeanor of the first degree; (6) omitted contributor names and contribution amounts on bank deposit slips; and (7) willfully certified as true 13 reports known to be incorrect, incomplete, or both, each a misdemeanor of the first degree.

This last category of violations included deliberately failing to report cash contributions and falsely reporting cash contributions; over-reporting contribution amounts; underreporting a cash withdrawal; failing to list a corporate contributor's name or principal type of business; failing to report the post-election return of a campaign sign bond; failing to report expenditures; and failing to identify the full name, address, or purpose of cash expenditures.

In accordance with the OIG's charter mandate, it referred this matter to the Broward State Attorney's Office and the Florida Elections Commission ("FEC") for whatever action those agencies deemed appropriate.

### ***Pompano Beach Commissioner Misused Leftover Campaign Funds in 2020 Election***

In December 2022, the OIG issued a final report on its investigation into an allegation that City of Pompano Beach Commissioner Beverly Perkins misused leftover campaign funds following her successful campaign to be reelected in the

November 3, 2020, election. The allegation cited to expenditures listed in the campaign's final financial report that were made for a swearing-in celebration, a workers' Christmas party, workers' holiday gifts, and a New Year's celebration.

The OIG's investigation substantiated that the candidate and treasurer made 22 post-election expenditures totaling \$7,381.92 that were neither obligated prior to the election for the purpose of influencing the outcome of the election nor otherwise legally authorized expenditures or dispositions of surplus campaign funds.

The OIG determined that Commissioner Perkins and her treasurer engaged in numerous, various acts of campaign finance misconduct that were criminal in nature, including willfully certifying as true campaign treasurer's reports known to be incorrect, incomplete, or both. This included the willful failure to report several contributions and expenditures, as well as the willful misreporting of contributor names. The OIG also found that the campaign never reported payments totaling \$3,322.72 to New Creation Baptist Church of Christ after the final campaign report was filed and after the deadline to dispose of surplus funds. The candidate and treasurer also failed to report \$3,810.61 in campaign checks paid directly to the candidate, purportedly to reimburse her for campaign expenses.

The candidate and treasurer also engaged in other violations of Florida campaign finance law, including cashing a \$9,500.00 check and using that cash to make cash payments rather than making expenditures through the campaign treasurer by bank check. Although any spending of such a cash advance was not permitted by

campaign finance law, we also observed that the campaign did not provide supporting documentation for \$5,125.00 of post-withdrawal “expenditures.”

The OIG referred the matter to the Broward State Attorney’s Office and the FEC for whatever action those agencies deemed appropriate.

### ***State’s \$1.5 Million Grant to Offset the Cost of Replacing Fire Station One in Plantation***

In April 2023 the OIG closed its inquiry into an allegation concerning a \$1.5 million grant the state awarded the City of Plantation to offset the cost to build a fire station. We did not substantiate the specific allegation that the former mayor intentionally provided false information to state officials in the city’s last-minute efforts to meet a deadline to secure such grant funds. However, in the closing memorandum, the OIG discussed its observations to encourage the city to more vigilantly monitor and heed grant terms and deadlines and to caution city officials and employees to be mindful in their representations to obtain funding.

Although a contractor is supposed to submit a payment application on a construction contract to seek repayment for costs it has already expended, in this matter, the contractor forwarded to the city and the city submitted to the state a payment application for \$1,604,298.40 for costs that had not been incurred. In fact, the contract between the contractor and city was not executed until the day after the contractor provided the first version of the payment application and the day before the city submitted the payment application to the state. The OIG did not

identify who solicited the payment application from the project contractor, and we did not find that any city official or employee knowingly submitted a false record to the state.

Ultimately, the state declined to provide the subject funds because the city was unable to provide copies of cancelled checks or proof of payment to the contractor. City records corroborated that the city made no such payments. Because of another funding source, the city was able to complete the fire station project by June 2022.

City representatives expressed appreciation for the seriousness of the OIG’s concerns and began taking steps to address the issues we identified. These included providing the city council with the quarterly reports that the city submits to the state for grants and projects, consolidating the duties involving capital project oversight and reorganizing them under the chief administrative officer, and selecting a consultant to help review planning and procurement software to better track grants and contracts.

### ***Former Mayor of Plantation Executed a False Letter on City Letterhead to Help a Private Developer Secure At Least \$95 Million in Loans***

The OIG issued a final report in July 2023 concluding that former City of Plantation Mayor Lynn Stoner engaged in a pattern of criminal and ethical misconduct to benefit a private developer and its president. According to the OIG’s investigation, the former mayor’s wrongdoings included lying to help the developer secure at least \$95 million in loans and attempting to influence the city’s Building Official to violate the Florida Building Code.

In accordance with its charter mandate, the OIG referred this matter to the Broward State Attorney's Office, which charged the former mayor with official misconduct, falsification of records, and two counts of influencing a building official. She was arrested on these charges in May 2023 and is awaiting trial.

The OIG determined that the developer was building a multi-residential development within the city. An outstanding property lien stemming from an unresolved code enforcement case on one of the developer's properties was complicating construction financing for a separate project within the development, known as the Pixl Project.

In April 2020 Mayor Stoner asked the city's then-Building Official to write a letter to the developer's lender saying that the violation and fines underlying the property lien were discharged when she knew they were not. She told the Building Official that the developer's president needed the letter because the city's code case and lien were hindering the president's construction loan process. When the Building official refused to write the letter because the violation and fines were not discharged and the letter would be illegal, Mayor Stoner said she would do it herself.

On the same day that the Building Official refused to write the letter she requested, Mayor Stoner misused her public position by signing a letter on city letterhead that falsely stated that the city had discharged the violation and had waived the accrual of all fines, which by then had in fact accumulated to approximately \$181,500.00. The developer's president promptly sent that signed letter to the private equity firm funding his companies' loans. The title insurance company accepted the letter as

proof that the property lien was removed and, days later, the private equity firm and developer closed on two pending loans, one for \$7 million and a second for \$95 million.

The OIG's investigation further determined that Mayor Stoner continually attempted to improperly influence the Building Official to violate the Florida Building Code to help the developer—another misuse of her public position. For example, Mayor Stoner attempted to improperly influence the Building Official to issue the developer a permit on the Pixl Project—even though the developer had already started construction without a permit—or, alternatively, to allow the unpermitted construction to proceed despite the building official's stop work order. The Building Official refused and, instead, authorized another stop work order on the Pixl Project as unpermitted construction continued. Days later, Mayor Stoner fired him.

The OIG also referred this matter to the Florida Commission on Ethics ("CE") for whatever action it deemed appropriate.

### ***Update: Former Mayor of Plantation Admits to Violating Campaign Finance Laws***

Former City of Plantation Mayor Lynn Stoner entered a consent final order with the FEC in January 2023, when she admitted to violating several state campaign finance laws during her 2018 mayoral campaign.

Ms. Stoner admitted to authorizing an improper expenditure by writing a check to a vendor which caused the campaign bank account to be overdrawn and to making an unlawful post-election loan to her campaign to cover the overdraft. She also admitted to failing to report her unlawful post-election loan and failing to



report several campaign expenditures, two of which were unauthorized post-election expenditures. Notwithstanding these false statements or omissions, she certified to the accuracy of the corresponding campaign treasurer reports. Finally, Ms. Stoner admitted to failing to dispose her surplus campaign funds within 90 days after being elected to office.

The FEC ordered Ms. Stoner to pay a \$1,200.00 civil penalty.

This FEC case was based on the OIG's November 2020 final report and subsequent referral to the FEC. In that report, the OIG found there was probable cause to believe that Ms. Stoner, who became Plantation's mayor in November 2018, engaged in misconduct by violating open government laws as well as violating the city's charter by taking several administrative actions that exceeded her authority as defined by the city charter. The OIG's report also found that Ms. Stoner engaged in several violations of campaign finance law during her 2018 mayoral campaign, which violations formed the basis for the consent final order reported here.

## AUDIT AND CONTRACT/ PROCUREMENT OVERSIGHT

The Audit and Contract/Procurement Oversight Program ("ACPOP") is a specialized investigative program under the supervision of the Assistant Inspector General for ACPPOP. ACPPOP focuses on reviewing government expenditures and associated processes, with an emphasis on public procurement and contract execution, administration, and oversight. This unit consists of a Senior Special Agent, Special Agents, and

Senior Auditors. It conducts reviews, audits, and investigations within its area of responsibility.

The OIG designed this program around the principles of detection and prevention. Since its inception, the unit has conducted an ongoing effort to help local governments identify and recover misspent taxpayer funds. To date, our efforts have led to the identification of recoverable funds and estimated cost savings totaling approximately \$4.6 million.

To accomplish the program's objectives, OIG staff analyzes payments expended by Broward's local governments and detects instances of fraud, contract violations, and overbilling. In addition to detecting misspent taxpayer dollars, we also identify vulnerabilities in procurement, contract management, or any other government process that make government entities susceptible to the waste of public resources. We then recommend controls to prevent those vulnerabilities from being exploited.

Occasionally, our reviews identify potential gross mismanagement or misconduct. In those instances, the OIG proceeds with a full investigation and utilizes the expertise of investigative and legal staff, as necessary.

The following are summaries of ACPPOP's activities during this reporting period.

### ***Former Dania Beach Utilities Manager Misused His Position to Rig Procurements***

The OIG issued a final report in November 2022 concluding that former City of Dania Beach Public Works and Utilities Manager Jose Urtecho repeatedly committed state ethics misconduct by corruptly using his public position to secure several personal benefits for himself,

solicited or accepted things of value with the understanding that such would influence his judgment or official action, and accepted gifts valued at over \$100.00 from vendors to his own agency.

The OIG's investigation uncovered a scheme by Mr. Urtecho whereby he rigged procurements to award city work to vendors who provided personal benefits or gifts to him and his girlfriend. To perpetuate his scheme, he used his subordinate employees at the city to make payments to these vendors via their city-issued purchasing credit cards ("p-cards"), as his own p-card had been suspended for not following city policy. The OIG found that, from January 2016 to June 2019, the city paid a total of \$429,420.80 to the four vendors discussed in its report.

For a pest control vendor, Mr. Urtecho informed it how to successfully bid for the city's pest control contract and then submitted its bid with two lower, fabricated quotes to justify its selection. At Mr. Urtecho's suggestion, the pest control vendor paid Mr. Urtecho's girlfriend \$50.00 to \$100.00 at a time for typing its invoices to the city and provided Mr. Urtecho with benefits or gifts including a \$500.00 check, termite treatment at his residence at a discount of approximately \$850.00, and approximately \$300.00 to \$400.00 in free rodent bait and pest control chemicals.

For a garage door vendor, Mr. Urtecho obtained and submitted a winning quote for a garage door at a city fire house, knowing that the quote would be lower than two previously submitted quotes and knowing that it did not meet specifications. For another project for four garage door motors, using his wife as a conduit, Mr. Urtecho had the garage door vendor submit two other vendors' quotes with its own quote,

which ensured that it was the lowest bidder. The OIG determined that the other two quotes were fraudulent. We also determined that, at Mr. Urtecho's suggestion, the garage door vendor or another city vendor, a general contractor, provided Mr. Urtecho with the personal benefit or gift of a garage door repair at his residence worth at least \$250.00.

For a fence vendor, in violation of city policy, Mr. Urtecho split the city's payments for the procurement of fences to expedite payment to the vendor and, in exchange, that vendor provided Mr. Urtecho with the personal benefit or gift of a free fence at his residence at a discount of approximately \$2,500.00.

In accordance with its charter mandate, the OIG referred this matter to the CE for whatever action that agency deemed appropriate.

### ***Review of Margate's Procurement of Survey Services, Sees Potential for Fraud and Abuse***

The OIG issued a closing memorandum in April 2023 about its review into an allegation that the City of Margate failed to obtain other bids when it awarded a \$25,000.00 contract for resident survey services from private vendor ETC Institute, Inc.

In December 2020 the city issued a purchase order to the vendor for \$25,000.00 to purchase resident survey services. The city had not asked the vendor to submit a proposal but rather had only held discussions that led to the execution of the contract. While the OIG determined that the city did procure the survey services contract without competitively bidding it, the procurement did not violate the city's code. Thus, the OIG did not substantiate the allegation.

However, we did observe the potential for fraud, waste, and abuse with the procurement code as written, because it did not require staff to conduct a competitive solicitation for any purchase of services other than certain professional consulting and design services not relevant to the inquiry. The code was concerning, as at the very least it left open the door to the appearance of favoritism and a lack of public confidence in the purchase of services. At worst, it opened the city up to something more nefarious such as fraud, waste, and abuse. Furthermore, without competitive bidding, the public had no tool to gauge whether contracts for services were awarded equitably and economically.

In order to mitigate the risk for fraud, waste, and abuse and to increase transparency, the OIG urged the city to review its procurement code against best practices and amend its language to, at a minimum, establish competitive bidding requirements for purchases of services.

Although the city did competitively solicit for services on occasion, a clear and objective policy as to the thresholds where purchases of services require competition would help inspire public confidence. We also recommended that the city consider establishing a procurement manual with more specificity and details than those contained in the code.

### ***Broward County Animal Care Division's Handling of a \$500,000 Donation***

In May 2023 the OIG closed its inquiry into an allegation that Broward County's Animal Care Division ("ACD") misused a \$500,000 donation that was made "solely for the care of animals and not for administrative salaries or other administrative purposes," because, according to

the allegation, the County spent the donated funds on administrative items including miscellaneous expenses and vehicle replacements. The OIG did not substantiate the allegation because it determined that the County had not in fact spent the donated funds.

However, the OIG did find that the donated funds would not be adequately tracked and monitored when expended. After ACD became aware of those concerns and as the OIG recommended, ACD, Accounting, and the Office of Management and Budget worked together to identify a way to ensure that all donated funds and their expenditure were trackable through the use of a unique project identification number. We commended all parties on the plan of segregating both the appropriation and expenditure of all restricted donations to project identification numbers in the future.

The OIG intends to conduct a follow-up review and report how ACD in fact spent the donated funds at some point in the future.

### ***Cooper City's Former Utilities Director's Misconduct Led to the Improper Purchase of a \$99,990 Boom Lift***

In September 2023 the OIG issued a final report concluding that Cooper City's former Utilities Director engaged in misconduct for his role in the city commission's waiver of its procurement procedures to purchase a JLG 800AJ boom lift for \$99,990.00 for the Utilities Department.

The OIG's investigation determined that, contrary to the Utilities Director's statements to the city commission during a motion to approve the purchase of the boom lift, there were no exceptional circumstances that warranted the waiver of the city's procurement

procedures. The city could have competitively solicited for a boom lift or purchased one from a cooperative contract. However, the Utilities Director wanted the city to purchase the \$99,900.00 JLG 800AJ boom lift which he had already put on hold by signing a vendor's quote. Thus, he framed the circumstances surrounding the boom lift's procurement in a way to secure the city's waiver and made several statements he knew or should have known were incorrect and out of context, including that (1) there was insufficient time for Utilities staff to conduct a competitive solicitation; (2) retailers were not accepting orders for new lifts; (3) drafting technical specifications for a used or refurbished boom lift was so complex that it would hamper a competitive solicitation; and (4) Utilities staff members had priced comparable boom lifts.

Although the OIG found issues with his representations to the commission, it did not find any evidence of any improper financial benefit to anyone involved or of any inappropriate relationship with the vendor.

Given the fact that multiple departments reviewed the Utilities Director's motion before it went to the commission, the OIG reminded the city that the purpose of multi-layered reviews in procurement was to independently vet the propriety of government spending. Vetting the purchase by relying on the word or action of another defeated the purpose of an independent review.

The OIG was encouraged by the steps the city took during the investigation and continued to improve upon to address the issues we identified in the city's procurement process. These improvements included requiring staff to include procurement details on agenda cover memoranda for all purchases going before the

city commission for approval; hiring a consultant to review the city's procurement policies, procedures, and job descriptions; and developing an updated procurement procedures manual.

### ***Pembroke Park Lacks Adequate Authority to Control Its Purchasing Card Expenditures***

In September 2023, the OIG closed its inquiry into an allegation that a Town of Pembroke Park commissioner used his town p-card to make purchases for his personal benefit. Although we observed many concerning transactions on the commissioner's p-card in the sample of purchases we reviewed, we could not test their propriety given the commissioner's explanations for them against the town's inadequate guidance regulating p-cards and travel expenditures.

That we did not substantiate the allegation was not to say that we were indifferent to the observations we made or that we considered the issue resolved. Instead, we provided the town ten recommendations to, at least, start protecting itself from fraud and wasteful spending, beginning with finalizing a procurement manual with comprehensive guidance as to its p-card program.

We denounced the failures that we observed, as they suggested a disregard for government's obligation to guard the public's purse against wasteful spending. In order to impress upon the town the seriousness of its deficiencies and the risks to which it was exposing itself, we noticed the town that continued tolerance of unchecked p-card use could form the basis of an investigation into whether town commission and management members engaged in gross mismanagement and whether individual p-card holders engaged in criminal or ethical misconduct in using the town's p-card.

The OIG will conduct a follow-up review 60 days from the issuance of the closing memorandum to determine the town's progress on our numerous recommendations for its purchasing, p-card, and travel policies and procedures.

## ETHICS

Consistent with its charter mandate, the OIG investigates, reports on, and refers state and local ethics code violations that apply to Broward's officials and employees and enforces the Broward Ethics Code.

### **Ethics Enforcement**

The OIG reviewed the tips and complaints it received during the reporting period and determined that 17 were ethics related and within our jurisdiction. Of the 17 total, we closed 13, we referred 2 to another agency, and opened 2 as matters involving potential misconduct as defined by state and local ethics laws.

OIG ethics enforcement activity during the reporting year included the following:

### **Compliance Review for Elected Officials' 2022 Ethics Training Certification and Filing Requirement**

The office issued an OIG Ethics Compliance Review in August 2023, determining that 146 of the 147 current Broward County elected officials who held office in 2022 (99.3%) and were subject to the Broward Ethics Code's annual training requirement timely filed their 2022 ethics training certifications.

In an initial review of internet postings and contact with municipal clerks, the OIG was able to confirm 127 filings. It then communicated and worked with local officials, including municipal clerks, attorneys, and office holders, during which time it received 19 additional training certifications.

The Inspector General found good cause to believe that one elected official failed in his or her legal obligation to certify that he or she met the four-hour ethics, public records, and open meetings training requirement for calendar year 2022 and to file that certification for public inspection. Accordingly, the OIG planned to investigate and determine whether to commence enforcement efforts under its authority and the mandate established by Section 10.01 of the Broward County Charter.

This was the OIG's fourth review in its 12-year history to determine whether elected officials complied with their annual ethics training certification requirement.

### **Compliance Review for Planning and Zoning Board Members' Filing of 2021 Forms 1 and Forms 1F**

The OIG released an Ethics Compliance Review in September 2023 that concluded that approximately 98.6% of the reviewed planning and zoning board members from Broward County and its municipalities filed their Statements of Financial Interest ("Forms 1") or Final Statements of Financial Interest ("Forms 1F") for 2021.

The State Ethics Code requires members of local planning and zoning boards with decision-making authority to file a Form 1 or Form 1F for each calendar year in which they held their

positions for any length of time. The OIG excluded from its review five municipalities that did not have a planning and zoning board and 11 municipalities whose planning and zoning boards did not have decision-making power. The OIG determined that, within the County and 15 municipalities, there were 138 members at some point in 2021 whose board members all filed a Form 1 or Form 1F or were required to. After consulting the CE database of reporting filers, the Broward County Supervisor of Elections, several municipal clerks, and several former planning and zoning board members, the OIG ultimately found that 136 of those members filed a 2021 Form 1 or Form 1F.

Despite our efforts, there was good cause to believe that two planning and zoning board members who were subject to the requirement to file a Form 1 or Form 1F for 2021 failed to do so. Thus, the OIG planned to investigate to determine whether the circumstances warrant any referral to the CE.

**Update: Ethics Commission Finds Probable Cause to Believe that Former Dania Beach Utilities Manager Misused His Position**

In August 2023, following the OIG's referral of the matter discussed under the Audit and Contract/Procurement Oversight program above titled, "*Former Dania Beach Utilities Manager Misused His Position to Rig Procurements*," the CE entered an order finding probable cause to believe that Mr. Urtecho engaged various forms of ethical misconduct. Specifically, the CE found probable cause to believe Mr. Urtecho (1) solicited or accepted something of value based upon an understanding that his vote, official action, or judgment would be influenced; (2) accepted a thing of value given to influence a vote or other action in which he

was expected to participate in an official capacity; (3) used his position for the special privilege, benefit, or exemption for a person or entity that gave him and/or his girlfriend a gift; (4) solicited a gift from a vendor of the city; and (5) accepted a gift valued in excess of \$100.00 from a vendor of the city.

An administrative law judge will decide whether to recommend the CE find that Mr. Urtecho violated sections 112.313(2), 112.313(4), 112.313(6), 112.3148(3), and 112.3148(4) of the Florida Statutes.

## CFA ACCREDITATION

The Commission for Florida Law Enforcement Accreditation ("CFA") is the accrediting authority for law enforcement agencies and offices of inspectors general in Florida's state and local governments. It is comprised of five sheriffs; five police chiefs; one representative each from the State Law Enforcement Chiefs' Association, Florida League of Cities, Florida Association of Counties, Appellate or Circuit Court Judge appointed by the Florida Supreme Court; and an inspector general appointed by the Florida Chief Inspector General. The achievement of accreditation – and then re-accreditation – is a mark of high achievement for any office of inspector general.

The OIG received its initial accreditation from the CFA in October 2014 and obtained reaccreditation in November 2017 and again in February 2021.

The OIG sought its third CFA reaccreditation during this reporting period. In July 2023 a team from the CFA conducted an assessment of the OIG's policies and procedures, management, and operations. The assessors reviewed written

materials, interviewed individuals, and conducted a walkthrough to determine whether the OIG complied with the approximately 43 standards necessary to receive reaccredited status. Following the assessment, the assessment team recommended the CFA commission to favorably review the OIG for reaccredited status at its next meeting, which was scheduled to take place in FY 2024.

## INTERGOVERNMENTAL COOPERATION AND COMMUNITY OUTREACH

The OIG continues to maintain relationships and work with federal, state, and local law enforcement, regulatory, and governmental agencies throughout the state.

We referred completed OIG investigations to various prosecutive and regulatory agencies, including the Broward State Attorney's Office, the CE, and the FEC, for their action in matters detailed in the related program sections above. We provided continuing cooperation with those agencies as their investigations, prosecutions, and administrative actions progressed.

The OIG is also a member of the South Florida Council of the Inspector General on Integrity and Efficiency ("CIGIE") and the Financial Institution Security Association. We are involved with the Law Enforcement Coordination Committee, which brings together law enforcement executives at the federal, state, and local levels to discuss issues of mutual interest.

We participate as members of the national and Florida Chapter of the AIG and the Council on Government Ethics Laws. The Inspector General sits on the board of directors of the

national AIG. We also work with other inspectors general on issues of mutual interest. For example, during the reporting period, the OIG worked closely with state and local offices of inspectors general to address how to recover access to Florida Department of Highway Safety and Motor Vehicles' driver license photographs. That effort is ongoing.

The OIG participated in intergovernmental and community outreach during the reporting period as follows:

- The OIG continued to offer ethics education to assist elected officials meet and understand their obligations under the Broward Ethics Code and the State Ethics Code. We hosted classes in time to help officials to meet their 2022 obligation to obtain four hours of ethics training each calendar year.

On December 14, 2022, 14 persons participated in a two-hour session titled, "State and Broward Ethics and Open Government." The Inspector General presented this material. On December 16, 2022, 13 persons participated in the four-hour session titled, "Ethics Training for Broward's Newly Elected Officials." General Counsel Katherine McIntire and Deputy General Counsel Jenna Gargano presented. Attending were mayors, vice mayors, a deputy mayor, commissioners, council members, a city attorney, an assistant city attorney, an assistant county attorney, and a legislative aide.

Since late 2012, we have provided ethics training on 49 occasions for over 918 attendees.

During the reporting period, our Legal Division continued to provide guidance to the public, local government attorneys, local officials, and the press on the OIG's interpretation of applicable ethics laws.

- Following an invitation from the Town of Davie, in December 2022, we presented a live presentation titled, "Keeping An Eye On Your Contracts" to town staff and management.

During this presentation at town hall, Assistant Inspector General for ACPOP Riad Ali and Ms. McIntire discussed the importance of protecting the integrity of a procurement from inception through contract management. To emphasize that importance, Mr. Ali and Ms. McIntire shared red flags and findings from past OIG investigations with the approximately 70 participants.

Following the presentation, the town expressed its gratitude for this and past OIG presentations on procurement and contract management, relating that it had found vendor overbilling in one of its contracts using tips the Broward OIG had previously given. Staff further advised that the town has added a clause to its vendor contracts requiring cooperation with the Broward OIG during an audit or investigation.

- In 2023 the City of Fort Lauderdale reconstituted its Charter Revision Board to carry out any needed or desired changes to its city charter. To that end, the board held several public meetings and considered guest speakers' and public comments on various existing and potential charter subjects over several months.

The board invited the Inspector General and the County Attorney to appear before its members in May 2023 to speak and answer questions on the topic of government ethics within the County, with the County Attorney reviewing details of the County's ethics code and the ballot question process.

The Inspector General discussed topics including why ethics laws exist, the OIG's function and authority to investigate and enforce ethics laws, additional ethics codes that apply to the city's officials and employees, subjects covered by the state code of ethics for public officials and employees, and examples of Broward County municipalities' ethics-related charter provisions.

The board expressed its appreciation to the Inspector General and the County Attorney for their insight on existing ethics laws and their enforcement.

- The County's Procurement Division invited the Inspector General to make a video conference presentation on the authority and function of the OIG in the County's Procurement Division's "Lunch and Learn" series that educates County employees on various topics of professional interest, particularly in the area of purchasing.

In June 2023 the Inspector General spoke on various topics, including the general nature and purpose of inspectors general offices; the creation and composition of the OIG; its independent nature; the scope of the OIG's authority; how it receives tips and complaints; when and how County employees might encounter OIG agents; the OIG's reporting, recommendation, and



referral function; and confidentiality and whistle-blower laws that protect the integrity of OIG investigations and the identity of persons who bring information to it. The Inspector General also discussed how the OIG can be of use to County purchasing professionals, including use of its accessible database of findings and recommendations in past procurement and contract management cases.

Thirty-seven individuals or groups of employees attended and engaged in the presentation.

- In August 2023 the Fort Lauderdale/Cypress Creek Rotary Club invited the OIG to make a presentation at a luncheon meeting of its members in August.

The Inspector General explained the nature and functions of inspectors general, the creation of the Broward OIG, the OIG's core principles, how we are monitored and overseen, the credentials of our staff, the jurisdiction and limitations on the OIG, and how we receive tips and complaints. The Inspector General also spoke on the OIG's investigation, reporting, and referral process, and the confidential nature of our investigations.

The Rotary Club later expressed its appreciation for what it termed a "very informative presentation" on the OIG's responsibilities.

- The Inspector General joined Miami-Dade Inspector General Felix Jimenez and Palm Beach Inspector General John Carey in a panel discussion at the South Florida I.G. Council's financial fraud conference at the

Broward Institute of Public Safety in Davie, Florida, in September 2023.

The three local inspectors general focused their presentation on how their jurisdiction and authority differed from those of each other and federal agency OIGs, past experiences working with federal agency OIGs and with law enforcement agencies, the benefits and challenges of law enforcement agencies working with local OIGs, and how to handle confidentiality requirements and the need for adequate internal safeguards for information.

The panel was moderated by the General Counsel and Deputy Inspector General for the Palm Beach OIG, Kalinthia Dillard. The South Florida I.G. Council, of which the Broward OIG is an active member, is comprised of federal, state, and local OIGs with a presence in South Florida. Council members routinely meet to discuss trends, share information with member agencies, host training opportunities, and coordinate an annual awards program highlighting member agencies' special achievements.

The OIG's website, [www.browardIG.org](http://www.browardIG.org), is an essential resource both for providing and receiving information and for staying connected with those we serve.

The public and press can stay up to date about our recent activity and access our searchable "Publications & Press" page for final reports, closing memoranda, status reports, press releases, annual reports, and other publications. Site visitors may also find out how to contact us and "Report Misconduct" with conveniently located buttons on every page of the site.

“Report Misconduct” encourages website visitors to assist the OIG in combating misconduct and gross mismanagement by providing information in several ways. At the “Ethics” section’s “Disclosure Sites” page, the OIG’s website also provides a convenient portal for the public to gain access to the County and Municipalities’ ethics disclosure web pages, and it provides open access to ethics training opportunities, OIG ethics training materials, applicable ethics laws, and helpful OIG publications on state and county ethics provisions.

Dockets for open Broward County Charter Section 10 Enforcement Hearings Forum cases are also available online. These dockets give the public open access to the text of all documents filed with the OIG Agency Clerk and provide for public notice of upcoming hearings in ongoing cases. You can find the dockets for open cases under the “Public Records” tab at our website.

Finally, in FY 2023 the OIG introduced a new tab to its website titled, “Witness FAQs” designed to provide general answers to questions witnesses may have.

The OIG also uses social media messaging to inform the public of the issuance of reports and important activities. To stay connected to the OIG, follow @BrowardIG on X, formerly known as Twitter.

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