

Austin Code Department: Waste of City Resources



Allegation

In December 2017 the Office of the City Auditor received information from the Austin Code Department that a Code Inspector was taking his City vehicle outside of his assigned inspection district for numerous hours. Additionally, the Austin Code Department had evidence that the Inspector was not meeting the expected number of inspections per day required for all inspectors.

Summary

We found evidence that a Code Inspector drove his assigned City vehicle, almost daily, to two residences outside of his assigned district, during work hours, to visit relatives. In total, the Inspector spent over 40 hours of City time at the two residences and drove a City vehicle over 1,330 miles to and from the residences. The Code Inspector did not have any assigned Code cases near those two residences. In addition, the Code Inspector did not meet the Code department's expected targets for inspections.

The Inspector's behavior detailed in this report was initially noticed by his supervisor in November 2017 because of his productivity level. Code began investigating prior to consulting with the Office of the City Auditor, and continued its investigation after doing so. Code management indicated that the Inspector was placed on administrative leave in January 2018. Before Code could take disciplinary action, the Inspector voluntarily resigned from his position.

Investigation Results

Waste of City Resources

The involved Inspector was assigned to a district in North Austin and expected to perform "field work consisting of inspections, investigations and enforcement of code violations on residential, commercial and multifamily properties within the City's jurisdiction to help ensure compliance and conformance with laws, codes and ordinances."

Analyzing City GPS data, we found that on at least 88 dates between August 2017 and December 2017, the Inspector drove his City vehicle during work hours to two separate residences outside of the Inspector's assigned work zone. The residences were approximately 8 miles and 4 miles south, respectively, from the most southern point of his work zone. Code staff members conducted GPS analysis and yielded similar results.

When interviewed, the Inspector stated that his relatives (mother, mother-in-law and sister) lived at the two addresses in question. The Inspector added that his use of a City vehicle to visit relatives during work time started towards the end of 2016. He also admitted that he did not have any assigned Code cases near the two residences. These visits generally coincided with the Inspector's allotted one hour lunch break. However, we determined he regularly stayed significantly longer than his lunch break, sometimes doubling it. This additional break time totaled over 40 hours for the five month period we evaluated. This amount of wasted time is considerably more when considering the Inspector admitted to engaging in this behavior dating back to late 2016. In addition we found that the trips to his relatives' residences over the 88 dates totaled an estimated 1,331 round trip miles.

Failure to Meet Minimum Productivity Expectations

Effective October 1, 2017, Code inspectors are required to average about 5 inspections per day. Although the Inspector stated that he met his performance standard "most days," productivity reports from October 2017 to January 2018 show that the Inspector averaged 1.43 inspections per day. Inspection records for the same time period showed that the Inspector completed the least number of inspections on his team, averaging less than half the average of the team as a whole.

The acts appear to constitute waste of City resources as defined in:

- City Code: Powers and Duties of the City Auditor §2-3-5(A)(3)(a)
- Administrative Bulletin 06-03: Fraud, Waste, and Abuse Reporting, Investigation and Prevention

Investigation Criteria

Waste of City Resources

Waste means the grossly inefficient or uneconomical use of a City asset or resource. City Code: Powers and Duties of the City Auditor §2-3-5(A)(3)(a)

Administrative Bulletin 06-03: Fraud, Waste, and Abuse Reporting, Investigation and Prevention

The City Manager expects all City employees to avoid wrongdoing, which includes fraud, waste, or abuse.

Methodology

To accomplish our investigative objectives, we performed the following steps:

- reviewed applicable City policy;
- conducted background research;
- analyzed City GPS data;
- interviewed department staff; and
- interviewed the subject.

Management Response

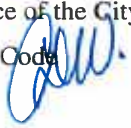


City of Austin

P.O. Box 1088, Austin, TX, 78767

Memorandum

AUSTINCODE
DEPARTMENT

To: Corrie Stokes, City Auditor, Office of the City Auditor
From: Cora D. Wright, Director, Austin Code 
Date: June 21, 2018
Subject: Investigation Report (IN 18005): Austin Code: Waste of City Resources

The Austin Code Department (ACD) is in receipt of the draft investigation report regarding allegations against a former Code Inspector involving misuse of City resources. ACD Management concurs with the draft investigation report's findings.

As the draft report notes, the Inspector's Supervisor learned of the alleged misconduct in November 2017, soon after the Inspector joined his new Supervisor's team, and during the course of routine monitoring case reviews. ACD launched an administrative investigation in early December, and communicated the employee's apparent misuse of City resources to your office shortly thereafter. The scope of ACD's investigation comprised on-site observation, multiple interviews, and analysis of data from myriad sources, including but not limited to vehicle GPS, internet browser histories, a case management system, and time and attendance data. After gathering sufficient evidence and as part of the investigation process, ACD placed the Inspector on administrative leave. As ACD was preparing pre-disciplinary materials and consulting with the Human Resources Department about the personnel action, the employee resigned.

Improved management oversight, standardized performance expectations, and regular monitoring of caseloads and case management all contributed to the discovery of the employee's apparent misconduct. This added oversight came as a result of an ongoing department-wide realignment begun in October 2017, in which ACD implemented more rigorous performance management tools, procedures, and standards for all field enforcement staff. These include monthly case reviews, quarterly ride-along appraisals, a quality assessment of all open cases, and productivity and response time standards.

ACD continues to evaluate and enhance its internal controls to ensure compliance with City policies, rules and procedures. For instance, ACD is currently piloting a new vehicle GPS tracking system to obtain more reliable vehicle location data. ACD management regularly communicates to all department staff updates, reminders and expectations regarding policies, particularly those pertaining to the use of City resources.

Thank you for the opportunity to provide a response. Should you need additional information about this matter please contact me or Rick Ramirez at 512-974-2738.

cc: Rick Ramirez, Assistant Director, Austin Code
Tracey Allen, Human Resources Supervisor, Austin Code

CAIU Investigative Standards

Investigations by the Office of the City Auditor are considered non-audit projects under the Government Auditing Standards and are conducted in accordance with the ethics and general standards (Chapters 1-3), procedures recommended by the Association of Certified Fraud Examiners (ACFE), and the ACFE Fraud Examiner's Manual. Investigations conducted also adhere to quality standards established by the Council of the Inspectors General on Integrity and Efficiency (CIGIE), Quality Standards for Investigations, and City Code.

The Office of the City Auditor was created by the Austin City Charter as an independent office reporting to City Council to help establish accountability and improve city services. We conduct investigations of allegations of fraud, waste, or abuse by City employees or contractors.

Acting Chief of Investigations

Tope Eletu-Odibo

City Auditor

Corrie Stokes

Deputy City Auditor

Jason Hadavi

Office of the City Auditor

phone: (512) 974-2805

email: AustinAuditor@austintexas.gov

website: <http://www.austintexas.gov/auditor>



AustinAuditor



@AustinAuditor

Copies of our investigative reports are available at
<http://www.austintexas.gov/page/investigative-reports>

Alternate formats available upon request