



Office of Human Resources/Risk Management

1900 2nd Avenue North · Lake Worth, Florida 33461 · Phone: 561-586-1632 · Fax: 561-533-7388

MEMORANDUM

TO: Susan Stanton, City Manager

FROM: Diane Clark, Human Resources Director

DATE: August 19, 2009

SUBJECT: Utilities System Operations Alleged Security Breach -Report Involving allegations made by: Andres Reyes, Director of Engineering and Howard Jordan, Meter Relay Specialist

Introduction:

On July 22, 2009 the Human Resources Department was notified of a potential "security breach" at the City's Utilities Electrical Systems Operations office after two city employees, Andres Reyes, Director of Engineering and Howard Jordan, Meter Relay Specialist, appeared at the July 21, 2009 City Commission Meeting. Mr. Howard and Mr. Reyes also appeared on the local news channel.

Note: The incident occurred at the end of March and was reported to the utility director and plant manager at that time. They in turn insisted that no breach occurred and pressured most of the employees to agree with their conclusion. They used this declaration to prevent any investigation.

Mr Reyes personally informed the new city manager on May 11th that a serious breach of security had occurred. She paid no attention, imposed a gag order on him and instructed him to obey the utility director.

This is a case of letting the Fox conduct his own investigation as to how the chickens disappeared. Now, 4 months after the event, after 4 months of denying any security breach occurred, after 4 months of stating to the public, to the media, to journalists, to residents and putting it in writing... that "no security breach occurred," ...the city conducts an investigation of itself. So what conclusion do you think they wanted from a report they were paying for? Note the absence of any "independent third party" involvement. All participants were either employees or hand picked by the city manager.

The city proceeded with investigating itself using the very people who said from the beginning unequivocally that "no security breach had occurred" despite the fact they conducted no investigation to determine that. Mr Jordan was never interviewed by staff. and yet, he discovered the breach.

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Following Mr. Jordan and Mr. Reyes statement to the City Commission the City Manager directed the Human Resources Department to investigate the employee's complaints and assertion that the Utility Department had not properly address a "security breach" at the City's Utilities Electrical Systems Operations. Prior to their appearance before the City Commission the employees did not file any complaint with the City or relevant regulatory agencies. The Human Resources Department transcribed the statements given by employees at City Commission meeting of July 21, 2009 and Channel 5 News Clip dated July 21, 2009 in order to properly address the concerns of our employees as well as our citizen's safety.

The employees were threatened that they would be fired if they reported it or spoke of it to anyone again. Mr Reyes was fired April 8th for insisting that an investigation take place. A complaint was filed with NERC in early May but no action was taken since NERC officials stated that they could proceed if two signed statements of two witnesses were secured. That didn't occur until May 27th but that document was kept secret by IBEW 359 union officials which were the only conduit left to get the message to the public. The document however was addressed to a Lake Worth employee.

In order to conduct this investigation the Human Resources obtained the services of an independent Forensic examiner who was qualified to evaluate the employee concerns and determine if there had actually been a "security breach" and whether such a condition could have disrupted the power systems in the City of Lake Worth and the State of Florida's power grid.

Unfortunately Mr Kleiman was being solicited to render professional opinions that were far outside his area of expertise. His willingness to offer professional opinion on subjects he is unqualified in may result in ethics violations being filed with some of the companies that he is a member of whose ethics standards prohibit such acts. He paid to get certified as a "certified" member of these companies and as such agreed to the ethics rules.

As a local [Palm Beach Gardens] "expert" he has at best an associate degree in "criminal justice," no university degrees, and no training, education, degrees whatsoever in electric power systems.

He took a course or two in computer science and applied to become a member of a number of organizations that require payment in advance for taking an exam... if you pass the exam, you can become "certified" as a member of the club or group. This is not to demean certifications Mr Kleiman has... but to clarify how they are acquired.

If the city was looking to support its foregone conclusion; Mr Kleiman lacks the credentials, background, experience or education that qualifies him to render any professional opinion

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on anything having to do with the power system. On the other hand he may be very qualified on computer viruses, Trojans, keystroke loggers, hacking techniques, and how to use commonly available software to print out the contents of hard drive files that are not traditionally displayed in Windows operating systems. It was from these software programs that he demonstrated what government is so good at... coming up with reports that use reams of paper. He padded out the investigative report to an impressive 300 pages with about 250 pages of waste; 10 pages of report and 40 pages of attachments much of which was reprinted from the internet.

Typically these hard drive files are accessible from DOS commands and contain times and dates, of any changes in configurations, changes in hardware, and other dated information from the hard drive files of a computer.

In summary, Mr Kleiman, in his enthusiasm to support the city's foregone conclusion, may have compromised his integrity, ethical obligations and his future as a trusted reference when he stated that LWU could not possibly have any impact on the Florida grid and when he said there was "no evidence" to indicate a breach had taken place.

NERC states that members of its organization do in fact HAVE A MATERIAL IMPACT ON THE RELIABILITY OF THE BULK POWER SYSTEM in Florida. As for Mr Kleiman's contention that there is "no evidence of a breach"... has he forgotten the testimonial evidence of 3 witnesses which together comprise a hundred years of power grid experience? Or did he reveal his real motive by forgetting to include the evidence right under his nose?

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Mr. Reyes and Mr. Jordan were both put on administrative leave pending the completion of this investigation. It should be noted that both employees have refused to cooperate with this administrative investigation and discuss their concerns with the Palm Beach County Sheriff's Department. After refusing to participate in this administrative investigation both employees were directed to meet with the City's independent Forensic 'examiner and Information Technology staff who is responsible for supporting the Utility Department's information computer network. Since the initiation of this administrative investigation both employees have obtained legal counsel.

This is a bogus statement. Both Mr Reyes and Mr Jordan wanted to speak with the Sheriff. But when the investigator said it was a criminal investigation and given the city's attempts to villigy, smear and character assassinate Mr Reyes and Mr Jordan, they sought legal

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counsel not knowing if they were considered the criminals or not. So on the same day, they secured legal advice. Mr Reyes even twice called the detective to make sure nothing was interfering with their being interviewed. The attorney herself made it clear that she wanted to go ahead with the interviews.

Since the initiation of this administrative investigation Human Resources also reviewed the personnel files of both employees.

More like a witch hunt ...really

Based on this review it has been determined Mr. Reyes employment application was incomplete and dates of employment with his previous employer was incorrect. Falsification of the City's employment application is in itself reason for dismissal. (Attachment 2, 3)

Another totally bogus claim... the missing information is on Mr Reyes Resume WHICH WAS ATTACHED TO THE APPLICATION and was discussed in the employment meeting. Diane Clark of HR didn't include it but conveniently used the information on it. It involved a 6 month leave from Nevada Power in 1997. This was really straining at gnats and shows the malicious intent of city management to discredit and smear Mr Reyes rather than admit the truth.

Findings of Fact

Security of Premises:

Human Resources reviewed the City of Lake Worth Utilities NERC Reliability Standard CIP-001-1 Sabotage Reporting Procedure and have concluded that security procedures stated in this standard were followed. The Systems Operations Center is secured by a fence that surrounds the entire Power Plant. All gates coming into the Power Plant are locked 24 hours a day and the main access gates on the eastside of the Power Plant require a swipe card in order to gain access. If a visitor does not poses a City issued identification card to swipe, they must utilize the call box in order to announce your arrival and identity. The call box is located outside of the gate that is used by all Power Plant, Systems Operations and Water Plant employees. Once identified, visitors are met at the gate by a Utilities employee and personally escorted to the site where access is needed. It should also be noted that the entire perimeter of the building is recorded by camera monitored by the Systems Operations Center. The main entrance door is monitored by camera feed and also has an intercom system that allows communication with Systems Operations. All doors entering System Operations are always locked. Once cleared for admittance, all visitors must produces a picture ID and signs the log book which lists a visitor's name, time and purpose for your visit. A badge is issued and collected upon exiting. All visitors at Systems Operation are escorted and supervised by a Systems Operations employee.

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First, what qualifies HR to interpret? But more importantly, city management already knows it's not an EXTERNAL breach... it's INTERNAL, most likely one of the system operators which makes the problem worse. By denying it and preventing an appropriate investigation ...it leaves the public at risk. Whoever it is has been protected. That makes this whole paragraph ridiculous.

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Systems Operations employees statement and review of Log Sheet date 03/31/2009 (Attachment #12)

Human Resources reviewed the log sheets for the Systems Operations Center for the month of March to document who visited the building during the month in question. The System Operation Log indicate that Mr. Jordan, Mr. Reyes and the Electrical Device Specialist entered and existed the building through out the month of March and on March 31,2009 the day they alleged a "security breach" occurred.

It occurred sometime during the night shift... not likely during the day

Human Resources interviewed all Systems Operations employees in order to determine if any employee witnessed or had knowledge of any improper wire "connection" to the mainframe computer. All System Operation employees stated that they did not witness any wire connection to the mainframe computer. However, Electrical Device Specialist Dwight Miller stated that he witnessed that there was a light on at the RTU when he entered the testing room. Mr. Miller stated that he entered the Engineering room after Mr. Jordan who stated to him "look the RTU light is on, it wasn't before". Mr. Miller confirmed that the light to the testing equipment was not on before and was puzzled as to who could have turned it on. Mr. Miller did state that whether the Relay Testing Unit light was on or off was unimportant since as it was a test unit and not connected to the mainframe computer at anytime. Mr. Miller emphasized that he did not see or witness any cord attached to the mainframe. Mr. Miller is of the belief that this test unit was not capable of affecting the State of Florida's power Grid.

Yeah, 4 months after Mr Reyes got fired for insisting on an investigation, and a week after Mr Jordan was fired for even mentioning the security breach... after all the threats, gag orders, intimidation, that made it abundantly and painfully clear that anyone who challenged the prevailing view would be fired... what a wonder, that no one saw anything. And then enter Mr Miller who IS A TRAINEE of Mr Jordan's... and now he's qualifying as an expert?

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Two or three witnesses overheard Mr Miller tell management "I will say whatever you want me to say."

Review of Andres Reyes and Howard Jordan's statements made to the Commission (statements were transcribed for reporting purposes by the Human Resources Department)

City Commission Meeting - July 21, 2009
Transcription of statement made by Andres Reyes:
(Please note that certain portions were not audible)

"Andres Reyes, Director of Engineering. President Obama say if your computer is broke ... can turn off the entire power grid in the United States. Here it is little Lake Worth Utility that has a security breach in the master SCADA computer, a computer that can turn off the whole Florida grid and nothing is done. I report it, an incident ... an investigation but I got fired for doing so. Now Mr. Jordan's job is on the line because he confirmed a security breach did in fact occur. Living in fear, lack of sleep, wondering what would bring today, this is how I live everyday because of the Gag order that the City management imposed on me for trying to protect the public and telling the truth. Now the utility management proposes to fire an honest employee because this employee ... that a security breach did occur and therefore the Gag Order imposed on me is unfounded and ... Do not be confused because ... would make you believe that this is an employee

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Management issue, it is not. This is a National Homeland Security issue and ...on your direct responsibility to...Do not let the blind lead the blind because we ...the Utility management is ... blocking me from performing my job ...is blocking me from bringing the truth to you (commission) ...you have been prodded and pushed into wasting hundreds of thousands of dollars because I was not been allowed to inform you."

In order to address the issues raised by employees it was important to address each issue as they were raised and attach corresponding factual documentation. These documents will be identified with Attachment Numbers for clarification purposes. The employee statements are entitled Attached #1 for example.

The statement of employee's Reyes and Jordan broken down:

Reyes Statement:

'Lake Worth Utility had a security breach in the master SCADA computer a Computer that can turn off the whole Florida Grid'. (Reyes Statement # 1)

H/R:

Human Resources obtained the services of an independent Forensics Examiner to examine this assertion and concluded that there was no evidence to indicate that the

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alleged "security breach or compromise of the SCADA system occurred, and most importantly service was not in any way impacted, degraded or interrupted at the systems Operations Center. (Attachment 4)

Again, in his enthusiasm to cooperate, Mr Kleiman forgot criminal justice basics. Three testimonial witnesses with a hundred years combined experience constitutes evidence. And as for the last half, what do we do...wait for the house to burn down before calling the fire department?

Reyes

Mr. Jordan's job is on the line because he confirmed a security breach did in fact occur now Utility management proposes to fire honest employees. That a security breach did occur therefore the gag order that city management imposed on me for trying to protect the public and tell the truth on me is unfounded. (Reyes Statement # 1)

H/R:

There is no "gag order" imposed on Mr. Reyes ← [this is a joke... right?] however, he is not an authorized spokesperson for the City of Lake Worth. However, there are established procedures that outline the process for properly reporting security related issues set forth in the National American Electric Reliability Council's Reliability Standard Reporting Procedure CIP-001-1 If a "sabotage event" (as defined by these standards) did occur at the System Operations

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Center city staff is required to quickly identify the event and report the details to the Senior System Operator in conjunction with the Power Plant Manager, T&D Manager and Utilities Director. If the Senior System Operator, Power Plant Manager, T&D Manager and Utilities Director determine that an actual sabotage event has occurred the Utility is then required to notify the following agencies PBSO, 91 1Communications, neighboring electric utilities, FPL SCADA Dispatch, Vero Beach Dispatcher, OUC SCADA Dispatcher, FBI, Lake Worth Emergency Personnel, FRCC Reliability Coordinator, FRCC Manager of Reliability. A report to the Department of Energy Emergency Operations Center is necessary form EIA-417. (Attachment 5'6)

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Based on this investigation, it has been determined that neither Mr. Reyes or Mr. Jordan followed NERC Reliability Standard Reporting Procedure CIP-001-1 since neither employees are on the list of Reports who have the authority to confirm such a potential "security breach" event. Mr. Jordan was placed on Administrative Leave for knowingly and willfully supplying false information to his supervisors and co-workers and not for "confirming a security breach". It should be noted that Mr. Jordan was disciplined in October 2007 for submitting false data reports pertaining to Electric Relays. (Attachment 8)

Horse feathers. Mr Reyes and Mr Jordan were prevented from fulfilling any notification because utility management made it clear they would be fired for doing so. Mr Reyes got fired for following the chain of command and insisting on what's right. So did Mr Jordan. This is typical of whistleblower cases where the criminals attempt to criminalize employees for speaking out in behalf of public safety. The statement that Mr Jordan supplied false information is also bogus. He said he had been contacted by the FBI (through a friend) and that the FBI wanted to speak with him. Nothing is false about that.

Reyes:

"This is a National Homeland Security issue andon your direct responsibility to.. .. The Utility Management is blocking me from bringing forth the truth to you (commission) you have been prodded and pushed info wasfing hundreds of dollars because Iwas not allowed to do my job". (Reyes Statement # 1)

H/R:

In accordance with National American Electric Reliability Council's Reliability Standard Reporting Procedure Mr. Walt Gil, Senior System Operator has been given the responsibility to ensure that the NERC cyber Security Standards CIP-002 -1 through CIP-009-1 are met by the City of Lake Worth Systems Operations Center. Mr. Reyes should have been knowledgeable of this standards and his failure to follow the approved process is a neglect of his duties. (Attachment 5, 6)

It's more likely than not... Walt Gil is not qualified to be a NERC compliance officer. LWM efforts to view his personnel file for that past month have been prevented by city management and his co-employees believe he is not qualified for the job.

Mr. Reyes made a similar statement with regard to "wasting dollars" in a resignation memo [he was threatened with being fired if he didn't sign the resignation] to his former Utility Director dated April 25, 2008 and is the second incident in which Mr. Reyes made a unsubstantiated statement [state what that is...] concerning the administration of the Utility Department and is a violation of the City's Personnel Policy prohibiting the "wanton or willful neglect in performance of assigned duties."

Just a brief point here... does the utility director deliberately wasting \$50,000 of taxpayer money by giving false information to the commission and public count as "wanton or willful neglect in performance of assigned duties? A book could follow on this topic.

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(Attachment # 8, 11)

Mr. Reyes included in this portion of his statement that he was not allowed to inform the City Commission of issues involving the operation of the City Utility system. The proper procedure as with any city employee is to follow the chain of command. Mr. Reyes reports to the Utilities Director who reports to the City Manager who in turn reports to the City Commission. The City Commission is not his direct report therefore it is not his responsibility to report to the Commission unless directed to do so either by his Director or City Manager. At the time of Mr. Reyes reinstatement on May 11, 2009, Mr. Reyes was directed by the City Manager, that he was to notify her of any future issues which he could not resolve with the Utility Director. Failure to comply with this directive by the City Manager is insubordination.

Now let's get real here. On May 11th, Mr Reyes personally pleads with the city manager to do something about the security breach. He tells her that it is serious. Now what kind of trust in someone's integrity does it encourage when that person, in this case someone in charge of protecting the public, totally ignores your request for attention to this public safety issue... then imposes a severe gag order on you and tells you to do everything the utility director tells you to do which includes a prohibition to report to the city manager?

And what anticipated benefit for Mr Reyes would be forthcoming if he again bothered the city manager with the same public safety issue? Fortunately, BECAUSE Mr Reyes and Mr Jordan put their jobs on the line prior to being fired, they are covered under whistleblower protection. If Mr Reyes did bring it up again to the city manager who had already managed the issue... she would have likely fired him... especially in view of her recent punitive actions taken against Mr Reyes and Mr Jordan. Not the least of which is giving the media, commissioners, and some special members of the public the termination notices of Mr Reyes and Mr Jordan before HR gave them their copies!

*City Commission Meeting -July 21, 2009
Transcription of statement made by Howard
Jordan:*

"I am responsible for the installation, maintenance and testing of the protective devices that control and monitor the entire electric system in Lake Worth. In the early part of the year I installed a testing device in my office that would upgrade the communication with our field devices. Our main computers were not yet ready to communicate with this test device as the process was not complete. In mid March... and saw someone

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had connected it to the computer main frame, I disconnected it and on March 31" it was again reconnected, I disconnected it for a second time and informed Andres and Lary my supervisor. I was instructed to place a lock on the door as no one else should access the office normally. The following day I was told by Larry to remove the lock as it offended others. The affermath of this Andres was terminated. Upon his return to work in May, I requested to prepare a report on the incident which I did. Last Wednesday I received an anonymous call informing me that a Federal Agent was interested in talking to me about the incident. I requested a meeting with the Utilities Director through Andres to get clarification on the company's policies and procedures in dealing with ...agency. I was yelled at, humiliated and told to leave her office. I was subsequently informed that on my return to work, I would be terminated. The connection of this device to a computer prematurely could have comprised the computer system and in the worse case scenario the electric system and even the grid in which it was connected. We cannot hide our heads in the sand and pretend that this does not occur or simply termination everyone to dares to say it happened. All efforts on my part to improve the security in this area have been resisted and now I pay the price for my diligence.

Jordan:

"In early mid March I saw someone had connected it to the computer main frame, I disconnected it and on March 31st it was again connected. (Jordan Statement 1)

H/R:

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Mr. Jordan states that he witnessed the test device connected to the mainframe on a first occasion and took no action. The fact that this employee did not report this incident is a violation of the City's Personnel Policy "Wanton and willful neglect in the performance of assigned duties." [Okay, here's how ridiculous this is. One employee gets fired for insisting a breach occurred while the other one gets fired for NOT reporting it] In addition to violating the City's Personnel Policy, Mr. Jordan is in violation of NERC standards as well. Mr. Jordan further states that he found the device connected again and informed Andres Reyes and Larry Drenski. As indicated previously, according to NERC standards this incident should have been reported to the Senior Systems Operator as described in the NERC guidelines and furthermore the Power Plant Manager and Utilities Director were not notified in accordance with NERC standards. (Attachment 5,6,10)

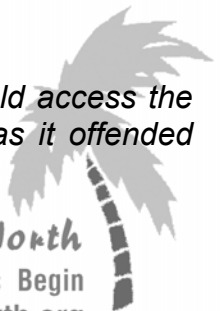
Jordan:

"Mr. Jordan was instructed to place a lock on the door as no one else should access the office normally. The following day I was told by Larry to remove the lock as it offended others". (Jordan Statement #1)

H/R:

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Based on the results of this administrative investigation at no time did any of these employees contact the Utilities Director and request permission to place a lock on a door in the Operations Center. The independent Forensic examiner stated in his report that securing the door to this room would serve no purpose since all personnel have unrestricted access to the Operation Center where the maintenance console room is housed, and all the System Operations have authorized access to the SCADA OSI system. In addition, it was explained by the Examiner that the door on that particular room is a padlock door, and at that time the only method of locking it was with a padlock style mechanism, which create a hindrance during an emergency. (Attachment # 4)

Better to take no action than to protect the system

Jordan:

"Last Wednesday I received an anonymous call informing me that a Federal Agent was interested in talking to me about the incident". (Jordan Statement #1)

H/R:

Prior to appearing before the commission Mr. Howard stated to the Utilities Director and several Utilities personnel including Mr. Reyes that he had been directly contacted by the FBI. **[this is bogus... he did not use the word "directly"]** After the Utilities Director reported this information to the City Manager, Mr. Jordan recanted his statement to say that he had not actually been contacted by the FBI but a

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Friend (who he wished to keep anonymous) called him and told him that the FBI was going to investigate an alleged security breach of the SCADA system. **After Mr. Jordan misrepresented himself to the media, City Manager, Utilities Director and City staff he admitted that no FBI agent contacted him. (Attachment # 7)**

More horse feathers

Below I have inserted where necessary to make the statement accurate

As a part of this administrative investigation, The Human Resources Department contacted the FBI **[when?]** in order to confirm the statements made by Mr. Reyes and Mr. Jordan to the City Commission and during the television interview. FBI Agent Ted Harper, and Public



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Information Officer Judy Orihuela informed the city that the local FBI field office was contacted by an employee of the city concerning a "security breach". After the FBI Agent spoke with employee it was determined [at the time of the interview that more documentation/witnesses were needed] that no case file would be opened and no investigation would be conducted [based on the information at that point in time].

FBI Agent Ted Harper [who was not present during the 2 hour interrogation] stated that it was his belief [key bureaucratic word... based on the single testimony at the time and with no documentation] the perceived breach in security reported by the employees was [perhaps] the result of internal human error, administrative mistake or a disgruntled employee and not a case involving a "security breach as defined by the National American Electric Reliability Council's Reliability Standard Reporting Procedure CIP-001-1.

If Mr Harper is an FBI agent and he said this... his superiors should know. I suggest that he call me to avoid bringing in the name of the FBI agent who did the interview... and did so in front of three witnesses. Mr Harper's statement is not only inappropriate and prejudicial it is also based on hearsay. I suggest agent Harper conduct his own interview to get the truth before speculating based on what someone else, be it an agent or not... said.

Jordan:

"The connection of this device to a computer prematurely could have comprised the computer system and in the worse case scenario the electric system and even the grid in which it was connected. (Jordan Statement" #1)

H/R:

[Here is just more convenient misapplication and misinterpretation of NERC standards] Based upon Mr. Jordan's professional certifications on file with the City of Lake Worth, he is not qualified to interpret the National American Electric Reliability Council's Reliability Standard Reporting Procedure regarding "sabotage event" or the maintenance of the State of Florida's power grid system. Ironically, these two employees (Mr. Jordan and Mr. Reyes) have access to the System Operations Center but don't possess any NERC certifications. All Systems Operators are certified through NERC and are certified in system operator reliability certifications in addition employee(s) also poses their balancing interchange and transmission certifications.

As a result of this administrative investigation, the independent Examiner along with City IT computer personnel examined whether the cable connection that was described by Mr. Jordan could have been interfaced with the City's Master SCADA and it is determined that the cable that runs from the maintenance Console Room out to the switch system was not registered with the Master SCADA. If the alleged cable was connected to a secure "local





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area network" additional programming steps are required before the RTU would be able to communicate with SCADA. (Attachment # 9,4)

Big problem here with this cable thing... more on that later.

Summary:

The Systems Operations Center is a secure facility [here we go with the EXTERNAL breach thing... it's INTERNAL... hello] and exceeds NERC standards [we'll see] per the Independent Examiner's report [he's a paid by the city manager consultant... not independent]. The Human Resources department confirmed that security guidelines are adhered to by all staff and visitors entering and existing the building by reviewing log sheets. On the day in which Mr. Reyes and Mr. Jordan alleged a "security beach" occurred (March 31") they were the only personnel [it's well known that some system operators like Jason for example never sign in] who visited the Testing Lab. All Center staff has been interviewed about the "security beach" and have all stated they did not witness nor do they have any knowledge of the alleged connection to the mainframe [after seeing what happens to those who cross the line]. Neither Mr. Reyes nor Mr. Jordan reported the alleged breach to the Utility Director, the City Manager or any other departmental employee
←/This is totally bogus... it's the very thing Reyes and Jordan got fired for... are they nuts?

As set forth in the National American Electric Reliability Council's Reliability Standard Reporting Procedure CIP-001-1 concerning sabotage neither Mr. Reyes or Mr. Jordan followed NERC procedures regarding reporting sabotage. [as discussed previously, they were prevented from following procedure because procedure requires investigating which utility management prevented. However, it did get reported anyway.

Violations of Policy:

Based on findings of this administrative investigation Mr. Reyes and Mr. Jordan have violated the Personnel Policy Resolution 28-91

Mr. Reyes and Mr. Jordan is in violation of the following Group II Offenses:

(6) Willfully making or publishing false, vicious or malicious statements concerning any employee, supervisor, the City or its' operation

(5) Negligence or omission in complying with the requirements as set forth in departmental rules and standards of conduct.

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(10) Failure to report a request for information or receipt of a subpoena from a law firm or an attorney for a matter relating to City business

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Mr. Jordan is in violation of the following Group III Offenses:

(1) Wanton or willful neglect in the performance of assigned duties.

(13) Incompetence or inefficiency in the performance of assigned duties in an employee's position.

Mr. Reyes is in violation of the following Group, III Offenses:

(1) Wanton or willful neglect in the performance of assigned duties.

(4) Falsification of personnel or City records, including employment applications, accident reports, work records, purchase orders, time sheets or any other report, record or application

(6) Insubordination by the refusal to perform work assigned or to comply with written or verbal instructions of a supervisor.

(13) Incompetence or inefficiency in the performance of assigned duties in an employee's position.

Recommendation:

Based on the Human Resources observations, finding of facts and the report presented by the Forensics Examiner it is determined that these allegations are **UNFOUNDED**.

It is recommended that Mr. Jordan and Mr. Reyes be terminated effective immediately.

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