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Jan. 22, 2013

The City of Tampa, Florida, fired one high-paid administrator and another resigned over their cover-up of an error in death-benefit payments that cost Tampa more than \$140,500, city officials said Wednesday.

The city is suing Emma Winters, the widow of former water department technician Jerry Winters, to get the money back. Emma Winters cashed the checks that were mistakenly sent to her after her husband's death in 2011.

The error went undiscovered for five months, city officials said. Then, pension supervisor Andrea Noriega and her boss, accounting operations manager Marlene Herrera, kept it to themselves for another five months as they struggled in vain to recoup the money.

The cover-up cost them their jobs, said Finance Director Sonya Little.

"We have called for an internal audit to be done of our pension system to see if there are any outstanding issues so we can find out about them," Little said Wednesday.

The city filed the lawsuit Jan. 11 in Hillsborough Circuit Court in a new effort to make Emma Winters pay back the money. Winters said she can't do it.

"I would like to give them their money," said Winters, who works as a custodian with a Hillsborough County school district contractor. "Trust me, I would."

She said she used the money to help friends and family members. She gave some to her church. She also remade the inside of her home to help get over her husband's death.

"I couldn't sleep in here," she said.

Jerry Winters worked for the city of Tampa for 17 years. At the time of his death, he

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guaranteed a monthly pension benefit.

On Dec. 30, she got a death benefit check for \$34,477.34, which the city says she cashed on Feb. 1, 2012. A month later, the city sent her another check.

Between January and April, Emma Winters got four more checks, one at the end of each month. Each was for \$35,127.42, according to the lawsuit.

Little said the city filed suit as a last-resort effort to get its money back.

“It’s not like we wanted to take this action,” Little said. “We were forced to.”

Little said the trouble started when her staff created the death-benefit check in the city’s computer system in late 2011 but forgot to remove the payment instructions after the check was printed Dec. 30.

The system continued generating a payment each month until May 23. That’s when the pension system’s accountant alerted Noriega to the problem. Noriega said she went to Herrera “within seconds.”

“She said, ‘Right now, we’re not going to do anything. I’m not going to escalate this,’” Noriega said. The women spent the following months calling and writing Emma Winters in an effort to get her to return the money.

They kept trying until last September. By then, they had become so distracted by the effort it affected their performance overall, according to their disciplinary records. Finally, in October, Noriega and Herrera reported the problem to the city’s top administrators.

In November, the city suspended Noriega for two days while investigating. She was fired on Nov. 13.

Noriega began working for the city in 2009 after 23 years at Bank of America. The

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own disciplinary review and resigned on Nov. 19. She could not be reached for comment.

In all, the city has demanded Emma Winters repay \$140,509.68, the cost of the four overpayments plus interest.

At her small Tampa Heights home on Wednesday, Winters said she was confused and grieving in the months after her husband's death and thought the checks were rightfully hers.

“During that time,” she said, “I was out of it.”

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