

Inspector General Selection and Retention Committee
Meeting Minutes May 23, 2016
1:00 p.m.

Location: City Hall, St. James Building, 117 West Duval Street, Lynwood Roberts Room

Called to Order: Committee Chair Boyer called the meeting to order at 1:00 p.m.

Roll Call - Committee Members Present:

Refik Eler, designee for Public Defender Matt Shirk
Marc Hassan, Chair of the TRUE Commission
Thomas Paul, Vice-Chair of the Ethics Commission
Lori Boyer, Chair of the Inspector General Selection and Retention Committee
Kerri Stewart, Office of the Mayor, designee for Mayor Lenny Curry
Angela Corey, State Attorney
Honorable Judge Elizabeth Senterfitt, Vice-Chair of the Inspector General Selection and Retention Committee, and designee for Chief Judge Mark Mahon

Pledge of Allegiance: CM Boyer opened with the Pledge of Allegiance.

I. Approval of the May 16, 2016, Meeting Minutes

CM Boyer asked for questions or corrections regarding the May 16, 2016 meeting minutes, and suggested an amendment to the last sentence of Section II, paragraph 2, for clarity. The minutes currently read, 'Ms. Steckler offered to be more specific on the Core Competencies, and discussed one add-on item as well'. CM Boyer asked Ms. Steckler to elaborate on what the add-on item is. Ms. Steckler read the approved amendment into the record for Core Competency 2, Measure 6, as follows: 'The six-month briefing should include, at a minimum, a summary of all questioned, identified and avoidable costs, and recoveries.' The motion passed to accept the minutes with this change incorporated.

II. Discussion Regarding Exclusion of Former City Employees

CM Boyer referenced last week's discussions and interpretation of Code language potentially excluding anyone employed by the City of Jacksonville or Independent Authorities within the last two years from hiring consideration for the Inspector General (IG) position. CM Boyer had met with Ms. Sidman, Office of General Counsel, to draft legislation that eliminates this provision in the Ordinance Code in anticipation of this meeting. She discussed options for the committee to withdraw this bill or let it move forward, and discussed the intent of the original prohibition. With legislation pending, CM Boyer invited the group to discuss whether to look only at candidates who have not worked for the City of Jacksonville or Independent Authorities, or whether to open up the criteria.

Mr. Hassan motioned for the committee to support the legislation to eliminate this language. Judge Senterfitt agreed and indicated that while a candidate's experience is certainly a consideration, having an absolute prohibition may eliminate a potentially good candidate.

Mr. Paul seconded the motion. No comments or concerns. All agreed without opposition; the motion passed. CM Boyer discussed the timing; it may be considered by Council on May 24, 2016, or it may go to Committee per Council which would affect the timing for advertisement of the position.

III. Appointment of the Interim Inspector General

Ms. O'Leary, Director of Employee Services, (audience) put forth candidates Steven Rohan and Christopher Miller. She discussed their experience, referencing their respective resumes. She recommended the Committee consider Mr. Rohan based on his background and being well-versed on City operations. Mr. Paul added that he previously spoke with Ms. Carla Miller, Ethics Director, who indicated Mr. Rohan had been intimately involved in the establishment of the office, the referendum, and the Ethics legislation, and that Mr. Rohan has been working with Ms. Miller behind the scenes for years on this, and is aware of the role of the Inspector General's Office as well as the various parties. Mr. Paul feels Mr. Rohan can best advance the office within three months. Judge Senterfitt asked whether either candidate intends to apply for the permanent position. Ms. O'Leary indicated she anticipates candidate Miller would apply for the permanent position, and candidate Rohan likely would not.

Ms. Stewart motioned to accept Mr. Steven Rohan as Interim Inspector General. Mr. Paul seconded the motion. No further discussion, all were in favor; none opposed. The motion passed.

CM Boyer discussed the interim position being offered at a maximum of 30 hours per week until such time as the vacancy is filled, which could be three to four months. Ms. O'Leary identified the minimum hourly rate as \$57.69, which at up to 30 hours per week this equals \$1730/week or a maximum of \$20,768 for a period of 12 weeks. Ms. O'Leary indicated the Department has the dollars, but needs to increase the part-time hours in the existing budget. CM Boyer asked whether there were other considerations. Ms. Sidman indicated that there must be a position available so it does not affect the position cap, and suggested that with Mr. Cline exiting there is a position; therefore the cap is not affected. Mr. Cline's former salary could be moved to cover the interim expenses via a budget transfer directive. Ms. Sidman had researched the contract with Ms. Steckler which had previously received Council approval. She also researched the Code provision which contemplated a contract with the Inspector General. She asked whether there would be Council approval for the Interim Inspector General appointee, or whether the Committee or Committee Chair needs to enter into contract with the Interim IG. CM Boyer asked Ms. Sidman and Ms. O'Leary for direction on the matter.

Ms. Sidman indicated that in conferring with Employee Services they confirmed dollars in the budget, the position is within the cap, and Code 602.305 allows the Chair of the Committee to work with the Office of General Counsel and negotiate a contract with an Inspector General. The vacancy is under the same terms as the Inspector General, so the opinion is that the Interim position falls within the same regulations as the permanent Inspector General contract option; consistent with the Code. CM Boyer invited discussion, reviewed that the maximum number of hours worked would be 30 per week, and clarified the salary will be near the low end of the range.

Judge Senterfitt moved to allow Chairwoman Boyer to complete details of any contract on behalf of the Committee, if needed. Mr. Paul seconded the motion. No discussion, all in favor; the motion passed.

CM Boyer discussed the hiring timeline, and suggested that the second line of the timeline currently reading 'May 24 – June 13' must be updated at a minimum to read 'May 25' as the initial timeline to advertise the position, and to note that the results of action on May 24th with respect to exclusion of City employees may cause the entire timeline to be pushed back. The timeline would then proceed as adjusted based on the results of the action. All agreed.

IV. Approval of the Inspector General Job Advertisement

Ms. Steckler discussed changes based on recent discussion with committee members. Under Knowledge Skills and Abilities, it used to read 'thorough knowledge' within the first two bullets and she has changed this to 'considerable'. The second bullet previously read, 'considerable knowledge of auditing, investigating, and contracting practices, methods and procedures.' and it now reads, 'considerable knowledge of auditing, investigating, and/or contracting practices, methods and procedures'. The last change was to the second bullet under Preferred Experience which now reads, 'Certified Public Accountant or Internal Auditor, or government attorney with expertise in cases involving fraud, mismanagement and government waste'.

CM Boyer asked for the definition of an Open Requirement, as there are bulleted items under this heading listed as mandatory, and one listed as optional. Ms. O'Leary explained this is derived from Civil Service rules and regulations and is terminology the City uses for priority one and two candidates. 'Open Requirements' implies it is openly competitive; these are requirements one has to meet to compete for the position. As the bullets underneath the Open Requirements, she understands there is reference to recommended rather than required certification; however these were matched directly with the qualifications as listed in the Ordinance, and listed verbatim.

CM Boyer suggested that for publication purposes they use 'Minimum Requirements' or 'Mandatory Requirements' and list professional certification as 'Recommended' so the distinction is clear to everyone.

Ms. Stewart and CM Boyer discussed clarification of certification requirements. Ms. Steckler indicated these certification requirements mirror state law and Inspector General language. She stated one qualification is that the candidate be already certified in some field relative to the Inspector General community, and additionally there is a requirement that within two years the Inspector General become a Certified Inspector General. She stated in fact the state law changed now, requiring two certifications before one can walk in the door, while still allowing two years to become a Certified Inspector General. Governments take certifications for Inspector General seriously; they expect those certifications when one walks in the door, while the (additional) Inspector General certification is not something one can achieve right away.

CM Boyer and Ms. Steckler further discussed mandatory certifications for initial candidate consideration and the requirement that an Inspector General become a certified Inspector General within two years of taking a position as an IG. They discussed clarification of 'required' versus

'recommended' and being consistent with the Municipal Code, as well as state law. Mr. Paul and Judge Senterfitt also discussed changes to make this more understandable to a reader, as qualifications can be interpreted as mandatory requirements. CM Boyer suggested using 'preferred' experience or certifications.

There were no other edits or suggested changes to the last two operative sections. CM Boyer clarified that the note at the bottom of the job advertisement (regarding exclusion of former employee applicants) may be removed in its entirety depending on the action of the Council, or it may stay in place. Ms. Stewart motioned for the job advertisement as amended with changes incorporated; Mr. Paul seconded. All in favor, no opposition, motion for the amended job description was adopted.

V. New Business

Mr. Paul stated he will be out of town beginning July 19, and if there are interviews during this time Mr. Jacquot should be available in his place. Ms. Steckler screening will be toward the end of July with interviews mid-August.

Mr. Conrad Markle (audience) asked for clarification as to whether someone local could be included in applying for the permanent position, and expresses concern about conflicts of interest.

CM Boyer stated she is aware of this concern, and it is definitely a consideration when evaluating a candidate. She felt it is possible to have a candidate who has worked for the City or Independent Authorities previously who does not fall squarely within that conflict. Whether that is the case or not depends on who the person is and what relationships they have had.

VI. Comments from the Public

CM Boyer asked for further comments. (None.)

VII. Adjournment of IG Selection and Retention Meeting

Meeting was adjourned at 1:36pm.

Note: Above is an overview of the meeting. Please refer to the audio file for complete details.