



OFFICE OF INSPECTOR GENERAL

Inspector General Selection and Retention Committee Meeting Minutes February 9, 2022, 9:00 AM

*Note: Below is a summary of the meeting as required by Florida's Sunshine Law; See AGO-82-47.
For more detailed information, please refer to the audio file on the Office of Inspector General's website, <http://www.coj.net/departments/inspector-general/inspector-general-committee>*

Location: City Hall, St. James Building, 117 West Duval Street, Don Davis Room

Call to Order: Chair L. E. Hutton called the meeting to order at 9:05 AM.

Pledge of Allegiance: Chair L. E. Hutton opened with the Pledge of Allegiance.

Roll Call - Committee Members Present:

- Ellen Schmitt, Chair, Ethics Commission
- Honorable Charlie Cofer, Public Defender for the Fourth Judicial Circuit
- L.E. Hutton, Chief Assistant State Attorney, designee for the Honorable Melissa Nelson, State Attorney for the Fourth Judicial Circuit, and Chair of the Inspector General Selection and Retention Committee
- Daniel Henry, Chair, TRUE Commission

A quorum was met with four members present; however, the following Committee Members joined quorum at the following times:

- Honorable Julie Taylor, Judge, designee for Honorable Mark Mahon, Chief Judge, at 9:07 AM
- Honorable Samuel Newby, City Council President, at 9:07 AM
- Brian Hughes, Chief Administrative Officer (CAO), designee for Honorable Lenny Curry, Mayor, at 9:36 AM

Office of Inspector General (OIG) Staff Present:

- Sheryl D. Goodman, Interim Inspector General, OIG
- Christina Gatto, Senior Program Coordinator, OIG

Office of General Counsel (OGC) Staff Present:

- Mary Staffopoulos, Attorney III, OGC

I. Old Business

A. Approval of January 6, 2022 Meeting Minutes

Chair L.E. Hutton began by stating the Committee members that were present: Mr. Henry, Public Defender Cofer, Chair Hutton, and Ms. Schmitt.

Chair L.E. Hutton asked the Inspector General Selection and Retention Committee (Committee) if there were any questions or corrections to the January 6, 2022 meeting minutes.

Public Defender Cofer moved to approve the January 6, 2022 meeting minutes as circulated. Ms. Schmitt seconded the motion. **Motion passed unanimously.**

II. New Business

A. Review of eligible candidates for Inspector General position and selection of candidates to be interviewed

Chair L.E. Hutton deferred to Diane Moser, Director of Employee Services. Ms. Moser explained that the Committee has large notebooks which contain all of the information needed for the Inspector General (IG) job search, including:

- Hiring procedures
- Job posting
- Job description
- Matrix containing an overview of the candidates
- Matrix containing a deeper dive of information of the candidates, including answers to questions from their application.

Ms. Moser stated that there are a total of 21 eligible candidates and that they are grouped by well-qualified (7 candidates), qualified (6 candidates), and minimally qualified (8 candidates). Some candidates were moved up to the next category due to veteran's preference. Ms. Moser recommended reviewing the matrices and if needed, the cover letter, resume, and the application. Ms. Moser stated that the goal at the end of this meeting is to select who they [Committee] plan to invite for an interview that will be held on February 28, 2022 and, if needed, March 1st.

Judge Taylor and City Council President (CP) Newby joined the quorum at 9:07 AM. The six present Committee members began reviewing the notebook material at 9:08 AM. Chief Administrative Officer (CAO) Hughes joined the quorum at 9:36 AM. The seven Committee members finished reviewing the notebook at 9:50 AM.

Ms. Moser stated that it is recommended that they limit the interviews to one day due to the fact that if there is a second day, the questions and interviews can get leaked out into

the public as this process is public record. It is a priority to keep the integrity of the interview process.

Ms. Moser stated that the recommendation for the interview timeframe is to have six interviews, one hour each, with fifteen minutes in between. Judge Taylor initiated conversation regarding the timeframe of an hour per interview because it limits six interviews at an hour each and she sees more candidates than six that she would like to interview; Chair Hutton was in agreement. Interim IG Goodman explained that it is preferable to conduct the interviews between 8:30 AM and 5:00 PM with discussion afterward, but the Committee can decide if they want to conduct more interviews past 5:00 PM.

Interim IG Goodman explained that typically each member of the Committee would get two questions; therefore there would be a total of fourteen questions which is why one-hour interviews were recommended. Chair Hutton requested clarification regarding if they only can ask two questions. Interim IG Goodman explained that each Committee member can ask two questions but there can be follow-up. CP Newby stated that he thinks interviews should be an hour due to the public comment aspect.

The Committee continued to deliberate how they wanted to review the list of candidates. Chair Hutton asked the Committee if they wanted to discuss any of the candidates in the minimally qualified section; it was decided unanimously that they did not. Public Defender Cofer suggested that they begin with the well-qualified candidates and go down.

Chair Hutton named candidate Anthony Baize for discussion. Ms. Schmitt moved to interview Mr. Baize. **CP Newby seconded.** Chair Hutton asked for public comment.

Carnell Oliver stated that he wanted the language of the IG expanded to discuss all the inefficiencies in that department and create more checks and balances. Mr. Oliver recommended the OIG to model Palm Beach and Broward County, as they focus on corruptions imbedded in the system.

Chair Hutton asked for other public comment, specifically related to the candidate Anthony Baize. There was none. Chair Hutton asked for further discussion beyond what was had. There was none. **Motion passed unanimously.**

Chair Hutton named candidate Alan Boehm for discussion. Ms. Moser pointed out that Mr. Boehm is a veteran that moved from qualified to well-qualified because he does not have three years of IG experience. The well-qualified all have IG experience of three years or more. Therefore, Mr. Boehm is a little less qualified than some of the other IGs in that bucket. Ms. Moser stated that the Committee only has to consider the veterans that are well-qualified.

CAO Hughes requested clarification since two or three veteran candidates have moved from qualified to well-qualified. He inquired if those three candidates have missing

qualifications in another area and were moved up due to the preference. Ms. Moser stated that there is a Veterans' Preference law where they have to be given preference in each step of the process. Three out of the four veterans have been given preference by being moved from qualified to well-qualified. If a non-veteran is selected, then there just needs to be documentation as to why they were selected over a veteran. Public Defender Cofer asked if the veterans being moved up a category prevented anyone else from being in that category; Ms. Moser stated that they did not.

CAO Hughes asked Interim IG Goodman to explain what qualifications were missing from the three veteran candidates that were bumped up to well-qualified. Interim IG Goodman explained that the other well-qualified candidates had three or more years of experience as an IG, but one veteran had two years of IG experience and the other two veterans had none. CAO Hughes requested clarification that the missing qualification is the lack of the three-year component but in all other ways they have parity with the other well-qualified candidates. Interim IG Goodman confirmed that the delineator of the non-veteran candidates were their years as an Inspector General.

CAO Hughes acknowledged Interim IG Goodman's extensive experience and accreditation. He inquired if any one of the well-qualified could efficiently and effectively do the job as an IG. Interim IG Goodman stated that the only thing that the OIG office is lacking is someone who understood how to be an IG. She explained that some IGs are strong in audit or strong in investigations. Interim IG Goodman recommended that they [the Committee] review the candidates and select someone that is strong in both audit and investigation for balance to lead the office.

Chair Hutton asked for further discussion. Mr. Henry moved to interview Mr. Boehm. **CAO Hughes seconded.** Chair Hutton asked for discussion.

CAO Hughes initiated discussion regarding if the Committee sees any reason that they would not want to interview all seven well-qualified candidates. Mr. Henry stated that he had one candidate he wanted to discuss. Chair Hutton motioned to finalize the vote on Mr. Boehm. **Motion passed unanimously.**

Ms. Schmitt stated that she is inclined to interview all the well-qualified candidates. Chair Hutton stated that Mr. Holmgren has an extensive background but is currently unemployed and has not been in the OIG business since 2016. Chair Hutton asked if anyone has concerns regarding this. CP Newby stated that he also was concerned about this candidate.

CAO Hughes moved that they interview all the candidates in the well-qualified category with the exclusion of Mr. Holmgren. **Public Defender Cofer seconded the motion.**

Chair Hutton asked if there was discussion. Public Defender Cofer inquired if any of the selected candidates' salary expectations fall out of the range. Chair Hutton indicated that all the salary requests fall within the range and the one who requested the most was Mr.

Holmgren. Chair Hutton asked for public comment. There was none. **Motion passed unanimously.**

Chair Hutton asked if there are any candidates in the qualified category that they would want to discuss for interview.

Judge Taylor asked Interim IG Goodman her opinion on Cindy Kim due to the fact that she has an interesting background but not as much IG experience as the well-qualified. Interim IG Goodman stated that since there are so many well-qualified candidates that are Inspector Generals, as well as the circumstances in the OIG office, someone needs to understand the role as an IG. She added that a lot of clean up still needs to happen and it will not be finalized when she leaves. Interim IG Goodman recommended that if all six of the well-qualified candidates were not selected then they should go to the next level of qualified candidates.

Chair Hutton inquired about candidate Willem Banis who was not moved to well-qualified but is a veteran with 1.5 years of IG experience. Interim IG Goodman stated that Mr. Banis was not moved up because he did not use his veteran's preference and is under the three-year mark of IG experience. Interim IG Goodman added that if a good pool of candidates was not in the well-qualified category, that Mr. Banis would have been moved up. Chair Hutton inquired if Mr. Banis had provided veteran's information would he have been moved up and Interim IG Goodman responded that he would have.

Chair Hutton asked if there was anyone else that they wanted to discuss in the qualified category. Mr. Henry stated that he wanted to discuss Mr. Dove since his background is interesting. Interim IG Goodman indicated that Mr. Dove is an assistant under the deputy and is strong in audit.

Public Defender Cofer noted that deciding to interview the first six candidates does not eliminate the rest; the Committee was in agreement.

CAO Hughes stated that he was grateful to the staff as they prepared an impressive group of candidates and they [the Committee] were able to review the information that was well prepared in a good system to rank and select candidates.

Chair Hutton asked for discussion and Carnell Oliver requested to give his opinion and stated that he is more interested in the well-qualified individuals. Mr. Oliver wanted the candidate that will be selected to understand government. Mr. Oliver also requested that David Neal McClintock and David Harper be considered by the Committee because he wants someone with institutional knowledge and who does not need their hands held and babysat. Chair Hutton stated that these candidates have been selected already in the well-qualified category. Mr. Oliver thanked the Committee.

Chair Hutton named the six candidates that the Committee agreed to interview:

- ✓ Mr. Anthony Baize
- ✓ Mr. Alan Boehm
- ✓ Mr. David Harper
- ✓ Mr. Matthew Lascell
- ✓ Mr. David Neal McClintock
- ✓ Mr. Charles McCullough

Chair Hutton asked if there is any further discussion regarding the interviews. There was none. Chair Hutton stated the interviews are set for Monday, February 28, 2022, at 8:30 AM through 4:45 PM with discussion after.

CAO Hughes inquired if there is any foreseeable issue regarding travel or budgeting. Interim IG Goodman stated that there is a small budget of \$500 a person for reimbursement for the six selected candidates. CAO Hughes indicated that he and CP Newby are prepared to collaborate regarding budget for travel if needed as they do not want to miss interviewing someone because of travel.

Mr. Henry initiated conversation regarding the vote on travel since they already had a prior vote where they set a limit. Ms. Staffopoulos stated that since the Committee had a vote to limit travel at the last meeting, that they could take a different vote on travel. Ms. Staffopoulos added that someone could motion to increase the limit and direct the staff to stay under that new limit, so that the discussion would be on the record.

CAO Hughes moved to change the previous action of the hard cap for travel to be from \$500 as to not exceed \$1,000 and for the staff to try to stay under that limit. **Schmitt seconded the motion.** Chair Hutton asked for discussion. There was none. Chair Hutton asked for public comment. There was none. **Motion passed unanimously.**

Ms. Moser added that they conducted the social media checks on the top candidates and indicated that they did not find anything that would rise to a level of concern. The reference checks will be done before the interviews.

Ms. Moser stated that they are working on the interview questions and currently have a preliminary list. Ms. Moser reiterated that each Committee member can ask two questions as well as conduct follow-ups. They also can request if they want a question to be changed or added.

CAO Hughes requested clarification that the goal is for a consistent and uniformed list of interview questions so that all the candidates are asked the same questions for legal purposes, but that their follow-up process can differ per candidate; Interim IG Goodman confirmed.

Chair Hutton asked for further questions. Judge Taylor asked if they still need to keep March 1st available. Chair Hutton responded that February 28th should be enough for the interviews.

Mr. Henry asked a question regarding the process once the Committee selects a candidate. Ms. Staffopoulos stated that under the code there is a provision that provides that once the Committee has selected a candidate and recommends for Council confirmation, the Chair is responsible on behalf of the Committee to negotiate the contract and salary with the candidate before City Council confirmation.

CP Newby inquired if they need to select a candidate and an alternate. Both Ms. Staffopoulos and Interim IG Goodman confirmed that they would need to select a candidate and alternate. Ms. Staffopoulos added that things can always fall through with the first candidate and that the Chair would move forward to discuss the contract with that person.

CAO Hughes inquired if they are bound to choose both a candidate and alternate if they arrive at an impasse. Ms. Staffopoulos stated that is correct and that they may want to find an additional alternate just to make sure that they have a sufficient list and not have to reconvene to pick a third candidate.

Ms. Schmitt inquired how long the City had contracted with Ms. Goodman. Interim IG Goodman stated that she is currently part-time and narrowing it further down during March; no motion is necessary because there is no deadline for her current contract. Her goal is to get a handful of investigations and an audit out before the new IG starts so he can start with a clean slate.

III. Additional Business

No additional business was discussed.

IV. Comments from the Public

Chair Hutton asked for public comment. There was no public comment.

V. Adjournment

Chair L. E. Hutton adjourned the meeting at 10:27 AM