

**OFFICE OF INSPECTOR GENERAL
CITY OF JACKSONVILLE**



**REPORT OF
INVESTIGATION
#2020-0002WB**

**Procurement Code Violations, COJ Directive
Violations, Falsification of Time and Attendance
Records, and Misuse of COJ Resources.**

Matthew J. Lassell

APRIL 18, 2022

DATE ISSUED

“Enhancing Public Trust in Government Through Independent and Responsible Oversight”



EXECUTIVE SUMMARY

Report of Investigation 2020-0002WB

In November of 2019, the Office of Inspector General (OIG) received two written complaints regarding Ryan Ali (Ali)¹, now-former Chief, Division of Sports and Entertainment, formerly the Office of Sports and Entertainment (hereafter, referred to as DSE), City of Jacksonville (COJ). The complainants reported misuse of COJ resources and falsification of time and attendance records.

From December 2019 to February 2020, the OIG received eight additional complaints regarding Ali, specifically related the DSE work environment. The complainants alleged Ali exhibited behaviors that facilitated a hostile work environment, mismanaged DSE, and engaged in conduct prohibited by the COJ Workplace Violence Directive.

On December 20, 2019, the OIG sent the Director of Organizational Effectiveness, Office of the Mayor (Mayor's Office), a memorandum (OIG Memo) requesting a Labor Relations² investigation to address the allegations related to the DSE work environment.

On January 7, 2020, the Director of Employee Services provided a written response to the OIG (Memo Response) containing a summary of three meetings held with Ali prior to the issuance of the OIG Memo. The Memo Response did not indicate whether Labor Relations investigated the complainant concerns involving the DSE work environment. Because Labor Relations elected not to investigate, the OIG included the DSE work environment complaints in this investigation.

In September 2020, the OIG received one additional complaint against Ali, alleging mismanagement, workplace violence, hostile work environment and procurement of services in a manner contrary to the COJ Procurement Code.

On September 16, 2020, the Mayor's Office placed Ali on administrative leave, and on December 8, 2020, Ali submitted a resignation letter, effective the same date.

Based on the 11 complaints,³ the OIG conducted an investigation of the following:

Allegation 1: Violation of COJ Procurement Code

Ali procured services in a manner contrary to the COJ Procurement Code by circumventing the procurement process. Finding: ***Substantiated***.

Allegation 2: Violation of COJ Directives 0532 and 0528

Ali exhibited behaviors that created a climate of hostility and intimidation in the DSE work environment. Finding: ***Substantiated***.

¹ Ali was appointed as Chief in June of 2019 and resigned on December 8, 2020.

² Labor Relations is an office within the Employee Services Department.

³ As part of the OIG's complaint intake process, the Inspector General determined the disclosures demonstrated reasonable cause for protection under the Whistle-blower's Act, Florida Statutes (F.S.) §112.3187 - 112.3189, and Part 5 of Chapter 602, Ordinance Code. In total, seven complainants were designated as Whistle-blowers.

Allegation 3: Falsification of Time and Attendance Records

Ali falsified his time and attendance records for October 17, 2019, and October 18, 2019.
Finding: ***Substantiated.***

Allegation 4: Misuse of COJ Resources

Ali used COJ-owned equipment for personal use. Finding: ***Substantiated.***

BACKGROUND

The Division of Sports and Entertainment (DSE) became a division under the Department of Parks, Recreation, and Community Services (Parks) in accordance with COJ Ordinance 2019-395-E, enacted June 25, 2019. According to the COJ website, DSE “*leads the city's direction in sports, special events and film & television production.*” DSE’s mission statement is to, “*Attract, host and create opportunities that positively influence economic impact and improve the quality of life and cultural engagement for residents, visitors and businesses.*”

In June 2019, Ali was initially hired as Manager, Office of Sports and Entertainment, an Appointed Employee position.⁴ In September of 2019, City Council (Resolution 2019-587-A) confirmed Ali’s appointment by the Mayor to Chief, Office of Sports and Entertainment, an Appointed Official position.⁵ Ali reported directly to the Director of Parks, Recreation, and Community Services, and supervised a team of 21 COJ employees.

According to the job specifications for the Chief of Sports and Entertainment:

This position reports to the Director of Parks, Recreation, and Community Services and performs highly responsible, professional work in leading the City's effort to manage city owned sports venues and contracts; to expand the scope, number, visibility, and quality of sports and entertainment activities throughout Duval County. The position acts as the City's Chief Sports and Entertainment Liaison with the City Council, SMG, the Gator Bowl, professional athletic teams, and their leagues, University of Florida and University of Georgia institutional and sports administrators, local entertainment venues, local organizations that request City support in attracting sports and entertainment events to Jacksonville and the national movie industry.

ALLEGATIONS AND FINDINGS

ALLEGATION 1: COJ PROCUREMENT CODE VIOLATIONS

Ryan Ali, Chief of Sports and Entertainment, Division of Sports and Entertainment (DSE), City of Jacksonville (COJ) procured services in a manner contrary to the COJ Procurement Code by circumventing the procurement process. If substantiated, the allegation would constitute a violation of Sec. 126.205, Informal purchases and sales transactions, COJ Ordinance Code; Sec. 126.109 Unauthorized purchases and contracts; COJ Procurement Manual; and City of Jacksonville Oath of Office. [Attachment A]

FINDING 1: SUBSTANTIATED

⁴ An Appointed Employee is an employee serving at the pleasure of an elected or appointed official or an appointee of an elected or appointed official who is exempt from the Civil Service System under Section 17.06 of the Charter, or any other applicable provision of the Charter or Ordinance Code (except for those Appointed Officials confirmed by council, or temporary, part-time, or special purpose employees).

⁵ An Appointed Official is an employee whose appointment is confirmed by City Council.

COMPLAINT

In August 2020, during an OIG review of Ali's COJ e-mail account, the OIG identified e-mails of concern regarding three invoices from a vendor⁶ to Ali in the amounts of \$2,500, \$1,250, and \$2,500 for the same project, "Jax Jazz Fest Logo" Job Number 28270.⁷

In September 2020, the OIG received a complaint alleging that Ali disregarded the COJ Procurement Code. Specifically, the complaint alleged the following quoted in part:

In a meeting with the department management team, [Ali] stated that for the upcoming fall events [DSE] needed to recruit more sponsors (after all event sponsorship goals had already been met). He stated that the city was in a position to 'strong arm' contracted vendors for sponsorship donations. He stated that if contracted vendors that we use frequently will not give us money we should 'flex the City's muscles' and make it known that vendors have to 'pay to play.' [Ali] had no regard for the City's procurement code or financial process. He frequently wanted to make quick purchases and circumvent the lengthy bid process. When [the complainant] would remind him of the procedures, he would say that [the complainant needed] to think 'more creatively and out of the box.'

WITNESS TESTIMONY

Testimony of Dalton Agency Employees

According to Dalton Agency (hereafter referred to as the Vendor) President/Partner (hereafter, referred to as Partner), on an unknown date (prior to November of 2019), Ali contacted him regarding the rebranding of the Jacksonville Jazz Festival (Jazz Fest), as it was soon to be the 40th anniversary of the festival. Ali subsequently met with the Vendor's representatives to discuss ideas for a new Jazz Fest logo.

Partner said he questioned, "how are we going to procure this," and Ali stated it could be procured under an artistic award.⁸ When Partner asked Ali what an artistic award was, Ali could not explain what it was, which raised a "red flag" for him. Partner thought artistic awards were no longer used, so he telephoned the COJ Chief of Procurement, who advised that the project could not be procured under an artistic award. The Chief of Procurement said he would "get with [Ali]" regarding the matter.

⁶ The vendor was identified as Dalton Agency, an advertising and public relations agency located in Jacksonville, Florida.

⁷ The Jacksonville Jazz Festival (Jazz Fest) is an annual COJ event hosted by DSE.

⁸ The term "artistic award" refers to the use of an administrative award for supplies, contractual services, professional design services, professional services, capital improvements and/or sales transactions that are exempt from competitive solicitation, pursuant to Section 126.107 of the COJ Procurement Code. Specifically, it is intended to be used for artistic services or performances.

Ali later “*circled back*” to Partner and told him the project could be procured with an initial \$2,500 payment with the rest to be determined as in-kind sponsorship.⁹ Ali verbally assured Partner the “*trade request*” would be minimal.

The agreement to work on the Jazz Fest logo was not formalized in any documentation. Partner expected the agreement would eventually be formalized, but the Jazz Fest was canceled (due to the Coronavirus pandemic) before that could happen. However, the Vendor had already completed work at Ali’s request.

Partner explained there were three components to the Jazz Fest logo project, all accounted for under the same project job number (Job Number 2870- Jax Jazz Fest Logo): (1) Branding - Brand review and analysis; (2) Logo development; and (3) Implementation - How to use the logo.

Partner understood, based on discussions with Ali, he would be paid by the COJ for the logo development and branding components of the project, then trade sponsorship for the remaining component (implementation).

The Vendor completed most of the work on the Jazz Fest logo in or around November of 2019.

In approximately July of 2020, Ali asked Partner for quotes for the Jazz Fest logo work the Vendor had already completed. Partner stated he was told by Ali the requested documents needed to say “*Quote.*”

During the OIG interview, the OIG showed Partner two sets of invoices retrieved from Ali’s COJ e-mails: one set dated July 7, 2020, and one dated August 25, 2020. Partner stated he did not know why there were multiple sets of invoices with different dates for the same work. He stated services listed on all the invoices were accounted for under the same account/job number.

According to the Vendor’s Assistant Business Manager (hereafter referred to as Manager), the Vendor completed all work on the Jazz Fest logo project by or before February 29, 2020. The original invoice [Invoice #45134] dated February 29, 2020, for the Jazz Fest logo in the amount of \$6,250, was generated when the job was closed. She stated she sent the February 29, 2020, invoice via regular postal mail to the COJ. [Attachment B]

After reviewing the February 29, 2020, Invoice #45134 in the amount of \$6,250, the Manager recalled she thought she was instructed to break up the invoice into smaller amounts, by Partner, who had spoken to Ali regarding the matter.

On May 29, 2020,¹⁰ the Manager telephoned Ali regarding payment for Invoice #45134. During the call, Ali argued with her about the work that was completed. She responded the work had been

⁹ In-kind sponsorship is a type of sponsorship in which a vendor may trade services for sponsorship. This process is facilitated by the DSE Sponsorship Manager, and requires an agreement executed by formal contract through the COJ Office of General Counsel.

¹⁰ Between February 29, 2020, and May 29, 2020, conversations began between Ali and Partner via Ali’s personal cell phone regarding how to proceed with payment [Attachment B].

completed and told Ali the amount that was due. She recalled Ali “*wasn’t very nice*” and then hung up on her.

On July 7, 2020, at Partner’s request, the Manager sent three invoices for the Jazz Fest logo to Ali. Later the same day, Partner telephoned the Manager and asked her to change the Jazz Fest invoices to say “*Quote*” instead of “*Invoice*” per a meeting he had with Ali. Manager made the change and sent the quotes to Ali.

On August 25, 2020,¹¹ the Manager sent an e-mail to Ali, which read, verbatim, in part, “*Attached please find your invoices for Jax Jazz Fest logo*” and had three attached invoices dated July 7, 2020 [Invoice #45134-1 I for \$2,500; Invoice #45134-2 for \$1,250; and Invoice #45134-3 for \$2,500].

On the same day, after the Manager sent the invoices, she received a telephone call from Ali saying the dates on the invoices needed to be changed from July 7, 2020, to August 25, 2020. Ali did not explain why he wanted the date changed. Later the same day, she sent an e-mail to Ali which read, verbatim, in part, “*Ryan, I have [revised] the dates on the invoices. Thank you.*” and attached the revised three invoices dated August 25, 2020.

Testimony of Current and Former DSE Staff¹²

According to several DSE staff, in approximately August or September of 2019, Ali was adamant about working with the Vendor to rebrand the Jacksonville Jazz Festival (Jazz Fest). While DSE had an in-house Graphic Designer, Ali voiced he wanted the Vendor to work on creating a new Jazz Fest logo. Several DSE employees heard Ali discuss wanting to work with the Vendor and saw the Jazz Fest logo designs created by the Vendor, prior to July of 2020.

According to the DSE Sponsorship Manager (Sponsorship Manager), in approximately October or November of 2019, Ali asked Sponsorship Manager to accompany him to pick up documents from the Vendor. When they arrived at the Vendor’s office, they met with several of the Vendor’s employees, including Partner.¹³

According to Sponsorship Manager, in approximately October or November of 2019, one of the Vendor employees presented a Microsoft PowerPoint to Ali and Sponsorship Manager regarding logos created by the Vendor for the 2020 Jazz Fest. Ali obtained copies of logo designs that were created and presented by the Vendor. After leaving the Vendor, Ali told Sponsorship Manager, “*You can’t tell anybody because I don’t want anybody to know about this yet; it has to like really come to fruition before anyone could know.*”

¹¹ Between July 7, 2020, and August 25, 2020, conversations between Ali and Partner continued and Ali instructed his staff to process payment for the first \$2,500 invoice [Attachment B].

¹² The OIG interviewed 15 current or former DSE employees. For the protection of numerous Whistle-blowers and DSE staff, their names are being withheld from this report.

¹³ It is noted, the Sponsorship Manager is primarily responsible for identifying prospective organizations to become sponsors for COJ events.

On several occasions (she could not recall dates), Ali told Sponsorship Manager the Vendor was creating the logo for Jazz Fest, at no charge because Ali and Partner were “*such good friends and business partners.*”

Sponsorship Manager had no knowledge of the Vendor ever being a sponsor or potential sponsor for any COJ event. Sponsorship Manager stated she had never spoken with and/or engaged with any of the Vendor representatives about becoming a sponsor.

The Process:

The contract process consists of the Sponsorship Manager providing relevant information to the Office of General Counsel (OGC) and then OGC drafts the contract. Sponsorship Manager works closely with Attorney III, OGC and Legal Assistant/Paralegal, OGC regarding the contract terms and conditions. Any changes to the contract are completed and approved by OGC.

After the final contract has been completed and approved by OGC, it is provided to Sponsorship Manager and the Sponsorship Manager provides the contract to the organization for their signature. Sponsorship Manager estimated the total executed contract process takes approximately three to six months to complete.

The Sponsorship Manager stated Ali was “*too involved*” in sponsorships and micromanaged her work. On at least one occasion, Ali had either worked on or executed contract processes without the Sponsorship Manager’s knowledge or involvement. For example, on one occasion, Ali worked on a vendor becoming a sponsor for the Florida vs. Georgia football game in 2019, and she “*had no idea.*”

According to the DSE Marketing Manager, after she began employment with COJ (January of 2020), Ali showed her the Jazz Fest logos he had the Vendor create. Ali told her he did not like any of the logos the Vendor created and they would not be used.

On July 8, 2020, Ali forwarded the Marketing Manager an e-mail from the Vendor which contained a link to download the Jazz Fest logos. Ali asked the Marketing Manager to confirm the Jazz Fest logos would successfully download.

On July 14, 2020, Ali asked the Marketing Manager to pick up three quotes from the Vendor related to the Jazz Fest from the Vendor’s office; however, the quotes were not ready on July 14, 2020, when she went to pick them up.

On July 15, 2020, Ali asked the Marketing Manager to have her spouse pick up the quotes; she thought he had asked as a matter of convenience because he knew her spouse worked at the Vendor. At Ali’s request, the Marketing Manager asked her spouse to bring her the quotes, her spouse retrieved the three quotes and gave them to the Marketing Manager. (It is noted her spouse did not work on the Jazz Fest project.) The quotes were each dated July 7, 2020, and were as follows:

- 1) \$2,500 for Jazz Fest branding review and strategic analysis,
- 2) \$1,250 for Jazz Fest logo concept, and
- 3) \$2,500 for Jazz Fest Art Direction and Creative Design.

The Marketing Manager subsequently scanned the quotes and e-mailed them to Ali.

On July 21, 2020, Ali e-mailed the Marketing Manager a purchase request for \$2,500 for the first quote (Jazz Fest branding review and strategic analysis), which was dated and had Ali's name printed but not signed. After receiving the purchase request, the Marketing Manager forwarded it to, the DSE Accounting Manager to create the purchase order.

On August 17, 2020, Ali requested the Marketing Manager provide him with copies of the three quotes again. She did not know why Ali requested the quotes again. She e-mailed Ali the quotes but reminded him he had her create a purchase order only for the first \$2,500 quote.

On August 25, 2020, Ali forwarded the Marketing Manager an e-mail from the Vendor which had no text but contained three attached invoices. The invoices were identical to the July 7, 2020 quotes, except they were invoices and dated August 25, 2020.

Sometime after August 25, 2020, the Marketing Manager discussed the three Vendor invoices with the Special Events Manager because she had concerns about the potential multiple payments (under the threshold for requiring a bid) to the Vendor for the same project. Special Events Manager agreed it was concerning there were multiple quotes and invoices for the work the Vendor completed.

On August 26, 2020, the Marketing Manager e-mailed Ali and asked him what he wanted her to do with the three invoices, as she had moved forward with a purchase request for only one of them per Ali's previous instruction. Ali replied, directing her to move forward with paying the \$2,500 invoice for Jazz Fest branding review and strategic analysis.

On August 27, 2020, the Marketing Manager replied to Ali's e-mail she did not feel comfortable separating the invoices and submitting them to the Accounting Manager to process for payment as she "*did not have knowledge of them.*" The Marketing Manager requested Ali handle the invoices. Ali did not reply to her concerns about separating the payments for the one project.

Later the same day (August 27, 2020), Ali asked the Marketing Manager why she felt uncomfortable about submitting the invoices. The Marketing Manager reiterated her concerns about the multiple payments and that she had no knowledge about the Jazz Fest project or any discussion with the Vendor.

Between late August and mid-September of 2020, Ali asked the Marketing Manager several times to submit the invoices to the Accounting Manager for payment. On each occasion, the Marketing Manager declined to submit the invoices and requested Ali to submit them.

On September 15, 2020, Ali told Marketing Manager the Jazz Fest logo was meant to be a "*sponsorship deal*" and the Vendor did not mean to send "*all those invoices.*"

Both the Sponsorship Manager and Marketing Manager indicated on September 16, 2020 (the day Ali was placed on administrative leave), Ali contacted them, individually, and stated he thought he was placed on administrative leave due to a public records request regarding the Vendor and the Jazz Fest logo.

The DSE Accounting Manager corroborated the Marketing Manager's testimony and added the following details:

On an unknown date, the Accounting Manager mentioned to Ali it was "*weird*" the Vendor had provided three invoices, while DSE had only one purchase order (PO) for the work the Vendor completed for the Jazz Fest logo. Ali instructed the Accounting Manager to "*go forward with the \$2500, they [the Vendor] must have done something or I'll have to get to the bottom of the rest with them.*"

On July 23, 2020, the Accounting Manager paid the first invoice of \$2,500, as it had a corresponding PO to authorize the payment. At the time, the Accounting Manager believed the PO was for work performed by the Vendor after the PO was created (July 23, 2020). She stated it would be concerning if the Vendor had completed the work prior to that, because there was no agreement at that point and would violate the COJ Procurement Code. She did not pay the other two invoices because she was not comfortable doing so.

On November 2, 2020, the Accounting Manager e-mailed Daryl Joseph, Director of Parks information regarding the Vendor invoices. In the e-mail, she explained there had been only one PO and there remained two unpaid invoices for the Vendor. Further, she explained there had been concerns of "*stacking POs,*" Ali instructed the Marketing Manager to move forward with the original PO, and he (Ali) would handle the remaining two invoices.

The Accounting Manager also included in the e-mail to the Director of Parks she was planning to contact the Vendor to ensure DSE did not have past due invoices; however, she wanted to first discuss the matter with the Director of Parks. On November 2, 2020, the Director replied to the e-mail instructing her to take no further action as he was going to work with COJ Procurement Division to handle the invoices.

On November 24, 2020, a Purchase Requisition (Improper Purchase) was drafted to pay the remaining Jazz Fest invoices, which totaled \$3,750. She recalled this occurred after the Director of Parks had discussed the Vendor invoices with the Procurement Division and deemed since the Vendor completed the work, it was "*only fair to pay them.*"

The OIG showed the Accounting Manager the Vendor's original Invoice #45134 for "*Jax Jazz Fest Logo*" in the amount of \$6,250. She stated she had never seen this invoice prior to the OIG interview. She stated if this invoice had been received via postal mail during the Coronavirus (COVID-19) pandemic, Ali would have been the one to collect the invoice.¹⁴

¹⁴ During COVID-19, while DSE staff worked remotely, the Executive Assistant of Parks collected the incoming postal mail for DSE, then distributed DSE mail to Ali because he was the only person in the office full-time.

The COJ Chief of Procurement recalled at some point (he could not recall the date), Partner contacted him and expressed concerns regarding DSE; however, the Chief of Procurement could not recall the details of their discussion. The Chief had spoken with Partner on several occasions as the Vendor regularly conducts business with the COJ and according to the Chief of Procurement, Partner tries to ensure he is doing things correctly by the COJ Procurement Code.

After reviewing the three invoices dated July 7, 2020, the three quotes dated July 7, 2020, and the three invoices dated August 25, 2020, the Chief of Procurement stated he would not have approved each of the component descriptions as separate items as they were all part of the same project. He noted no bid number, administrative award, or PO was referenced on the invoices to demonstrate the authority of the transaction, which was concerning from an approval standpoint.

The OIG provided records and information to the Chief of Procurement regarding Ali's actions in procuring services from the Vendor on the Jazz Fest logo. Based on his review of the information provided, the Chief of Procurement opined Ali violated the COJ Procurement Code. Specifically, Ali improperly procured services from the Vendor as he did not secure the authority (via a PO, contract, or administrative award) to proceed with the purchase, prior to the work being completed by the Vendor. The Chief of Procurement stated the invoices paid to the Vendor were unauthorized.

SUBJECT TESTIMONY

On June 16, 2021, the OIG contacted Ali's legal representative to schedule an in-person interview regarding this investigation. On June 21, 2021, Ali's legal representative replied that Ali declined. Ali's legal representative offered to submit written responses to questions provided by the OIG. This request is inconsistent with OIG practices and standards; therefore, Ali was not interviewed.

On July 29, 2021, the OIG received the following general written statement from Ali's legal representative, which was not in response to specific questioning, quoted in pertinent part:

Procurement

My training from City of Jacksonville on procurement was limited at best. To begin addressing the high cost and waste at City of Jacksonville events, I looked to the private sector to assist. I reached out to the Dalton Agency to see if they would be interested in providing an in-kind donation. Their building is adjacent to James Weldon Johnson Park and we would utilize their space for the upcoming Jazz Fest. I spoke with Partner and he agreed to assist with a revamped logo. From the beginning of this project, we had always discussed approaching this as a sponsorship with minimal investment from COJ. Projects of this nature cost upwards with \$15,000. I approved an invoice for \$2,500 and agreed that the remaining amount would be towards a sponsorship to the Jazz Festival. We did not have a policy in place that allowed for in-kind/trade/sponsorship. It was necessary to partner with the private sector to assist in providing the most impact of tax payer dollars for events.

See the Subject's full written response [Attachment C].

RECOMMENDED CORRECTIVE ACTIONS

The OIG recommends the COJ Procurement Division:¹⁵

1. Define the term “*artistic services*” in the COJ Procurement Manual.¹⁶

The OIG recommends the Director of Parks:

1. Adopt an internal policy regarding the use of blanket administrative awards.
2. Ensure DSE management receives training on the new COJ Procurement Code, once issued.
3. Work with the Chief of Procurement to adopt a department policy regarding in-kind/trade sponsorship.

ALLEGATION 2: WORKPLACE VIOLENCE

Ryan Ali, Chief, Division of Sports and Entertainment (DSE), City of Jacksonville (COJ) exhibited behaviors that created a climate of hostility and intimidation in the DSE work environment. If substantiated, the allegation would constitute a potential violation of Workplace Violence, Directive – 0532; Anti-harassment and Discrimination Policy and Complaint Procedure, Directive – 0528; City of Jacksonville Employee Services Directives; and City of Jacksonville Oath of Office. [Attachment A]

FINDING 2: SUBSTANTIATED

COMPLAINT

In December of 2019, the OIG received various WB complaints alleging Ali mistreated DSE staff and created a “*hostile work environment.*” Specifically, the complaints described Ali’s behaviors as those listed in the COJ Workplace Violence Directive as “*conduct prohibited.*”

On December 20, 2019, the OIG sent a Memorandum of “*Request for Labor and Relations Investigation*” (OIG Memo) to the Director of Organizational Effectiveness, Office of the Mayor (Mayor’s Office). The OIG Memo stated the following in pertinent part:

The following summarizes in general recent information the Office of Inspector General (OIG) received relating to labor and relations concerns, which the OIG believes, is most appropriately addressed by the Administration. As previously discussed, this information is being provided to assist with any inquiry you deem appropriate.

¹⁵ Recommendations for policy development or enhancements should be made in consultation with the Office of General Council and the Office of Ethics, as necessary.

¹⁶ Note: On March 4, 2022, Chief of Procurement advised a definition for “*artistic services*” has been included in the revised COJ Procurement Manual; however, the revised manual had not yet been issued.

The OIG Memo (Attachment D) included a list of the allegations reported to the OIG regarding the DSE work environment and detailed examples of the concerns.

On January 7, 2020, the OIG received a response [Attachment E] to the OIG Memo (*Memo Response*) prepared by the Director of Employee Services. The Memo Response contained a summary of three meetings that were held with Ali prior to the issuance of the OIG Memo. In part, Employee Services reported Ali was coached on communication style and approach toward DSE employees, and management training was identified by Employee Services. The Memo Response did not indicate Labor Relations investigated the DSE employee complaints, or that any actions were taken to address the potential workplace violence issues after the December 20, 2019 OIG Memo. Therefore, the OIG added reported allegations regarding workplace violence by Ali to this investigation.

Note: According to a review of DSE personnel records,¹⁷ from July 1, 2019, to September 16, 2020 (approximately 14.5 months), during the time Ali oversaw DSE, 17 employees departed from DSE: 13 DSE employees resigned, two DSE employees transferred to different COJ departments, one DSE employee was terminated (because he walked off the job), and one DSE employee retired.

WITNESS TESTIMONY

Testimony of DSE Current and Former Staff

DSE staff testified everyone in the office was treated poorly and/or unprofessionally by Ali; some more than others, including individuals he had hired, female staff (especially), and one staff member of a protected class due to age. Ali was unpredictable and had some “*good days*” and other days when his temperament was described as “*explosive*.” DSE staff described Ali as a “*bully*” and stated he was verbally abusive to DSE staff. Ali regularly made sarcastic and demeaning remarks to DSE employees, and Ali’s behaviors created a toxic work environment, resulting in significant turnover.

DSE staff provided the following examples of behaviors Ali exhibited that caused tension in the workplace:

- Ali often yelled at DSE staff, slammed doors, and targeted DSE employees who were less likely to fight back such as the female employees.
- On multiple occasions, Ali made remarks threatening to terminate DSE staff.
- On one occasion, Ali critiqued a DSE employee’s work by assigning a school grade to the employee’s work and telling the DSE employee they were not performing well, in the presence of other DSE staff.

In addition, Ali regularly commented on DSE staff’s physical appearances and made derogatory remarks. DSE staff provided the following examples:

¹⁷ Included in records reviewed, [Attachment B].

- Ali told a DSE employee she needed to get her hair done.
- Ali told a DSE employee their hair looked like they could audition for the Lion King movie.
- One employee sold their clothes on the internet because Ali commented they looked like his grandmother's curtains.
- Ali offered to bring an employee a wig so their hair would not look bad.

DSE staff cited the following examples of incidents in which Ali demonstrated inappropriate behavior and mistreatment of DSE staff:

Example 1

On one occasion (October 26, 2019), Ali yelled and used profanity at a DSE employee in the presence of DSE staff and COJ event attendees. During the verbal altercation, Ali told the employee they were not capable of doing their job and threatened he would find someone else to do their job. Ali's demeanor was described as aggressive, as he was physically close to the DSE employee's face while he yelled at the employee.

Example 2

On one occasion (November 2, 2019), DSE staff observed two unknown females engaging in a physical altercation, during a COJ event. DSE staff witnessed Ali insert himself into the altercation. Ali made physical contact with both unknown females by pushing and attempting to break them apart.

During the physical altercation, DSE staff notified the Jacksonville Sheriff's Office (JSO) and Jacksonville Fire and Rescue Department (JFRD) of the altercation. Ali observed that DSE staff witnessed the fight and yelled, "What the F? What are y'all doing...F-U..." Ali appeared angry and "flicked everybody off," then disappeared for approximately three or four hours.

JSO, JFRD and/or other personnel arrived shortly after the altercation to administer first aid to the two females involved. According to DSE Staff, the Director of Parks was also notified about this incident.

Example 3

On multiple occasions, DSE staff witnessed Ali yell and direct profanity at Employee 1,¹⁸ causing Employee 1 to cry. According to a former DSE employee, Employee 1 reported this to Labor Relations on an unspecified date sometime in the Fall of 2019, and the general response from Labor Relations was because Ali was an Appointed Official, there was nothing they could do.

Ali made multiple comments to DSE staff regarding Employee 1's age and physical abilities. According to DSE staff, it appeared Ali was trying to push Employee 1 out of the office.

¹⁸ To effectively distinguish throughout the report, DSE employees will be referred to as Employee 1, 2, 3, etc.

On one occasion (January 16, 2020), Ali wrote the following statement on a large piece of chart paper in the DSE office, “*I [Employee 1] am retiring on [date]...*” Ali instructed Employee 1 to sign it and took a photograph of Employee 1 with the sign. According to DSE staff, Employee 1 expressed to other DSE staff he/she was upset because he/she felt like Ali had forced his/her resignation. Ali taped the sign in the office for everyone to see. On January 21, 2020, this incident was reported to the OIG by DSE staff. On the same date, the OIG reported the incident to Marlene Russell, COJ Former Director of Organizational Effectiveness. Ms. Russell responded, via e-mail, “*this is something the employee was aware and proud of, since this is a retirement for [him/her].*” On an unknown date, DSE staff also reported this incident to the Director of Parks, and Employee Services (Labor Relations and the HR Business Partner).

During a COJ event (February 29, 2020), Employee 1 was walking at a slow pace and Ali said to Employee 1, “*Come on [Employee 1], you’re being slow, you know I don’t like waiting for you.*” Approximately six DSE employees witnessed Ali make the comment. Later the same day, Employee 1 tripped and fell at the COJ event site and had to be transported to the hospital. According to one employee, Employee 1’s glasses fell off and broke during the fall. Ali later brought Employee 1’s belongings back to the DSE command center, and said, “*Well this is all that’s left of [Employee 1].*”

On an unspecified date, Ali stated to Employee 1, “*Sure, [Employee 1] continue to walk slowly while I’m right behind you.*” According to DSE staff, Employee 1 appeared embarrassed because other DSE staff were around.

Employee 1 made multiple complaints to Employee Services regarding Ali’s behavior, between Fall of 2019 and an additional complaint in June of 2020, based off witness testimony and records.¹⁹

Example 4

DSE staff testified Ali attempted to turn employees against one another by sharing false information and starting rumors. Ali indicated to an employee his goal was to “*get rid*” of the existing DSE staff and hire new employees because he did not like the existing staff nor the work they produced. According to this employee, Ali’s mentality was if he made employees miserable enough, so they hated their jobs, they would resign. According to DSE staff, he was successful in doing so, as many employees resigned because of Ali’s mistreatment.

According to one DSE employee, Ali boasted to DSE staff employees had resigned because of him and made remarks such as, “*If you go against me, you’ll be out of here before me.*”

Example 5

On December 9, 2019, a DSE employee (Employee 2) reported their concerns regarding Ali’s behavior toward DSE staff to the Director of Parks (the Director), and later that day, Ali learned Employee 2 met with the Director of Parks. On December 9, 2019, at approximately 4:45 p.m., Ali telephoned the DSE employee and stated, “*You’d better hope that meeting went well because I’m*

¹⁹ Employee 1 was not available for an interview.

headed to [the Director of Parks'] office right now...[the Director] called me into his office right now, so I'm on my way there."

Employee 2 immediately telephoned the Director and asked whether he had disclosed Employee 2's concerns to Ali and mentioned Ali said he was on his way to the Director's office. The Director stated Ali was not on his way to meet with him.²⁰

On December 9, 2019, at approximately 7:00 p.m., Ali contacted Employee 2 (via telephone call and text message) and stated he had just left a two-hour meeting with the Director; however, according to the Director, the meeting never took place. Employee 2 notified the Director about the text message and that Ali lied about meeting with him.

Employee 2 testified that after December 9, 2019, *"everyday got worse"* regarding Ali's treatment towards Employee 2.

On December 17, 2019, Ali visited Employee 2, uninvited, at a location outside of work, which made Employee 2 uncomfortable. On the same date, Ali contacted Employee 2's mother and stated he (Ali) was in trouble with the Mayor's Office and at risk of losing his job, because of what Employee 2 reported to the Director. Ali sent multiple text messages to Employee 2's mother stating things were *"terrible for him"* and he felt Employee 2 had *"stabbed him in the back"* after all he had done for the employee. Employee 2 reported the incident to the Director of Employee Services.²¹

DSE staff testified they reported their complaints, between July of 2019 and December of 2019, to Employee Services (Labor Relations) and the Director of Parks regarding the hostile work environment Ali created.²² DSE staff testified they had *"exhausted all avenues"* of reporting and the general consensus from Labor Relations and the Director was, *"We can't do anything, it is what it is, [Ali's] appointed."* According to DSE staff, there was never any follow through from the Director or Employee Services regarding the DSE employee complaints.

DSE staff testified there was no oversight from the Director of Parks, no accountability for Ali, and no consequences for Ali's actions, because Ali was *"untouchable,"* due to the relationship Ali had with the Administration and his Appointed status. Ali boasted to more than one DSE employee he was friends with a family member of an elected official within the COJ Administration. According to DSE staff, Ali made comments regarding his connection with a family member of an elected official within COJ to intimidate employees.

DSE staff testified many DSE employees had resigned because of Ali. One former employee testified they resigned due to the work environment, poor management style, and abuse of DSE staff by Ali. Another former employee stated they resigned because their reported complaints did not make a difference, and if they remained employed with DSE, it would have been harmful to

²⁰ The Director corroborated in his testimony this meeting did not occur.

²¹ The Director of Employee Services corroborated in her testimony this incident was reported to her.

²² According to records, there was one additional DSE staff complaint to Labor Relations in June of 2020.

themselves. Another former employee testified they had not planned on leaving DSE; however, they resigned because *“it had become a hostile work environment.”*

Testimony of the Director of Parks (The Director)

The Director stated shortly after Ali was hired, sometime between July of 2019, and when Ali was confirmed as Chief (September 2019), DSE staff reported complaints regarding Ali. In approximately July or August of 2019, the Director met with the majority of DSE staff as a group to identify the issues and determined the problem was a communication issue, *“personality type stuff,”* and DSE staff learning a *“new management style.”*

The Director opined the complaints stemmed from DSE’s resistance to new leadership and not because the complaints were *“warranted”* against Ali. The Director testified he was aware of incidents such as Ali giving a school grade to a DSE employee’s work in the presence of other DSE employees and Ali commenting on a DSE employee’s attire and physical appearance, but denied he received complaints of Ali threatening, bullying, screaming, and/or cursing at employees.

The Director testified he did not believe Ali had been sarcastic and/or demeaning to employees, as alleged by DSE staff. Regarding the number of complaints, he stated there were *“ring leaders that were kind of spearheading the whole [go] talk to Employee Services.”*

In approximately September of 2019, the Director met with the DSE Managers because multiple DSE staff members had reported complaints regarding Ali to Employee Services. During the meeting, the Director advised the managers they *“set the tone”* in the office because the Director wanted to ensure the Managers were *“being fair to [Ali]”* and *“not sending a vibe that was being connected and duplicated by other staff members.”*

The Director did not recall receiving additional complaints after December of 2019 other than one complaint from one DSE employee (Employee 1) regarding their retirement. The Director explained for several years, Employee 1 had participated in inner office jokes about their retirement. The Director said nobody forced or encouraged Employee 1 to retire; however, Employee 1 reported a complaint he/she was being pressured to retire. According to the Director, Employee 1’s complaint was directed at the Special Event Manager and not Ali.

The Director recalled an incident when Ali made comments about Employee 2’s physical appearance and attire. Employee 2 expressed to the Director he/she felt they needed to purchase a new wardrobe based on Ali’s remarks. The Director said he resolved this issue by talking to Ali about it. Ali told the Director he had said it jokingly, then the Director told Ali this was not something to joke about.

According to the Director, Ali’s comments on Employee 2’s attire did not rise to the level of being demeaning or derogatory; he opined it was a lack of judgement by Ali on how to communicate expectations of work attire. The Director stated he was not aware of any additional concerns regarding Employee 2, other than the remarks about their physical appearance and attire.

When the OIG questioned the Director about an incident involving a DSE employee [(Employee 2 (*Example 1*))], the Director recalled there had been a “*shouting match*” between Ali and Employee 2 and “[Employee 2] yelled at [Ali] or something along those lines.” The Director did not recall Employee 2 mentioning Ali yelled at him/her.

On December 9, 2019, Employee 2 met with the Director to report concerns about Ali. On or around the same date, the Director learned from Ali Employee 2 had “*personal stuff*” going on and health issues related to work. Subsequently, Ali told the Director the DSE employee was going to be out of the office for “*a couple of days.*”

The Director denied ever hearing from any DSE employee Ali retaliated against them for making complaints, or that Ali had been intimidating or threatening employees. Specifically, he denied Employee 2 reported these types of concerns.

During the OIG interview, the OIG requested the Director search his phone for text messages he had exchanged with Employee 2. The Director stated he did not have Employee 2’s telephone number, so the OIG provided Employee 2’s telephone number for him to search.

The Director complied and read the following text messages aloud, verbatim in part (full transcript in Records Review Section:

Employee 2	Beyond interesting the call for 15 min went into details about the "2 hour meeting" which I took notes on. I'm in back to back media sponsorship meetings until 3 today 😊 but would be happy to fill you in on the utter nonsense.	Employee 2 to the Director:	(No subject) Yalls meeting summary Meeting about And how refreshing it was to have me share such great news. I said "I know I told you it was a great meeting!" Cutting hours - my reply "I understand that." <div style="border: 2px solid red; padding: 2px;"> He said it was decided no one in our office will meet with you with out him in office. </div> I was so sick of it I had to divert and talked about how I was supposed to get my tree tonight but couldn't.
The Director	WOW		

The Director testified he had forgotten about the text messages, and he never said that he would not be meeting with employees without Ali present, as Ali indicated to Employee 2 (outlined in red in above text message).

When the OIG questioned what the Director had done to address the above text messages, the Director testified he had told Ali not to say things he (the Director) had not said and told Ali he (the Director) would be meeting with DSE employees without Ali present.

When asked whether the statements Ali made to Employee 2, according to the text messages Employee 2 provided, was a form of intimidation, the Director replied it was a “*level of control, trying to control a situation.*”

When asked whether the Director perceived the comments Ali made to Employee 2 in the text messages a form of retaliation, he stated, “*potentially.*”

When asked whether the Director could think of any appropriate reason Ali would make the above statements (in the text messages), the Director stated, “*No.*”

The Director testified the meeting Employee 2 mentioned in the text between Ali and the Director never took place. The Director opined Ali may have told Employee 2 the meeting occurred to obtain information from Employee 2.

The Director never addressed with Ali, the above incident of intimidation by Ali to Employee 2, other than the Director stating to Ali not to say things on his behalf. According to the Director, he did not want to compromise outing Employee 2 about disclosing this information, so instead, the Director monitored the situation, by observing whether Ali continuously lied and fabricated responses from the Director. If it had happened twice, then the Director stated he would have addressed it. The Director further stated he would have known whether it continued based on whether Employee 2 or other employees expressed this type of concern to him again.

When asked whether Ali’s behavior demonstrated in the text messages was applicable to the COJ Workplace Violence Directive (Employee Services Directive- 0532), the Director stated he would have to look at the directive.

According to the Director, there was a perception DSE employees had resigned because of Ali; however, the Director denied that was the case. The Director attributed that perception to the fact Ali had become the Chief, there had been issues within DSE while he was Chief, then employees were resigning. Of the employees who resigned while Ali was Chief, the Director offered the following explanations: two employees were moving out of the area, and one was having a baby.

The Director testified the DSE employee complaints were handled in the following manner:

- To address the DSE employee complaints, the Director met with Employee Services in approximately July or August of 2019 and held weekly “*coaching*” meetings between the Director and Ali; however, the Director did not take notes during these meetings. In addition to the meetings, other efforts to address the complaints included a recommendation by the Director and Employee Services for Ali to enroll in managerial training courses; however, the Director never received confirmation Ali attended training (Note: Ali never completed the training).
- Regarding follow up on at least four DSE employee complaints, the Director testified he communicated with Employee Services as to whether they received additional complaints regarding Ali and Employee Services advised there were none. The Director asked DSE employees “*in passing*” how things were going. The Director received no additional complaints from DSE staff and had not observed any concerning behavior by Ali, during the Director’s visits to the DSE office. Therefore, the Director determined that the issues reported by DSE staff involving Ali had been resolved.

- The Director testified the DSE employee complaints did not meet the criteria of a hostile work environment or harassment, and the nature of the complaints never rose to a level that required actions in addition to coaching. The Director acknowledged the comments Ali had made were inappropriate, but the Director opined nothing was done maliciously by Ali.

Testimony of Employee Services Employees²³

Per the Director of Employee Services and the Director of Employee and Labor Relations, employee complaints are handled on a case-by-case basis and Employee Services uses their discretion/judgment to determine whether elements of a complaint rise to the level of potentially violating a COJ directive, such as the Workplace Violence Directive and Anti-Harassment and Discrimination Policy and Complaint Procedure and how the complaint will be handled.

Employee Services confirmed they received complaints from approximately July 2019 until December of 2019 from DSE staff regarding Ali's behavior; however, there was conflicting testimony as to how many, ranging from not many to many. They indicated they could not provide the number of complaints received as they had no mechanism in place to document and/or track the number of employee complaints received. According to the DSE Labor Relations Officer (LRO), the Director of Employee Services, and the Director of Employee and Labor Relations, they do not have a formal written process or requirements for handling employee complaints, nor do they have a requirement to document employee complaints.

Members interviewed in Employee Services provided conflicting testimony regarding the severity of the DSE complaints involving Ali. The HR Business Partner stated the DSE employee complaints alleged potential violations of the Workplace Violence Directive and a hostile work environment. She reported there were allegations of hostile work environment to the Director of Parks and then to the Director of Employee Services. She also specifically reported to the Director of Employee Services, that when she reported the complaints to the Director of Parks, he had a passive reaction, and he did not appear to take them seriously about these complaints. However, the Chief of Employee and Labor Relations, the DSE LRO, and the Director of Employee Services stated the complaints did not rise to the level of potentially violating the Workplace Violence Directive. Specifically, they stated their interpretation of the listed conduct prohibited by the Workplace Violence Directive, did not apply to the alleged behaviors demonstrated by Ali.

The Director of Employee Services became involved with the complaints regarding Ali when the Mayor's Office received notification from the OIG [referring to the December 20, 2019 memorandum sent by the OIG to the Administration (OIG Memo)]. At the time, the (now-former) Director Organizational Effectiveness sent the OIG Memo to the Director of Employee Services and they discussed the matter over the telephone. Specifically, they discussed that the Director of Employee Services, the Director of Parks, and the Chief of Employee and Labor Relations would meet with Ali.

²³ Throughout this section of the report, the testimonies of the Director of Employee Services, the Chief of Employee and Labor Relations, the HR Business Partner, and the DSE Labor Relations Officer (LRO), will be referred to collectively as "*Employee Services*."

To address the DSE employee complaints, Employee Services held meetings with Ali and DSE staff to discuss the complaints, which were outlined in the Memo Response to the OIG. When the OIG requested the documentation to these meetings, Employee Services indicated they had minimal documentation regarding the complaints. The OIG obtained handwritten notes from a September 24, 2019 meeting and e-mails regarding the Memo Response.

According to the Director of Employee Services, they had another meeting with Ali on December 17, 2019, to discuss the reported issues in response to the DSE employee complaints. The Director of Employee Services reported back to the Director Organizational Effectiveness regarding the aforementioned meeting held with Ali. The Director of Employee Services was not advised to take any further action, so she did not take any further action. She stated if additional action were necessary, they (Employee Services/Labor Relations) would have been advised by the Mayor's Office because Ali was an Appointed Official.

The Director of Employee Services stated, "*We believe that [Ali] said those words to the employees,*" (referring to the complaints listed in the OIG Memo) but Employee Services did not have the authority to terminate Ali. Although they make recommendations to departments regarding termination, they would not do so to the Mayor's Office. She stated the circumstances may have been different if Employee Services were handling the issues directly with the Director of Parks (Ali's Supervisor) and if Ali was not an Appointed Official; however, they (Employee Services) were handling the issue on behalf of the Mayor's Office.

The Director of Employee Services testified the Mayor's Office was aware there were issues with Ali's performance, and they (Mayor's Office) had the authority to enforce discipline or termination. She stated she may have provided a verbal recommendation to the Mayor's Office to terminate Ali; however, she would not have done so in writing.

The Labor Relations Officer indicated they use their professional judgment to determine whether an investigation (referred to as a "*fact-finding*" by Employee Services) will be conducted based on the nature of the complaint(s). Employee Services ultimately determined the DSE employee complaints regarding Ali did not rise to the level of requiring an investigation (fact-finding); therefore, they did not investigate the issues. In addition, Employee Services took no action regarding the complaints after December 20, 2019 (the date of the OIG Memo). They recommended leadership training for Ali; however, Ali never completed the training.

SUBJECT TESTIMONY²⁴

Subject Written Statement

²⁴ On June 16, 2021, the OIG contacted Ali's legal representative to schedule an in-person interview regarding this investigation. On June 21, 2021, Ali's legal representative replied that Ali declined. Ali's legal representative offered to submit written responses to questions provided by the OIG. This request is inconsistent with OIG practices and standards; therefore, Ali was not interviewed.

On July 29, 2021, the OIG received the following general written statement from Ali's legal representative, which was not in response to specific questioning, quoted in pertinent part:

Overall Work Environment

Over the past five years, this department never had proper management oversight. They accumulated excessive hours of overtime, comp time and partnered with vendors they were comfortable with. The mentality was a carte blanche approach and problems were solved with additional dollars, not solutions.

I challenged our management team to significantly reduce overtime at events (a budget line item annually that exceeded \$300,000+ of tax payer funds) as some employees would build up banks in excess of 100+ hours in a single year. Many employees capped out their banks and would take vacations that would limit the amount of work done in the office. Managers and employees would be scheduled hours prior to events, sit around and would not effectively utilize large gaps of idle time, all while receiving overtime.

I further worked to curtail wasteful and excessive spending for staff meals at events. Meals would be delivered for breakfast, lunch, dinner and an evening snack, as well as a fully stocked pantry throughout the day. In addition, the meals would be scheduled late causing more wasted time. An example of this was at the Veteran's Day Parade. Prior to my tenure it was common practice for staff to be scheduled early to generate more overtime waiting to eat. Staff routinely waited around, on the clock, collecting overtime. I also questioned vendor relationships. It was apparent that many vendors had close personal

relationships with managers and within the department. Such relationships, gave preferential treatment to vendors for work, many which were also artistic in nature. I also implemented new oversight on leftover liquor at events, which previously staff would take home for personal use.

The Sports and Entertainment culture, was not one of flexibility. The department had a high rate of turnover, mainly due to lack of advancement opportunities and heavy nights/weekend demand. The department believed their formula worked, and any changes were not welcome. Unfortunately, the events which were created were expensive, lacked creativity or originality, did not attract a new audience, and failed to generate revenue. This all resulted in great expense to the tax payers.

In addition to overtime, several events needed to be reworked. For example, the Florida Georgia Hall of Fame luncheon, which in 2020 cost \$96,000 to produce, only made \$15,825 in revenue. This amounted to an over \$380 per person expense. For an event not open to the public, that is publicly funded, this is not acceptable for many reasons.

See the Subject's full written response [Attachment C].

RECOMMENDED CORRECTIVE ACTIONS

The OIG recommends the Director of Employee Services:²⁵

1. Implement a formalized process for documenting and monitoring employee complaints, including written notification to complainants regarding disposition.
2. Utilize a standardized complaint methodology and practice for all COJ employees, regardless of status, appointed or civil service.
3. Document all referrals to the Jacksonville Human Rights Commission (JHRC) and the outcome of the referral.

²⁵ Recommendations for policy development or enhancements should be made in consultation with the Office of General Council and the Office of Ethics, as necessary.

4. Notify employees, in writing, when their complaint is referred to JHRC.
5. Track the number of employee complaints referred in a centralized, secured location.
6. Review the Workplace Violence Directive and update the policy, as necessary.
7. Ensure COJ employees are notified when changes are made to Employee Services Directives to include a description of the changes.
8. Ensure all COJ employees and Department Directors receive training on the COJ Workplace Violence Directive, the COJ Anti-harassment and Discrimination Policy, Complaint Procedure Directive, and the U.S. Equal Employment Opportunity Commission (EEOC) laws.
9. Consider calculating the cost of employee turnover.
10. Upon public release, place a copy of the OIG report in Ali's personnel file.

The OIG recommends the Director of Parks:

1. Foster a supportive environment for reporting of potential law, rule, code, and policy violations.
2. Document meetings in which employees have alleged potential policy violations and retain the record in a secure location.
3. Document coaching, recommended trainings, and any corrective actions taken to address employee complaints.
4. Report allegations of fraud, waste, or abuse to the OIG, and provide OIG contact information to employees reporting such allegations.
5. Report all allegations of hostile work environment, discrimination, retaliation and/or workplace violence to Employee Services and/or JHRC.

ALLEGATION 3: FALSIFICATION OF TIME AND ATTENDANCE RECORDS

Ryan Ali, Chief, Division of Sports and Entertainment (DSE), City of Jacksonville (COJ) falsified his time and attendance records for October 17, 2019, and October 18, 2019. If substantiated, the allegation would constitute potential violation of §838.022, Official Misconduct, F.S.; and City of Jacksonville Oath of Office. [Attachment A]

FINDING 3: SUBSTANTIATED

Pursuant to §602.921(a), in part, the Ethics Commission is authorized to issue findings alleging a violation of Chapter 602. The OIG found a potential violation of §602.401, Misuse of position, information, resources, etc.

COMPLAINT

On November 15, 2019, the OIG received the following complaint from a WB:

On 10/17/19 beginning at approximately 11:30 a.m. through the end of the day and 10/18/19 for the entire day Ryan was not in the office. Ryan's calendar changed multiple times over this time period and he was most likely in New Orleans for the dedication of the [REDACTED] MakerSpace which took place 10/17/19 on Tulane's Uptown campus. It was confirmed Ryan was not at the Jax Chamber meeting the morning of 10/18 and Ryan's instagram posts show he did go to New Orleans during the weekend in question. There is also no public calendar posting showing there was a UNF board meeting on 10/18 which was also shown on Ryan's calendar.

WITNESS TESTIMONY

Statements of DSE Staff

DSE staff testified they often questioned Ali's whereabouts because he was frequently out of the office. DSE staff had specific concerns during the week of October 14, 2019, through October 18, 2019, as this is DSE's "busiest time" of the year. Staff stated Ali was not available in the office to sign required memorandums for upcoming events, such as the 2019 Sea and Sky Air Show (Sea & Sky), and the 2019 Florida vs. Georgia football game (FLGA). According to some DSE staff, Ali was unexpectedly at a conference during the above-mentioned timeframe; however, nobody could validate what conference it was or whether it was COJ work-related.

A statement from former Finance Manager²⁶ indicated Ali was not in the office on October 18, 2019, the day she provided her verbal resignation, and therefore provided it to the Special Events Manager. On the same date, the Director of Parks advised the Special Events Manager Ali was "at a conference," and provided no additional context or details.

According to a DSE staff member who was in the office all day on October 17, 2019, and October 18, 2019, Ali was not in the office from October 17, 2019, at approximately 11:30a.m. through October 18, 2019. During this timeframe, Ali was occasionally accessible via telephone, text message, or e-mail; however, he was not physically present in the DSE office.

The OIG located additional evidence that on October 17, 2019, at 6:57 a.m., Ali e-mailed a DSE staff member stating he would be in the office in the morning, then "in and out" at a board training at UNF (University of North Florida) for the next day. They discussed methods for Ali to digitally sign documents and continued to communicate via text message and e-mail to conduct business. Further, testimony indicated either on October 17, 2019, or October 18, 2019, the Director of Parks verbally told the DSE staff member that Ali was going to be at a UNF meeting.

²⁶ This interview was recorded not sworn under oath due to the witness being located outside the state of Florida.

Some DSE staff stated they follow Ali's personal Instagram account and discovered that on October 19, 2019, Ali posted photographs on his personal Instagram profile which showed Ali at the MakerSpace Celebration in New Orleans, Louisiana.

DSE staff further testified they had not reported concerns regarding Ali's time and attendance to anyone other than the OIG because Ali boasted, and it was well-known among DSE staff Ali had a close relationship with a family member of an elected official within COJ.

Statement of Director, Parks, Recreation and Community Services

The Director, Parks, Recreation and Community Services (Director) advised he supervised Ali since September of 2019, when Ali was confirmed as Chief. The Director stated the following regarding time and attendance and travel policies and procedures for departmental employees:

- Parks employees followed the COJ attendance and leave policy [issued by Employee Services].
- The Department had no additional internal time and attendance policies.
- The Director approved Ali's timesheets and leave requests in the COJ time and attendance system (TAS).

Ali had an established work schedule; however, the Director could not recall what Ali's working hours were. The Director allowed Ali to choose his daily work hours as long as he (Ali) made himself accessible while the DSE team was working.

Regarding leave (other than unscheduled leave), the Director stated the procedure would have been Ali notifying the Director and requesting approval. Employees typically e-mail or telephone him to request leave, then he responds whether he approves. If approved, employees enter their leave requests in TAS, and he subsequently approves the leave request.

When asked about Flextime, the Director stated Flextime was authorized (allows workers to alter workday start and finish times within a pay period) for Parks employees with prior approval of their direct supervisor. The Director could not recall specific occurrences when Ali requested flextime.

When asked about the COJ travel policy, the Director stated Parks employees follow the COJ travel policy, which requires employees receive prior approval to travel for COJ business. He also indicated the employees would submit the request to him through the Director's Executive Assistant, and he had never approved a travel request for Ali during the days in question.

When asked about working remotely, the Director stated employees were authorized to work remotely as long it was within regular work hours. He further said an employee could be authorized to work remotely from another state with prior approval from a supervisor. It was his expectation Division Chiefs, such as Ali, would notify him prior to leaving town, if they would be working remotely. According to the Director, he never approved Ali to work remotely from another state and Ali had never asked to work remotely from a location outside of Jacksonville, Florida. The

Director was not aware of any instances of Ali working remotely from another state and had never received complaints regarding this type of issue.

On an unknown date, sometime in the beginning of Ali's employment, Ali mentioned to the Director he was going to a board meeting at UNF. The Director advised Ali that remaining active on professional boards was authorized if work performed for those boards was separate from COJ and did not conflict with work hours. According to the Director, Ali understood and there were no additional situations which required the Director to address this issue again. The Director stated because Ali was a new employee coming from the private sector, the Director felt it was appropriate to inform Ali on COJ processes.

The Director had never heard about Ali being in New Orleans, Louisiana during scheduled work hours. According to the Director, Ali never traveled to New Orleans for COJ-related business.

The Director was asked whether he had any knowledge of social media activity which placed Ali in New Orleans on October 17, 2019, or October 18, 2019. The Director stated he had no knowledge of Ali being in New Orleans and this was the first time the Director learned of Ali allegedly being in New Orleans during work hours. According to the Director, at no time did anyone report concerns regarding Ali's time and attendance.

SUBJECT TESTIMONY²⁷

Subject Written Statement

On July 29, 2021, the OIG received the following general written statement from Ali's legal representative, which was not in response to specific questioning, quoted in pertinent part:

Time and Attendance

I was instructed by my manager, Daryl Joseph, Director of Parks and Recreation, that I could not claim any overtime or comp time and I needed to have my timesheets reflect 40 hours a week. As instructed, I put 40 hours per week, even if I had worked 60-70 hours a week and on weekends/holidays. During my time with COJ it was common practice to flex hours, since I was informed that I couldn't accrue any comp time. At one point I worked 20 days consecutively, averaging 74 hours per week in preparation for two weekend events, Sea and Sky and Florida/Georgia. This included working on weekends and evening hours. From the beginning of my tenure, I kept accurate count of my hours worked for after-hours events, which accounts for over 170 hours of unclaimed comp time. It's hard to believe that I was the only City of Jacksonville employee who could not claim these hours.

See the Subject's full written response [Attachment C].

²⁷ On June 16, 2021, the OIG contacted Ali's legal representative to schedule an in-person interview regarding this investigation. On June 21, 2021, Ali's legal representative replied that Ali declined. Ali's legal representative offered to submit written responses to questions provided by the OIG. This request is inconsistent with OIG practices and standards; therefore, Ali was not interviewed.

ALLEGATION 4: MISUSE OF COJ RESOURCES

Ryan Ali, Chief, Division of Sports and Entertainment (DSE), City of Jacksonville (COJ) used COJ-owned equipment for personal use. Specifically, it was alleged that Ali utilized the DSE lighting packages (DSE lights) at his birthday party on November 8, 2019. If substantiated, the allegation would constitute potential violation of §812.014, Theft, F.S and §601.101, Use of Public Property. [Attachment A]

FINDING 4: SUBSTANTIATED

Pursuant to §602.921(a), in part, the Ethics Commission is authorized to issue findings alleging a violation of Chapter 602. The OIG found a potential violation of §602.401, Misuse of position, information, resources, etc.

COMPLAINT

On November 14, 2019, the OIG received the following anonymous complaint:

November 8, 2019, Ryan Ali was seen removing a case of City owned lights out of the office of special events around lunch time. There was no City event where these lights were scheduled to be used. Ryan mentioned these were to be used by the Mayor's office. By the afternoon of November 8, all three cases of lights were missing from the office storage. On Sunday November 10, two cases of lights had been returned and one was missing. During a staff meeting on November 13, Jordan Brawer (Event Specialist) told the group he had been conducting inventory and asked if anyone had seen the third case of lights. Ryan stated that he took a case to the Mayor's office. Brent Fine (Special Events Manager) asked when they would be done with the lights. Ryan Ali stated they were done and he would get them returned. Teneese Williams (Event Logistics Manager) stated she needed to go to the Mayor's office anyway and would pick them up. After the meeting, Teneese Williams went to the Mayor's office with Bria Parker (Seasonal employee) and asked the front desk staff if they had the case of lights. They had not and attempted to contact Sharyn Conway (Mayor's assistant). During this time, Ryan Ali walked into the Mayor's office with the case of lights (this should be on video from the Mayor's office security cameras). Teneese Williams questioned Ryan Ali on why he was walking in with the case since he stated it was already in the Mayor's office. He got very startled and left the case in the lobby and walked away. During the evening of November 8 it was raining, the lights have water spots on the tops of the units. A handwritten list of birthday invites created by Ryan Ali was left in the back conference room. This list included various staff within the City - Leeann Kreig, Palmer Kuder, Nikki Kimbleton, Laura McGarity, Chelsey Cain, Mayor Curry, and Camille Johnson. Some of these staff were in attendance at the party, which was hosted at the house of non-COJ employee and saw these City owned lights being used. It is believed that Ryan Ali removed these lights from City Hall, put them in his personal vehicle which he parks in the City Hall basement, and used these lights for his own personal use.

WITNESS TESTIMONY

Testimony of DSE staff

According to DSE staff, on approximately November 7, 2019, or November 8, 2019, Ali asked a DSE employee whether there was a checkout process for DSE's lights. Ali was advised by the employee there was not a checkout process and DSE did not lend COJ-owned equipment for personal use.

The same DSE employee heard from another DSE employee he/she saw Ali removing the lights from the DSE office on November 8, 2019, then later noticed there were three cases of lights missing from the office.

Several DSE staff stated they were aware Ali had been planning a birthday party, as the invitation list for Ali's birthday party had been "*floating around*" the office for an approximate two-week period leading up to November 8, 2019.

On an unknown date, a DSE employee who attended Ali's birthday party, disclosed to another DSE employee he/she saw the DSE lights being used at Ali's birthday party on November 8, 2019. In addition, on November 10, 2019, a DSE employee was in the office to set up for the COJ Veteran's Day parade, which took place on November 11, 2019, and observed two of the three missing cases of lights were back in the office.

On November 13, 2019, during a staff meeting, a DSE staff member mentioned one of the cases of lights was still missing. At that point, all DSE employees, including Ali, were aware the DSE lights had been missing and some of the lights had reappeared.

Per witness testimony, during the meeting, Ali told DSE staff the lights were in the Mayor's Office. Subsequently, a DSE employee mentioned she was going to the Mayor's Office for other matters, so she would retrieve the lights. Shortly after the meeting ended, a DSE staff member saw that Ali "*darted*" out of the office.

While the DSE employee was in the Mayor's Office asking about the lights, Ali entered the Mayor's Office, carrying the lights. Per the DSE staff member, he/she stated Ali seemed "*rattled*" that the DSE employee had beat him to the Mayor's Office. The DSE employee believed Ali had gone to his car and retrieved the lights so he could place the lights in Mayor's Office.

Statement of Director, Parks, Recreation and Community Services (Parks), COJ

Regarding the use of COJ resources, the Director understood COJ property was to benefit activities related to COJ functions. COJ employees were not authorized to use COJ resources for personal use by COJ Ordinance Code §601.101. According to the Director, employees understood this to be the rule. The Director could not think of any exception which would allow COJ-owned equipment to be used for personal reasons. The Director did not recall there ever being a policy specific to Parks regarding COJ-owned property, he figured it was "*common sense*;" however, he noted it may be worthwhile to develop a policy.

The Director further stated he had no knowledge of (or had heard rumors of) Ali having used COJ-owned equipment for personal use, nor did he attend Ali's birthday party. The Director indicated he never received complaints from employees regarding Ali using COJ-owned equipment for personal use or that they were missing from DSE. The Director did state he would not approve a Division Chief to use COJ-owned equipment for personal use and he never received a request from Ali to use COJ-owned equipment for personal use.

SUBJECT TESTIMONY²⁸

Subject Written Statement

On July 29, 2021, the OIG received the following general written statement from Ali's legal representative, which was not in response to specific questioning, quoted in pertinent part:

Misuse of City of Jacksonville Resources

For Christmas 2019, I was directed to take this project on, which I do in addition to my then-current workload and planned for the upcoming event season. As we began to install a gifted tree, which consisted of warehouse visits with a production vendor, logistical planning to secure the tree, handling technical difficulties, and acquiring décor, it was clear that we needed more resources to off-set the non-budgeted event, including lights, fencing, staging, ornaments, and the procurement of a menorah for the first time. I used my personal vehicle to transport items used for these events as we did not have a formal process in documenting items used. I never requested any mileage reimbursement from COJ.

The events that I created provided experiences for residents and visitors that were unique, creative and never dull. All of these were done under budget and creating a lasting impression for all.

I would like to reiterate my desire to address any specific allegations against me in writing. To date I have not been made aware of any such specific allegations, but instead have only learned of vague criticisms and unspecified grievances relating to my time with COJ. As I stated in my resignation letter, I have made every effort to manage the Sports and Entertainment department as efficiently as possible. I have always placed the best interests of the taxpayers above those of career government bureaucrats.

See the Subject's full written response [Attachment C].

²⁸ On June 16, 2021, the OIG contacted Ali's legal representative to schedule an in-person interview regarding this investigation. On June 21, 2021, Ali's legal representative replied that Ali declined. Ali's legal representative offered to submit written responses to questions provided by the OIG. This request is inconsistent with OIG practices and standards; therefore, Ali was not interviewed.

RECOMMENDED CORRECTIVE ACTIONS

The OIG recommends the Director of Parks:²⁹

1. Establish policy prohibiting the use of government equipment for personnel use (consistent with §602.401, COJ Ordinance Code, and provide notice of such policy department wide.
2. Create an inventory log of equipment in DSE's storage area, along with maintaining a chain of custody, sign-in and sign out process, with supervisory approvals. Further, consider keeping the storage area locked with authorized access.

ADDITIONAL INFORMATION

During this investigation, the following additional information was obtained by the OIG:

In one initial WB complaint, and during OIG interviews of DSE staff, DSE staff reported Ali insisted on hiring a vendor (Cre8Jax) (*hereafter referred to as the Photographer*) with whom he was friends with to provide photography services at a COJ event. Ali paid the photographer \$4,375, an amount above the \$2,500 threshold for requiring a bid and used an administrative award (artistic award) to authorize payment that was not applicable to photography services.

The OIG interviewed several DSE staff and obtained records related to this procurement, to include governing directives (the COJ Procurement Manual, COJ Ordinance Code, Florida Statute), purchase orders, and Administrative Awards.

According to the governing directives, "*Unless ordered by the Mayor or Council or otherwise required by the Jacksonville Ordinance Code, the following supplies, contractual services, professional design services, professional services, capital improvements and/or sales transactions are exempt from competitive solicitation,*" such as, "*Artistic services or performances...*"

Records reviewed and testimony revealed the following:

- A Purchase Order (PO) #PO01570, dated October 4, 2019, in the amount of \$4,375 was issued to the Photographer.
- The Administrative Award (#AD-0004-20) attached to the above-mentioned purchase order, was intended for "*various performers and artists for various events by [DSE] during FY20*" not to exceed expenditures of \$755,000. Also, attached to the award, was May 21, 2019, memorandum from the Director of Organizational Effectiveness to the Chief of Procurement, requesting to utilize the artistic services exemption process for the purpose of securing the time and efforts of various performers and artists for various events.
- DSE staff testified that in approximately July or August of 2019, Ali instructed DSE staff to hire a specific photographer (the Photographer) for the 2019 Florida versus Georgia

²⁹ Recommendations for policy development or enhancements should be made in consultation with the Office of General Council and the Office of Ethics, as necessary.

(FLGA) football game, a city event organized and hosted by DSE. The Photographer was hired for the FLGA game using the administrative award AD-0004-20, an artistic exemption, which was to include roaming entertainment, local bands, face painters, tribute bands piano performances, poster creation, speakers, aerial performers, etc. Subsequently, PO #PO01570, as mentioned above, was issued to the Photographer.

- The Chief of Procurement testified certain services are not suitable for competitive procurement, such as hiring a specific performer for an event. The COJ policy regarding artistic exemptions is derived from and mirrors Florida Statute exemptions; specifically, that artistic services are exempt from competition. According to Chief of Procurement, there is a “grey area” for determining whether something is art. It is the responsibility of the Department to make that determination, then submit a memorandum requesting an administrative award under the artistic exemption. The Procurement Division (typically the Buyer) will review and approve or deny the request.
- According to Chief of Procurement, he stated DSE is unique because they require frequent utilization of artistic exemptions. Historically, DSE was required to submit an artistic exemption request for each use (service or performer); however, because DSE had to submit such a large quantity, and given the expeditious timing of special events, the Chief of Procurement authorized for DSE to submit blanket requests to cover all artistic services for multiple events per fiscal year.
- OIG provided the Chief of Procurement a copy of Purchase Order #PO01570 in the amount of \$4,375 for the Photographer for his review. He stated his initial thought was this PO should not have been authorized by #AD-0004-20 (Administrative Award). He stated although photography “could be” considered artistic services, the Award #AD-0004-20 appeared to be intended for performers. He further stated it was not prohibited to use this award for this PO but agreed the process could be improved to strengthen controls in order to prevent abusing the exemption for artistic services, such as defining artistic services in the COJ Procurement Manual.

IDENTIFIED, QUESTIONED, AND AVOIDABLE COSTS

Total Questioned Costs: \$3,750 (Vendor 1)

The amount of **\$3,750** was derived from a review of the amount paid by COJ to settle a debt Ali incurred when he improperly procured services from the Vendor for the Jacksonville Jazz Fest Logo.

Turnover costs are not calculated by COJ Human Resources.

WHISTLE-BLOWER'S COMMENTS

WB1 reviewed the draft report of investigation and declined to comment.

WB2 reviewed the draft report of investigation and declined to comment.

WB3 reviewed the draft report of investigation and declined to comment.

WB4 declined the opportunity to review the draft report of investigation.

WB5 declined the opportunity to review the draft report of investigation.

WB6 reviewed the draft report of investigation and declined to comment.

WB7 declined the opportunity to review the draft report of investigation.

SUBJECT'S RESPONSE

On March 29, 2022, the OIG provided a copy of the draft report of investigative findings to Ali's legal representative. On April 15, 2022, the OIG received a written response from Ali's legal representative. The OIG reviewed the response and determined there was not sufficient information to change the OIG's findings. The subject response is attached in its entirety to this report.

LAW ENFORCEMENT NOTIFICATION

On September 16, 2020, the OIG presented case information to the State Attorney's Office For The Fourth Judicial Circuit (SAO) for further evaluation of potential criminal behavior uncovered during the investigation. The SAO declined to pursue the case criminally.

INSPECTOR GENERAL STANDARDS

This investigation has been conducted in accordance with the ASSOCIATION OF INSPECTORS GENERAL Principles & Quality Standards for Investigations.

Attachments:

- A. Governing Directives
- B. Records Reviewed
- C. Subject Written Statement, dated July 29, 2021
- D. OIG Memo
- E. Memo Response
- F. Subject Response, dated April 15, 2022

ATTACHMENT A
GOVERNING DIRECTIVES
2020-0002WB

APPLICABLE TO ALL:

COJ Ordinance Code

Sec. 2.101 Oaths of Public Officials

The Mayor, all Council Members, all appointed employees confirmed by Council, and all appointees to non-advisory Boards and Commissions of the City, before entering upon the duties of the office, shall sign an oath, swearing or affirming the following:

"I do solemnly swear (or affirm) that I am duly qualified to hold office under the Constitution of the state, or of the Charter or Ordinance Code of the City of Jacksonville; that I will support, protect, defend and honor the Constitutions, Governments, and laws of the United States and of the State of Florida; that I will support, protect, defend and honor the Charter, the ethics laws, and other ordinances, rules, and regulations of the City of Jacksonville; and that I will well and faithfully perform the duties of (title of office) on which I am now about to enter. So help me God."

ALLEGATION 1: COJ PROCUREMENT CODE VIOLATIONS

City of Jacksonville Ordinance Code

Chapter 126, Procurement Code

- *Sec. 126.205. Informal purchases and sales transactions*

Section 126.109 of the *COJ Ordinance Code*, and Section XV of the *COJ Procurement Manual*, states verbatim, in part:

It shall be unlawful for any officer or employee of the City to order the purchase of any supplies or to make any contract in any manner contrary to the provisions of the Procurement Code...

City of Jacksonville Policies, Procedures, and Other Related Documents

COJ Procurement Manual

- *Sec. 126.109 Unauthorized purchases and contracts*

The COJ Procurement Manual, Revised October of 2020, Section IV, states verbatim, in part:

The procedures described in this section are directed for processing of informal purchases and are to ensure that we: (i) obtain quality goods and services at competitive

GOVERNING DIRECTIVES 2020-0002WB (CONTINUED)

prices; (ii) conduct a solicitation and review process that does not abuse the informal system of purchasing; (iii) fulfill the obligation to provide the quickest response to customer needs; and (iv) provide fair opportunities to prospective suppliers and contractors in the competitive process. As a condition precedent to an informal purchase hereunder, a using agency must obtain an Administrative Award, which is an official award document used to authorize the Office of General Counsel to begin the contract process for purchases made hereunder, that do not exceed the applicable formal threshold and that will be executed using a purchase order, contract or authorized check request.

A. Solicitation of Quotes

The standard procedure for informal purchasing actions is established as follows:

<u>Estimated Cost</u>	<u>Type Inquiry</u>	<u>Minimum Solicited</u>
\$0 - \$ 500	Field Order, If Applicable	(See Section V)
\$0 - \$ 2,500	Written	1
\$2,501 - \$ 15,000	Written	2
\$15,001 - \$ 30,000	Written	3
\$30,001 - \$ 65,000	Written	4

ALLEGATION 2: WORKPLACE VIOLENCE

City of Jacksonville Employee Services Directives

Workplace Violence, Directive – 0532,

The COJ *Workplace Violence, Directive 0532*, established January 28, 2019, revised April 30, 2019, and September 24, 2020, states in part, verbatim:

THE CITY OF JACKSONVILLE IS COMMITTED TO MAINTAINING A WORKPLACE THAT IS FREE FROM VIOLENCE OR THREAT OF VIOLENCE. THERE WILL BE ZERO TOLERANCE OF ACTS OR THREATS OF VIOLENCE IN OUR WORKPLACE.

Any violent behavior or behavior that creates a climate of violence, hostility, or intimidation will not be tolerated, regardless of origin. Proactive measures will be taken to minimize the potential for violent acts. Each and every act or threat of violence will result in an immediate and firm response that could include termination from employment.

Conduct prohibited by this policy includes, but is not limited to, the following behaviors and situations:

- *Threatening, abusive or harassing phone calls*

GOVERNING DIRECTIVES 2020-0002WB (CONTINUED)

- *Displaying aggressive or hostile behavior that creates a reasonable fear of injury to another person or subjects another individual to emotional distress*
- *Stalking*
- *Verbal intimidation*
- *Threatening acts or abusive language that leads to tension within the work environment*

Enforcement:

Threats, threatening conduct, acts of aggression or violence, or any behavior that could reasonably be perceived as such in or affecting the workplace, regardless of intent, will not be tolerated. Any employee determined to have committed such acts will be subject to immediate disciplinary action up to and including termination...

Anti-harassment and Discrimination Policy and Complaint Procedure, Directive – 0528

The *Anti-harassment and Discrimination Policy and Complaint Procedure*, established August 5, 2019, revised April 30, 2019 and November 27, 2019 states in part, verbatim:

Reporting an Incident of Harassment, Discrimination or Retaliation

The City of Jacksonville encourages reporting of all perceived incidents of discrimination, harassment or retaliation, regardless of the offender's identity or position. If an employee feels that he or she has been harassed based on his or her sex, race, national origin, ethnic background, or any other legally protected characteristic, the employee should immediately report the matter to his or her supervisor. If that person is not available, or if the employee feels it would be unproductive to inform that person, the employee should immediately contact the City's Office of Equal Opportunity/Equal Access and the Employee and Labor Relations Division of Employee Services by one of the methods listed below. Once the matter has been reported, the City of Jacksonville will promptly investigate and take necessary corrective action where appropriate. All complaints of unlawful harassment will be handled in as discreet and confidential manner as possible under the circumstances. See the complaint procedure described below.

In addition, the City of Jacksonville encourages individuals who believe they are being subjected to such conduct to promptly advise the offender that his or her behavior is unwelcome and request that it be discontinued. Often this action alone will resolve the problem. If the individual does not wish to communicate directly with the offending person, or if such communication has been ineffective, the individual should report the allegations of harassment using the complaint procedure outlined in this directive.

Complaint Procedure

GOVERNING DIRECTIVES 2020-0002WB (CONTINUED)

Individuals who believe they have been the victims of conduct prohibited by this policy or who believe they have witnessed such conduct should discuss their concerns with their immediate supervisor. An employee may also simultaneously report the conduct directly to:

- *Office of Equal Opportunity/Equal Access, City Hall, Suite 350, (904) 255-5377, confidential email to Anti-Discrimination Harassment Reporting cojahad@coj.net; and*
- *Employee Services Department, Employee and Labor Relations Division, City Hall, Suite 100, (904) 255-5640, confidential email to Employee and Labor Relations laborrelations@coj.net. If the victim's immediate supervisor is the alleged harasser, the individual may discuss his or her concerns with a manager, division chief, or director within the department. The manager, division chief, or department director has a responsibility to immediately and confidentially notify the City's Office of Equal Opportunity/Equal Access and the Employee and Labor Relations Division of the conduct.*

The City of Jacksonville encourages the prompt reporting of complaints or concerns so that rapid and constructive action can be taken before relationships become irreparably strained. Early reporting and intervention has proven to be the most effective method of resolving actual or perceived incidents of harassment. Therefore, employees are urged to report their concerns as soon as possible.

Any reported allegations of harassment, discrimination or retaliation will be investigated promptly by the City's Office of Equal Opportunity/Equal Access. Depending on the nature of the allegations and what the initial investigation discloses, the Office of Equal Opportunity/Equal Access and the Employee and Labor Relations Division may conduct a joint investigation. The investigation may include individual interviews with the parties involved and, where necessary, with individuals who may have observed the alleged conduct or may have other relevant knowledge.

Confidentiality will be maintained throughout the investigatory process to the extent consistent with the City of Jacksonville's responsibility to conduct an adequate and fair investigation and to take appropriate corrective action.

Retaliation against an individual for reporting harassment or discrimination or for participating in an investigation of a claim of harassment or discrimination is a serious violation of this policy and, like harassment or discrimination itself, will be subject to disciplinary action. Acts of retaliation should be reported immediately and will be promptly investigated and addressed. Misconduct constituting harassment, discrimination or retaliation will be dealt with appropriately. Responsive action may include, for example, training, referral to counseling and/or disciplinary action such as a reprimand, withholding of a promotion or pay increase, reassignment, temporary suspension without pay or termination, as the City of Jacksonville believes appropriate under the circumstances.

Conclusion

GOVERNING DIRECTIVES 2020-0002WB (CONTINUED)

The City of Jacksonville has developed this policy to ensure that all its employees can work in an environment free from unlawful harassment, discrimination and retaliation. By widely disseminating this policy to all City of Jacksonville employees and anyone representing the City of Jacksonville on business, such as volunteers, contract workers

ALLEGATION 3: FALSIFICATION OF TIME AND ATTENDANCE RECORDS

Florida Statute

Chapter 838, Bribery; Misuse of Public Office

- *§838.022, Official Misconduct*

(a) Falsifying, or causing another person to falsify, any official record or official document.

City of Jacksonville Ordinance Code

Chapter 602, Jacksonville Ethics Code

- *§602.201, Definitions*
- *§602.401, Misuse of position, information, resources, etc.*

ALLEGATION 4: MISUSE OF COJ RESOURCES

Florida Statute

Chapter 812- THEFT, ROBBERY, AND RELATED CRIMES

§812.014, Theft

A person commits theft if he or she knowingly obtains or uses, or endeavors to obtain or to use, the property of another with intent to, either temporarily or permanently:

- (a) Deprive the other person of a right to the property or a benefit from the property.*
- (b) Appropriate the property to his or her own use or to the use of any person not entitled to the use of the property.*

City of Jacksonville Ordinance Code

Chapter 601, Offenses Against Operation of Government

- *§601.101, Use of Public Property*

It is unlawful for an officer or employee of the City or an independent agency to knowingly use property owned by the City or an independent agency for his or her personal benefit, convenience or profit, except in accordance with policies promulgated by the council or by the governing body of the independent agency owning the property.

Chapter 602, Jacksonville Ethics Code

GOVERNING DIRECTIVES 2020-0002WB (CONTINUED)

- §602.201, *Definitions*
- §602.401, *Misuse of position, information, resources, etc.*

(d) City Officers, employees and independent contractors should recognize their responsibility to protect and conserve City property and resources, and to make an honest effort to use official time and City property only for official business. To that end:

(1) Misuse of property. It is a violation of this Chapter for an officer, employee or independent contractor of the City or an independent agency to knowingly use property owned by the City or any independent agency for his or her personal benefit, convenience or profit, or for the benefit, convenience or profit of others, except in accordance with official written City policies or ordinances.

ADDITIONAL INFORMATION:

Florida Statute

287.057 *Procurement of commodities or contractual services.* —

§287.057, (3)(e)(1) *Artistic services. As used in this subsection, the term “artistic services” does not include advertising or typesetting. As used in this subparagraph, the term “advertising” means the making of a representation in any form in connection with a trade, business, craft, or profession in order to promote the supply of commodities or services by the person promoting the commodities or contractual services.*

City of Jacksonville Ordinance Code

Chapter 126, Procurement Code

- *Sec. 126.107. Exemptions*

Sec. 126.107. - Exemptions.

Unless ordered by the Mayor or Council or otherwise required by the Jacksonville Ordinance Code, the following supplies, contractual services, professional design services, professional services, capital improvements and/or sales transactions are exempt from competitive solicitation:

(a) Artistic services or performances; ...

City of Jacksonville Ordinance Code

COJ Ordinance Chapter 126, *Procurement Code*, Sec. 126.107, *Exemptions*, states in part verbatim:

GOVERNING DIRECTIVES 2020-0002WB (CONTINUED)

Unless ordered by the Mayor or Council or otherwise required by the Jacksonville Ordinance Code, the following supplies, contractual services, professional design services, professional services, capital improvements and/or sales transactions are exempt from competitive solicitation:

(a) Artistic services or performances...

City of Jacksonville Procurement Manual

The COJ *Procurement Manual*, Revised October of 2020, states verbatim, in part:

Unless ordered by the Mayor or Council or otherwise required by the Jacksonville Ordinance Code, the following supplies, contractual services, professional design services, professional services, capital improvements and/or sales transactions are exempt from competitive solicitation:

(a) Artistic services or performances...

ATTACHMENT B

RECORDS REVIEWED

2020-0002WB

FINDING 1:

Vendor Quotes and Invoices related to the Jazz Fest Logo

During the investigation, the OIG obtained copies of multiple versions of invoices and quotes related to work performed by Vendor for *Job Number 2870 - Jax Jazz Fest Logo* as detailed below:

Invoice dated February 29, 2020

Date	Invoice Number	Amount	Description
February 29, 2020	45134	\$6,250	Component 001- Jax Jazz Fest Logo Account service Creative direction.

Quotes dated July 7, 2020

Date	Quote Number	Amount	Description
July 7, 2020	45134-1	\$2,500	Branding, Review. Analysis and Strategic Direction for Jazz Festivals.
July 7, 2020	45134-2	\$1,250	Logo Concept for Jazz Festival
July 7, 2020	45134-3	\$2,500	Art Direction and Creative Design for Jazz Festival Logo Final Concepts and Design Guidelines

Invoices dated July 7, 2020

ATTACHMENT B

RECORDS REVIEWED

2020-0002WB

Date	Invoice Number	Amount	Description
July 7, 2020	45134-1	\$2,500	<i>Branding, Review, Analysis and Strategic Direction for Jazz Festivals.</i>
July 7, 2020	45134-2	\$1,250	<i>Logo Concept for Jazz Festival</i>
July 7, 2020	45134-3	\$2,500	<i>Art Direction and Creative Design for Jazz Festival Logo Final Concepts and Design Guidelines</i>

Invoices dated August 25, 2020

Date	Invoice Number	Amount	Description
August 25, 2020	45134-1	\$2,500	<i>Branding, Review, Analysis and Strategic Direction for Jazz Festivals.</i>
August 25, 2020	45134-2	\$1,250	<i>Logo Concept for Jazz Festival</i>
August 25, 2020	45134-3	\$2,500	<i>Art Direction and Creative Design for Jazz Festival Logo Final Concepts and Design Guidelines</i>

Timeline Summary¹

October - November of 2019

- According to the Vendor Employee Direct Time Report records, the Vendor completed work for the Jazz Fest logo.

February 29, 2020

- Manager sent the initial invoice (#45134) dated February 29, 2020, in the amount of \$6,250 for “Jax Jazz Fest Logo” (Job Number 28270) via regular postal mail service to COJ.

¹ The timeline summary reflects information obtained from the following records: Records provided by Ali in response to a Public Records Request for his personal cellular telephone records related to COJ business; Ali’s COJ e-mails; Ali’s COJ calendar; Vendor 1 internal records; Text Messages provided by Vendor 1 President/ Partner.

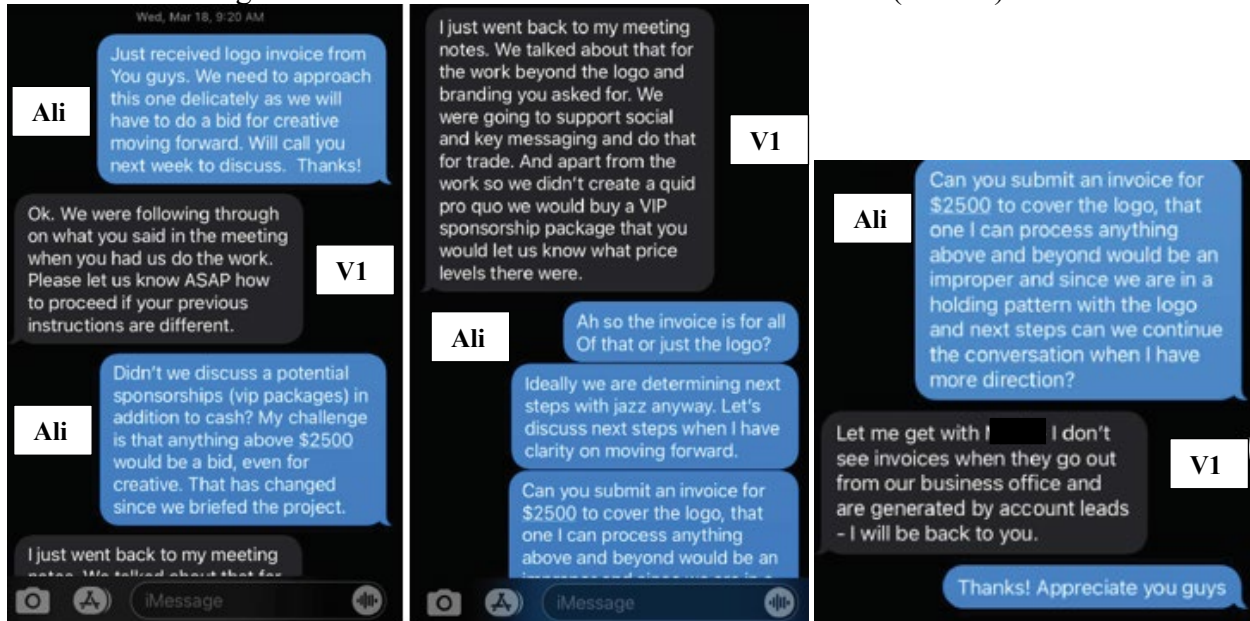
ATTACHMENT B

RECORDS REVIEWED

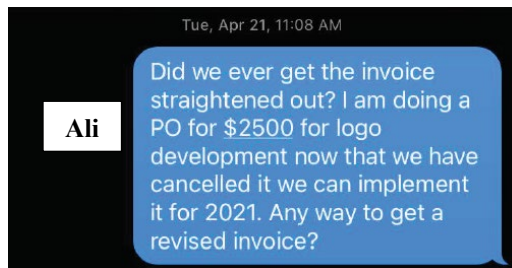
2020-0002WB

March 18, 2020²

- Text messages between Ali and the Vendor President/ Partner (Partner):



April 21, 2020



May 1, 2020

- The Vendor Internal Note entered by Manager:

Invoice 45134 billed to City of Jax. [The Vendor Partner] has had several conversations with Ryan Ali. I tried speaking with him today and he hung up on me. [the Vendor Partner] will handle invoice 45134.

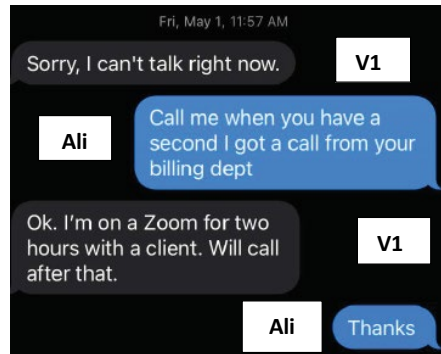
² Some events have specified dates and times if they were available on the corresponding record. All other events are placed in the approximate order of occurrence.

ATTACHMENT B

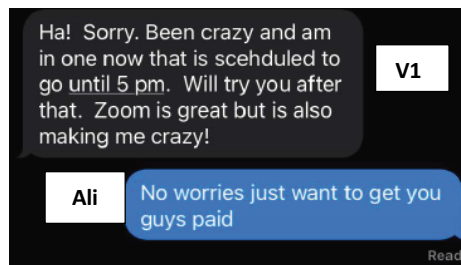
RECORDS REVIEWED

2020-0002WB

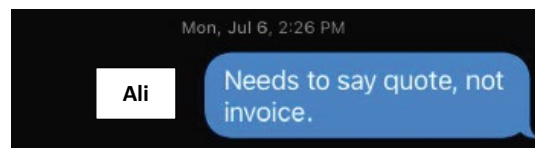
- Text messages between Ali and the Vendor President/ Partner (V1):



May 5, 2020



July 6, 2020



July 7, 2020

- the Vendor Internal Note entered by Manager:

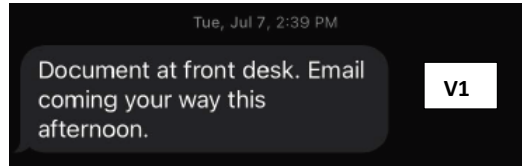
“Invoice 45134 amount had to be broken down and resubmitted on three separate draft invoices. Revised and [Manager] sent to client.”

- Text messages between Ali and Partner (V1):

ATTACHMENT B

RECORDS REVIEWED

2020-0002WB



July 8, 2020

- the Vendor Partner e-mailed the Jazz Fest logo files to Ali and Ali asked DSE staff to confirm the files opened properly.

July 13, 2020

- Text messages between Ali and Partner (V1):



July 15, 2020

- Marketing Manager scanned the Jazz Fest logo quotes and attached them to an e-mail to Ali stating the following: *"I just want to confirm that I am creating [Purchase Requests (PRs)] for all three of the attached quotes. Let me know and I'll get the PRs to you for signatures."*

- Ali replied to the Marketing Manager's e-mail:

*"not the \$1250 one. What is that even. **Submit the first quote for \$2500 first.**"*

July 21, 2020

- Marketing Manager completed a Purchase Request for \$2500 which was approved by Ali (printed his name, no actual signature). Marketing Manager e-mailed the Purchase Request to the DSE Accounting Manager (Accounting Manager) stating, *"Attached is a PR that needs to have a PO cut. Please let us know and send us the PO once you receive it."*

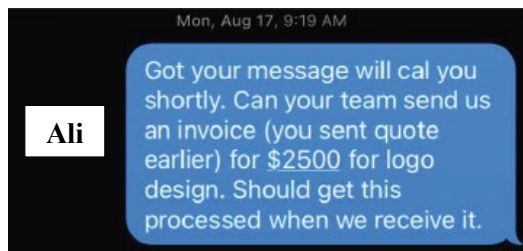
August 17, 2020

ATTACHMENT B

RECORDS REVIEWED

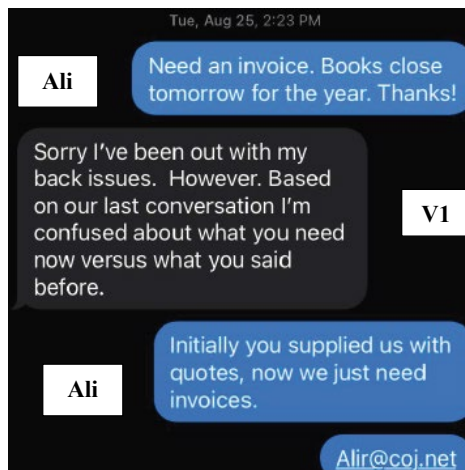
2020-0002WB

- 9:08 a.m., Voicemail message from the Vendor Partner to Ali: *"Hey it's [Partner] ...this is about 9:10 on Monday give me a call when you get a chance I've got a couple things so I wanted to run by you thanks bye ... "*
- 9:16 a.m. Marketing Manager e-mailed Ali: *"Attached are the quotes for you again. You had me create a PR for the first one, Quote #45134-1."*
- 9:19 a.m., Text messages between Ali and Partner (V1):



August 25, 2020

- 2:23 p.m. Text Messages between Ali and the Vendor Partner:



- 3:03 p.m., Manager e-mailed Ali three invoices dated July 7, 2020.
- 3:20 p.m., Manager e-mailed Ali: *"I've [revised] the dates on the invoices."* Attached to the e-mail were three invoices in the amounts of \$2,500, \$2,500, \$1,250, dated August 25, 2020.

ATTACHMENT B

RECORDS REVIEWED

2020-0002WB

- The following note was entered into the Vendor's internal system by Manager: *"Had to resubmit from drafts to saying invoices and revise date to today's date. I've e-mailed invoices to Ryan."*
- 3:52 p.m.: Ali e-mailed Marketing Manager, forwarding the three updated the Vendor invoices, dated August 25, 2020.

August 26, 2020

- 8:50 a.m. Marketing Manager responded to the August 25, 2020 e-mail which included the three the Vendor invoices: *"What would you like me to do with these? I've only submitted a purchase request for the first one from your direction and I remember [a DSE employee] brought up concern about multiple payments. Can you please give me some direction as I haven't been in these conversations with [the Vendor]?"*
- 8:56 a.m. Ali replied to Marketing Manager :

Move forward with the one invoice that goes with the quote that was submitted. I have a call into Greg [Gregory Pease, Chief, Procurement Division, COJ] about the other 2 invoices.

August 27, 2020

- 9:47 a.m. Marketing Manager replied to Ali:

I feel uncomfortable separating these invoices that came together and sending any of them without the knowledge of them. Could you please handle it with finance directly?

Improper/ Unauthorized Purchase Memorandum³

³ Any purchase which is determined to be in violation of the Procurement Code will be forwarded to the Chief of Procurement by cover memorandum or letter, acknowledged by the Director of the issuing department and setting forth the following: (i) brief description of the circumstances that resulted in the improper purchase; (ii) corrective action taken or to be taken to preclude recurrence; and (iii) recommended disposition as to payment for the improperly purchased goods/services. The Chief of Procurement shall forward those purchases determined to be improper or unauthorized, along with justification from the using agency, to the Mayor's Office for approval of a recommended disposition, as well as any recommended disciplinary measures. A copy of this recommendation will also be furnished to the Council Auditor. Upon receipt of approval from the Mayor or his designee, the same shall be forwarded to the using agency and processed for immediate payment.

ATTACHMENT B

RECORDS REVIEWED

2020-0002WB

On December 11, 2020, in response to the unpaid invoices, the COJ issued payment to the Vendor as an Improper Purchase. The COJ paid invoices #45134-2 and 45134-3 which totaled \$3,750 for the Jazz Fest Logo. The Improper Purchase document disclosed the following details:

Specific Violation:

Contrary to provisions of City Ordinance Code Ch. 126, the "Procurement Code", the agency continued services from the vendor without obtaining a purchase order, contract or award.

Circumstances Relative to Purchase:

The Sports and Entertainment Division made an improper purchase in the amount of \$3,750.00 identified on two invoices for work performed on Jacksonville Jazz Festival Logo.

FINDING 2:

DSE Personnel Records (Turnover)

From July 1, 2019, to September 16, 2020 (approximately **14.5** months), during the time Ali oversaw DSE, seventeen (**17**) employees departed from DSE: thirteen (**13**) DSE employees resigned, two (**2**) DSE employees transferred to different COJ departments, one (**1**) DSE employee was terminated (because he walked off the job), and one (**1**) employee retired.

Labor Relations Investigation File for Ali

On July 30, 2020, the OIG contacted Labor Relations Officer assigned to DSE (DSE LRO) and requested the investigation file (documented related to an investigation or fact-finding conducted by Labor Relations) for Ali. The DSE LRO advised that there was no investigation file for Ali.

Notes documented by the Human Resources Business Partner (HR Business Partner)⁴

On January 7, 2021, the HR Business Partner provided a copy of her handwritten notes from a meeting that occurred on or about September 24, 2019.⁵

According to the notes, the following issues were discussed during the September 2019 meeting: Ali was described as narcissistic; Ali was bullying employees; and Ali was threatening employees. DSE staff provided examples of Ali's remarks, such as, "*Do you want me to send you home in tears like I did another one today?*"⁶

⁴ A Human Resources Business Partner serves as a centralized personnel manager and consultant for designated COJ departments and works under Talent Management within the COJ Employee Services Department.

⁵ The HR Business Partner's handwritten notes indicated this meeting took place on September 26, 2019; however, according to other documentation obtained by the OIG, it was determined this meeting likely took place on September 24, 2019.

⁶ This quote was from the HR Business Partner's interpretation of the handwritten notes during her OIG interview.

ATTACHMENT B

RECORDS REVIEWED

2020-0002WB

Notes documented by the DSE Labor Relations Officer (DSE LRO)

On August 30, 2020, the DSE LRO provided a copy of handwritten notes from the September 24, 2019 meeting and other documents regarding the DSE employee complaints, including a bullet list summary that alleged Ali’s behavior “*creates a hostile work environment and depletes staff morale.*”

Notes documented by the Director of Parks

On July 30, 2020, the OIG requested all notes documented by the Director of Parks regarding his counseling of Ali. On August 4, 2020, the Director of Parks telephoned the OIG and stated he did not have notes from his meetings with Ali. The Director of Parks subsequently sent the following e-mail quoted verbatim in pertinent part:

Below are the dates that I met with Ryan Ali (Chief) and/or members of the Sports and Entertainment Team. I do not have notes from the various meetings. Please let me know if you need anything additional.

6/21/19	7/18/19	8/8/19	9/10/19	10/3/19	11/13/19	12/3/19	1/9/20	2/20/20	3/5/20
6/25/19	7/24/19	8/18/19	9/19/19		11/14/19	12/9/19	1/23/20		
6/28/19		8/22/19	9/27/19		11/19/19	12/12/19			
						12/13/19			

Text Messages Provided by Witnesses⁷

The OIG reviewed various text messages provided by witnesses which disclosed the following:

A text messages conversation in which Ali stated to an employee:

⁷ Ali did not provide any of the above referenced messages in response to an OIG Public Records Request for “*Any and all records related to City of Jacksonville official business either maintained in hardcopy form and/or maintained on any personal electronic devices....*”

ATTACHMENT B

RECORDS REVIEWED

2020-0002WB

Ali Do not discuss your salary with anyone.... you are making a significant amount more than most at the manager level.

Employee I totally won't, but I want to be fair. If that's not fair then I shouldn't be getting that.

Ali You don't get anywhere in life by being fair.

A text message from Ali to a DSE employee in which he offered to bring the employee a wig so that the employee's hair would look suitable for a meeting:

Ali What are you going to wear tomorrow?

...

Ali Want me to bring you a wig?

Multiple text messages Ali sent to a Employee 2's mother over several days after the date Employee 2 made a complaint to the Director of Parks regarding Ali (December 9, 2019:

December 18, 2019

10:27 p.m.: Ali sent text messages to a DSE employee's mother stating that he was in trouble because of the DSE employee. Ali said the following, *"I'm still completely baffled she went to my boss. And now this has turned into an HR disaster."*

Ali I'm still completely baffled that she went to my boss. And now this has turned into an HR disaster.

Ali On 12/9 she went to my boss and complained that I wasn't treating her right, nor was I encouraging her to do her job, then she went back to him that same day to consoling further. I haven't seen [REDACTED] much that day. I do think that she spoke to [REDACTED] because some of the things out of her mouth sounded like they came from [REDACTED]. So then my boss decided to address it with HR yesterday and today again.

...

ATTACHMENT B

RECORDS REVIEWED

2020-0002WB

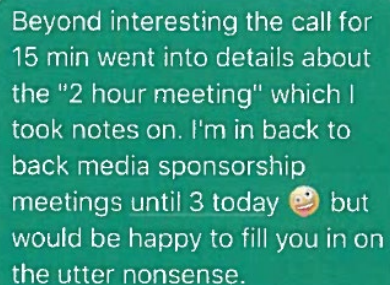
The text message records also disclosed a conversation between Employee 2 and the Director of Parks, in which Employee 2 sent a screen capture photograph of the telephone call record when Ali called the employee after the employee's meeting with the Director, as well as a summary of their (Ali and the DSE employee) conversations. (See record review of Text Messages Provided by the Director of Parks.)

Text Messages Provided by the Director of Parks

During the Director of Parks' OIG interview, he was asked to search and read aloud text messages from a DSE employee. The OIG subsequently requested a copy of the text messages the Director found and read during the interview.

The text message records disclosed that the Director of Parks received the following text messages from a DSE employee on December 10, 2019 (one day after the DSE employee reported their complaints regarding Ali to the Director of Parks):

Provided by Employee 2:



Beyond interesting the call for 15 min went into details about the "2 hour meeting" which I took notes on. I'm in back to back media sponsorship meetings until 3 today 😊 but would be happy to fill you in on the utter nonsense.

Employee 2

Director wow

Note: During the OIG interview the OIG asked the Director of Parks read the above-mentioned text messages verbatim. When the OIG later requested the text message records from the Director of Parks, the last message which read "wow" no longer appeared in the text messages. The OIG questioned the Director of Parks regarding the missing message, to which the Director replied, he did not know why it was missing.

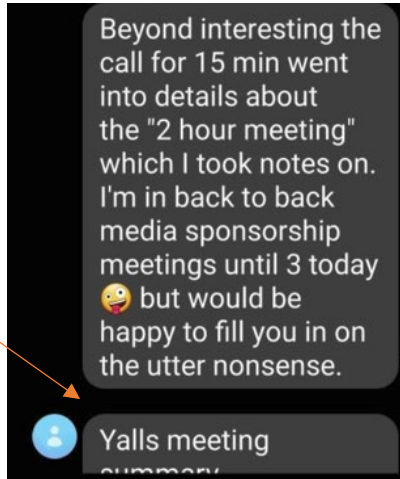
ATTACHMENT B

RECORDS REVIEWED

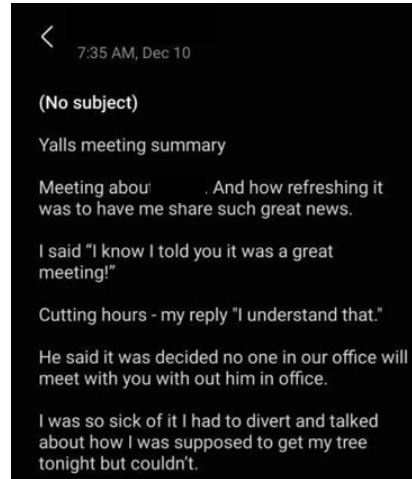
2020-0002WB

Provided by the Director:

Text message from the Director, "wow" missing.

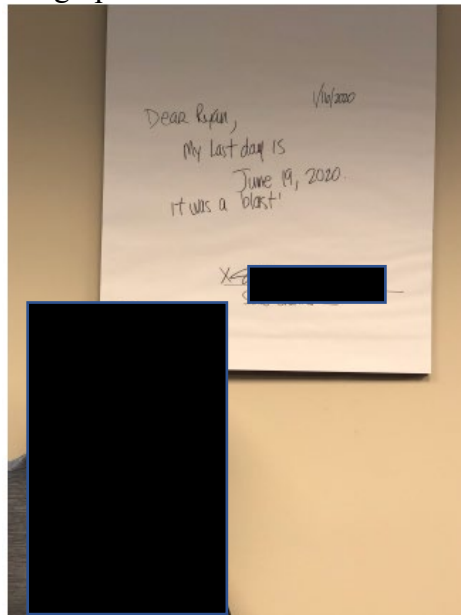


Employee 2



Resignation Letter of Employee 1

An OIG review of records revealed the following photograph of Employee 1 and the resignation Ali allegedly created and instructed Employee 1 to sign. Employee 1 and Employee 1's name have been redacted from the photograph.



COJ E-mail Regarding an Additional Allegation by Employee 1

On June 25, 2020, Labor Relations received an additional complaint regarding Ali:

A COJ Labor Relations Officer.

ATTACHMENT B

RECORDS REVIEWED

2020-0002WB

From: [REDACTED]
Sent: Thursday, June 25, 2020 10:33 AM*
To: [REDACTED] Chief of Employee and Labor Relations.
Subject: Employee complaint
Importance: High

Hi Todd,

Per our discussion on this morning regarding a complaint on Ryan Ali, Chief of Sports and Entertainment: [REDACTED] called our office on this morning and stated she would like to make a formal complaint. [REDACTED] stated Mr. Ali uses profanity toward staff, to include the "F" word. She stated although the Inspector General Office is/was investigating employees concerns regarding Mr. Ali's behavior, the behavior is continuing and in addition several employees have left the City due to Mr. Ali's behavior.

[REDACTED] is out of the office, [REDACTED] and [REDACTED] has concerns with Mr. Ryan's behavior once she returns back to work. She stated the Inspector General Office did reach out to her and she is considering an attorney in the matter because of Mr. Ali's behavior. Due to the fact there has been prior reported concerns with Mr. Ali's behavior, I provided her your number, and in addition I told her that I would ask you to reach out to her to discuss her concerns as they relate to Mr. Ali's behavior. [REDACTED] can be reached at [REDACTED]. Thanks, Gail

On June 25, 2020, the Chief of Employee and Labor Relations forwarded the above-mentioned e-mail to the Director of Employee Services (who forwarded it to the Director Organizational Effectiveness). One the same date, Chief of Employee and Labor Relations forwarded the message to the Director of Parks:

From: Chief of Employee and Labor Relations
Sent: Thursday, June 25, 2020 11:51 AM
To: Director of Parks
Cc: Director of Employee Services
Subject: FW: Employee complaint

Daryl,

Please see below.

I have spoken to [REDACTED] and believe no additional actions are required at this time beyond general awareness. Since most of the instances she mentioned stem from previously known actions/behaviors, please confirm with Ryan that he completed the assigned managerial training from January. [REDACTED] is currently out of work [REDACTED] relayed that she plans to RTW next week.

Thanks, Todd

From: Director of Parks
Sent: Thursday, June 25, 2020 11:56 AM
To: Chief of Employee and Labor Relations
Cc: Director of Employee Services
Subject: Re: Employee complaint

Thank you for the information. I will follow up on the training.

ATTACHMENT B

RECORDS REVIEWED

2020-0002WB

FINDING 3:

The OIG reviewed various records, including applicable state statutes and municipal ordinances, COJ policies, procedures, and other records, including COJ employee Microsoft Outlook e-mails and calendars, time and attendance records, COJ badge access records, and open-source records.

Time and Attendance System (TAS) Records

A review of Ali's Time and Attendance records disclosed that Ali documented eight (8) work hours for October 17, 2019, and eight (8) work hours for October 18, 2019.

Badge Access Records

A review of Ali's St. James City Hall (City Hall) badge access records disclosed that on October 17, 2019, at 9:08 a.m., Ali was granted access into City Hall's main entrance. At 9:17 a.m., Ali was granted access into the DSE office, which at that time was located on the second floor of City Hall. There was no other badge activity for October 17, 2019. The records disclosed that Ali had no badge activity for October 18, 2019, for any COJ facilities.

COJ Employee Microsoft Outlook E-mails

A review of Ali's COJ e-mails revealed an October 17, 2019 e-mail communication between Ali and a DSE employee in which Ali told the DSE employee, he (Ali) would be in the office during the morning of October 17, 2019, and would be at a board training all day on October 18, 2019. In the e-mail, Ali mentioned he would electronically sign any documents requiring his signature.

Ali's COJ Microsoft Outlook Calendar

A review of Ali's COJ Microsoft Outlook calendar disclosed the following:

October 17, 2019

ATTACHMENT B

RECORDS REVIEWED

2020-0002WB

Thursday, October 17, 2019	
7:00 AM	
7:30 AM	
8:00 AM	
8:30 AM	
9:00 AM	<i>[DSE Employee] 1:1</i>
9:30 AM	
10:00 AM	
10:30 AM	<i>Block</i>
11:00 AM	
11:30 AM	
12:00 PM	
12:30 PM	<i>CCGJ Board of</i>
1:00 PM	<i>Directors</i>
1:30 PM	<i>Meeting</i>
2:00 PM	
2:30 PM	
3:00 PM	
3:30 PM	<i>Board</i>
4:00 PM	<i>Interviews</i>
4:30 PM	
5:00 PM	
5:30 PM	

OIG Note:

A review of the *UNF website*, Ali was not listed as a Board of Trustee Member or an absentee member for any meetings that took place on October 17, 2019.

A review of the *CCGJ meeting minutes* for October 17, 2019, disclosed that Ali was listed as a “*Board Members Absent.*”

October 18, 2019

Entries for October 18, 2019, disclosed that Ali updated his calendar multiple times between October 16, 2019, and October 18, 2019. The following graphic displays three different versions based on changes made from October 16, 2019 through October 18, 2019.

Based on the above, the OIG noted the following:

ATTACHMENT B

RECORDS REVIEWED

2020-0002WB

Friday, October 18, 2019

	Version 1 October 16, 2019 at 5:45 p.m.	Version 2 October 18, 2019 at 9:25 a.m.	Version 3 October 18, 2019, at 10:10 a.m.
7:00 AM			
7:30 AM			
8:00 AM			"Downtown Chamber" (Downtown Council of the Jacksonville Chamber of Commerce)
8:30 AM			
9:00 AM			
9:30 AM		Budget	Budget
10:00 AM			
10:30 AM			Visit Jax Discussion
11:00 AM			
11:30 AM			
12:00 PM			
12:30 PM		Lunch Fickling Construction	Lunch Fickling Construction
1:00 PM	Training		
1:30 PM			
2:00 PM			UNF Internship Candidates
2:30 PM			
3:00 PM		UNF Board Training	UNF Board Training
3:30 PM			
4:00 PM			
4:30 PM			
5:00 PM		Salvation Army discussion/ Partnerships	Salvation Army discussion/ Partnerships
5:30 PM			
6:00 PM			

Note: This event was added to Ali's calendar after the event occurred.

OIG Note:

A review of Ali's Jax Chamber member involvement records, there was no record associated with the October 18, 2019 meeting.

A review of the UNF website disclosed that there were no records of UNF Board of Trustees meetings or workshops for October 18, 2019.

Open-Source Information and Social Media Records

A review of open-source and social media records disclosed that on October 19, 2019, Ali posted photographs to his personal Instagram account (a social media platform) of an event held in New Orleans, Louisiana. Ali included the following caption beneath the photographs, "*Honored to have been in the company of friends, family and students for the dedication... at Tulane University...*" Ali geographically tagged a specific restaurant located in New Orleans.

On October 20, 2019, Ali posted photographs and geographically tagged a specific hotel located in New Orleans.

ATTACHMENT B

RECORDS REVIEWED

2020-0002WB

OIG Note:

A review of Tulane University MakerSpace Event Details disclosed that event was advertised to take place on Thursday, October 17, 2019, from 5:00 p.m. to 6:30 p.m. at Tulane's Uptown Campus (6823 St. Charles Avenue, New Orleans, Louisiana, 70118).

FINDING 4:

COJ Video Footage

The OIG reviewed the corresponding COJ video coverage related to the above-referenced badge access records which disclosed the following:

November 8, 2019

<i>Time</i>	
9:38 a.m.	Ali entered City Hall via basement elevator doors.
9:48 a.m.	Ali walked out of City Hall via basement elevator doors with one case of lights.
9:49 a.m.	Ali again entered City Hall via basement elevator doors.
9:55 a.m.	Ali walked out of City Hall with a second case of lights via basement elevator doors.
9:57 a.m.	Ali again entered City Hall via basement elevator doors.
10:33a.m.	Ali walked out of City Hall via basement elevator door with a third case of lights.

November 8, 2019

<i>Time</i>	
5:35 p.m.	Ali arrived and entered at City Hall via parking garage gate with two cases of lights.
5:41 pm.	Ali walked out of City Hall via parking garage gate.

November 8, 2019

<i>Time</i>	
11:39a.m.	Ali entered City Hall via basement elevator lobby with one case of lights.

ATTACHMENT B

RECORDS REVIEWED

2020-0002WB

<i>Time</i>	
11:41a.m.	Ali entered the Mayor's Office Suite City Hall 4 th Floor with the case of lights and had an interaction with DSE employee and a Mayor's Office Staff member.

OIG Note:

A review of Ali's COJ Badge Access Records corroborated the above activity.

A review of Ali's COJ Time and Attendance System (TAS) Records disclosed that Ali did not document work hours for Saturday, November 9, 2019.

ATTACHMENT C

SUBJECT WRITTEN RESPONSE

2020-0002WB

July 29, 2021

Ryan Ali


Ms. Green,

I am providing you a written response based on the four general topics provided to me by your office. I am confident these remarks will give you a greater perspective on the areas you have identified for questioning. Each of the items below is an accurate and detailed description to the best of my knowledge from July 2019- December 2019. If you have detailed questions at a future time, I would be happy to provide a written response.

Time and Attendance

I was instructed by my manager, Daryl Joseph, Director of Parks and Recreation, that I could not claim any overtime or comp time and I needed to have my timesheets reflect 40 hours a week. As instructed, I put 40 hours per week, even if I had worked 60-70 hours a week and on weekends/holidays. During my time with COJ it was common practice to flex hours, since I was informed that I couldn't accrue any comp time. At one point I worked 20 days consecutively, averaging 74 hours per week in preparation for two weekend events, Sea and Sky and Florida/Georgia. This included working on weekends and evening hours. From the beginning of my tenure, I kept accurate count of my hours worked for after-hours events, which accounts for over 170 hours of unclaimed comp time. It's hard to believe that I was the only City of Jacksonville employee who could not claim these hours.

Procurement

My training from City of Jacksonville on procurement was limited at best. To begin addressing the high cost and waste at City of Jacksonville events, I looked to the private sector to assist. I reached out to the Dalton Agency to see if they would be interested in providing an in-kind donation. Their building is adjacent to James Weldon Johnson Park and we would utilize their space for the upcoming Jazz Fest. I spoke with Michael Munz and he agreed to assist with a revamped logo. From the beginning of this project, we had always discussed approaching this as a sponsorship with minimal investment from COJ. Projects of this nature cost upwards with \$15,000. I approved an invoice for \$2,500 and agreed that the remaining amount would be towards a sponsorship to the Jazz Festival. We did not have a policy in place that allowed for in-kind/trade/sponsorship. It was necessary to partner with the private sector to assist in providing the most impact of tax payer dollars for events.

Overall Work Environment

Over the past five years, this department never had proper management oversight. They accumulated excessive hours of overtime, comp time and partnered with vendors they were comfortable with. The mentality was a carte blanche approach and problems were solved with additional dollars, not solutions.

I challenged our management team to significantly reduce overtime at events (a budget line item annually that exceeded \$300,000+ of tax payer funds) as some employees would build up banks in excess of 100+ hours in a single year. Many employees capped out their banks and would take vacations that would limit the amount of work done in the office. Managers and employees would be scheduled hours prior to events, sit around and would not effectively utilize large gaps of idle time, all while receiving overtime.

I further worked to curtail wasteful and excessive spending for staff meals at events. Meals would be delivered for breakfast, lunch, dinner and an evening snack, as well as a fully stocked pantry throughout the day. In addition, the meals would be scheduled late causing more wasted time. An example of this was at the Veteran's Day Parade. Prior to my tenure it was common practice for staff to be scheduled early to generate more overtime waiting to eat. Staff routinely waited around, on the clock, collecting overtime. I also questioned vendor relationships. It was apparent that many vendors had close personal

ATTACHMENT C

SUBJECT WRITTEN RESPONSE

2020-0002WB

relationships with managers and within the department. Such relationships, gave preferential treatment to vendors for work, many which were also artistic in nature. I also implemented new oversight on leftover liquor at events, which previously staff would take home for personal use.

The Sports and Entertainment culture, was not one of flexibility. The department had a high rate of turnover, mainly due to lack of advancement opportunities and heavy nights/weekend demand. The department believed their formula worked, and any changes were not welcome. Unfortunately, the events which were created were expensive, lacked creativity or originality, did not attract a new audience, and failed to generate revenue. This all resulted in great expense to the tax payers.

In addition to overtime, several events needed to be reworked. For example, the Florida Georgia Hall of Fame luncheon, which in 2020 cost \$96,000 to produce, only made \$15,825 in revenue. This amounted to an over \$380 per person expense. For an event not open to the public, that is publicly funded, this is not acceptable for many reasons.

Misuse of City of Jacksonville Resources

For Christmas 2019, I was directed to take this project on, which I do in addition to my then-current workload and planned for the upcoming event season. As we began to install a gifted tree, which consisted of warehouse visits with a production vendor, logistical planning to secure the tree, handling technical difficulties, and acquiring décor, it was clear that we needed more resources to off-set the non-budgeted event, including lights, fencing, staging, ornaments, and the procurement of a menorah for the first time. I used my personal vehicle to transport items used for these events as we did not have a formal process in documenting items used. I never requested any mileage reimbursement from COJ.

The events that I created provided experiences for residents and visitors that were unique, creative and never dull. All of these were done under budget and creating a lasting impression for all.

I would like to reiterate my desire to address any specific allegations against me in writing. To date I have not been made aware of any such specific allegations, but instead have only learned of vague criticisms and unspecified grievances relating to my time with COJ. As I stated in my resignation letter, I have made every effort to manage the Sports and Entertainment department as efficiently as possible. I have always placed the best interests of the taxpayers above those of career government bureaucrats.

Regards,

Ryan Ali

ATTACHMENT D

OIG MEMO

2020-0002WB



OFFICE OF INSPECTOR GENERAL CITY OF JACKSONVILLE

MEMORANDUM

DATE: December 20, 2019

TO: Marlene Russell, Director of Organizational Effectiveness
Office of the Mayor

FROM: Lisa A. Green, Inspector General
Office of Inspector General

SUBJECT: Ryan Ali, Chief, Office of Sports and Entertainment
Request for Labor and Relations Investigation
Office of Inspector General Investigation Number 2020-0002

The following summarizes in general recent information the Office of Inspector General (OIG) received relating to labor and relations concerns, which the OIG believes, is most appropriately addressed by the Administration. As previously discussed, this information is being provided to assist with any inquiry you deem appropriate.

Types of Labor Relations Related Matters

- Inappropriate Language towards Employees
- Hostile Work Environment
- Mismanagement of Employees
- Effecting Employee Morale
- Retaliation against Employees

The following information regarding the complaints received is summarized below:

2020-11-0017

The complainant stated that Ryan Ali (Ali) did the following to Office of Sports and Entertainment (OSE) employees:

- Ali raised his voice and used profanity towards OSE employees, which has made at least one OSE employee cry at a COJ event.
- Ali made statements to employees such as "god damn it" and "*figure out if you want to*

"Enhancing Public Trust in Government Through Independent and Responsible Oversight"

ATTACHMENT D

OIG MEMO

2020-0002WB

2 | Ryan Ali, Chief, Office of Sports and Entertainment
Request for Labor and Relations Investigation
Office of Inspector General Investigation Number 2020-0002

be here or not."

- As result of Ali's statements, the complainant felt disrespected by Ali.
- As result of Ali's actions, many OSE employees have left OSE since Ali's employment.
- The complainant advised it appears as though Ali and Jan Sifferath, HR Business Partner, are "buddy buddy."

2020-12-0005

The complaint stated that Ali made the following inappropriate comments in the presence of other OSE employees:

- Ali told the complainant that a reception event they put together for a COJ was "*shit*."
- Ali told an OSE employee that he would grade their workmanship as a C-/D-.
- Ali yelled at an OSE employee at a COJ event.
- Ali asked a former OSE employee to use their arms/hands to measure the length of their skirt to ensure it was an appropriate length.

Note: The complainant has informed Darryl Joseph, Director of Parks; and Sifferath of some aforementioned actions.

2020-12-0012

The complainant stated that Ali did the following:

- After becoming aware that the complainant may be resigning from OSE, Ali informed the complainant that one of the resumes on his desk was their replacement.
- The complainant was informed by other OSE employees that Ali was going to terminate the complainant.
- Ali changed the complainant's work hours to 8:00am to 5:00pm without cause, as he did not specify why this change was being made.
- Ali changed the complainant's work schedule, but he did not change the work schedule of any other OSE employees.

2020-12-0013

The complainant stated the following regarding Ali:

- Ali stated he would not be going anywhere because of his role and connection to Mayor Lenny Curry and Curry's wife.
- Ali has told the complainant that the last employee that "went off" on him is no longer

ATTACHMENT D

OIG MEMO

2020-0002WB

3 | Ryan Ali, Chief, Office of Sports and Entertainment
Request for Labor and Relations Investigation
Office of Inspector General Investigation Number 2020-0002

- employed with COJ, to imply that he was the reason they left.
- As result of Ali's actions, OSE employees have cried, specifically two employees.
- Ali told OSE employees to tell him which OSE employee was resigning. Ali voiced that he wanted to terminate the employee, once he became aware of which employee was resigning.
- Ali kicked the complainant out of his office, when the complainant attempted to have a meeting to resolve the inappropriate comments he made to the resigning OSE employee.
- Ali has been pushing for the complainant's contract with COJ to end earlier than anticipated.
- The complainant was told not to inform Human Resources of Ali's action, because he had a close relationship with them.

2020-12-0014

The complainant stated the following regarding Ali:

- Ali created a toxic and hostile work environment because of his actions, especially towards the female as he picked on the female employees.
- As result of Ali's treatment, a significant number of OSE employees have resigned.
- Ali yelled at various OSE employees.
- On one occasion, he yelled at an OSE employee in front of other employees, vendors, and sponsors at COJ event, which resulted in the employee crying.
- On another occasion, he yelled at an OSE employee by stating "dammit...stop calling me!" as he slammed the door and went into another employee's office.
- Ali told an OSE employee that he would grade their workmanship as a C-/D-, in the presence of other OSE employees.

2020-12-0016

The complainant stated the following regarding Ali:

- Ali created a hostile work environment because of his actions and lowered employee morale.
- Ali made comments to the complainant such as their clothing "looks like old curtains" and "hair looked like the lion king."
- Ali yelled at the complainant at a COJ event and told them that they did not know how to do their job.
- Ali informed the complainant that he wanted to terminate various OSE employees without case.

ATTACHMENT D

OIG MEMO

2020-0002WB

4 | Ryan Ali, Chief, Office of Sports and Entertainment
Request for Labor and Relations Investigation
Office of Inspector General Investigation Number 2020-0002

- Ali visited the complainant's [part-time] secondary employment to verify whether the employee worked at this establishment.

Note: The complainant has informed Joseph of some of Ali's aforementioned actions. However, Joseph did not provide the complainant with a resolution.

The OIG is reviewing additional matters concerning Ryan Ali and requests to be notified if any personnel action(s) (including all outcomes) are taken as a result of any review conducted.

Pursuant to §119.0713(2), Florida Statutes, this Memorandum is confidential and exempt from public disclosure until after our final Report is issued. In order to preserve the integrity of this investigation, the OIG requests this memorandum and the attached document not be shared beyond those individuals needed to provide assistance with the Management response.

Please contact me directly at 904-630-8038 or Jonathan Parrish, Director of Investigations at 904-630-8066 in the event you have any questions regarding this matter.

cc: OIG Investigative Case File 2020-0002

ATTACHMENT E

MEMO RESPONSE

2020-0002WB



ONE CITY. ONE JACKSONVILLE.

City of Jacksonville, Florida

Lenny Curry, Mayor


Employee Services
City Hall at St. James
117 W. Duval Street, Suite 100
Jacksonville, Florida 32202
(904) 630-CITY
www.coj.net

Date January 7, 2020

TO: Marlene Russell, Director of Organizational Effectiveness
Office of the Mayor

FROM: Diane F. Moser, Director of Employee Services
Employee Services

SUBJECT: Office of Inspector General Investigation Number 2020-0002



This is in response to the December 20, 2019 memo from Lisa A. Green, Inspector General, regarding Ryan Ali, Chief of Sports and Entertainment.

Daryl Joseph, with the assistance of Employee Services, has held a number of meetings with Mr. Ali in regards to complaints received from employees to Mr. Joseph as well as complaints to the department's HR Business Partner, Jan Sifferath. He has also held one-on-one meetings with Mr. Ali on a weekly basis.

December 20, 2019

Diane Moser and Todd Norman held a meeting with Mr. Ali. This meeting was at the request of Mr. Ali and Mr. Ali was seeking guidance in how to respond to Laura McGarity and her return to work. He was coached on what he should and should not say and do.

December 17, 2019

Marlene Russell, Diane Moser, Todd Norman, and Daryl Joseph held a meeting with Mr. Ali to discuss issues that recently came to management's attention as well as issues from the past. The management team reviewed previous conversations and meetings with Mr. Ali regarding his work behavior. The meeting covered recent complaints brought forth by Laura McGarity to Daryl Joseph consisting of things Mr. Ali said to her about her appearance (dress and hair specifically) and assigning a school type grade to her work performance, among other things. According to Mr. Ali, he was trying to fit into the team and had made miscalculations in his approach. Management also discussed the importance of maintaining time properly and various other issues. He was advised that he is an appointed official and with that comes responsibility of being highly visible and to represent the Mayor proudly and live up to the expectations of being an appointed official. Employee Services has identified and is providing training to assist Mr. Ali in becoming a successful division chief.

ATTACHMENT E

MEMO RESPONSE

2020-0002WB

September 24, 2019

Daryl Joseph, Jan Sifferath, and Becky Javurek held a meeting that included Mr. Ali and the management team of Sports and Entertainment. The purpose of the meeting was to discuss issues raised by employees to both Daryl Joseph and Jan Sifferath regarding Mr. Ali's work behavior. The discussion was open and included complaints about Mr. Ali's communication style, that he did not appreciate or respect the current staff, managers frustration with Mr. Ali making changes to a project but not telling anyone and that he has been sarcastic and demeaning to employees. The meeting ended with Daryl Joseph asking what it was that employees wanted to see. They mentioned increased communication, building trust and working together. The meeting was constructive and dialogue was not reserved with both the managers and Mr. Ali agreeing to work together to improve communication, respect within the office, and supporting each other.

Meetings held by Daryl Joseph

Daryl Joseph has met with Mr. Ali weekly since July 24, 2019 to coach him on City processes and methods to communicate and manage his team more effectively.

Mr. Joseph also meets with Mr. Ali and Brent Fine (Manager) bi-weekly to cover any office concerns. These meetings have been utilized to enhance the office structure to ensure the higher level office management is unified in communicating the goals and objectives to the Sports and Entertainment team.

Mr. Joseph has also observed various Sports and Entertainment meetings and events to ensure there is appropriate and professional communication taking place in the work environment.

ATTACHMENT F

MEMO RESPONSE

2020-0002WB



Thomas A. "Tad" Delegal, III
Florida Bar Board Certified:
- Labor & Employment Law
- State and Federal Gov't. Administrative Law
Email: tad@delegal.net

James C. Poindexter
Also Licensed to Practice in Georgia
Email: james@delegal.net

Alexandra E. Underkofler
Email: alex@delegal.net

April 15, 2022

VIA EMAIL ONLY: (EAGonzalez@coj.net)

Mr. Matthew Lascell
Inspector General
Ms. Elizabeth Gonzalez
Acting Director of Investigations
Office of Inspector General
City of Jacksonville

Re: My Client, Ryan Ali

Dear Mr. Lascell and Ms. Gonzalez,

As you know, my office has the pleasure of representing Mr. Ryan Ali, the former Chief of the Office of Sports and Entertainment for the City of Jacksonville. I am in receipt of the draft report of the long-standing investigation of Mr. Ali with the City of Jacksonville, and pursuant to your request, I am providing this response to the allegations contained in the draft report.

As you know, the former Inspector General who was initially responsible for the investigation of Mr. Ali has been the subject of much scrutiny over the past several months for certain prejudices and biases against individuals under investigation by the office.¹ The investigative team responsible for performing most of the investigation that underlies the draft report is no longer employed by the office and the former Director of Investigation has brought to light allegations to suggest that the former Inspector General "mishandled" the investigation into my client.² Furthermore, the City of Jacksonville's Office of General Counsel found that the former Inspector General "lacked the neutrality necessary to conduct investigations."³ These issues call into question the validity of the investigation, and as a result, it is unclear to me how any conclusions can be properly drawn from the mishandled investigation.

¹ "McFarlane has accused Green and, later, Goodman, of mishandling the case, alleging that important findings made by investigators would be left out of the final product."

<https://www.jacksonville.com/story/news/columns/nate-monroe/2022/04/07/andrew-mcfarlane-man-who-blew-whistle-jacksonville-inspector-general-fired-nate-monroe-column/9495324002/>

² *Id.*

³ *Id.*

ATTACHMENT F

MEMO RESPONSE

2020-0002WB

Mr. Matthew Lascell
Ms. Elizabeth Gonzalez
April 15, 2022
Page 2 of 8

In addition to these troubling revelations about the handling of the investigation, the genesis of the initial complaints should give the Inspector General's office pause. According to the testimony of the Director of Parks, Recreation, and Community Service:

. . . complaints stemmed from DSE's resistance to new leadership and not because the complaints were "*warranted*" by Ali . . . The Director testified that he did not believe Ali had been sarcastic and/or demeaning to employees, as alleged by DSE staff . . . "*ring leaders that were kind of spearheading the whole [go] talk to Employee Services.*"

ROI p. 19. [Emphasis in original.] It is clear from the Director's testimony that the complaints were part of a campaign to have my client removed from his position. That effort appears to have been caused by employee resistance to my client's efforts to improve the efficiencies of the department. Prior to Mr. Ali's tenure, the department's employees routinely worked unnecessary overtime to maximize the amount of comp time available to them at the taxpayers' expense.

Mr. Ali set out to improve the department with the goal of producing events that were engaging and dynamic. Most important to Mr. Ali, he sought to limit the taxpayers' financial burden associated with these events. At the very most, the allegations against my client suggest that he was undertaking efforts to save the taxpayers money. Unfortunately, Mr. Ali met great resistance when he attempted to challenge the status quo, and it appears that some on his team worked together to ensure that my client would no longer be in a position to implement these changes.

After reviewing the draft report, I can point to several examples of situations that were apparently taken out of context by employees of the department to discredit Mr. Ali. It is alleged that Mr. Ali mishandled an employee's retirement. Employee 1 repeatedly approached Mr. Ali to ask about her retirement party. She requested that certain elected officials be present. Mr. Ali asked Employee 1 for a date and explained to her that they would plan a nice party for her. While Mr. Ali and Employee 1 communicated numerous times about the retirement date, they had yet to tell Employee Services. Together Employee 1 and Mr. Ali penned a note and took a photo in which the employee is smiling. Mr. Ali later took Employee 1 to lunch to celebrate and told her we would begin the planning process for her party. Employee 1 was involved with every process and the two had regular meetings to discuss every detail, including attendee list, food and special messages from City staff. During the pandemic, the department gave Employee 1 a retirement party that was well deserved for her tenure with the City.

Mr. Ali did not engage in any wrongdoing as it relates to Employee 1's retirement. As the Director stated on ROI p. 20 "Employee 1 had participated in inner office jokes about their retirement. The Director said that nobody forced or encouraged Employee 1 to retire; however, Employee #1 reported a complaint that he/she was being pressured to retire. According to the

ATTACHMENT F

MEMO RESPONSE

2020-0002WB

Mr. Matthew Lascell
Ms. Elizabeth Gonzalez
April 15, 2022
Page 3 of 8

Director, Employee #1's complaint was directed at the Special Events Manager, [REDACTED] and not Ali."

It is also alleged in the report that "[o]n December 17, 2019, Ali visited Employee 2, uninvited, at a location outside of work, which made Employee 2 uncomfortable." I am attaching a text message from [REDACTED], mother of Employee 2, asking Mr. Ali to "come see us." As you can see, [REDACTED] provided specific instructions for Mr. Ali to meet them, [REDACTED], [REDACTED] etc. (Attachment "A") It should be noted that Employee 2 was [REDACTED] at the time, and Mr. Ali's presence was intended to be comforting and out of a concern for her wellbeing. Mr. Ali was invited to meet with Employee 2, and this situation is being misrepresented to suggest inappropriate behavior by Mr. Ali.

Another allegation in the draft report is that Mr. Ali spoke derogatively of employees' appearances in the workplace. An example provided in the report to support that allegation is that Mr. Ali supposedly offered to bring in a wig for an employee so that her hair would not look bad. Attached as Attachment "B" is a text message that shows the employee in question jokingly texting Mr. Ali a picture of her wig. As you can see, there is no suggestion from Mr. Ali that the employee had terrible hair, and it appears from the photo and text that the employee was making a joke about herself. Again, this is just an example of rumors being spread by certain employees to generate the appearance of impropriety on Mr. Ali's part.

Any suggestion that the attrition in the department was caused by inappropriate behaviors by Mr. Ali is simply inconsistent with the facts. Mr. Ali cannot be held responsible for any employee leaving the department for the purposes of relocation, retirement or seeking another advancement opportunity. (Attachment "C") This is buttressed by the testimony of the department's director, when he said that ". . . there was a perception that DSE employees had resigned because of Ali; however, the Director denied that was the case. The Director attributed that perception to the fact that Ali had become Chief, there had been issues within DSE while he was Chief then employees were resigning. ROI p. 22. Clearly any attrition issue pre-dated Mr. Ali's appointment.

I would also point out that, according to the draft report, "[e]mployee services indicated that they had minimal documentation regarding complaints" ROI p. 23. "Employee Services ultimately determined that the DES employee complaints regarding Ali did not rise to the level of requiring an investigation; therefore, they did not investigate the issues." ROI p. 24. While the Inspector General certainly has the right to disagree with employee services' conclusions, the reasons for reaching a different conclusion are not clear.

As for the allegations regarding procurement, it should be noted that Mr. Ali did not authorize the payment of \$3,750 to Dalton Agency. On November 24, 2020 (two months after Mr. Ali was placed on administrative leave), a purchase requisition was drafted to pay the remaining Jazz Fest Invoices, which totaled \$3,750 and that payment was ultimately made after Mr. Ali resigned from his position at the City.

ATTACHMENT F

MEMO RESPONSE

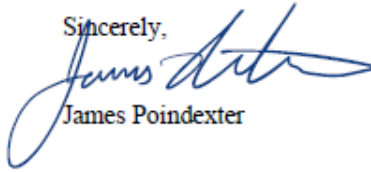
2020-0002WB

Mr. Matthew Lascell
Ms. Elizabeth Gonzalez
April 15, 2022
Page 4 of 8

During his time with City, Mr. Ali was employed as a salaried employee, exempt from the overtime requirements of the Fair Labor Standards Act. Despite this fact, Mr. Ali was informed that he was required to submit a timesheet each week reflecting that he worked 40 hours even though he consistently worked more than 40 hours. (**Attachment "D"**) Despite working substantially more than 40 hours many weeks, Mr. Ali was not entitled to overtime compensation or comp time. While the City of Jacksonville could have required Mr. Ali to complete timesheets, the information reflected on those sheets could not have had any impact on his compensation. Otherwise, the City of Jacksonville would have been in violation of the Fair Labor Standards Act's salary basis test.

I want to thank you for taking on the position of Inspector General with the City of Jacksonville and your efforts to bring this long-overdue investigation to a quick close. I hope that the information contained herein provides you with some additional context and information that you can use while preparing the final report.

Sincerely,



James Poindexter

Enclosures

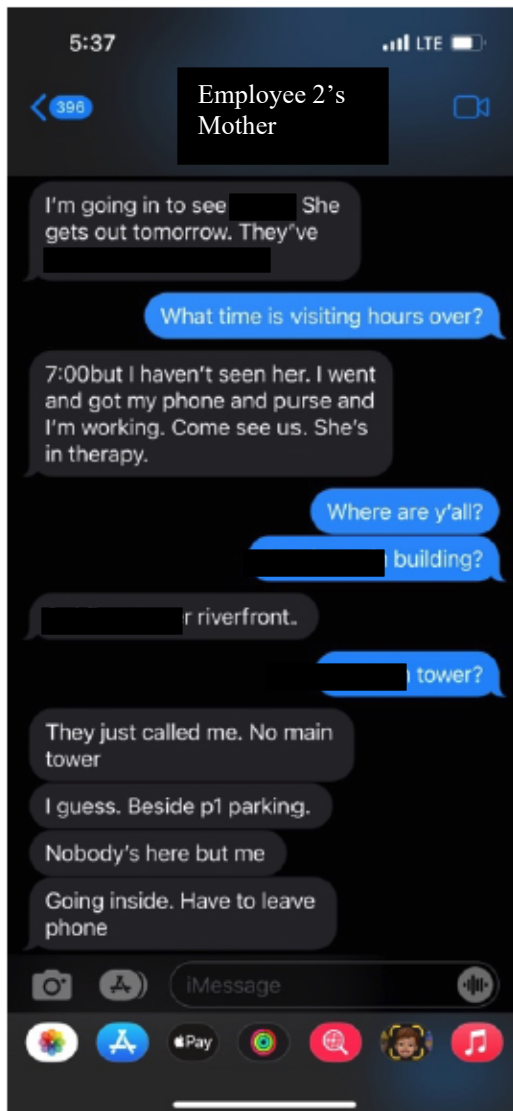
ATTACHMENT F

MEMO RESPONSE

2020-0002WB

Mr. Matthew Lascell
Ms. Elizabeth Gonzalez
April 15, 2022
Page 5 of 8

Attachment A



ATTACHMENT F

MEMO RESPONSE

2020-0002WB

Mr. Matthew Lascell
Ms. Elizabeth Gonzalez
April 15, 2022
Page 6 of 8

Attachment B



ATTACHMENT F

MEMO RESPONSE

2020-0002WB

Mr. Matthew Lascell
Ms. Elizabeth Gonzalez
April 15, 2022
Page 7 of 8

Attachment C

Over Mr. Ali's 14-month tenure as the department manager, the following employees left the Office of Sports and Entertainment for the following reasons:

- Employee resigned prior to my arrival
 - Cindy (Unknown Last Name)- resigned on June 7, 2019 prior to Mr. Ali's appointment
- Relocation out of State/Country
 - David Kloepfer- Moved home to Vermont to take care of his family
 - Kelsey Tinkler- Moved to San Francisco, offered for COJ to fly her back to assist with her role in Florida/Georgia. This offer was declined.
 - Cassandra Susemihl- Moved to Oregon for the "next stage of our lives after our wedding." Reapplied for a job with COJ in 2020, later hired in 2021.
 - Sydney Koppelmeyer- Moved to Spain
- Relocation within COJ
 - Palmer Kuder- Promoted to the Mayor's Office
 - Karen Nuland- Promoted to City Council Office
- Retirement
 - Susie Chapman
 - Michael O'Connell
- Resignations
 - Krista Alford – Maternity Leave
 - Latosha Franklin- worked both the Covid help desk and had another full-time job, which was not allowed, according to the Special Events Manager and she resigned (Violation: Ref Section 3 General Employment Policies 3.7 Secondary Outside Employment).
 - Ashley Stewart-Fadugba- Requested to be promoted to the Marketing Manager position, which was not a possibility, and resigned.
 - Margaret Szerba- Resigned for another employment opportunity
 - Torey Vogel- Resigned after numerous job errors including spelling the name of a sponsor (FSCJ) incorrectly in a full-page ad in Money Pages. Torey also applied for an open job within the department several months later, while I was still running the department.
- Termination
 - Ernie Lombardi- Had disagreements with the Operations Manager, his direct supervisor and walked off the job as stated in a formal COJ letter.

ATTACHMENT F

MEMO RESPONSE

2020-0002WB

Mr. Matthew Lascell
Ms. Elizabeth Gonzalez
April 15, 2022
Page 8 of 8

Attachment D

