



## OFFICE OF INSPECTOR GENERAL

*DRAFT APPROVED 9/19/16*

### **Inspector General Selection and Retention Committee Meeting Minutes September 8, 2016 1:00 p.m.**

*Note: Below is a summary of the meeting as required by Florida Sunshine Law; see AGO-82-47.  
Please refer to the audio file on the City of Jacksonville's website, <http://www.coj.net>, for more detail.*

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

**Called to Order:** Committee Chair Judge Senterfitt called the meeting to order September 8, 2016, at 1:00 p.m.

**Pledge of Allegiance:** Judge Senterfitt opened with the Pledge of Allegiance.

**Roll Call - Committee members present:**

Ywana Allen, Ethics Commission, designee for Joe Jacquot  
Marc Hassan, Chair of the TRUE Commission  
Sam Shiver, designee for Public Defender Matt Shirk, Florida's Fourth Judicial Circuit Court  
Honorable Judge Elizabeth Senterfitt, Chair of the Inspector General Selection and Retention Committee, and designee for Honorable Chief Judge Mark Mahon  
John Crescimbeni, City Council Vice-President and Vice-Chair of the Inspector General Selection and Retention Committee  
Kerri Stewart, Office of the Mayor, designee for Mayor Lenny Curry  
Angela Corey, State Attorney, Florida's Fourth Judicial Circuit Court

Also present as speakers:

Kelli O'Leary, Director of City of Jacksonville Employee Services  
Sheryl Steckler, Inspector General Advisor  
Steven Rohan, Interim Inspector General

#### **I. Approval of the July 19, 2016 Minutes**

Judge Senterfitt asked whether there were questions or corrections to the July 19, 2016, draft meeting minutes. With none, Ms. Stewart moved to approve the minutes, and CVP Crescimbeni seconded. All in favor; the draft meeting minutes were approved as final.

#### **II. Discussion of Inspector General Applicants and Sufficiency of Applicant Pool Sheryl Steckler, IG Advisor & Employee Services**

Ms. Steckler advised that there were very recently a significant number of applicants. Ms. O'Leary, Director of Employee Services, confirmed there were 17 eligible for consideration. At Judge Senterfitt's request, Ms. Steckler suggested the committee members review and recommend the top five (5) candidates and two (2) alternates. Ms. O'Leary referred to a binder of applicants she had provided to the committee, and discussed suggested processes for recommendation.

#### **III. Selection of the Inspector General Candidates for Interviews**

The Committee discussed the various candidates and chose the following seven (7) to contact for interviews: Scott Ando, Neftali Carrasquillo, Kevin Donovan, Lisa Green, James Hoffman, Richard Holmgren, and Maxine Person. The Committee agreed to conduct all interviews on September 19, 2016. The Committee will go over the questions at 8:00 a.m., conduct their business at 8:30 a.m. and interviews will begin at 9:00 a.m. Judge Senterfitt indicated that choosing someone September 19<sup>th</sup> was not mandatory; if there was no acceptable candidate at that time, the process would then continue.



## OFFICE OF INSPECTOR GENERAL

*DRAFT APPROVED 9/19/16*

Ms. Steckler confirmed that each interview would last approximately one hour. Ms. Steckler indicated that in order to protect the integrity of the process, she would work with Ms. O'Leary to develop the interview questions. CVP Crescimbeni stated he would like to receive the questions in advance. Ms. Steckler explained how the process worked before; that each member will receive two questions that they can edit or change. Ms. Steckler felt that providing all the questions in advance could compromise the integrity of the process. Ms. Stewart asked whether follow-up questions were allowed. Ms. Steckler indicated that they would be, but the exact same primary questions should be asked of all candidates equally. The committee agreed that the questions would be presented to committee members for review the morning of the interviews.

### **IV. Location of IG Offices**

Judge Senterfitt invited a discussion of the location of the Inspector General ("IG") office and deferred to Mr. Rohan to discuss his thoughts. CVP Crescimbeni questioned whether a discussion of the location of the OIG was part of the charge of this Inspector General Selection and Retention Committee ("Committee"). Judge Senterfitt indicated she sees the Committee as responsible for holding the Office of Inspector General ("OIG") accountable, and also as an advocate for the IG office. CVP Crescimbeni suggested that the ordinance be revised if the Committee is to serve the purpose of making budget recommendations, office location recommendations, hours of operation recommendations; he felt the Committee as structured through the Ordinance was strictly for the hiring and retention of the Inspector General specifically.

Ms. Steckler stated this is accurate; however, another role of the Committee is as overseer, and that twice a year the Committee ensures the IG Office is producing the way they should. The Inspector General does not directly report to the Committee, but the Committee gives feedback and guidance regarding operations of the OIG. In return, the OIG gets to express concerns and receive guidance and assistance. Ms. Steckler felt it appropriate to raise questions or air concerns (such as the location issue) during the Committee meetings as part of the Committee's role as the OIG's support system.

Mr. Rohan stated as an example he hoped to have two more staff positions, and requested guidance on the timing of how promptly to hire; whether he should oversee that process or wait for another IG to handle it—and would appreciate the Committee's guidance.

Judge Senterfitt reiterated she is an advocate for the OIG, and sees the Committee's role being to support and help the office succeed; not only a role in the selection of the IG but also for the retention of the IG and associated office. She felt there should be discussion as to how the Committee thinks the Inspector General can best function. Ms. Corey and Mr. Hassan agreed. Ms. Allen agreed that this function encompasses multiple stakeholders, ensures accountability, and shows evidence of being thorough.

Mr. Rohan stated the central issue was whether the IG Office is best suited by moving back to City Hall or remaining at the Yates Building, and that the position of the Interim Inspector General and the IG Advisor was that the OIG should remain at Yates and be independent of City Hall for the benefit of witnesses and complainants. Mr. Rohan indicated Ms. Carla Miller, Ethics Director, disagrees and that the Council has resolution 2016-535 pending which is contrary to keeping the OIG at its present location.

Judge Senterfitt asked Interim IG Rohan for a brief explanation as to why the OIG should remain at Yates. Mr. Rohan stated that witnesses and complainants feel much more comfortable coming to Yates rather than to City Hall. Mr. Rohan indicated the OIG saw no advantage to moving, and wondered whether there was one good reason for a move other than Ms. Miller strongly believing the OIG office



## OFFICE OF INSPECTOR GENERAL

*DRAFT APPROVED 9/19/16*

should be around others at City Hall and become part of the City Hall environment. He indicated all of the original financial issues surrounding the resolution which CVP Crescimbeni filed have been resolved.

The OIG abandoned a buildout proposal for Yates, and determined they could work within limited needs at the Yates.

Judge Senterfitt verified with Mr. Rohan that there was no difference in the financial impact between the two locations; the same dollar figures were applicable whether the office stays at Yates Building or moves back to St. James Building—the cost remains the same regardless of location. CVP Crescimbeni asked whether or not Mr. Rohan has asked for \$20,000 or \$30,000 additional dollars. Mr. Rohan confirmed that some dollars are needed for either location and this would be mainly for security.

CVP Crescimbeni recommended taking up this subject again on September 19, and suggested that as part of the interview process the interviewees are asked which location they feel is appropriate, and suggested deferring this topic until a later date. He indicated the bill he sponsored has nine co-sponsors and appears to be going in the right direction in moving toward City Council. He discussed examples of IGs located within related venues. He feels that the uncomfortable feeling of visiting the IG cannot be avoided regardless of location.

Mr. Hassan asked that considering the next meeting will heavily focus on candidates perhaps it is prudent to discuss the topic now, as many of the potential candidates are not Inspector Generals yet. He asked Ms. Steckler whether or not there is a guideline for this issue.

Ms. Steckler referred to the Principles of the Inspector General's handbook; the "Green Book" which sets up guiding principles of an IG Office, and indicates that the responsibility of the Inspector General Office is to regard the public trust and serve the interest of the public. She discussed the standard of independence with respect to the 'inspector general is responsible for establishing and maintaining independence so that OIG opinions, conclusions, judgments, and recommendations will be impartial and viewed by others as impartial. OIG staff should consider whether there is anything about their situation which might lead others to question their independence. Consideration must be given to personal, external, and organizational independence as well.

Ms. Steckler emphasized independence extends to the consideration of location because you do not want an IG located on top of powerful political figures. As having been an Inspector General herself, she gave examples of when an IG can locate away from senior level, they do. This is for the benefit of interviewees, subjects, witnesses, and complainants to avoid a perceived notion that they are part of a group. It is further protection of the public interest and employees.

Ms. Steckler stated that most importantly for someone from the outside the Office of Inspector General to be the one trying to force this office to move back to City Hall, it is a potential violation of the OIG's independence. That is the role of the Interim IG; to bring this to the Committee. The purpose of this Committee is to discuss whether there needs to be a move or not. This is the appropriate venue to discuss this. In Ms. Steckler's Palm Beach County experience as IG, the last place the Commission wanted the IG located was in the same place. In this situation, all one needs to do is look at the City Hall Atrium and everyone recognizes who is coming in. It is common sense that you safeguard the intent of this office and it is never a good practice to put the office under the guise that it is under control. The office must be located where there is no perception of monitoring and retaliation; especially (away from) the Mayor's Office.



## OFFICE OF INSPECTOR GENERAL

*DRAFT APPROVED 9/19/16*

Ms. Corey agreed, citing this was the same reason the Integrity Unit is physically apart from the Jacksonville Sheriff's Office. Witnesses taken there are not seen inside the building so that they are not recognized. Matters of integrity, such as those Ms. Corey stated she believes the OIG is responsible for, should be physically separated from the main building; the open concept of the St. James building exacerbates that.

Ms. Allen indicated she sees the option of staying at Yates or moving to City Hall from both sides, including in order utilizing space we have. She stated she believed from an accountability perspective we need to be good stewards of wherever the location is and to ensure lavish amounts of money are not spent.

Judge Senterfitt clarified there was no talk of lavish amounts of money; both are government buildings. Either space is public space and would cost something to make it workable. She felt there were advantages to leaving the office where it is, and saw nothing good about moving it back to City Hall when the OIG needs to remain independent and completely separate from City Hall and Independent Authorities. She stated the office should be in a location where they can best function.

CVP Crescimbeni stated there were other City "government agencies" located at the Yates Building. Mr. Hassan motioned to keep office at Yates. Ms. Corey seconded the motion. Mr. Crescimbeni stated he wanted to step out of sponsor role for a moment, and vote no; citing this was only because he wanted to ask candidate opinions of the office location during interviews.

Judge Senterfitt asked whether to table this motion or continue discussing. Ms. Allen asked whether this was previously discussed. Ms. Steckler indicated that a year ago she and Ms. Carla Miller, Ethics Director, were involved in the relocation process and that the Administration determined Yates to be the office location.

Ms. Allen moved to table further discussion until the next Committee meeting September 19, 2016. Ms. Stewart seconded. All were in favor; it was agreed this will be added to the agenda.

Judge Senterfitt led discussion resulting in a consensus to interview all candidates within one day. All agreed to a timeframe of 8:00 a.m. through approximately 6:30 p.m. with 12:30 p.m. to 1:15 p.m. lunch.

The committee discussed the manner in which candidate questions would be formulated. CVP Crescimbeni asked whether IG Rohan had reviewed the resume binder provided by Ms. O'Leary. Mr. Rohan responded he absolutely had not. Crescimbeni suggested the committee convene in advance to discuss questions the day of interview. Judge Senterfitt agreed this was a good suggestion. Judge Senterfitt asked about the order of interviewees. Ms. Steckler discussed possible options, and indicated Employee Services would coordinate the interview time slots.

Ms. Kirby Oberdorfer (audience), Deputy Director of COJ Ethics, advised that as a matter of law candidates have the right to sit in on other interviews. Staff and Committee recognized those concerns.

Mr. Rohan requested that the policy of noticing a meeting 14 days in advance be waived for the purposes of noticing the September 19<sup>th</sup> meeting. CVP Crescimbeni moved to waive 14-day notice requirement; Ms. Stewart seconded. The motion was seconded and all were in favor.



## OFFICE OF INSPECTOR GENERAL

*DRAFT APPROVED 9/19/16*

### **V. Interim IG, Budget, and Overtime Hours**

Judge Senterfitt advised this was a non-issue; it appeared as though by end of FY16 a candidate will be chosen.

### **VI. Comments from the Public**

Citizen John Nooney spoke of the need for independence for operations of the OIG. He complimented the prior interview and hiring process he had witnessed, and complemented Ms. Steckler. He referenced former IG Tom Cline unfortunately leaving the IG position, and a need for public trust which he feels was crushed. He felt this is a huge decision, and as far as the candidates he suggested when choosing candidates to think outside the box; do not hire locally--rather find someone who comes in and can identify what may not be right. He indicated he did not mean that locals are not good people, but that there is huge pressure these decisions will affect change. Mr. Nooney thanked the Committee.

Citizen Conrad Markle spoke of the need for the public trust. He emphasized the importance of the IG and matters of pension and public trust which he considers most important elements. He has always recommended the principle of the TRUE Commission as a local think tank working in conjunction with an Ethics Code and Officer, and the third element of an IG. He referenced Ms. Markham having served this purpose for two years. He worked with the Ethics Commission and Ms. Carla Miller by being continually there and involved. The TRUE Commission was in place, then the Ethics Commission came about, and then they removed the existing IG.

Mr. Markle stated that two years ago they approved an independent OIG and he believes this is the greatest thing that's happened in City government. There has never been one in 47 years; he grew up here and watched the seeds of nepotism and the way it's been manipulated by the good old boy system. He hopes an IG with the proper mindset can bore through all resistance and make end-roads with ranking high-level bureaucracy. He states he's long held that the City Council is the impenetrable diamond-hard layer and a citizen cannot get access to when they do not want to answer to them.

Additionally, Mr. Markle mentioned that at the last meeting he turned in a comment card after the meeting, as Ms. Boyer had called for public speaking at the beginning of the meeting and he was not ready to speak at that point. He turned the comment card in to Director Green at the OIG because he wanted the record to show he was standing behind Tom Cline's 'clear warning not to be tempted to try and hire someone locally'. It needs to be someone completely outside the spirit of influence, and that's all because of the nepotism and (inaudible). It's too easy to have tentacles when somebody has been here any length of time. He states this was not included in the minutes; that the minutes show he turned in a card with nothing on it and he would like to see that corrected. He also wanted to once again emphasize that as Tom Cline said in his final speech, not to be tempted to hire somebody locally. It is pitiful; it saves money but is so costly in the long run.

Mr. Markle also expressed having the OIG offices in the Yates Building is a really great idea because anyone in the Military knows what happens when lower ranking officers are seen anywhere near command without being summoned. They will be watched and there will be retribution. That's the last thing when you are trying to get City employees to come forward when they see things that need to be investigated need. They are not going to want to be seen in here (City Hall) because it will go back to their bosses and they will pay a higher price—and they know it. Mr. Markle thanked the Committee.

### **VII. Adjournment**

With no further comments from the public, Judge Senterfitt adjourned the meeting at 2:51pm.