



**OFFICE OF INSPECTOR GENERAL
CITY OF JACKSONVILLE**

AUDIT REPORT NO. 2016-CR-0001

ISSUE DATE: MAY 27, 2016

Thomas C. Cline
Thomas C. Cline
Inspector General

"Enhancing Public Trust in Government"

Sunshine Compliance Audit Review Results in No Findings

EXECUTIVE SUMMARY

As part of the 2016 Office of Inspector General's (OIG) Audit Plan, OIG Audit conducted the Sunshine Compliance Audit Review as required under Chapter 15 of the Jacksonville Municipal Code. Ordinance Code section 15.07 requires the Office of the Inspector General to conduct a biannual review commencing in even-numbered years and report on Council notices, meeting locations and minutes to determine if the City Council is in compliance with the Jacksonville Sunshine Law Compliance Act. The purpose of the Jacksonville Sunshine Law Compliance Act is to ensure compliance with the Florida Sunshine Law (Florida Statute, Chapter 286) and to create procedures, methods, best practices and education that will enhance compliance with open meeting laws, and enhance and maintain public confidence and transparency in the legislative practices of the City Council.

The scope of the audit included, but was not limited to:

- Review of public notices for Council Public Meetings
- Minutes for Council Public Meetings
- Annual training and continuing education on the Sunshine Law

The period covered by the review in accordance with the Chapter 15 of the Municipal Code audit was May 1, 2014 through April 30, 2016.

No material findings were noted as a result of this audit. We conclude that there is general compliance with Chapter 15 of the Municipal Code. However, OIG staff has made observations regarding the public notice database, attendance sign-in sheets and approval of excused absences that are not within the scope of this audit.

OIG appreciates the support and cooperation received from Legislative Services during the course of this review.

TABLE OF CONTENTS

Background	1
Objectives, Scope and Methodology	2
Findings	3
Other Matters	3
Management Comments	3

BACKGROUND

The Office of the Director/Council Secretary, maintains a Public Notice System comprised of the following components:

- **Council Web Calendar** - Provides both web access and City Hall Electronic Kiosk viewing of upcoming scheduled City Council meeting events.
- **Public Notices Online** - Provides web access to notices and minutes for meetings between and amongst Council Members.
- **Online Council Agendas, Matters Pending, and Minutes** - Provides web access to agendas, meeting minutes, matters pending and bill summaries of all meetings of the Council as a whole and the standing committees of the Council.
- **Council Meetings Online** - Provides web streaming video of in-session meetings of the Council as a whole and the standing committees of the Council.
- **Online Bill Search** - Provides web access for public viewing of active and past legislation.
- **Council Member Email Online** - Provides web access to view the incoming internal email of the Council as a Whole.

All meetings of the Council, Council committee meetings and meetings between council members are posted to various components of the public notice system. The Executive Council Assistant of the initiating council member is responsible for scheduling, noticing and preparing written minutes including attendance sign-in sheets. The Legislative Services Division is responsible for noticing, providing pertinent information and staffing of all standing committee meetings and subcommittees. Legislative Services maintains the hardcopies of all public notices and minutes for all council public meetings. Notices and minutes are archived in notebooks maintained by year for each council member for member to member meetings, City Council meetings, each standing committee and each special committee.

OBJECTIVES, SCOPE AND METHODOLOGY

The purpose of this audit was to conduct the Sunshine Compliance Audit Review as required under Chapter 15 of the Jacksonville Municipal Code. Ordinance Code section 15.07 requires the Office of the Inspector General to conduct a biannual review commencing in even-numbered years and report on Council notices, meeting locations and minutes to determine if the City Council is in compliance with the Jacksonville Sunshine Law Compliance Act. The purpose of the Jacksonville Sunshine Law Compliance Act is to ensure compliance with the Florida Sunshine Law (Florida Statute, Chapter 286) and to create procedures, methods, best practices and education that will enhance compliance with open meeting laws, and enhance and maintain public confidence and transparency in the legislative practices of the City Council.

In order to compliance with the requirements of Ordinance Code section 15.07, OIG performed procedures to ensure:

- (1) Notices were public and timely, and not less than 24 hours exclusive of weekends and holidays, and accessible to the public by internet;
- (2) That meetings were located in appropriate public rooms, with a list of all meetings held in Council Members' offices;
- (3) That minutes were written, maintained in the filing system, and available for retrieval; and
- (4) That all Council Members and Executive Council Assistants have received annual continuing education and training on the Sunshine Law.

The scope of our review included 1,206 Council Public Meetings conducted between May 1, 2014 and April 30, 2016 that were posted on the City Council Public Notice website. The link for the City Council Public Notice website is:

<http://apps.coj.net/CouncilPublicNotices/Meetings/ShowMeetingsTablePage.aspx>

OIG staff reviewed meetings of the Council and Council committees on a sample basis, selecting a random statistical sample of 283 meetings from the City Council Public Notice website. In addition to the random statistical sample, OIG staff reviewed all meetings initiated by Council Members with other Council Members from the hardcopy records maintained in Legislative Services for the period of January 2, 2016 through April 30, 2016. The public meeting notices and minutes for 132 member to member meetings conducted in calendar year 2016 were reviewed. The Sunshine training records for calendar year 2015 were reviewed for all current Council Members and Executive Council Assistants.

Our testing included a review of all relevant supporting documentation, examination of the City Council's website and discussions with the City Council Secretary/Director, Legislative Services Division staff and General Council staff.

Pursuant to the Jacksonville Sunshine Compliance Act, we reviewed the information provided on the City Council Public Notice website by the Legislative Services Division regarding the notice of Council Public Meetings, the location of such public meetings, and written minutes of such public meetings. OIG staff also reviewed hardcopy documentation maintained in the Legislative Services Division for the audit period. Documentation was also reviewed from links on the Council calendar and the City Council webpage. Although detail testing of the hardcopy documentation was reviewed member to member meetings in 2016, we performed a cursory reconciliation of the total number of meetings listed in the summary indexes maintained for each council member, Council and Council committee meeting binders to the total number of meetings in Public Notice database for the period under review.

This audit was conducted in accordance with *Government Auditing Standards, 2011 Revision*, issued by the Government Accountability Office. Those standards require that we plan and

perform the audit to obtain sufficient, appropriate evidence to provide a reasonable basis for our findings and conclusions based on our audit objectives. We believe that the evidence obtained provides a reasonable basis for our findings and conclusions based on our audit objectives.

FINDINGS

Overall, OIG staff did not find any evidence to indicate material noncompliance with Chapter 15 of the Jacksonville Municipal Code. The number of exceptions was minimal and less than the established five percent error rate established for our samples. All exceptions were discussed with the Director/Council Secretary and Legislative Services staff. See the Other Matters section of this report.

OTHER MATTERS

OIG staff has made observations to management regarding the public notice database, attendance sign-in sheets and approval of excused absences that are not within the scope of this audit and that were addressed separately with the Director/Council Secretary and the Assistant Chief of Legislative Services on May 26, 2016.

Our observations are as follows:

1. The retrieval time for obtaining multiple documents in rapid succession from the Public Notice Database is excessive. According to management this is a city server issue that is currently being addressed.
2. Attendance sign-in sheets are not consistently maintained with the minutes in the hardcopy minutes and are not consistently scanned into the Public Notice Database.
3. Council members submit excused absence notices after public meeting have been held and evidence of the approval of the absences by the Committee Chairs is not documented as required by Council Rule 2.202.

MANAGEMENT COMMENTS

No written response is required from management, because there are no findings. However, management may provide a response to OIG's observations under separate cover.