



ANNUAL REPORT 2020

(October 1, 2019 — September 30, 2020)

Office of Inspector General
City of Jacksonville





MESSAGE FROM THE INSPECTOR GENERAL

TO THE CITIZENS OF JACKSONVILLE AND THE ELECTED OFFICIALS, OFFICERS, AND EMPLOYEES OF THE CONSOLIDATED GOVERNMENT:

I am pleased to present the Fiscal Year 2020 Annual Report highlighting the Office of Inspector General (OIG) accomplishments from October 1, 2019, through September 30, 2020, as required by Section 602.303(n) Ordinance Code. The efforts of the entire OIG office remained steadfast despite dealing with the ongoing COVID-19 pandemic during the majority of the fiscal year, an unprecedented event which affected all citizens of Duval County and also personally impacted the Office.

Despite the challenges of defining new ways to conduct operations while maintaining the health and welfare of my staff and those with whom we interact, I am especially proud to announce that on October 15, 2020, the OIG achieved initial accreditation through the Commission for Florida Law Enforcement Accreditation, Inc., commonly referred to as CFA, as part of the CFA's Inspectors General Accreditation Program.

It is also an honor to announce the City of Jacksonville's Office of Inspector General is the first municipal Office of Inspector General to be accredited within the state of Florida.

In addition, during this fiscal year, and prior to the COVID-19 pandemic, the OIG expanded its staff with the addition of three full-time positions - an auditor, an investigator and an investigative support analyst. I wish to personally thank the Office of the Mayor and the Office of City Council for supporting the expansion of the Office from a staff of nine to a staff of 12 full-time employees.

Notably, during Fiscal Year 2020, an Investigations Unit recommendation resulted in a newly established, city-wide Standards of Conduct policy. In addition,

“With the achievement of CFA accreditation, the citizens of Duval County and the employees of the Consolidated Government may be reassured that the OIG maintains the highest professional standards while executing independent and responsible oversight.”

the Audit and Contract Oversight Units contributed to the effectuation of new policies and strengthening of internal controls related to the contract management and procurement processes.

On behalf of the entire Office, we extend our sincere gratitude to those who continue to support the mission of the OIG, especially during the challenging times endured by the citizens of Duval County during the COVID-19 pandemic. I wish to express my gratitude in advance to the Office of City Council, the Office of the Mayor, all City officials and employees of the Consolidated Government, and the citizens of Duval County as we continue our commitment and the execution of the OIG mission during Fiscal Year 2021.

Sincerely,



*Lisa A. Green
Inspector General*

TABLE OF CONTENTS

Executive Summary	1
Investigative Process	3
History & Jurisdiction	5
Organizational Chart	6
CFA Accreditation	7
Professional Development	8
Fiscal Year Funding	9
Reporting to the OIG	10
Complaint Disposition	11
Audit Unit	13
Contract Oversight Unit	14
Investigations Unit	15
Appendices	19
OIG Charter Provisions	19
OIG Ordinance Provisions	21
City Reporting Policy	27
Recommended Corrective Actions	29
FY 2020 Audit Plan	37



MISSION STATEMENT

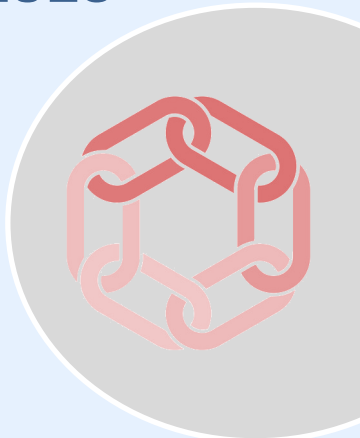
“ENHANCING PUBLIC TRUST IN GOVERNMENT THROUGH INDEPENDENT AND RESPONSIBLE OVERSIGHT.”

.....

Offices of Inspector General are entrusted with fostering and promoting accountability and integrity within government. The Office of Inspector General for the City of Jacksonville was created to provide independent oversight of publicly funded activities. Responsibilities include reviewing and evaluating internal controls to protect the resources of the entire Consolidated Government against waste, fraud, inefficiency, mismanagement, misconduct, and other abuses.

CORE VALUES

Integrity: Our actions shall conform to high standards of ethical conduct and remain free from any financial, social, or other obligation that might influence the performance of our duties.



Respect: We are committed to treating all individuals with dignity and courtesy.

Accountability: Our commitment is to provide value-added service and accept full responsibility for our actions.

Objectivity: We are committed to remaining neutral and unbiased, relying on facts in the performance of our duties.

Professionalism: We are committed to our mission, demand excellence from ourselves, and comply with professional standards.

VISION STATEMENT

To be the trusted oversight organization within Duval County, serving all citizens by promoting positive change and increased efficiency throughout the Consolidated Government.



HIGHLIGHTS FOR FY 2020:

Providing Responsible Oversight

9

Reports/Inquiries Issued

- ➔ 5 Investigative Reports
- ➔ 1 Contract Oversight Review
- ➔ 1 Management Inquiry
- ➔ 2 Audit Reports

Meeting the Highest Standards

100%

Compliance with Accreditation Standards

- ➔ First municipal OIG in the state to earn accreditation
- ➔ Milestone achieved, as outlined in the City's Charter

Enhancing Efficiency & Accountability

54

Recommendations to Management

- ➔ 96% of recommendations accepted (52 of 54)
- 21 Completed, 31 In Progress

Resulting, In Part:

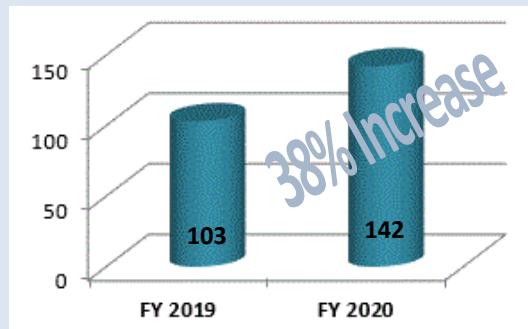


- Newly established Standards of Conduct Policy
- Updated Administrative Leave Policy

Promoting Better Government

142

Total Complaints Received



\$12,455

Identified in Unused Grant Funds



\$1,638

Recovery of Investigative Costs (court ordered)

2 Disciplinary Actions

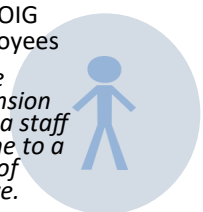
2 Employee Resignations

1 Employee Termination

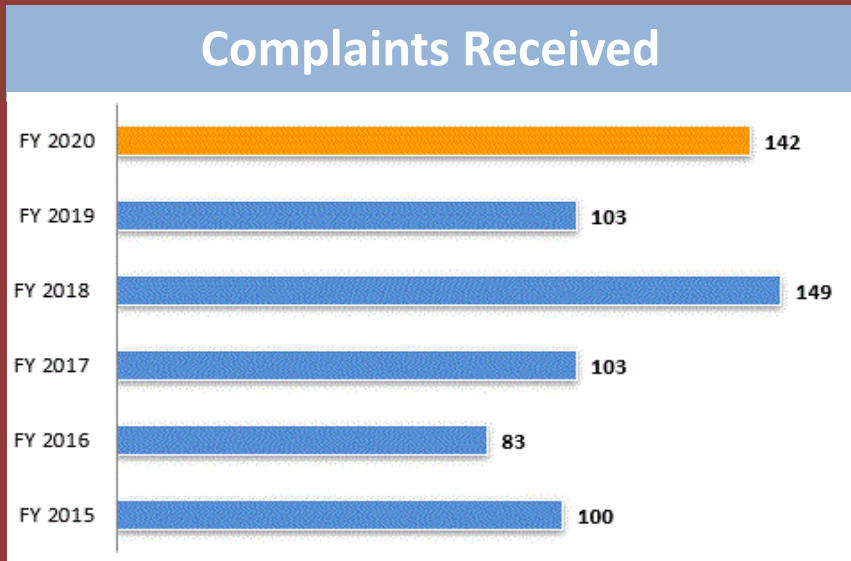


3 New OIG Employees

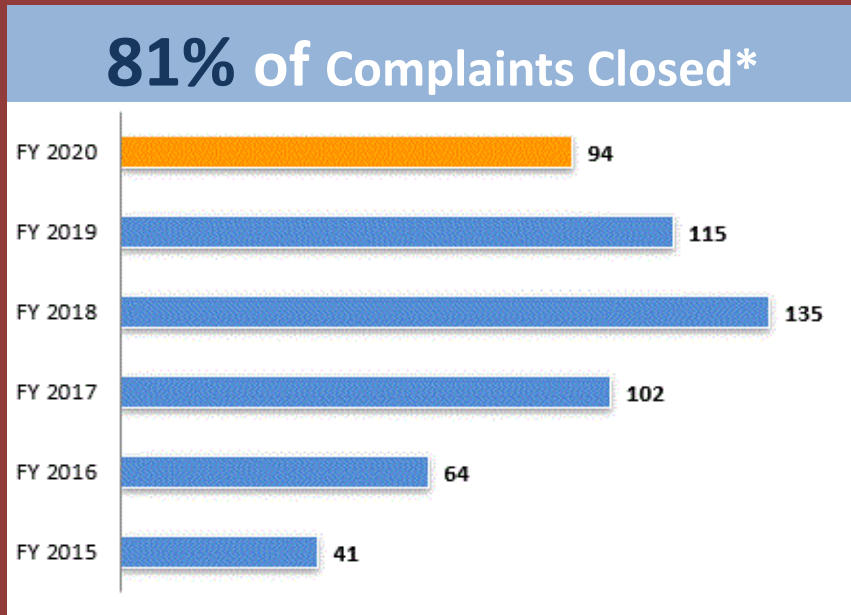
Office expansion from a staff of nine to a staff of twelve.



680 Total Received

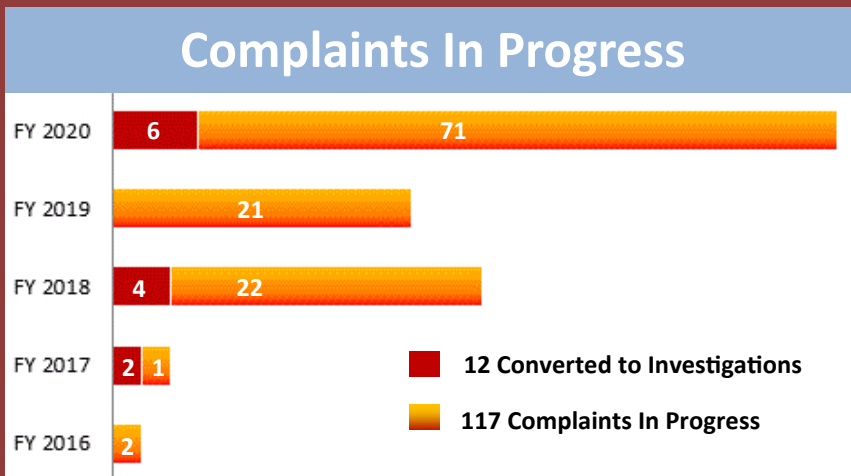


551 Total Closed



*With the exception of 2015, complaints closed include those received during prior fiscal years.

129 Total In Progress



INVESTIGATIVE PROCESS

The **OIG** takes each investigation seriously, and understands the significant impact an investigation has on individuals under investigation; therefore, it is necessary that each investigation be conducted in a thorough, impartial, and objective manner consistent with principles and standards for Offices of Inspectors General.

After determining that a complaint merits an administrative investigation, a thorough and objective investigation is conducted resulting in the gathering and analysis of case supporting materials (records and interviews). Analysis of case supporting materials lead to conclusions of fact. The **OIG** uses these conclusions to determine whether allegation(s) are:

- ➔ **Substantiated**
- ➔ **Unsubstantiated**
- ➔ **Unfounded**
- ➔ **Exonerate the subject of the investigation**
- ➔ **Identify policy deficiencies**



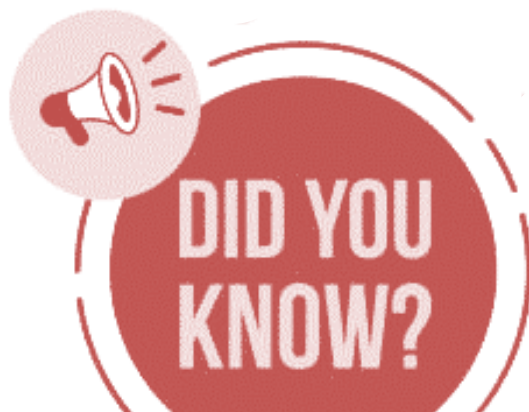
Each investigation is unique and follows the same overall process, but various factors dictate the length of each investigation. What follows is a snapshot into the phases of an investigation and some of the significant processes that occur within each phase. This information is presented to provide insight into the mechanics of an investigation. Actual facts from recent **OIG** investigations are also highlighted. Not all matters under review require an investigation; however, several of the investigative processes are still utilized to make that determination. Often, the **OIG** works several investigations concurrently.

Phases of an Investigation



HISTORY & JURISDICTION

The Office of Inspector General began operations in October of 2014 to provide independent oversight of publicly funded activities. Initially, oversight jurisdiction was limited to the City of Jacksonville and did not include the Constitutional Officers or Independent Authorities and Agencies that also make up the Consolidated Government. A Charter Referendum was passed by voters in March of 2015 to expand the OIG's jurisdiction from the core City of Jacksonville departments, officials, and employees to include all of the Consolidated Government, effective January 1, 2016.



INTERESTING FACT

With 12 full-time employees, the Office of Inspector General has oversight of **5.6 billion*** in agency dollars and over **12 thousand employees.**

*Budget Information from the COJ Council Auditor's Office Report #828, issued in November of 2019. Employees of Duval County Schools were not included.

City Government

- ✓ Office of the Mayor
- ✓ City Council
- ✓ All City Departments and Offices



Constitutional Officers

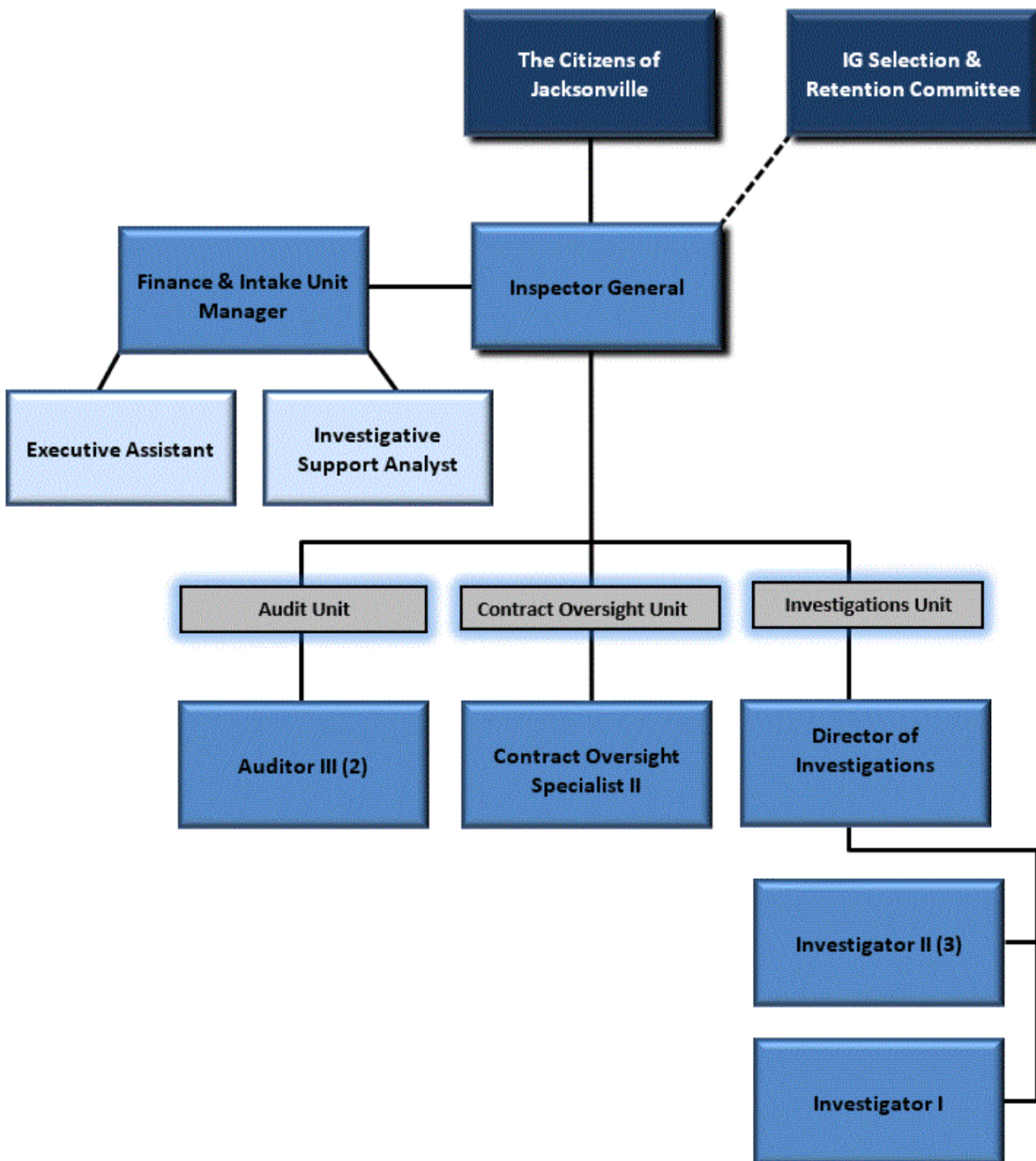
- ✓ Property Appraiser
- ✓ Supervisor of Elections
- ✓ Tax Collector
- ✓ JSO (Non-Sworn)
- ✓ Clerk of the Courts



Independent Agencies

- ✓ JEA
- ✓ Jacksonville Transportation Authority
- ✓ Jacksonville Aviation Authority
- ✓ Jacksonville Port Authority
- ✓ Jacksonville Housing Authority
- ✓ Jacksonville Housing Finance Authority
- ✓ Jacksonville Health Facilities Authority
- ✓ Downtown Investment Authority
- ✓ Duval County School Board

ORGANIZATIONAL CHART



CFA ACCREDITATION



“CITY’S OFFICE OF INSPECTOR GENERAL BECOMES FIRST LOCAL GOVERNMENT AGENCY IN FLORIDA TO RECEIVE STATE ACCREDITATION FOR INSPECTORS GENERAL”

CITY OF JACKSONVILLE

NEWS RELEASE

FOR IMMEDIATE RELEASE

Contacts:

Lisa Green, Inspector General
InspectorGeneral@coj.net

100% Compliance

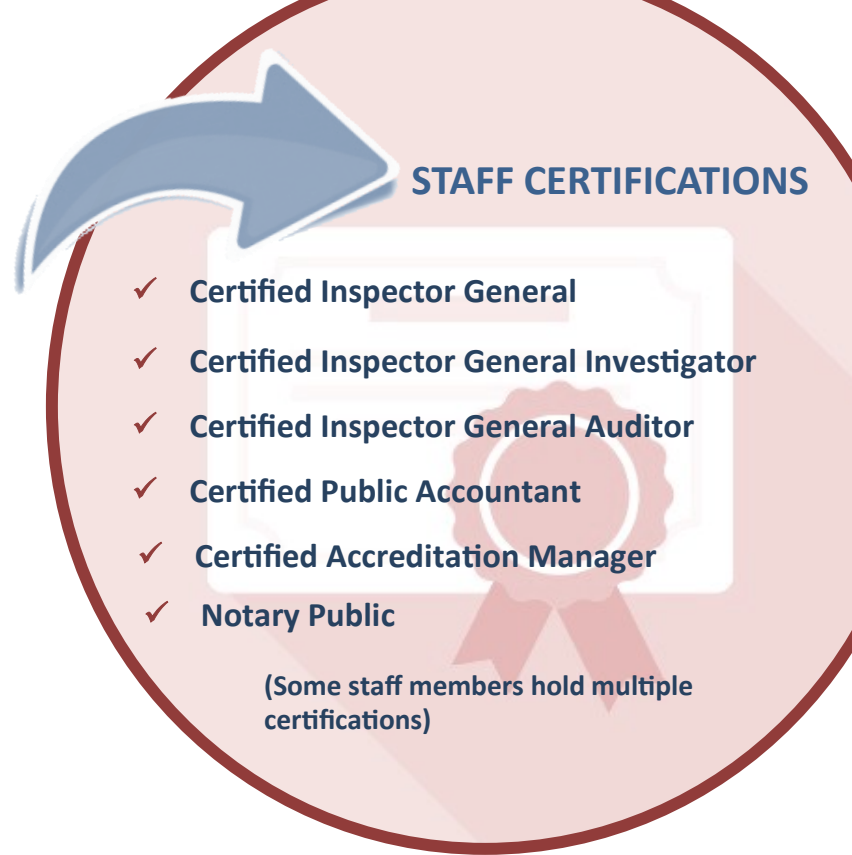
During July of 2020, an assessment team evaluated the OIG for compliance with **46** standards required to earn initial accreditation through the Commission for Florida Law Enforcement Accreditation, Inc. (CFA) as part of the organization’s Inspectors General Accreditation Program. With **zero** deficiencies noted, the assessment team highly recommended the OIG for accreditation. In October of 2020, the full Commission unanimously voted to grant accredited status to the OIG, making the Office the first municipal OIG in the state to achieve such a milestone.



“An accreditation program has long been recognized as a means of maintaining the highest standards of professionalism. [It] offers a blueprint for building an agency committed to providing value-based services through accountability and transparency to the communities it serves ... Congratulations to the hardworking men and women of the City of Jacksonville, Office of Inspector General on this great accomplishment.”

Danielle Terrell
Executive Director
Florida Accreditation Office

In accordance with Commission for Florida Law Enforcement Accreditation, Inc. Standards Manual and the Principles and Standards for Offices of Inspector General, OIG staff are expected to maintain professional qualifications to ensure that each individual possesses relevant knowledge, skills and experience to accomplish the OIG mission. The minimum education level of OIG staff is an Associate of Arts degree. Additionally, all auditors and investigators have a minimum of a Baccalaureate Degree, and two investigators have graduate degrees, with all degrees from accredited institutions. Collectively, the OIG staff has **44 years** of employment experience with the City Of Jacksonville, approximately **148 years** of conducting investigations, and **9 years** of audit experience. In addition, two staff members collectively have **16 years** of experience in research and analysis related to supporting investigations.



PROFESSIONAL MEMBERSHIPS OF OIG STAFF:

About the AIG

The Association of Inspectors General (AIG) provides standards for the operations and work performed by OIGs to maintain compliance with the highest requirements for competence, accuracy, and quality. These standards are found in AIG's *Principles and Standards for Offices of Inspector General*, commonly referred to as the *Green Book*. The OIG strives to ensure that all staff in the discipline of conducting investigations or audits are AIG certified.

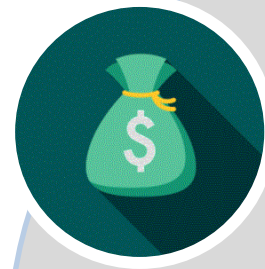
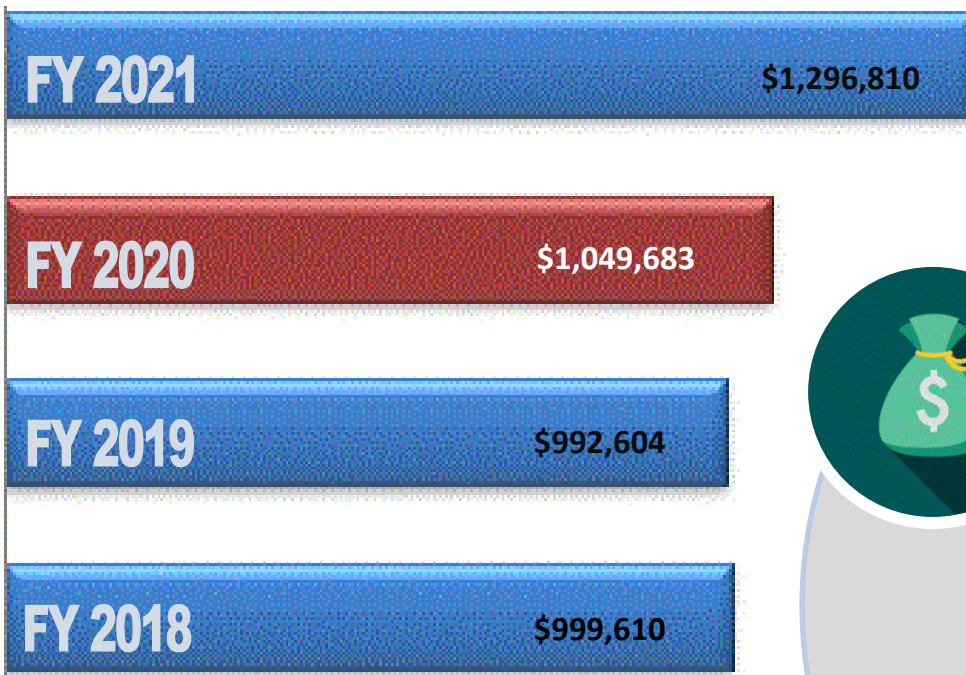
- ✓ Association of Inspectors General (National Chapter)
- ✓ Association of Inspectors General (Florida Chapter)
- ✓ Fraud Prevention Association
- ✓ American Institute of CPAs (AICPA)
- ✓ Florida Institute of CPAs
- ✓ National Institute of Government Procurement
- ✓ Institute of Internal Auditors
- ✓ Florida Police Accreditation Coalition

FISCAL YEAR FUNDING



The Fiscal Year 2020 budget provided funding for nine full-time positions within the Office of Inspector General. The budget increased slightly from Fiscal Year 2019 due to an increase in non-discretionary costs and a de minimis increase in discretionary operating expenses. During Fiscal Year 2020, the Office of Inspector General expanded to include three additional staff

positions, increasing the total staff members in the Office to twelve. The Fiscal Year 2021 approved budget reflects the costs associated with the expansion of the Office.



The cost per citizen, per year for OIG operations:

\$1.10*

*United States Census Bureau's July 1, 2019 population estimate for Duval County.

WHISTLEBLOWER PROTECTION



Chapter 602, Part 5, *Ordinance Code*, prohibits and remedies retaliatory action taken against employees as a result of a disclosure of certain information concerning, in part, misconduct by another employee or a contractor of the Consolidated Government. The Office of Inspector General is the “Whistleblower Official,” with the responsibility of reviewing the allegations of Consolidated Government employees and granting or denying whistleblower designation.

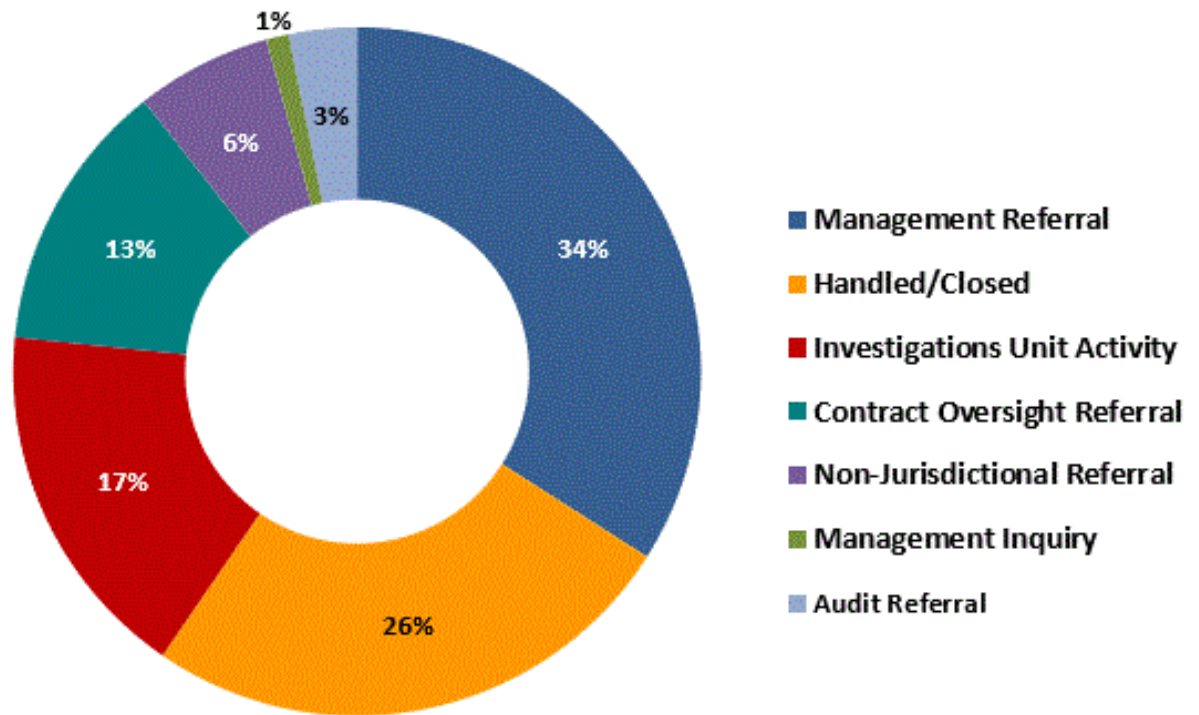


(Read the entire Reporting Policy in Appendix 3).

REPORTING POLICY

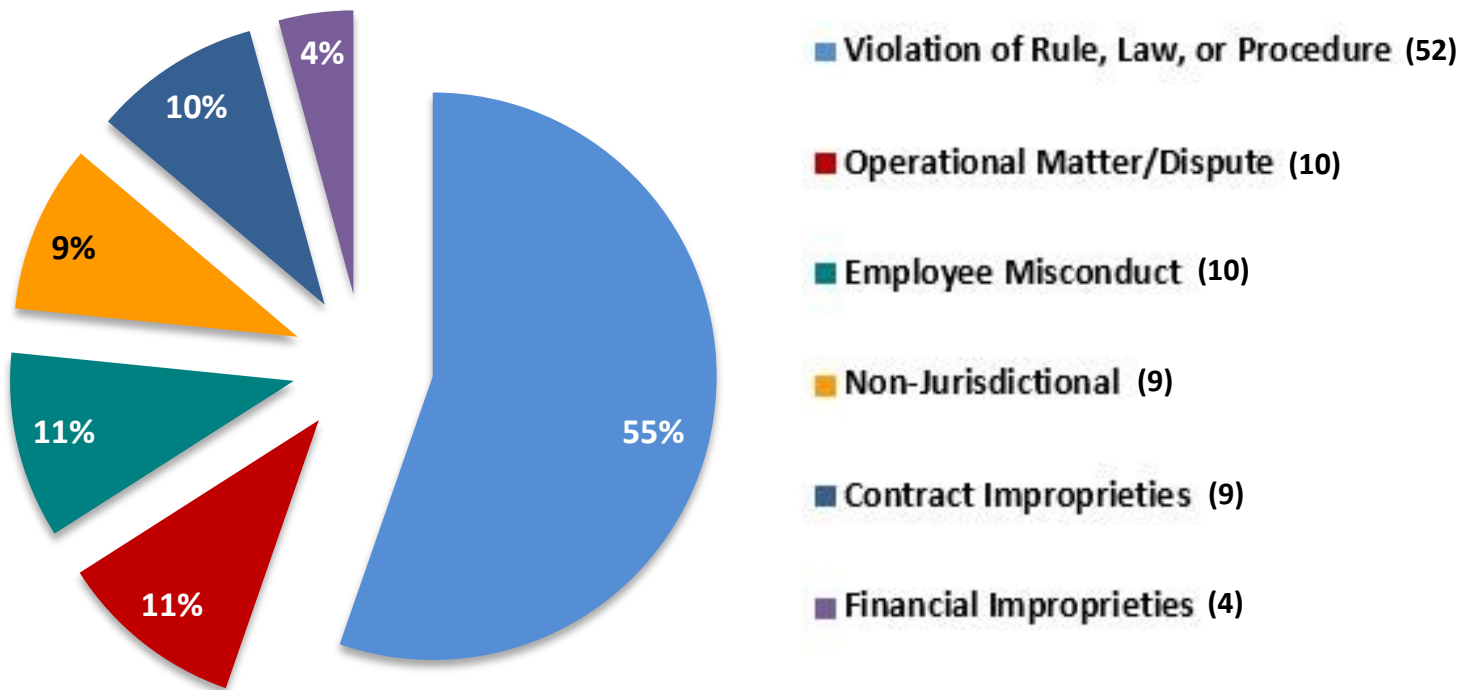
The City's Reporting Policy states in part, “*City Employees shall report any fraud, theft, bribery, contract mismanagement (misuse or loss exceeding \$5,000), or other violations of law, which appear to fall under the jurisdiction of the OIG on matters related to City business ... All officials and employees are expected to fully cooperate with the OIG in the exercise of the OIG's functions, authority and powers. Such cooperation shall include, but not limited to, providing statements, documents, records, and other information.*”

The **OIG** closed a total of **94** complaints in Fiscal Year 2020. Closures are ongoing; **65** of those closed were received during Fiscal Year 2020, and the remainder were received during prior fiscal years. The 94 complaints were closed via the following methods of disposition:

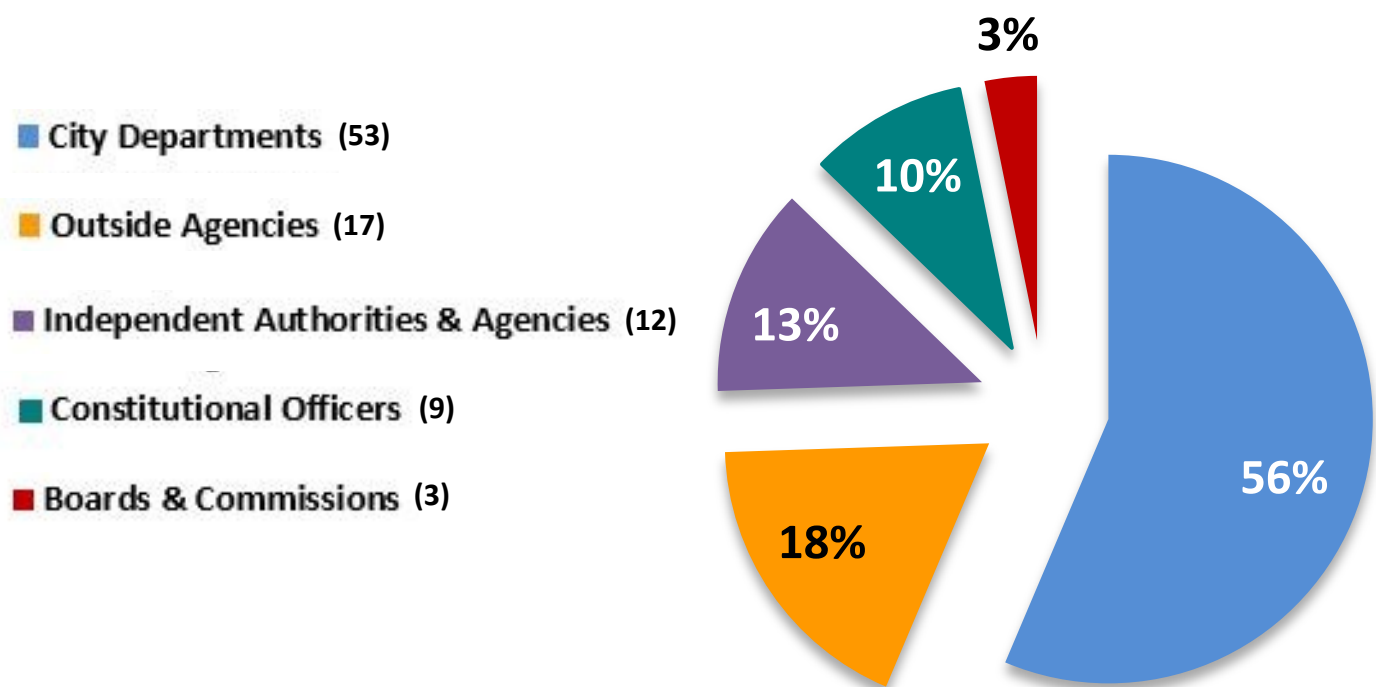


- 32** **Management Referral:** Complaints referred to management for handling. No response to the OIG is required. Corrective action may result from the referral.
- 24** **Handled/Closed:** Complaints reviewed by the Investigations Unit requiring minimal or no action, lacking substantive information, or not falling within any of the other categories.
- 16** **Investigations Unit Activity:** Complaints assigned to the Investigations Unit for further review and/or investigation.
- 12** **Contract Oversight Referral:** Complaints referred within OIG to the Contract Oversight Unit for further review and/or handling.
- 6** **Non-Jurisdictional Referral:** Complaints dealing with matters outside of the OIG’s jurisdiction and referred to local, state, or federal government entities for review and handling.
- 3** **Audit Referral:** Complaints referred within OIG to the Audit Unit for further review and/or handling.
- 1** **Management Inquiry:** Complaints referred to management for handling, but requiring a response to OIG. Corrective action may result from the inquiry.

Closed Complaints by Allegation Type



Closed Complaints by Entity Involved



The Audit Unit provides risk-based independent audits focused on strengthening management controls in areas most susceptible to fraud, waste, and abuse, as well as improving the economy and efficiency of operations in areas where there are opportunities for significant cost savings. Audits are conducted in accordance with *International Standards for the Professional Practice of Internal Auditing*, as published by the *Institute of Internal Auditors, Inc.*, and the *AIG's Principles and Standards for Offices of Inspector General*.

During Fiscal Year 2020, the Audit Unit issued two Audit Reports with **nine** recommended corrective actions; all recommendations were accepted by management. The Audit Unit also provided its expertise to support the Investigations Unit. The Audit Reports are summarized below.

Kids Hope Alliance Faith-Based Program Audit

An audit of the City of Jacksonville's Kids Hope Alliance (KHA), Neighborhood Faith-Based Intervention and Prevention Program was conducted to determine if the grant selection process was unbiased and Faith-Based Program Agreements were executed in accordance with the terms of the Agreements for the period September of 2018 to March of 2020 and in accordance with KHA policies and procedures.

The Audit concluded that the vendor selection was unbiased and free of any conflicts of interest or influence. The Audit disclosed that KHA failed to provide oversight of the Faith-Based Program Agreements for approximately four months.

RESULTS:

KHA updated its Contract and Grant Management Procedure to include periodic supervisory compliance reviews and provide semi-annual refresher training for contract managers and to also ensure closeout documents for agreements, contracts, and/or grants are submitted within 60 days of the end of the term. KHA also ensured \$12,455 in unused grant funds was returned appropriately, as deemed by the Office of the Mayor.



3 Recommended Corrective Actions
(See Appendix 4)



\$12,455 Identified in Unused Grant Funds

Sunshine Law Compliance Audit

The Sunshine Law Compliance Audit was conducted pursuant to Section 15.07, *Ordinance Code*, which requires the OIG to conduct a biannual review commencing in even-numbered years of Council notices, meeting locations, and minutes to determine if City Council is in compliance with Chapter 15, *Ordinance Code*, Jacksonville Sunshine Law Compliance Act.

Overall, the audit did not disclose any indications of material non-compliance. However, the OIG identified areas for process improvement and made recommendations for improving City Council's compliance with Council meeting attendance policies, as required by the *Rules of the Council*. In addition, the OIG made recommendations relating to City meeting minutes on the Council's website via the link to Public Notices.

RESULTS:

The Council Secretary advised City Council is in the process of conducting a comprehensive review of the Rules of the Council and completing data migration to newly purchased software to streamline documents related to Council meetings. The Council will continue to hold mandatory training on Florida's Sunshine Law.



6 Recommended Corrective Actions (See Appendix 4)

The Contract Oversight Unit conducts contract oversight activities to assist in fostering a procurement environment defined by openness, competitiveness, transparency, accountability, and the awarding of contracts equitably and economically. The Contract Oversight Unit provides oversight to the Consolidated Government of the City of Jacksonville, including its Constitutional Officers, and Independent Authorities and in excess of 4,600 vendors that have registered to conduct business with those entities. The Contract Oversight Unit has both a reactive and a proactive role. Reactively, the Unit provides support to the Investigations Unit for contract-related questions. Proactively, the Contract Oversight Unit attends many of COJ's procurement-related meetings and activities in order to conduct an on-going review. Both the reactive and proactive activities often result in the issuance of reports and recommendations to address shortcomings, irregularities, and/or opportunities for improvement.

During Fiscal Year 2020, the Contract Oversight Unit issued one Contract Oversight Review, closed **12** complaints, and supported the Investigations Unit. The Contract Oversight Review resulted in **11** recommendations to enhance efficiency and accountability of procurement processes, and all recommendations were accepted by management. The Contract Oversight Review is summarized below.

JEA's Invitation to Negotiate #127-19 Process Review

In October of 2019, the OIG initiated a Contract Oversight Review related to the JEA *Invitation to Negotiate #127-19 for Strategic Alternatives (JEA ITN #127-19)*. The sole purpose of the Contract Oversight Review was to monitor and ensure JEA's compliance with its own internal procurement policies and procedures during the JEA ITN #127-19.

The OIG Contract Oversight Review identified several deficiencies during the ITN process, including, in part:

- ➔ *Some JEA policies lack approval authority and effective dates*
- ➔ *Lack of security and confidentiality of respondent replies*
- ➔ *Failure to review replies against convicted vendor list*
- ➔ *Failure to review and document conflicts of interests*
- ➔ *Failure to timely document communications*

RESULTS: JEA agreed to incorporate all of OIG's recommendations as part of updating processes and procedures related to the JEA *Procurement Code* and JEA *Operational Procedures*.



11 Recommended Corrective Actions (See Appendix 4)

The Investigations Unit conducts and coordinates investigations in order to detect, deter, prevent, and eliminate fraud, waste, and abuse within the Consolidated Government. Investigations are conducted in order to resolve allegations of violations of applicable Florida Statutes, the *Ordinance Code*, and/or Consolidated Government policies, rules, and/or directives. The Investigations Unit conducts investigations involving Consolidated Government officials and employees (excluding sworn personnel), as well as vendors, contractors, or consultants doing business with the Consolidated Government. Investigations are conducted in accordance with the Commission for Florida Law Enforcement Accreditation, Inc.'s *Florida Inspectors General Standards Manual* and the Quality Standards for Investigations as outlined in the AIG's *Principles and Standards for Offices of Inspector General (Green Book)*.

During Fiscal Year 2020, the Investigations Unit issued **five** Reports of Investigations, issued **one** Management Inquiry, and closed **16** complaints. The Reports of Investigation resulted in **34** recommendations to enhance efficiency and accountability of government. 32 of the recommendations were accepted by management. The Reports of Investigation and Management Inquiry are summarized below.

JEA's Invitation to Negotiate #127-19 Release of Management Presentation

In December of 2019, the OIG received a complaint regarding the unauthorized release of a PowerPoint presentation prepared in conjunction with the *Intent to Negotiate (ITN) # 127-19 For Strategic Alternatives*. The presentation, which had been distributed during a publicly noticed meeting, was considered by former JEA Senior Leadership to be confidential and/or sensitive information.

The investigation **substantiated** that in November of 2019, a JEA employee accessed and downloaded the presentation and provided the presentation to a Council Member. In addition, the investigation concluded that former JEA Senior Leadership, did not take all the necessary steps to prevent unauthorized access to information.

The investigation concluded that the JEA policy lacked any articulated prohibition against JEA employees accessing JEA internal network drives for the purpose of downloading (i.e. USB drive) and providing confidential and/or sensitive information to external parties without a clear business need, justification, and without prior management approval.

RESULTS:

As a result of this investigation, JEA is eliminating the unsecured shared drive and the employee was verbally counseled.



3 Recommended Corrective Actions
(See Appendix 4)







1 Verbal Counseling

Investigation of Misconduct Within Jacksonville Housing Authority

In **August** of 2018, the OIG received a complaint regarding the Chief Executive Officer/President (CEO/President) of the Jacksonville Housing Authority (JHA). The OIG conducted a joint investigation with the Jacksonville Human Rights Commission (JHRC) that focused primarily on five allegations related to (1) sexual harassment; (2) standards of conduct; (3) conflict of interest and prohibited receipt of gifts; (4) JHA internal policy; and (5) improper salary increase.

The OIG **substantiated** that the JHA CEO/President, in part:

-  Participated in consensual sexual relationships with multiple JHA employees, dating back to 2001, with whom he had direct or indirect supervisory oversight;
-  Provided a job promotion to a JHA employee with whom he had an ongoing consensual sexual relationship;
-  Requested and/or paid JHA employees and JHA vendors to complete home improvement services at a JHA employee's residence with whom he had an ongoing consensual sexual relationship;
-  Received gifts from a JHA vendor and subsequently provided the gifts to multiple JHA employees, including those with whom he had consensual sexual relationships.

The investigation determined there was a lack of internal controls within JHA related to outdated internal policies; inconsistent and incomplete record keeping, including personnel files and salary related documents; and inconsistent handling of complaints related to employee misconduct, e.g. sexual harassment and/or harassment.

RESULTS: The Jacksonville Housing Authority is in the process of a comprehensive revision and update to agency-wide policies and procedures.



13 Recommended Corrective Actions (See Appendix 4)



1 Termination (Chief Executive Officer)



1 Resignation



1 Written Reprimand

Investigation Into Conduct of Former Kids Hope Alliance CEO

In August of 2019, the OIG received a complaint regarding the Chief Operating Officer (CEO), Kids Hope Alliance (KHA). The OIG investigation focused primarily on three allegations related to (1) KHA workplace environment/management; (2) conflicting relationships/misuse of position; and (3) non-compliance/policy deficiency.

The OIG **substantiated** that the KHA CEO/President, in part:

- Engaged in a consensual sexual relationship with another Senior Leadership Team Member whom the CEO directly supervised.
- Resumed direct supervision over the Senior Leadership Team Member after a brief leave of absence, after the KHA Board President and Office of the Mayor had been notified of the relationship.
- Misused his public position by recommending two organizations, with whom he had a personal and/or professional relationship, for consideration of grant funding in the amount of \$100,000 each from a non-profit organization. Additionally, these organizations did not appear to meet the grant criteria.
- Exchanged, transmitted, and/or retained numerous inappropriate non-COJ business communications in violation of COJ policies.

The OIG investigation **disclosed** the following, in part:

- There were no existing COJ policies and/or procedures that address non-professional relationships between supervisors and subordinate employees, more specifically regarding consensual sexual relationships within the workplace between supervisors and direct reports.
- Potential hiring conflicts (real or perceived) were not disclosed to Employee Services; specifically, three members of the Senior Leadership Team, hired through COJ's "special hiring" process or hired competitively, had been affiliated with the KHA CEO in some way.
- COJ policies and/or procedures did not address disclosing potential conflicts during a COJ special hiring process.
- COJ policies did not address disclosures by COJ employees of the existence of any conflicting relationships, either personal or professional, during any non-competitive procurement process or when involved in making recommendations on behalf of the COJ, especially for grant funding not subject to review or oversight by the COJ.
- COJ policies lacked a prohibition against the transmission and/or retention of inappropriate communications or inappropriate photos related to adult content of a sexual nature.
- A number of KHA employees, in addition to the former KHA CEO, had outstanding COJ policy acknowledgements.

RESULTS: The City developed a new Standards of Conduct Policy regarding personal relationships in the workplace, a new Conflict of Interest Policy, and updated the Administrative Leave Policy to state the following: "Administrative leave for Appointed employees during disciplinary investigations will not be granted for more than two weeks."



15 Recommended Corrective Actions (See Appendix 4)



1 Resignation (Chief Executive Officer)

Investigation Into Alleged Preferential Treatment

In August of 2019, the OIG initiated an investigation after it was alleged in two separate news articles that the Chief of Staff and the Chief Administrative Officer, Office of the Mayor, pressured the Chief Executive Officer, Kids Hope Alliance, to provide preferential treatment to designated organizations for two grant programs.

The OIG investigation did not reveal any information which supported the allegations and there were no recommendations as a result of this investigation.

Review of City Council Policies Regarding Telephonic Business Communications

In February of 2019, the OIG initiated a Management Review to review City Council processes and procedures related to the usage of personal cellular telephones for official COJ business, including the retention of official business communications.

The Management Review disclosed City Council had no existing rules, policies, or procedures that provide guidance to Council Members to ensure compliance with both the State of Florida "Sunshine Law" and public records laws when using personal cellphones for City of Jacksonville business.

RESULTS: The City Council President has directed the City Council Director to establish a policy for retention of electronic communications related to official City of Jacksonville business while using personal devices.



3 Recommended Corrective Actions (See Appendix 4)

Management Inquiry — COVID-19 Mortgage, Rent, and Utility Relief Program

In May 2020, the OIG received a complaint regarding the administration of funds for the City of Jacksonville's COVID-19 Mortgage, Rent, and Utility Relief Program. Specifically, the complainant expressed concerns regarding the disbursement of these federal funds and the potential for misuse and misappropriation.

The OIG issued a Management Inquiry to the Administration to inquire about the program. In response, the Administration provided adequate information to demonstrate proper administration of the program, including training materials and certification forms.

APPENDIX 1

OIG CHARTER PROVISIONS

ARTICLE 1 – GOVERNMENT AND ETHICS

CHAPTER 2 – ETHICS

Section 1.201. - Declaration of Ethics Policy.

The proper operation of responsible government requires that public officials and employees be independent, impartial, and responsible to the people; that government decisions and policy be made in the best interests of the people, the community and the government; that public office not be used for personal gain, and that the public have confidence in the integrity of its government.

Section 1.202. - Ethics code, ethics commission, inspector general.

The City of Jacksonville, acting in its capacity as a county, shall enact an ethics code with jurisdiction over the officers and employees of the consolidated government of the City of Jacksonville, its constitutional officers, and independent agencies and districts, whether elected or appointed, paid or unpaid, and to the officers and employees of the school district. Jurisdiction shall include, but not be limited to the following: The Mayor, the Sheriff, the Supervisor of Elections, the Property Appraiser, the Clerk of the Courts, the Tax Collector, City Council, JEA, the Police and Fire Pension Fund, Jacksonville Aviation Authority, Jacksonville Port Authority, Jacksonville Housing Authority, Jacksonville Housing Finance Authority, Jacksonville Transportation Authority, and the Jacksonville Health Facilities Authority. The ethics code may, as allowed by law, supplement state ethics laws.

Section 1.203 - Ethics Oversight and Compliance office and Office of Inspector General.

- (a) The ethics code provided for in section 1.202 of the Charter shall include the establishment of an independent citywide Ethics Oversight and Compliance office and an independent Office of Inspector General, each with jurisdiction over the City of Jacksonville, its constitutional officers, and its independent agencies.

APPENDIX 1

OIG CHARTER PROVISIONS (CONT'D)

- (c) The Office of Inspector General shall provide independent oversight of publicly funded activities and transactions and other local government operations. The office shall have jurisdiction to investigate, audit, and provide contract oversight, and to promote economies and efficiencies, improve agency operations, and prevent and deter waste, fraud and abuse.
- (d) The Ethics Oversight and Compliance Office and the Office of Inspector General shall, to the extent practicable and advisable, share resources, promote efficiencies and avoid duplications.

Section 1.204 - Administrative Support

- (a) Appropriate support, as determined by City Council, shall be provided to the ethics commission and to the citywide Ethics Oversight and Compliance office and to the Inspector General to carry out each of their duties and responsibilities.
- (b) Subsection (a) support shall include a mechanism to obtain documents and testimony in connection with violations of the City's ethics code.
- (c) The City and the independent agencies may enter into agreements for purposes of providing funding and administrative support for ethics and inspector general activities.
- (d) Subject to available funding, the Inspector General may, appoint, employ or retain independent legal counsel to assist with the functions of the office.

Section 1.206. - Professional Standards.

Subject to practicality and available funding, the Office of Inspector General should apply for and pursue professional accreditations for the investigative functions of the office offered by the Florida Commission for Law Enforcement Accreditation.

Section 1.207. - Inspector General Independent Selection

The City Council shall amend, enact, reenact, or recodify appropriate legislation to ensure that the hiring and removal of the inspector general shall be vested with an independent inspector general selection committee.

APPENDIX 2

OIG ORDINANCE PROVISIONS

JACKSONVILLE ORDINANCE CODE

CHAPTER 602 – ETHICS CODE

PART 3. - INSPECTOR GENERAL

Sec. 602.301. - Establishment; Office of Inspector General.

There is created an Independent Office of Inspector General. The organization and administration of the Office shall be independent to assure that no interference or influence external to the Office adversely affects the independence and objectivity of the Inspector General.

Sec. 602.302. - Purpose.

The purpose of this Part is to establish a full-time Office of Inspector General in order to provide increased accountability, integrity, and oversight of the entire consolidated government, to assist in promoting economy and efficiency, improving agency operations, and deterring and identifying waste, fraud and abuse. This Part shall not apply to the Office of the State Attorney, and the Office of the Public Defender.

Sec. 602.303. - Duties and Functions.

The duties and functions of the Office of Inspector General shall include the authority, power and responsibility to:

- (a) Review and evaluate internal controls to protect the resources of the entire consolidated government against waste, fraud, inefficiency, mismanagement, misconduct, and other abuses;
- (b) Audit, evaluate, investigate and review past and present the activities, accounts, records, contracts, procurements, change orders, grants, agreements, and other programmatic and financial arrangements undertaken by any office, agency, department, or part of the entire consolidated government, and any other function, activity, process or operation conducted by any office, agency, department, or part of the entire consolidated government; its officials and employees, contractors, their subcontractors and lower tier subcontractors, and other parties doing business with any office, agency, department, or part of the entire consolidated government, or receiving funds from any office, agency, department, or part of the entire consolidated government;

APPENDIX 2

OIG ORDINANCE PROVISIONS (CONT'D)

- (c) Conduct investigations, audits, contract oversight and reviews, issue reports, and make recommendations in accordance with applicable laws, rules, regulations, policies and past practices. Audits, investigations, inspections and reviews conducted by the Office of Inspector General will conform to professional standards for Offices of Inspector General such as those promulgated by the Association of Inspectors General; in accordance with current International Standards for the Professional Practice of Internal Auditing as published by the Institute of Internal Auditors, Inc., or where appropriate, in accordance with generally accepted governmental auditing standards. The Office of Inspector General shall develop and adhere to written policies in accordance with Florida accreditation standards for Inspector Generals;
- (d) Receive full and unrestricted access to the records of any and all officials and employees, contractors, including their subcontractors and lower tier subcontractors, of any office, agency, department, or part of the entire consolidated government and other parties doing business with any office, agency, department, or part of the entire consolidated government or receiving funds from any office, agency, department, or part of the entire consolidated government;
- (e) Receive, review, and investigate any complaints regarding projects, programs, contracts or transactions of any office, agency, department, or part of the entire consolidated government;
- (f) Establish a "hotline" to receive complaints, from either anonymous or identified persons;
- (g) Review referrals from the Director of the Office of Ethics Compliance and Oversight;
- (h) Require all officials, employees, and contractors, their subcontractors and lower tier subcontractors, and other parties doing business with any office, agency, department, or part of the entire consolidated government or receiving funds from any office, agency, department, or part of the entire consolidated government to provide statements; administer oaths; and, require the production of documents, records and other information. In the case of refusal by an official, employee or other person to obey a request by the Office for documents or for an interview, the Inspector General shall have the power to subpoena witnesses, administer oaths, and require the production of documents;
- (i) In the case of refusal to obey a subpoena served to any person, the Inspector General may make application to any court of competent jurisdiction to order the witness to appear before the Inspector General and to produce evidence, or to give testimony relevant to the matter in question;
- (j) Where the Inspector General suspects a possible violation of any state, federal or local law, he or she shall notify the appropriate law enforcement agencies;

APPENDIX 2

OIG ORDINANCE PROVISIONS (CONT'D)

- (k) The Mayor and any and all Officials of any office, agency, department, or part of the entire consolidated government shall promptly notify the Inspector General of possible mismanagement of a contract (misuse or loss exceeding \$5,000 in public funds), fraud, theft, bribery, or other violation of law which appears to fall within the jurisdiction of the Inspector General, and may notify the Inspector General of any other conduct which may fall within the jurisdiction of the Inspector General;
- (l) Engage in prevention and outreach activities, including but not limited to: develop public awareness to inform government officials and employees, as well as the general public, of the authority and responsibility of the Office;
- (m) Recommend remedial actions to be taken by any office, agency, department, or part of the entire consolidated government to overcome or correct operating or maintenance deficiencies and inefficiencies that were identified by the Office;
- (n) Issue an annual report to the Ethics Commission, the Inspector General Selection and Retention Committee, Mayor, the Council and deliver to the full City Council and the Inspector General Selection and Retention Committee a verbal briefing on activities of the Office every six months;
- (o) Monitor implementation of the recommendations made by the Office;
- (p) Monitor, inspect and review, without limitation, the operations, activities, performance, and procurement processes including, but not limited to, bid specifications, bid submittals, activities of the contractor, their subcontractors and lower tier contractors, its officers, agents and employees, lobbyists, officials and staff of any office, agency, department, or part of the entire consolidated government, in order to ensure compliance with contract specifications and detect waste, fraud and abuse;
- (q) Be notified in writing prior to any duly noticed public meeting of a procurement selection committee where any matter relating to the procurement of goods or services by any office, agency, department, or part of the entire consolidated government is to be discussed;
- (r) Establish policies and procedures to guide functions and processes conducted by the Office;
- (s) Reserved;
- (t) Exercise any of the powers contained in this Chapter upon his or her own initiative;
- (u) The Office records related to active audits, investigations and reviews shall be confidential and exempt from disclosure, as provided by F.S. § 112.3188(2) and Ch. 119;
- (v) The Inspector General is considered the "appropriate local official" of the City for purposes of whistleblower protection provided by Section 112.3188(1), Florida Statutes;

APPENDIX 2

OIG ORDINANCE PROVISIONS (CONT'D)

- (w) The Inspector General has the power to appoint, employ, and remove such other personnel as is deemed necessary for the efficient and effective administration of the activities of the office. All such appointees shall serve at the pleasure of the Inspector General and shall be exempt from civil service; and
- (x) To enforce this Chapter by all means provided by law, including seeking injunctive relief in the Fourth Judicial Circuit Court in and for Duval County.

Sec. 602.304. - Inspector General Established; Qualifications.

The Inspector General shall head the Office of Inspector General and shall have a bachelor's degree or higher from an accredited college or university, and at least ten years of experience in government auditing, investigation, or prosecutorial or criminal justice administration, public administration or business administration. A master's degree or higher is preferred. Professional certifications such as certified inspector general, certified inspector general auditor or investigator, certified public accountant, certified internal auditor, or certified fraud examiner are recommended. The Inspector General shall not have been found guilty of or entered a plea of nolo contendere to any felony, or any misdemeanor involving the breach of public trust. If not already certified as an inspector general, the Inspector General shall be required to obtain certification within 24 months of becoming the Inspector General.

Sec. 602.305. - Selection, Term, Contract, Removal and Vacancy.

- (a) *Selection.* The responsibility for selecting the Inspector General shall be vested with the Inspector General Selection and Retention Committee, hereinafter, the "Committee." The Committee shall be composed of seven members selected as follows:
 - (1) The President of the Jacksonville City Council or his or her designee;
 - (2) The State Attorney of the Fourth Judicial Circuit or his or her designee;
 - (3) The Chair of the Jacksonville Ethics Commission or his or her designee;
 - (4) The Chair of the Jacksonville TRUE Commission or his or her designee;
 - (5) The Public Defender of the Fourth Judicial Circuit or his or her designee;
 - (6) The Chief Judge of the Fourth Judicial Circuit or his or her designee; and
 - (7) The Mayor of the City of Jacksonville or his or her designee.

The chairperson of the Committee will rotate among the members of the Committee starting with the President of the Jacksonville City Council or his or her designee.

APPENDIX 2

OIG ORDINANCE PROVISIONS (CONT'D)

The chairperson will serve for a term of two years and will be followed in numerical order as outlined above. The position of chairperson is connected with the position and not the individual. The term of the chairperson will commence on July 1. If a member does not wish to serve as chairperson the position will rotate to the next member in numerical order. The Committee shall select the Inspector General with no less than four members approving the appointment from a list of qualified candidates submitted by the City of Jacksonville Employee Services Department. The Committee's selection is subject to confirmation by City Council.

- (b) *Term.* The Inspector General shall be appointed for a term of four years. The Committee shall convene at least six months prior to the end of the four-year contract term to determine whether to renew the contract of the Inspector General or to solicit new candidates.
- (c) *Contract.* The Chair of the Committee, in coordination with the Office of General Counsel, shall negotiate a contract of employment with the Inspector General. The Inspector General shall be an appointed employee exempt from civil service and shall be entitled to all rights and benefits normally accorded to appointed employees.
- (d) *Removal.* The Inspector General may be removed based on specified charges initiated by the Committee for the following: neglect of duty, abuse of power or authority, discrimination, or ethical misconduct. The Inspector General shall be provided sufficient advance notice of the reasons for the possible removal, and shall be given an opportunity to be heard on the charges. A decision of the Committee to remove the Inspector General must be approved by a minimum of four members of the Committee and be confirmed by the City Council.
- (e) *Vacancy.* In the event of a vacancy in the position of Inspector General, the Committee shall appoint an interim Inspector General until such time as a successor Inspector General is selected and assumes office. The Interim Inspector General shall meet all qualifications provided herein for the Inspector General.
- (f) In addition to the responsibility for the selection and retention of the Inspector General, the Committee will meet no less than once every six months to receive an update on the Office of Inspector General's activities and to provide support and assistance to the Inspector General. Additionally, the Committee will review the proposed annual budget for the Office of Inspector General every spring and provide any feedback or comments prior to the Inspector General presenting the proposed budget to the Mayor's Office. The Committee shall on a yearly basis evaluate the performance of the Inspector General based on criteria established by the Committee.

APPENDIX 2

OIG ORDINANCE PROVISIONS (CONT'D)

Sec. 602.306. - Records Disclosure.

The Inspector General's final reports shall be public records to the extent that they do not include information that has been made confidential and exempt from release to the public by Florida or federal law.

Sec. 602.307. - Annual Budget.

The Mayor shall establish in the annual budget a separate activity for the Office of Inspector General similar to the budget presentation of a department of the City of Jacksonville. A minimum funding base is hereby established at \$400,000 annually.

Sec. 602.308. - Coordination with City Council Auditor's Office.

The Inspector General and the City Council Auditor shall mutually cooperate, subject to their respective standards on confidentiality, and where practicable, to avoid duplication of efforts in audit functions. The Inspector General and the Council Auditor shall obtain respective approval prior to an offer of employment to their respective employees.

Sec. 602.309. - Penalty Provisions.

It shall be unlawful and a Class D offense for:

- (1) Any person to retaliate, punish, threaten, harass, or penalize any person for assisting, communicating or cooperating with the Office of Inspector General; or
- (2) Any person to:
 - (a) Knowingly interfere, obstruct, or impede any investigation conducted by the Office of Inspector General; or
 - (b) Knowingly attempt to interfere, obstruct, or impede any investigation conducted by the Office of Inspector General; or
 - (c) Knowingly falsify facts in any oral or written statement made as part of any investigation conducted by the Office of Inspector General.

APPENDIX 3

CITY REPORTING POLICY



CITY OF JACKSONVILLE

Reporting Policy

- SUBJECT:** City Officials Reporting of Matters to the Office of Inspector General.
- REFERENCE:** The Office of the Inspector General, City of Jacksonville, Section 1.203, Part 3, Chapter 602 of the City of Jacksonville Code.
- PURPOSE:** The Office of Inspector General (OIG) has the responsibility for investigating possible instances of fraud, waste, mismanagement, misconduct and other abuses by a City official, employee, contractor or any other parties doing business or that have a financial relationship with the City. This directive establishes a policy and procedure for reporting such matters to the OIG.
- POLICY:** City Employees shall report any fraud, theft, bribery, contract mismanagement (misuse or loss exceeding \$5,000), or other violations of law, which appear to fall under the jurisdiction of the OIG on matters related to City business in accordance with the procedure established herein.
- PROCEDURE:** A. Method of Reporting to the OIG: An employee, who becomes aware of a matter that may be within the responsibility of the OIG, shall promptly report their concerns/information in any of the following ways:
1. Email to: InspectorGeneral@coj.net; or
 2. Fax to: (904) 630-8003
 3. On line at www.coj.com/OIG ; or
 4. U.S. Mail to the Office of Inspector General at P.O. Box 43586 Jacksonville, FL 32203; or
 5. OIG Office at (904) 630-8000.

APPENDIX 3

CITY REPORTING POLICY (CONT'D)

B. Whistle-blower Allegations: In accordance with this Code and the Florida Whistle-blower Act, if an employee reports any of the following directly and in writing to the Inspector General, he or she may be granted "whistle-blower" protection by the Inspector General:

1. Any violation or suspected violation of any federal, state, or local law, rule, or regulation committed by an employee or agent of an agency or independent contractor which creates and presents a substantial and specific danger to the public's health, safety, or welfare.
2. Any act or suspected act of gross mismanagement, malfeasance, misfeasance, gross waste of public funds, suspected or actual Medicaid fraud or abuse, or gross neglect of duty committed by an employee or agent of an agency or independent contractor.

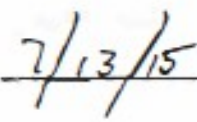
Employees should note that reporting a matter to the Inspector General pursuant to the Whistle-blower Act does not guarantee the employee "whistle-blower" protection under the Act. That is a determination which will only be made by the Inspector General after evaluation of the complaint.

C. Staff Cooperation: All officials and employees are expected to fully cooperate with the OIG in the exercise of the OIG's functions, authority and powers. Such cooperation shall include, but not limited to, providing statements, documents, records, and other information.

This policy shall not prohibit or excuse an employee from making other required reports regarding any matter in accordance with any other applicable requirement or laws.



Mayor Lenny Curry



Date

APPENDIX 4

RECOMMENDED CORRECTIVE ACTIONS

AUDIT UNIT

KIDS HOPE ALLIANCE FAITH-BASED PROGRAM AUDIT (OIG Audit Report 2019-AR-0001)

3 Recommendations - 3 Completed, 0 In Progress

- ⇒ Update the KHA *Policies and Procedure Manual, Contract Management File Policy* to ensure that oversight of Agreements and/or contracts begins within a set time frame after execution. The updated policy should include a periodic internal compliance review of all active Agreements and/or contracts in order to ensure services are being performed in accordance with the terms and scope of work.
- ⇒ Update the KHA *Policies and Procedure Manual, Contract Management File Policy* to incorporate a periodic supervisory compliance review process to ensure KHA contract managers have obtained all required documents in accordance with Agreements and/or contracts before reimbursements are approved and disbursed.
- ⇒ KHA should coordinate with the Office of Grants and Contract Compliance to ensure that the unused Faith-Based Program funds are returned to the COJ general fund, or where deemed appropriate by the Office of the Mayor's Administration.

Update the KHA *Policies and Procedure Manual, Contract Management File Policy* to ensure that the closeout process is conducted within a set time frame, e.g. within 30 days of the end of the term of an Agreement or contract, in order to identify whether there are any remaining funds and determine the appropriate disposition of those funds.

SUNSHINE LAW COMPLIANCE AUDIT (OIG Audit Report 2020-CR-0001)

6 Recommendations - 0 Completed, 6 In Progress

- ⇒ Ensure advance notice is given and that the backdating of notices will not be acceptable for absences, early departures, and late arrivals;
- ⇒ Track excused and unexcused absences, early departures, and late arrivals; and
- ⇒ Establish progressive consequences to ensure Council Members are in compliance with advanced notification, barring emergencies, of absences, early departures, and late arrivals.
- ⇒ Establish timeframes for the posting of meeting minutes to the Council's website, via the link to Public Notices;
- ⇒ Perform quarterly periodic reviews of the Public Notices link to ensure records posted to that link remain accessible; and
- ⇒ Ensure all meeting minutes are posted on the Council's website, via the link to Public Notices.

APPENDIX 4

RECOMMENDED CORRECTIVE ACTIONS (CONT'D)

CONTRACT OVERSIGHT UNIT

JEA'S INVITATION TO NEGOTIATE #127-19 PROCESS REVIEW (Contract Oversight Review 2020-10-0004)

11 Recommendations - 3 Completed, 8 In Progress

- ⇒ Establish or incorporate into existing policies a standard to ensure JEA policies and procedures are consistently formally documented as approved upon adoption or update. Provide the OIG with a copy of any newly established or revised policy or procedure.
- ⇒ Establish or incorporate into existing policies a comprehensive checklist for all required administrative actions (i.e. checking Replies against the Convicted Vendor List) contained within a specific ITN document and ensure a periodic internal compliance review that the actions are appropriately documented as having been completed and are up to date. Provide the OIG with a copy of any newly established or revised policy or procedure.
- ⇒ Establish or incorporate into existing policies a requirement that a formal Acknowledgement of Confidentiality document be created specifically for the Evaluation Committee members and require it to be signed upon appointment to the team. Provide the OIG with a copy of any newly established or revised policy or procedure.
- ⇒ Establish or incorporate into existing policies a process to outline where Replies should be secured, who has access to them, how access will be documented and how the evaluation results will be returned. Include in the policy and/or procedure:
 - Replies that are deemed confidential are not to be removed from a secure room or location within the JEA facility, unless there is a documented exception;
 - Replies should be prohibited from being saved to or copied to any non-JEA computer drive, desktop or any removable storage device;
 - Evaluation Committee members should complete evaluations within the JEA offices; and
 - Access to Replies should be documented providing the name of the individual accessing them, the reason for the access, date, time and duration.

Provide the OIG with a copy of any newly established or revised policy or procedure.
- ⇒ Establish or incorporate into existing policies a requirement to consistently use a dedicated and secure mailbox for e-mails and any related correspondence, when a dedicated mailbox is set up for the specific procurement process. Provide the OIG with a copy of any newly established or revised policy or procedure.
- ⇒ Establish a written policy and/or procedure to ensure that conflicts of interest between the Evaluation Committee members and the Respondents be thoroughly vetted once the names of the Respondents are known to the team members. Include in this policy and/or procedure a method to adequately review and capture, in writing, these conflicts, real or perceived, to maintain the integrity of the process. Provide the OIG with a copy of any newly established or revised policy or procedure.
- ⇒ Establish a written policy and/or procedure requiring a log for communications and meetings between SMEs and Evaluation Committee members to be maintained up to date as the communications and meetings occur. Include in the log the:
 - date,
 - originator of the request,

APPENDIX 4

RECOMMENDED CORRECTIVE ACTIONS (CONT'D)

- SME name,
- topic,
- start/end time, and
- location or venue.

Provide the OIG with a copy of any newly established or revised policy or procedure.

- ⇒ Establish a written policy and/or procedure requiring a log for communications between DPRs and Respondents be maintained up to date as the communications occur, if not using a dedicated mailbox to retain communications. Include in the log the:
- date,
 - originator of the communication,
 - Respondent Name and firm,
 - phone call or e-mail,
 - time of communication, and
 - topic.

Provide the OIG with a copy of any newly established or revised policy or procedure.

- ⇒ Review and update negotiation training within the JEA *Operational Procedures (Revised June of 2017)* to document specifically that decisions, as deemed appropriate, made between negotiators and SMEs are to be clearly discussed at a recorded negotiation strategy session to provide transparency for public record. Review and determine if some of the language used in the Negotiator training document (*Negotiation Instructions, JEA ITN #127-19 for Strategic Alternatives Memo, dated November 6, 2019*), created by attorney advisors, which provides detailed actions of the Negotiation Team should be incorporated into the JEA negotiation training. Provide the OIG with a copy of any newly established or revised policy or procedure.
- ⇒ Establish a written policy and/or procedure requiring a log for communications and meetings between SMEs and Negotiation Team members to be maintained up to date as the communications and meeting occur. Include in the log the:
- date,
 - originator of the request,
 - name of the DPR used,
 - negotiator name,
 - SME name,
 - topic,
 - start/end time, and
 - location or venue.

Provide the OIG with a copy of any newly established or revised policy or procedure.

- ⇒ Review and update the JEA *Operational Procedures (Revised June of 2017)* to require a statement of record, either verbal or written, be used at each negotiation strategy session and each negotiation session to formally capture statements that no ex parte communication occurred. Provide the OIG with a copy of any newly established or revised policy or procedure.

APPENDIX 4

RECOMMENDED CORRECTIVE ACTIONS (CONT'D)

INVESTIGATIONS UNIT

JEA'S INVITATION TO NEGOTIATE #127-19 RELEASE OF MANAGEMENT PRESENTATION

(Report of Investigation 2020-0005)

3 Recommendations - 2 Declined, 1 In Progress

- ⇒ Establish a written policy and/or procedure to ensure JEA employees working with confidential and/or sensitive information know to save the information in a secure location and ensure that the work product is password protected, as appropriate. Provide OIG with a copy of any newly established policy or procedure.
- ⇒ Review and update the JEA *Acceptable Use Policy* to include prohibitions against the release of proprietary, confidential, and/or sensitive information to external parties by JEA employees without a clear business need, justification, and without prior management approval. In addition, outline any disciplinary action that could result in violation of the policy. Provide the OIG with a copy of the updated JEA Acceptable Use Policy.
- ⇒ Review and determine if the T Drive (shared drive) should remain accessible to all JEA employees.

INVESTIGATION OF MISCONDUCT WITHIN JACKSONVILLE HOUSING AUTHORITY

(Report of Investigation 2018-0012)

13 Recommendations - 1 Completed, 12 In Progress

- ⇒ Review and update all JHA policies and procedures including, but not limited to, those listed below. Ensure that these updated policies are made available and acknowledged by all JHA employees, as applicable. Provide verification to the OIG.
 - ***Sexual Harassment 002***, effective August 14, 1995
 - ***Sexual Harassment 112***, effective August 14, 1995
 - ***Conflict of Interest 005***, revised date August 16, 2007
 - ***Harassment 116***, effective November 4, 1998
 - ***Standards of Conduct 327***, revised November 14, 2001
 - ***Outside Employment 335***, revised November 14, 2001
 - ***Employee Performance Appraisal***, revised October 20, 2005
- ⇒ Review and update the JHA *Employee Handbook*. Ensure the JHA *Employee Handbook* is made available and acknowledged by all JHA employees. Provide verification to the OIG.
- ⇒ Review and update the JHA *Supervisor's Guide and Reference Manual*. Ensure the JHA *Supervisor's Guide and Reference Manual* is made available and acknowledged by all JHA supervisors. Provide verification to the OIG.

APPENDIX 4

RECOMMENDED CORRECTIVE ACTIONS (CONT'D)

⇒ Establish or incorporate into existing policies standards of conduct related to the following topics. Provide verification to the OIG.

- Fraternalization between supervisors and subordinates;
- Fraternalization between JHA employees and clientele (e.g. tenants);
- Fraternalization between JHA employees and JHA vendors;
- JHA employees doing business (e.g. hiring for services) with other JHA employees; and
- JHA employees doing business (e.g. hiring for services) with other JHA vendors for non-JHA services.

⇒ Establish a written policy and procedure related to JHA employees reporting gifts, in accordance with Chapter 602, *Ordinance Code*. Provide verification to the OIG.

⇒ Establish a written policy and procedure related to JHA employees reporting secondary employment, in accordance with Chapter 602, *Ordinance Code*. Provide verification to the OIG.

⇒ Establish a written policy that outlines the various types and the manner in which salary increases are determined and awarded, and update the *Employee Change Notice* form, as necessary. Ensure that the policy is made available to all JHA employees. Provide verification to the OIG.

⇒ Establish a procedure for the consistent maintenance and retention of HR personnel files, including (but not limited to) performance evaluations and salary documents and accompanying justifications, as applicable. Provide verification to the OIG.

⇒ Establish a written policy and procedure related to the handling and closure of internal complaints and/or investigations. The policy and procedure should include the development of a unique numbering system for all complaints; maintenance and retention of investigation file records and notes; a process for notifying the appropriate authorities, including the JHA Board, and/or OGC when applicable; and a process to ensure complainants are notified upon closure.

The policy should also include a protocol for forwarding complaints concerning the Senior Leadership Team, including the CEO/President, to the appropriate agencies, depending on the allegations, as listed below:

- Matters related to fraud, waste, and abuse should be forwarded to the OIG;
- Matters related to ethics should be forwarded to the Office of Ethics, Compliance and Oversight; and
- Employment matters related to sexual harassment, discrimination, and retaliation should be forwarded to the JHRC.

Provide verification to the OIG.

⇒ Establish a written policy and procedure for maintaining and preserving written meeting minutes and audio recordings (if applicable) for the JHA Board's publicly noticed meetings and the Executive Session meetings, in accordance with Florida's Sunshine Law. Also, designate an alternate custodian of records. Provide verification to the OIG.

APPENDIX 4

RECOMMENDED CORRECTIVE ACTIONS (CONT'D)

- ⇒ Establish a written policy and procedure related to JHA Board duties in regards to conducting the CEO/ President's performance evaluation and salary increase process. Also, ensure that any justification documentation is preserved in the personnel file or an alternate location deemed appropriate for retention purposes. Provide verification to the OIG.
- ⇒ Establish a written policy requiring that all JHA employees, including the Senior Leadership Team, receive annual training related to the City of Jacksonville Ethics Code, sexual harassment, and other topics deemed appropriate for the workplace. The policy should include how attendance will be documented and retained. Provide verification to the OIG.
- ⇒ Ensure JHA employees receive annual training from the OIG; JHRC; and the Office of Ethics, Compliance and Oversight.

* * *

INVESTIGATION INTO CONDUCT OF FORMER KIDS HOPE ALLIANCE CEO (Report of Investigation 2019-0007)

15 Recommendations - 14 Completed, 1 In Progress

- ⇒ Establish a policy that addresses standards of conduct for interactions between supervisors and subordinates that prohibits direct supervision over individuals involved in personal relationships. Provide copies of any updated and/or newly established policies to the OIG. In addition, provide verification of distribution to all impacted employees.
- ⇒ Include in the above-mentioned policy a protocol for Employee Services to be notified of any potential violations in order for Employee Services to conduct an independent fact-finding investigation to determine whether any violations of COJ policies have occurred and ascertain the overall health of the impacted City department, division, or work unit.
- ⇒ Develop a policy and a procedure requiring a documented disclosure of hiring conflicts of interest by existing COJ employees (real or perceived) and a documented conflicts of interest determination by Employee Services for retention in any applicable personnel hiring file. Provide copies of any updated and/or newly established policy to the OIG. In addition, provide verification of distribution to all impacted employees.
- ⇒ Expand the line of questioning on employment applications to include questions regarding possible conflicting relationships concerning past or present professional, personal and/or financial relationships related to individuals within the hiring City department, division, or work unit. Provide a copy of any updated employment supplemental questions.
- ⇒ Develop a policy relating to an alternate unpaid leave mechanism, in lieu of paid administrative leave, during an ongoing investigation by authorized entities with the COJ, for individuals that are subjects of an employee misconduct investigation. Provide copies of any updated and/or newly established policy to the OIG. In addition, provide verification of distribution to all impacted employees.

APPENDIX 4

RECOMMENDED CORRECTIVE ACTIONS (CONT'D)

- ⇒ Request Employee Services meet with all Boards and Commissions who have oversight of COJ employees, i.e. CEO of KHA, etc., to review and discuss available resources within Employee Services to provide guidance and assistance in resolving issues and conflicts in the workplace.
- ⇒ Establish a protocol that holds heads of COJ departments or agencies accountable to ensure that all COJ employees review and acknowledge COJ issued policies in a timely manner and includes an appropriate remedy for non-compliance. Provide a copy of any newly established protocol to the OIG.
- ⇒ Establish a procedure to ensure timely review and acknowledgement of COJ issued policies are completed by all KHA employees. Coordinate with Employee Services and identify any KHA employees who have not read and acknowledged any applicable COJ policies. Provide verification of review and compliance.
- ⇒ Establish a policy and a procedure requiring COJ employees to provide a documented disclosure of conflicting relationships when involved in the procurement process, especially for procurements not subject to a competitive process. The policy should also include a documented review by Chief of Procurement, or appropriate authority. Provide copies of any updated and/or newly established policy to the OIG. In addition, provide verification of distribution to all impacted employees.
- ⇒ Establish a policy and a procedure requiring COJ employees to provide a documented disclosure of conflicting relationships when involved in making recommendations on behalf of the COJ, especially for grant funding not subject to review or oversight by the COJ. The policy should also include a documented review by Grant Administrator, or appropriate authority. Provide copies of any updated and/or newly established policy to the OIG. In addition, provide verification of distribution to all impacted employees.
- ⇒ Review the JaxPro (or equivalent database) vendor profile question concerning “*Conflict of Interest*” and consider adding questions relating to (1) whether the vendor has a personal or professional relationship with any COJ employee within a specified time frame; and (2) whether the vendor has a financial relationship with any COJ employee. The field for explanation should be sufficient to explain any details of the personal, professional and/or financial relationship to determine whether a conflicting relationship exists between any business, individual, or COJ employee. Provide a copy of any updated language to OIG.
- ⇒ Establish a procedure for the KHA CEO to consult with the KHA Board, either in whole or part, regarding potential recommendations or selection of potential businesses and/or individuals being considered for grant funding, whether through the COJ or through an outside party, to ensure impartiality, appropriateness, and that there are no conflicting relationships related to business and individuals being considered. Provide copies of any updated and/or newly established policies to the OIG. In addition, provide verification of distribution to all impacted employees.

APPENDIX 4

RECOMMENDED CORRECTIVE ACTIONS (CONT'D)

- ⇒ Determine whether there should be two distinct policies: one related to general use of City technology equipment and one related specifically to COJ-issued mobile devices.
- ⇒ Review and update the *Technology Use Policy 0516* and the *Cell Phone Policy* to include prohibitions against:
 - (1) Linking personal e-mail or other personal applications or accounts to COJ-issued devices in order to ensure that COJ issued technology and mobile devices are clearly used for work purposes only;
 - (2) Update language in each policy regarding the use of COJ issued devices to prohibit *communications* with other individuals relating to any adult content (e.g. sexting or sending and/or receiving pornographic material or photos); and/or the retention of any adult content material (e.g. adult-content photos).Provide copies of any updated and/or newly established policies to the OIG. In addition, provide verification of distribution to all impacted employees.
- ⇒ Consider the use of mobile device management software for COJ-issued mobile devices in order to ensure tighter controls over mobile devices (e.g. cell phone/smartphones, tablets and iPads, etc.).

REVIEW OF CITY COUNCIL POLICIES REGARDING TELEPHONIC BUSINESS COMMUNICATIONS (Management Review 2018-0006)

3 Recommendations - 0 Completed, 3 In Progress

- ⇒ Develop guidance in the form of a rule, policy, and/or procedure to ensure compliance with both the State of Florida “Sunshine Law” and public records laws when CMs are using personal cellphones for City of Jacksonville business. Specifically, address what conduct is prohibited by CMs when using their personal cellphones for City of Jacksonville business. Include a procedure for the retention of all texts related to official business. Provide a copy to the OIG of any rule, policy, or procedure established subsequent to this recommendation.
- ⇒ Determine whether the City Council should establish a rule, policy, and/or procedure to address the City Council’s right to audit personal cell phone records of CMs who receive an allowance in accordance with §10.105(c), Ordinance Code, and the Office of the City Council Communications Allowance Policy. Provide a copy to the OIG of any rule, policy, or procedure established subsequent to this recommendation.
- ⇒ Provide training to CMs and Executive Council Assistants relating to any newly established rule, policy, or law. Provide verification of training to the OIG.

APPENDIX 5 FISCAL YEAR 2020 AUDIT PLAN

FY 2020 Audit Plan

Audits - Planned	Preliminary Objectives
<p>Project: Visit Jacksonville Division: Tourism Development Council Status: Not Scheduled</p>	<p>To review controls and processes over expenses related to Visit Jacksonville and review of the issuance of rewards to third parties.</p>
<p>Project: Emergency Financial Assistance Program Division: Social Services Status: Not Scheduled</p>	<p>To review and evaluate the internal controls and processes related to the Emergency Financial Assistance Program. To review the qualifications of program recipients.</p>
Audits – In Progress	Preliminary Objectives
<p>Project: JEA Senior Leadership Team Business Expenses Audit Division: Utilities Status: In Progress</p>	<p>Review JEA Senior Leadership Team business expenses related to the purchase card program to determine whether purchases were reasonable and in accordance with the policy.</p>

APPENDIX 5 FISCAL YEAR 2020 AUDIT PLAN (CONT'D)

FY 2020 Audit Plan

Audit Follow-Up

Conduct a follow up on the Audit to determine whether:

1. Management has implemented the audit recommendations identified in the audit report.
2. New processes are being adhered to.



Project: Kids Hope Alliance Faith-Based Program Audit Follow-up

Audit Report Number: 2019-AR-0001

Division: Non-Profit



Project: Sunshine Law Compliance Audit Follow-up

Audit Report Number: 2020-CR-0001

Division: City Council



Project: Kids Hope Alliance Stop the Violence Program Audit Follow-up

Audit Report Number: 2020-AR-0002

Division: Non-Profit

OFFICE OF INSPECTOR GENERAL
City of Jacksonville
231 East Forsyth Street, Suite 470
Jacksonville, FL 32202



HOTLINE

REPORT FRAUD, WASTE, & ABUSE

904.255.5800 | www.coj.net/OIG

Email: InspectorGeneral@coj.net

PO Box 43586, Jacksonville, FL 32203