



**Agenda Item # 12
ATTACHMENT B.2**

February 7, 2017

To: The Honorable Brent Malever, President of the Council
The Honorable Matthew Wardell, President Pro Tem
The Honorable James Hilty
The Honorable Jay Musleh
The Honorable Mary Sue Rich
The Honorable Kent Guinn, Mayor
John Zobler, City Manager

Re: Review of Citizen Complaint - Project 2017-04

Internal Audit performed a review of an Ocala citizen's complaint to the City Manager regarding City employees responses to the citizen's numerous inquiries and public records requests. The citizen had concerns with the level of professionalism, timeliness, accuracy, and sufficiency in responding to his inquiries. The inquiries to multiple departments began in early 2016 and included public records requests regarding some items in the construction of the Farmers Market as well as a Code Enforcement case and associated processes.

We reviewed copies of related emails to or from the citizen, or between management, as well as all procurement documentation provided to the citizen's requests. We met with the citizen and various management to discuss interaction or communication with the citizen. Note that we did not try to determine if the documentation was complete.

During our meeting with the citizen to discuss his concerns, we were informed that he had a list of specific concerns that he was still working on and would email us. After our discussion, we provided our business card with all contact information and sent a thank you email to the citizen's email address provided (verified in previous City Manager emails) and requesting the list of specific concerns when completed.

We have not had any further contact from the citizen in response to our email. The citizen's issues were documented in his email to the City Manager dated September 12, 2016. The City Manager has had some informal interactions with the citizen recently.

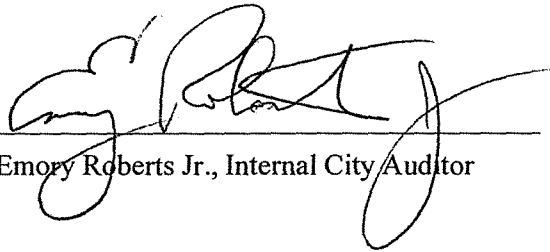
The citizen's complaints were related with two different areas of City operations, Procurement (related to Farmers Market construction) and Code Enforcement as well as interaction with certain employees, both in person and through emails, which he felt were unprofessional. Regarding the Procurement related issues, the Director of Procurement met with and provided a memorandum acknowledging his concerns and providing clarification of some of the related facts and City Procurement policies. Although the items in question were in compliance with policies, the memorandum included an action plan to improve processes to address the concerns related to purchases under \$5,000.

Based on our review of the documentation provided and discussions with various City management, there were misunderstandings and delays regarding the citizen's inquiries regarding both the Farmers Market construction and the Code Enforcement issues. Although City employees strive to answer all emails promptly, there were late or no record of email responses to questions and comments from the citizen due to various reasons such as addressees being out of the office or misunderstanding who should be answering certain emails with multiple addressees.

Regarding the City employees' level of professionalism, that is a judgement interpretation which could be interpreted differently based upon the reader or receiver of the communication. Miscommunication can easily occur when people have different expectations about the e-mails that they send and receive or interpersonal interactions. **All City employees are expected to treat every interaction with citizens with courtesy and respect.**

There is no City policy or guidance on writing style or email content in response to citizens' requests. Writing styles are different as some people prefer to write emails with a greeting and proper sign-off similar to a letter and other people prefer short direct responses to questions. All employees should be aware that all City emails by an employee or for a related topic (including internal emails to other employees) are available to citizens with a public records request.

We appreciate the assistance of all personnel involved in this review including Senior City Management, Procurement, and Code Enforcement.



Emory Roberts Jr., Internal City Auditor